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April, 27, 2022

### Del Mar Union School District Board of Trustees Statement to the Community

The Board of Trustees was advised in closed session that members of the community have sent emails and letters to the Judge in the case known as Save the Field v. City of San Diego and Del Mar Union School District. The Judge contacted the District's, the City's and Save the Field's legal counsel to disclose the communications, which are considered "ex parte communications with a judge" and not proper.

Our legal counsel has informed us that under the American Bar Association Rules, "A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers, concerning a pending or impending matter..."

These types of communications were neither authorized nor condoned by the Board or District. The Board is requesting that no further attempts be made to communicate with the Judge and that all such actions be immediately stopped.

We understand that many people are frustrated with the delays that have occurred due to the litigation challenging the Del Mar Heights Rebuild project and the resulting increased costs. Both the litigation and the costs have impacted the project and our Del Mar Heights re-opening schedule. We appreciate the support the District has received in its efforts to move the project forward.

With regard to the communication with the Judge, it may have been thought that sending communications to the Judge would let the Judge know of the community's support for the project. These types of communications however are prohibited and could negatively impact the District or the ongoing litigation.

Aside from the improper attempts to communicate with the Judge, we have received allegations that some members of the community have sent letters and made threats to members of Save the Field, including calling them names, driving by their homes and honking horns and attempting to annoy them at their house.

We are asking everyone to maintain civility in their interactions and communications. We recognize that there will be differences on many issues. However, we want to set a positive example for the children we educate. Please consider this request in your future actions and communications.

Sincerely,

The Board of Trustees of the Del Mar Union School District