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17 Attorneys for Plaintiffs

18 **UNITED STATES DISTRICT COURT**
19 **EASTERN DISTRICT OF CALIFORNIA**
[Sacramento Division]

20 **KELSEY BRUST, et al.,**
21 **Plaintiffs,**
22 **vs.**
23 **REGENTS OF THE UNIVERSITY OF**
CALIFORNIA,
24 **Defendant.**

CASE NO. 2:07-CV-01488-FCD-EFB

CLASS ACTION

NOTICE OF PLAINTIFFS' MOTION AND
MOTION FOR CLASS CERTIFICATION

DATE: October 3, 2008
TIME: 10:00 a.m.
COURTOOM: 2

Complaint filed: July 24, 2007
Honorable Frank C. Damrell, Jr.

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Please take notice that on October 3, 2008 at 10:00 a.m., or as soon thereafter as the matter may be
3 heard in Courtroom 2 of the United States District Court, Eastern District of California, Sacramento Division,
4 before the Honorable Frank C. Damrell, Jr., Plaintiffs Kelsey Brust, Laura Ludwig, and Jessica Bulala, on
5 behalf of themselves and all those similarly situated (“Plaintiffs”), will respectfully move this Court for class
6 certification under Rule 23 of the Federal Rules of Civil Procedure and Local Rule 23-205.

7 Plaintiffs request certification of the following class:

8 All present, prospective, and future women students at the University of California at Davis
9 who seek to participate in and/or who are deterred from participating in intercollegiate
athletics at UCD.

10 Plaintiffs make this motion on the grounds that their claims meet the requirements of Federal Rules of
11 Civil Procedure, rules 23(a), 23(b)(2), and 23(b)(1)(A) as set forth in the accompanying brief. Plaintiffs
12 further make this motion on the grounds that class certification is necessary to obtain the injunctive relief
13 which is the primary purpose of this litigation, because the members of the class fluctuate with the normal
14 flow of the student body while the discriminatory treatment will continue indefinitely unless and until the
15 requested injunctive relief is entered.

16 This Motion will be based on this Notice; the Memorandum of Points and Authorities in Support of
17 Plaintiffs’ Motion for Class Certification, filed herewith; the Evidence Submitted By Plaintiffs in Support of
18 Their Motion for Class Certification, filed herewith; the Court’s file in this action; and such other argument or
19 evidence as may be presented at the hearing on the Motion.

20 WHEREFORE, Plaintiffs request that this Court certify this case as a class action as set forth herein.

21 Respectfully submitted,

22 DATED: August 14, 2008

EQUAL

RIGHTS ADVOCATES

23 NOREEN

24 y: /s/ NoREEN FARRELL
FARRELL
Attorneys for Plaintiffs

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26 THE STURDEVANT LAW FIRM
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27 MONIQUE

28 By: /s/ Monique Olivier
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