

DEEP SPRINGS
DEEP SPRINGS COLLEGE, CALIFORNIA
Founded 1917

Memo From: Trustee Chair Dave Hitz, DS'80

Date: April 12, 2015

Subject: A Long Journey to Coeducation at Deep Springs

In December, I shared the good news that we won our case in lower court, but I warned that we could be delayed by several years if the opposition appealed. It looks like delay is our fate. Unfortunately, the Court of Appeal in Riverside, where our case will be heard, has a backlog of several years. The most hopeful estimate is one year, but three years is more realistic. We have no choice but to be patient. In Hamlet, Shakespeare listed "the law's delays" as one of the ills of life that one must simply bear. Perhaps there is consolation in knowing that generations before us have shared this same frustration.

Many people have asked whether the two sides could come to some kind of agreement that would allow the college to move forward peacefully to its second century of operations. To be honest, I don't know, but I would love that outcome if it's possible. Over the last few months, the college has reached out to the opposition by offering to discuss possible paths to a negotiated resolution. So far we have received no response.

In late March, the opposition filed a motion, (posted under the coeducation tab on our website), asking that the court order Deep Springs to pay over \$1.3 million for legal services that have been provided without charge to the opposing trustees. Trust law does allow a trustee to spend money on legal services "to benefit the trust", but we do not believe that losing an expensive legal battle against the majority of trustees is a benefit to the trust. Once again, the court will decide.

In the end, I remain optimistic. In the lower court, we won on three of our five legal arguments. It only takes one, so we are well positioned for the appeal.

Dave Hitz, DS'80
TDS Chairman