

1 ARTIANO SHINOFF  
Daniel R. Shinoff, Esq. (SBN 99129)  
2 dshinoff@as7law.com  
Maurice A. Bumbu, Esq. (SBN 325343)  
3 mbumbu@as7law.com  
3636 Fourth Avenue, Suite 200  
4 San Diego, California 92103  
Telephone: 619-232-3122  
5 Facsimile: 619-232-3264

6 Attorney for Defendant School Employees

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8 **UNITED STATES DISTRICT COURT**

9 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

10 ELIZABETH MIRABELLI, an  
individual, and LORI ANN WEST, an  
11 individual,

12 Plaintiffs,

13  
14 v.

15 MARK OLSON, in his official capacity  
as President of the EUSD Board of  
16 Education, et al.

17 Defendants.

Case No.: 3:23-cv-0768-BEN-WVG

**Notice of Supplemental Authority  
In Support of Defendants' Opposition  
to the Motion for Preliminary  
Injunction, and Defendants' Motion to  
Dismiss**

Judge: Hon. Roger T. Benitez

Courtroom: 5A

Hearing Date: August 23, 2023

Hearing Time: 2:00 p.m.

18 Defendants submit for the Court's consideration the attached Order dismissing a  
19 very similar case brought by a mother objecting to a school district's actions based upon  
20 AR 5145.3. The Defendants cited that same Court's earlier denial of an injunction in  
21 their Opposition to the Motion for Preliminary Injunction. (*Regino v. Staley* (E.D. Cal.,  
22 Mar. 9, 2023, No. 223CV00032JAMDMC) 2023 WL 2432920, at \*1.) The attached  
23 Order dismisses that case. (*Regino v. Staley* (E.D. Cal., July 11, 2023, No.  
24 223CV00032JAMDMC) 2023 WL 4464845,)

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ARTIANO SHINOFF

1 Dated: August 17, 2023

ARTIANO SHINOFF

*David R. Shinoff*

2  
3 By: \_\_\_\_\_  
4 Daniel R. Shinoff  
5 Maurice A. Bumbu  
6 Attorney for Defendants MARK OLOSN,  
7 et al  
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ARTIANO SHINOFF

**PROOF OF SERVICE**

**(State and Federal Court)**

I am and was at all times herein mentioned over the age of 18 years and not a party to the action in which this service is made. At all times herein mentioned I have been employed in the County of San Diego in the office of a member of the bar of this court at whose direction the service was made. My business address is 3636 Fourth Avenue, Suite 200, San Diego, California 92103.

On August 17, 2023, I served the following document(s):

**1. Notice of Supplemental Authority in Support of Plaintiffs’ Motion for a Preliminary Injunction, and in Opposition to the EUSD Defendants’ Motion to Dismiss**

**BY ELECTRONIC SERVICE** via e-mail without electronic error on August 17, 2023, by Nopealey Lay at nlay@as7law.com.

**BY ELECTRONIC SERVICE** On the date executed below, I served the document(s) listed above via OneLegal.com.

Charles S. LiMandri, Esq  
Paul M. Jonna, Esq  
Jeffrey M. Trissell, Esq  
Milan L. Brandon II., Esq LIMANDRI &  
JONNA LLP  
Rancho Santa Fe, CA 92067  
Tel: 858-759-9930  
Facsimile: 858-759-9938  
[cslimandri@limandri.com](mailto:cslimandri@limandri.com)  
[pjonna@limandri.com](mailto:pjonna@limandri.com)  
[mmyers@limandri.com](mailto:mmyers@limandri.com)  
[jtrissell@limandri.com](mailto:jtrissell@limandri.com)  
[mbrandon@limandri.com](mailto:mbrandon@limandri.com)  
[kdenworth@limandri.com](mailto:kdenworth@limandri.com)

Thomas Brejcha, pro hac vice\*  
Peter Breen, pro hac vice\*  
THOMAS MORE SOCIETY  
309 W. Washington St., Ste. 1250  
Chicago, IL 60606  
Tel: 312-782-1680  
[tbrejcha@thomasmoresociety.org](mailto:tbrejcha@thomasmoresociety.org)  
[pbreen@thomasmorsociety.org](mailto:pbreen@thomasmorsociety.org)

**Attorneys for Plaintiffs, ELIZABETH  
MIRABELLI and LORI ANN WEST**

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 17, 2023, at San Diego, California.

  
Nopealey Lay