



MTA BOARD MEMORANDUM

September 1, 1994

MEMO TO: MTA BOARD DIRECTORS AND ALTERNATES

FROM: L.A. "KIM" KIMBALL - DEPUTY CEO *Kimball*
DAVID KELSEY - GENERAL COUNSEL *Doer*

SUBJECT: LAWSUIT UPDATE

As you are aware, a lawsuit was filed yesterday by the NAACP Legal Defense and Educational Fund seeking to enjoin the MTA from increasing bus fares and eliminating monthly passes. A hearing was held this morning in the Federal District Court, with District Court Judge Hatter presiding. Judge Hatter granted the plaintiff's motion temporarily enjoining the MTA from raising fares and eliminating regular bus passes.

We are requesting a stay of the Judge's order. Judge Hatter has scheduled a hearing on the permanent injunction for September 12th at 3:00 p.m.

The Ralph M. Brown Act prohibits the Board from holding a special Board meeting with less than 24 hours notice unless it is due to an emergency situation which is defined by Government Code Section 54956.5 as being work stoppage activities or a crippling disaster.

Consequently, a special Board meeting has been scheduled for 3:00 p.m. tomorrow afternoon to discuss the impact of today's decision.

Please feel free to contact us should you have any questions.