

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CRYSTAL ROBERTSON, on behalf of herself
and her minor child D.R.;

ELIZABETH DAGGETT, on behalf of herself
and her minor child H.D.;

JOANN MCCRAY, on behalf of herself and her
minor child J.C.;

VERONICA GUERRERO, on behalf of herself
and her minor child A.F.;

MARCIA CANNON-CLARK AND DAVID
CLARK, on behalf of themselves and their
minor child B.R.C; and

THE ARC OF THE UNITED STATES,

Plaintiffs,

v.

DISTRICT OF COLUMBIA,

Defendant.

Case No. 1:24-cv-00656 (PLF)

**PLAINTIFFS' UNOPPOSED MOTION
FOR LEAVE TO FILE A
SUPPLEMENTAL BRIEF ON CLASS
CERTIFICATION**

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE A SUPPLEMENTAL
BRIEF ON CLASS CERTIFICATION**

Plaintiffs respectfully request that the Court permit them to file a supplemental brief on class certification. The brief will aid the Court in making a determination as to whether a class should be certified. Courts have the discretion to allow parties to supplement the record of a case, particularly where additional factual material may assist the court in resolving the matter. *See Marsh v. Johnson*, 263 F. Supp. 2d 49, 53 (D.D.C. 2003).

Plaintiffs' supplemental brief on class certification bolsters Plaintiffs' claim that the putative class is so numerous that joinder of all members is impracticable pursuant to Federal Rule

of Civil Procedure 23. It does this by providing (i) an expert declaration synthesizing the trip ticket data produced by Defendant to estimate the total number of students arriving late to school on a regular basis as a result of Defendant's deficient transportation system and (ii) declarations of 16 parents and guardians of students with disabilities recognizing the ongoing failures in Defendant's transportation system that Plaintiffs allege in their complaint. These supplemental materials will aid the court in determining whether Plaintiffs have adequately demonstrated numerosity in moving to certify a class in this action.

Plaintiffs urge this Court to grant this Motion to File the Supplemental Brief on Class Certification and direct the Clerk to file the attached Brief.

STATEMENT PURSUANT TO LOCAL CIVIL RULE 7(m)

Consistent with Local Rule 7(m), Plaintiffs contacted counsel for Defendant on October 13, 2025, and Defendant consented to the Motion for Leave to File a Supplemental Brief on Class Certification, subject to Plaintiffs' agreement that they will not oppose Defendant's request for 30 days to respond to the supplemental brief.

Dated: October 15, 2025.

Respectfully submitted,

/s/ Kaitlin R. Banner

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Counsel for Plaintiffs

**Certification to practice pursuant to Rule 83.2(f) submitted or to be submitted.*

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2025, I electronically filed the foregoing motion and the attached exhibits, and proposed order using the Court's ECF system, which will send notice of the filing to all counsel of record via email.

/s/ Eugene I. Goldman
Eugene I. Goldman