

Plaintiffs had properly exhausted their administrative remedies. In conclusion, the Court held that all claims related to fiscal years prior to 1995 and after 2001 had not been exhausted and must be dismissed.

3. The Order accompanying the Memorandum Opinion, however, orders the dismissal of all fiscal years “prior to 1993 and after fiscal year 2001” (emphasis added). This reference to 1993 appears to be a clerical error.

4. Therefore, Defendants respectfully request that the Court issue an amended order clarifying that all fiscal years prior to 1995 have been dismissed from this lawsuit.

5. Undersigned counsel discussed this Motion with Michael Gross, counsel for Plaintiffs. Mr. Gross indicated that Plaintiffs will not oppose this Motion.

For the foregoing reasons, Defendants’ Motion to Correct the Order Issued on December 9, 2003, should be granted, and an amended order should be issued clarifying that all fiscal years prior to 1995 have been dismissed from this lawsuit.

Respectfully submitted,

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/s/

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Dated: December 12, 2003

CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2003, I sent, via first class mail, postage pre-paid, a copy of Defendants' Unopposed Motion to Correct the Order Issued December 9, 2003,

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