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San Diego University of Integrative Studies, Inc.
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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN DIEGO**

10 SAN DIEGO UNIVERSITY OF)
INTEGRATIVE STUDIES INC.,)

11 *Petitioner,*)

12 v.)

13 DIVISION OF LEGAL AFFAIRS,)
14 DEPARTMENT OF CONSUMER AFFAIRS;)
KIMBERLY KIRCHMEYER, DIRECTOR;)
15 MICHELLE ANGUS, ASSISTANT CHIEF)
COUNSEL; BUREAU FOR PRIVATE)
16 POSTSECONDARY EDUCATION;)
DEBORAH COCHRANE, BUREAU CHIEF;)
17 JASON ALLEY, ENFORCEMENT CHIEF;)
ROBERT J. BAYLES, ENFORCEMENT)
18 OFFICER; AND DOES 1-10,)

19 *Respondents.*)

Case No. 37-2022-00006167-CU-MC-CTL

NOTICE OF ENTRY OF ORDER

JUDGE: Honorable Eddie C. Sturgeon
DEPT: SD-67

20 TO ALL PARTIES AND THEIR COUNSEL:

21 PLEASE TAKE NOTICE that on March 2, 2022, the Court entered an Order Granting In
22 Part Petitioner's Ex Parte Application For Stay. A copy of said Order is attached hereto.

23 Dated: March 3, 2022

Respectfully submitted,

DUANE MORRIS LLP

25 By: *Edward Cramp*

26 Edward Cramp
27 Karen Lehmann Alexander
28 Attorneys for Petitioner

ATTACHMENT

1 After considering the moving and opposing papers and the Parties' arguments, and finding
2 that a partial stay is not against the public interest (see CCP section 1094.5(g)), this Court hereby
3 GRANTS the Application IN PART and DENIES the Application IN PART. The BPPE's
4 December 7, 2021 "Order Suspending Approval To Operate Degree Granting Programs" (Exhibit B
5 to SDUIS's Petition) (and the Department's Decision affirming this Order (Exhibit C to SDUIS's
6 Petition)) is STAYED IN PART as follows:

7 1. As to the condition that SDUIS immediately cease enrolling new students in its
8 degree programs (Order, ¶ 1), the stay is DENIED. SDUIS may not enroll new students in its
9 degree programs absent further order of this Court or the the approval BPPE and Department.

10 2. As to the condition that SDUIS cease teaching its degree programs and submit a
11 degree closure and teach out plan to the BPPE (Order, ¶ 2), the stay is GRANTED and this
12 condition is STAYED. SDUIS is approved to offer its degree-granting programs to currently-
13 enrolled students until further order of this Court.

14 3. As to the condition that SDUIS notify all currently-enrolled students that the
15 institution has received a notice of suspension and may no longer offer degree programs; that it has
16 prepared a teach-out plan; and that the student has a right to choose not to participate in the teach-
17 out plan and request a refund (Order, ¶ 3), the stay is GRANTED and this condition is STAYED.

18 4. As to the condition that SDUIS must provide refunds to any students who choose not
19 to participate in the teach-out program (Order, ¶ 4), the stay is GRANTED and this condition is
20 STAYED. SDUIS is approved to continue offering its degree-granting programs to currently-
21 enrolled students until further Order of this Court.

22 5. As to the condition that failure to comply with the requirements of the Order will be
23 considered a violation and subject to action by the BPPE (Order, ¶ 5), the stay is GRANTED and
24 this condition is STAYED.

25 6. SDUIS shall notify its currently-enrolled students of the terms this Order via email
26 using the text attached as Exhibit A. SDUIS shall also publish Exhibit A on its website at:
27 <https://sduis.edu/about-us/institutional-status/>. Respondent BPPE shall publish a copy of this Order
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on its website at https://bppe.ca.gov/enforcement/disciplinary_actions.shtml#s under the section for “San Diego University for Integrative Studies.”

7. By agreement of the Parties and by operation of law, this Order does not affect SDUIS’ non-degree or certificate programs, and SDUIS may continue to enroll and teach students in those programs.

8. This Order will remain in effect until modified by further Order of this Court or as specified in CCP Section 1094.5(g).

SO ORDERED.

Dated: MAR 02 2022

Eddie C. Sturgeon, Judge

Honorable Eddie C. Sturgeon
Superior Court Judge

Exhibit B: Petitioner's Proposed Student Notice

Dear Students:

Today we write to update you on the University's status with respect to our certificate and degree programs. We have some good news. The University can continue to teach all of our current students in their programs, both degree and certificate. We will enroll new students in our certificate programs. We will not enroll new students in our degree programs, as we have not been doing since December 7, 2021.

Background: As you know from our communication last month, on January 26, the California Department of Consumer Affairs (the "DCA") denied our appeal of an Order from the Bureau for Private Postsecondary Education (the "BPPE") requiring that we stop enrolling and teaching our degree programs, among other things. We disagreed with this determination.

What happened? On February 17, 2022, the University filed a lawsuit against the BPPE and the DCA asking that the Order be reversed and seeking an immediate stay. On February 24, Judge Eddie Sturgeon of the San Diego Superior Court, granted in part the University's request for a stay. The Judge's order, issued verbally in court, stated that the University may continue to teach students currently enrolled in degree programs. (The University may also teach its certificate programs, which are not affected.) However, the Court ordered the University to stop enrolling new students in its degree programs for the time being.

What happens next? The Judge has issued an order confirming this. He has also approved this official communication to all of you. The case will be litigated over the next several months and we expect to have more information later this year. In the meantime, current students may continue their studies as normal at the University.

Is my visa affected? No, your visa is not affected. Your status remains the same.

What is the University's accreditation status? We are currently not accredited, but the University will continue pursuing accreditation.