

SPECIAL REPORT

FRIEDRICHS CASE UPDATE



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Dear Members of PVFA, RBTA and CVSTA,

We all send our deepest condolences to the family of Supreme Court Justice Scalia. Appointed in 1986 by President Reagan, he was the longest serving member of the current Court. His sudden passing over the weekend has presented some uncertainty in the remaining cases before the Court. CTA and NEA are still analyzing the full impact of this event and its impact on Friedrichs V CTA.

This afternoon (February 16th) I took part in a conference call moderated by CTA President Eric Heins to discuss the Court's options in the Friedrichs case and its potential impact on CTA. Below is a summary of what was discussed as it pertains to Friedrichs,

From Alice O'Brien (NEA Chief Counsel): Regarding Friedrichs

The Court has two (2) options:

- 1) The Court can decide the case with eight Justices. If they are deadlocked at 4-4, the opinion the 9th Circuit Court of Appeals will be affirmed (which was ruled in our favor) .*
- 2) The Court can vote to rearque the case either in the current term or during the 2016-17 term.*

A decision on which of the two options the Court will go with will be announced at the end of June 2016.

Please note that there are currently 27 similar court cases making their way through the Federal Courts. *The selection of the next Supreme Court Justice will be crucial in deciding these 27 cases. I have attached a link to an article appearing in the LA Times outlining the game plan by the anti-Union group behind the lawsuit, the Center for Individual Rights.*

<http://www.latimes.com/business/hiltzik/la-fi-mh-scalia-s-death-anti-union-group-legal-strategy-20160214-column.html>

Regardless of the outcome of Friedrichs, we will continue to build upon our strength through organizing and solidarity in our shared belief in public education.

In Solidarity and Aloha,

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