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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

SAVE THE PARK AND BUILD THE SCHOOL,

Plaintiff,

v.

**NATIONAL PARK SERVICE;
DAVID L. BERNHARDT, in his official capacity as Secretary of the United States Department the Interior; DAVID VELA, in his official capacity as Director of the National Park Service; LISA MANGAT, in her official capacity as Director of the California Department of Parks and Recreation; AND CARDIFF SCHOOL DISTRICT,**

Defendants.

Case No. 20cv1080-LAB-AHG

ORDER DENYING MOTION TO RECONSIDER AND EXTENDING PRELIMINARY INJUNCTION [Dkt. 29]

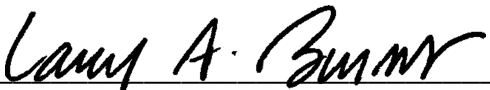
Defendant Cardiff School District filed an Application for Leave to File a Motion to Reconsider the Court’s July 24, 2020 Amended Order of Preliminary Injunction. Dkt. 29. The District argued, among other things, that the Amended Order was insufficiently deferential to Defendant National Park Service’s (“NPS”) approval of the District’s project and that the public had a strong interest in continued

1 construction once it appeared likely that the District would be able to open schools
2 for in-person learning in September.

3 NPS has rescinded its approval of the project at issue here. Dkt. 44. Since NPS's
4 action no longer conflicts with the Amended Order, the question of the Court's
5 deference to NPS is moot. Moreover, that rescission confirms that the interests at
6 stake are best served by an injunction. While the local public has an interest in
7 opening Cardiff School in time for in-person instruction, the broader public has a
8 countervailing interest in ensuring compliance with federal laws and regulations. In
9 the absence of NPS approval, the latter interest is substantially stronger.

10 The Motion to Reconsider is **DENIED**. The Preliminary Injunction will remain
11 in effect until the Court orders otherwise.

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13 Dated: September 11, 2020



Hon. Larry A. Burns
Chief United States District Judge

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