

FILED  
SAN DIEGO SUPERIOR COURT

AUG 29 2018

By: L. Arthur

1 K. Lee Marshall (SB# 277092)  
Daniel T. Rockey (SB# 178604)  
2 Jennifer R. Steeve (SB# 308082)  
BRYAN CAVE LEIGHTON PAISNER LLP  
3 Three Embarcadero Center, 7th Floor  
San Francisco, CA 94111-4070  
4 Telephone: (415) 675-3400  
5 Facsimile: (415) 675-3434  
Email: klmarshall@bclplaw.com  
6 daniel.rockey@bclplaw.com  
7 jennifer.steeve@bclplaw.com

8 Attorneys for Petitioners/Plaintiffs  
PARK UNIVERSITY, WEBSTER UNIVERSITY,  
9 and COLUMBIA COLLEGE.

10  
11 SUPERIOR COURT OF CALIFORNIA  
12 COUNTY OF SAN DIEGO

13 PARK UNIVERSITY, WEBSTER  
UNIVERSITY, and COLUMBIA COLLEGE  
14 Petitioners/Plaintiffs,

15 v.

16 THE CALIFORNIA STATE APPROVING  
17 AGENCY FOR VETERANS EDUCATION,  
18 Respondent/Defendant,  
19

CASE NO. 37-2018-00042831-CU-WM-NC  
[REDACTED] TEMPORARY  
RESTRAINING ORDER AND ORDER TO  
SHOW CAUSE RE: PRELIMINARY  
INJUNCTION

1 The Ex Parte Application of Petitioners and Plaintiffs Park University ("Park"), Webster  
2 University ("Webster"), and Columbia College ("Columbia") (collectively, the "Plaintiffs") for a  
3 Temporary Restraining Order and Order to Show Cause Re: Preliminary Injunction came on for  
4 hearing before this Court on August 29, 2018, at 8:30 a.m. Appearances were noted in the record.

5 The Court reviewed the arguments asserted by counsel, the Application and Memorandum of  
6 Points and Authorities, other papers submitted by the parties, and the pleadings and records on file.  
7 The Court finds good cause exists for the issuance of a Temporary Restraining Order and Order to  
8 Show Cause Re: Preliminary Injunction.

9 **IT IS HEREBY ORDERED:**

10 **ORDER TO SHOW CAUSE**

11 Respondent and Defendant the California State Approving Agency for Veterans Education  
12 ("CSAAVE") is ordered to show cause on Sept 21, 2018 at 1:30 ~~am~~/pm, in  
13 Department 27, why a preliminary injunction should not be entered against it enjoining and  
14 restraining it during the pendency of this action from:

- 15
- 16 1. Disapproving any educational courses or programs offered by Park University, Webster  
17 University, and Columbia College for the training of veterans and other eligible persons  
18 under the provisions of Title 38, U.S. Code; and
  - 19 2. Disapproving any educational courses or programs offered by any educational institution for  
20 the training of veterans and other eligible persons under the provisions of Title 38, U.S. Code  
21 on the basis that the educational institution's California locations are operationally dependent  
22 on a main or branch campus that is located outside of California.

23 Defendant shall serve any papers in opposition to Plaintiffs' ~~Ex Parte Application on or before~~ <sup>request for a preliminary injunction</sup>  
~~per code as a written motion~~, 2018. Plaintiffs shall serve any papers in reply to said opposition ~~per code,~~  
24 ~~per code,~~

25 Papers in opposition and in reply shall be served ~~in the following manner, by~~ <sup>per code,</sup>  
26 ~~and must be served no later than~~ ~~am/pm on the deadline for filing the papers.~~ Proof of  
27 service must be ~~delivered to~~ <sup>filed with</sup> the Court by ~~per code,~~ 2018.

28 The temporary restraining order shall expire on ~~per code,~~ 2018.

1 **TEMPORARY RESTRAINING ORDER**

2 Pending the hearing on the Order to Show Cause, CSAAVE, its officers, agents, employees,  
3 attorneys, and representatives are hereby enjoined and restrained as follows:

- 4 1. CSAAVE may not disapprove any educational courses or programs offered by Park  
5 University, Webster University, and Columbia College for the training of veterans and other  
6 eligible persons under the provisions of Title 38, U.S. Code; and

7 ~~CSAAVE may not disapprove any educational courses or programs offered by any~~  
8 ~~educational institution for the training of veterans and other eligible persons under the~~  
9 ~~provisions of Title 38, U.S. Code or the law that the educational institution in California~~  
10 ~~locations are operationally dependent on a main or branch campus that is located outside of~~  
11 ~~California~~

12  
13 **IT IS SO ORDERED.**

14 Dated: August 29, 2018

15 Robert P. Dahlquist  
16 Judge of the Superior Court of California  
17 **ROBERT P. DAHLQUIST**

PROOF OF SERVICE  
CCP 1013A(3)

1  
2 Park University, et al. v. The California State Approving Agency for Veterans Education  
3 San Diego – Vista; Case No. 37-2018-00042831-CU-WM-NC

4 STATE OF CALIFORNIA, COUNTY OF ORANGE

5 I am employed in the County of Orange, State of California. I am over the age of 18 and  
6 not a party to the within action. My business address is: 3161 Michelson Drive, Suite 1500,  
7 Irvine, CA 92612-4414.

8 On August 27, 2018, I served the foregoing document(s) described as: **[PROPOSED]**  
9 **TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE:**  
10 **PRELIMINARY INJUNCTION** on all interested parties in this action by placing  a true copy  
11  the original thereof enclosed in sealed envelopes addressed as follows:

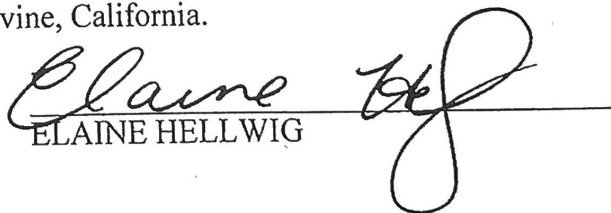
12 Latanaya Johnson  
13 California State Approving Agency for  
14 Veterans Education  
15 1227 O Street, Suite 625  
16 Sacramento, CA 95814  
17 Email: Latanaya.Johnson@calvet.ca.gov

18  BY OVERNIGHT DELIVERY - Depositing the above document(s) in a box or other  
19 facility regularly maintained by FedEx in an envelope or package designated by FedEx with  
20 delivery fees paid or provided for.

21  BY EMAIL – I caused a true copy of the foregoing document(s) to be served by  
22 electronic email transmission at the time shown on each transmission, to each interested party at  
23 the email address shown above. Each transmission was reported as complete and without error.

24  STATE - I declare under penalty of perjury under the laws of the State of California  
25 that the foregoing is true and correct.

26 Executed on August 27, 2018, at Irvine, California.

27  
28  
  
ELAINE HELLWIG