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8 of Public Instruction Tony Thurmond and
Attorney General Rob Bonta
9

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12
13

14 **T.S., et al.**

15 Plaintiffs,

16 v.
17

18 **RIVERSIDE UNIFIED SCHOOL
DISTRICT, et al.**

19 Defendants.
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5:24-cv-02480-SSS (SPx)

**DECLARATION OF STACEY L.
LEASK IN SUPPORT OF STATE
DEFENDANTS' RESPONSE TO
SCHOOL DEFENDANTS'
MOTION FOR RECUSAL**

Date: June 13, 2025
Time: 2:00 p.m.
Courtroom: 2
Judge: The Honorable Sunshine
Suzanne Sykes
Trial Date: Not Set
Action Filed: November 20, 2024

1 I, Stacey L. Leask, declare:

2 1. I am an attorney licensed to practice before the courts of the State of
3 California and a Deputy Attorney General employed by the Office of the Attorney
4 General, counsel of record for Defendants Rob Bonta, in his official capacity as
5 Attorney General of the State of California, and Tony Thurmond, in his official
6 capacity as California State Superintendent of Public Instruction (collectively, State
7 Defendants), in this matter.

8 2. On May 7, 2025, counsel for School Defendants sent an email to counsel
9 for State Defendants, including me, informing that School Defendants intended to
10 file an ex parte application for an order recusing the Honorable Sunshine Suzanne
11 Sykes from hearing this matter. The email contained the purported factual basis for
12 the application. State Defendants had no knowledge of any of the underlying facts
13 set forth in the School Defendants' email at the time that it received the email or
14 prior to May 7, 2025. A true and correct copy of the email I received from counsel
15 for School Defendants on May 7, 2025, is attached as Exhibit 1.

16 3. At the time that State Defendants filed their motion to dismiss [ECF No.
17 41] on March 28, 2025, and their reply to the motion to dismiss on May 2, 2025
18 [ECF No. 48], State Defendants had no knowledge of any of the alleged facts that
19 form the basis of School Defendants' motion for recusal/disqualification.

20 4. Throughout the entire time that State Defendants were briefing their
21 motion to dismiss, State Defendants were also completely unaware of the fact that
22 School Defendants and/or its legal counsel had contacted the Court regarding their
23 concerns as to Judge Sykes.

24 5. To the best of my knowledge, State Defendants have no information or
25 evidence in its possession that forms the basis of School Defendants' motion for
26 recusal/disqualification, or that would suggest that Judge Sykes has any personal
27 bias against any party to the action or that Judge Sykes cannot be impartial in
28 presiding over the case and issuing rulings in the case.

1 I declare under penalty of perjury under the laws of the United States that the
2 foregoing is true and correct.

3 Executed in Alameda, California, on May 23, 2025.
4


5 By: 
6 Stacey L. Leask
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Exhibit A

From: [Nathaniel Rosilez](#)
To: [Stacey Leask](#); [Darrell Spence](#); [Katherine Grainger](#); [Truman Braslaw](#)
Cc: [Milton E. Foster](#); [Sara Rosas](#)
Subject: T.S. et al. v. RUSD et al. - ex parte application for recusal of Judge Sykes
Date: Wednesday, May 7, 2025 5:00:03 PM
Attachments: [image002.png](#)

EXTERNAL EMAIL: This message was sent from outside DOJ. Please do not click links or open attachments that appear suspicious.

Good afternoon counsel,

Our office has become aware that Judge Sunshine Sykes sits as the co-chair to the Riverside Unified School District's Native American Parent Advisory Council ("NAPAC"). The NAPAC is a District parent led group, is listed on the District website and relies upon District resources and facilities to achieve its mission is to ensure that Native American students receive equitable support, thrive academically, and celebrate their cultural heritage within the educational system. Our office believes that Judge Sykes' continued involvement with the District's Native American Parent Advisory Council constitutes grounds for which Judge Sykes must recuse herself from hearing this matter pursuant to 28 U.S.C. § 455(a) and 28 U.S.C. § 455(b). To that end, and in light of the pending oral arguments on the defendants' respective motions to dismiss, we intend to file an ex parte application tomorrow seeking an order recusing Judge Sykes from hearing this matter. Please advise of your availability tomorrow morning before 11 to discuss or let us know if the state defendants will not be in opposition to the school defendants' ex parte application.

Best regards,
Nathaniel



Nathaniel Rosilez

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