



Hinsdale Middle School Construction

Community Update • Letter from the Superintendent

February 8, 2017

Dear D181 Families, Staff, and Key Communicators,

Below is new information on litigation matters related to the Hinsdale Middle School Referendum and an update regarding the parking deck partnership with the Village of Hinsdale.

This morning, I attended the court appearance at the DuPage County Courthouse where the Board of Education's legal counsel formally presented a Motion to Dismiss the lawsuit contesting the validity of the November 8, 2016 election. We are the defendants in this case. The attorney representing the plaintiffs was also present. The Judge (Judge Wheaton) accepted our Motion to Dismiss. The Judge gave the plaintiffs 28 days to respond to the Motion to Dismiss. (The plaintiffs had requested they be given 35 days; our attorney had requested they be given 21 days.) Our attorney will then have up to seven days to respond to the plaintiff's arguments before submitting the written arguments to the court. To clarify this timeline, here are some key dates regarding this case:

- February 3, 2017: Motion to Dismiss is filed
- February 8, 2017: Motion to Dismiss is presented to Judge Wheaton
- March 8, 2017: Final date for plaintiff to submit a response to the Motion to Dismiss (28 days from February 8)
- March 15, 2017: Final date for the Board of Education's attorney to submit a written response to the plaintiff's response
- March 20, 2017 (9:30 a.m.): Case hearing in front of Judge Wheaton

Our legal counsel has advised the District that a decision on the case may be made immediately after the arguments are presented on March 20, 2017, but the Judge may take time to prepare her ruling. It is possible that either we as the defendant or the plaintiffs will seek an appeal process based on the Judge's ruling. Therefore, this process could continue into the spring. I will continue to work with legal counsel to expedite the process to the greatest extent possible and work with the Board of Education in considering next steps. In the meantime, we are continuing to await the Governor's signature on Senate Bill 3319.

In regard to the parking deck, on February 7, 2017, the Village of Hinsdale Board of Trustees considered a letter of commitment for the parking deck; it will be brought back to the Board of Trustees at a future meeting. The letter helps to formally demonstrate their desire to continue our partnership around a parking solution. The Village has posted information on their website regarding the parking component of this project.

You can expect another update from me when I have further news on either the legislation or litigation issues. As noted previously, the impact of these challenges on our HMS project will be a key topic during Monday's Board of Education meeting, among other business. I encourage you to attend, listen to the meeting through our podcast, or read the Board Summary when it is sent. I also encourage you to visit the HMS Construction page of our website for the latest news and to access a variety of resources, including newly posted documents related to these legal matters, and our Frequently Asked Questions, which we will continue to update: www.d181.org > Our District > HMS Construction.

Sincerely,

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