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STATE OF ARIZONA
OFFICE OF ADMINISTRATIVE HEARINGS
HONORABLE JUDGE SONDRA J. VANELLA

In the matter of: JOHN HANCOCK ACADEMY, INC. (an Arizona non-profit corporation), Applicant	No. 13F-AP-001-BCS **MOTION IN LIMINE UNDER RULE 403 OF THE RULES OF THE ARIZONA SUPREME COURT**

TO THE HONORABLE JUDGE OF SAID HEARING:

NOW COMES, the Applicant in the above entitled and numbered cause, and files his Motion in Limine prior to the commencement of the Hearing pursuant to Arizona Rule of Evidence 403 due to the evidence which the opposing party intends to submit as evidence, although relevant, this certain evidence's probative value is substantially outweighed by the danger of unfair and undue prejudice and will without question be damaging to the party who is seeking to exclude it. Therefore, John Hancock Academy requests a hearing hereon such evidence prior to the voir dire examination of the Honorable Judge Sondra J. Vanella.

I. Reasons and Grounds

1. Alleged key reason the Board denied John Hancock Academy a charter was due to the accusation that the applicant Reed Gaddie operated a charter school whose charter was allegedly revoked in 1997-1998 accompanied with serious allegations which are defamatory and destructive but were never proven in a court of law neither did any state agency take any disciplinary action.

2. Applicant Reed Gaddie respectfully requests that the Judge grant this motion in Limine due to the said damaging evidence has already damaged the application of John Hancock Academy (JHA). and the evidence has already mislead and biased the Board, Board Executive Director, and Board Counsel and surely because it's probative value is substantially outweighed by the danger of unfair prejudice, it may confuse the issues, or mislead the judge in this case as well. .

2 The applicant desires to have a prehearing on the allegation the board indicated was a reason for denying John Hancock Academy Inc.(JHA) JHA argues the board failed to investigate all the facts and evidence and their decision to deny JHA a charter is invalid due to the reason they presented is a void and valid reason. In fact, the Board has overlooked the legal arguments, points and memorandum of Esq. J. Stanley Martineau P.C.(See Maricopa County Superior Court Case# CV98-92997 Vuchrevich Chapter 7 trustee estate of Arizona Vocational Training (AVT or ACT) v. Window Rock Unified School District(WRUSD) which have been on public record for years. The applicant requests this motion to be granted so that a fair and impartial hearing on this subject independently may take place where only true facts are considered. It should also be considered that there were also legal arguments in evidence presented to WRUSD in a letter from Esq. Gregory Miles PC to WRUSD superintendent and the legal findings of fact in evidence described by Esq. Brandon Lane PC to be considered as evidence proving the attempt of WRUSD to conduct an unlawful revocation was in fact unlawful, void, and therefore invalid.

3 No matter which position the Board has taken, the fact they cannot deny is that AVT's charter was never legally revoked and the state school officials agreed and that is why they reported the true reason of AVT's school closure which has been on public record for years at the National Center for Education Reform - List of closed charter schools and their reasons for closure by the state (See Arizona - Arizona Vocational Training LLC - reason for closure -"internal squabbling over governance").which is not a sufficient reason to deny a charter.

II. Pending facts to be determined

On the grounds of Rule of Evidence 403, mentioned herein, the applicant humbly requests that the Honorable Judge grant this motion and order the Attorney General Kim Anderson not to mention, refer to, or attempt to elicit in any manner, any evidence relating to any allegations or accusations relating to the applicant Reed Gaddie having operated the alleged charter school titled Arizona Vocational Training LLC or Arizona Career and

Technology (AVT or ACT) in the Hearing has been held outside the presence of Honorable Judge Sondra J. Vallella to determine if evidence the Applicant has in custody can prove the following:

1. Whether Window Rock Unified School District (WRUSD) decided to get out of their charter contracts when the legislature passed laws that prevented districts from charging a fee to charters which left them no reason to sponsor charters. Whether WRUSD failed to execute all the laws, rules, regulations, time periods and have all the hearings required by law prior to attempting to conduct a revocation hearing as argued by J. Stanley Martineau (See Maricopa County Superior Court Case # #CV98-92997 Vuchrevich chapter 7 trustee estate of AVT (AVT v. WRUSD) charter was never legally revoked

2. Whether WRUSD unlawfully attempted to revoke ACT's charter was actually an attempt to cover up an unlawful embezzlement of at least $180,000 of ACT's school support public funding ACT was entitled to receive due to overspending of WRUSD budget limit..

3. Whether WRUSD participated in a conspiracy plot in a combined effort with ACT's corrupt Governing Board member whose plan was to force ACT into closure so that its parents would re-enroll their children back in the district and put their fellow union members back to work, and so they could maliciously profit from forcing ACT into closure prior to the 100th day with intent to create a public distrust in charter schools (especially Gaddie charter schools due approximately 1200 students withdrew from the district and enrolled in ACT and Noah Webster in 1997 the year they opened in 1997).

4 Whether the Governing Board member of ACT betrayed and abused the governing authority entrusted to them when they secretly authorized the transfer of $53,0001 out of ACT's payroll account and deposited it into his wife's business account without prior authorization and a hearing by the Board, whether he tried to cover up his evil act by blaming Reed Gaddie, and whether this Board member attempted to assist in providing

WRUSD superintendent ACT's parents addresses and phone number list and whether these to individuals were co-conspirators that attempted to create a mass exodus from ACT by writing a letter to all the parents in writing and calling them verbally attempting to bribe them to enroll in another school and withdraw because ACT was going to close without notifying the school administration and without conducting any hearing prior to this heinous act with intent to profit from interfering with the operation of AVT, the education of the students attending AVT, and the closure of AVT.

5 Whether evidence can prove WRUSD suppressed the evidence that Reed Gaddie's performance as administrator was exceptional when he made the decision to produce a valid 40 day ADM report by contracting with an outside contractor EES(a reputable and accepted attendance reporting contractor accepted as credible by DOE finance unit) whom calculated and submitted a valid 40 day ADM report to WRUSD and DOE finance unit for the purpose of compliance which resolved the legal issues at hand and left WRUSD no just cause to continue to withhold the AVT's support funding it was qualified to receive. and proved AVT was in compliance..

6. Whether ACT's Governing Board member attempted to suppress evidence that AVT was in fact functioning in compliance with USFRCS which was verified in an audit completed by a valid consulting firm whom WRUSD paid with intent to prove AVT was out of compliance but their audit proved likewise.

7. Whether the Arizona State Department of Education Finance unit was intentionally deceived into withholding ACT's funding without just cause

8. Whether arguments of Esq. J. Stanley Martineau P.C. . (See Maricopa County Superior Court case #CV98-92997 Vuchrevich chapter 7 trustee estate of AVT v. WRUSD) are true and agreed upon by state school officials

9. Whether the State Legislature passed ARS 15-185 H after they learned from the investigators of the Arizona Auditor General's Report that AVT's closure and the suffering of its students was unlawful and occurred due to abuse of power by WRUSD, who was AVT's sponsor.

10 Whether the Board intentionally eliminated almost all of the qualifications and experience which the applicants provided in their charter but suppressed in their portfolio which was then placed before the Board members.to make a decision.

II. Hearing is needed to determine if the unlawful Revocation evidence should be held inadmissible due to revocation of ACT's charter is not the reason for closure published on public record.

1 The applicant Reed Gaddie argues that the revocation evidence is irrelevant due to that is not the reason published on public record for ACT's closure. (See National Center for Education Reform (NCER) - List of Reasons Charter Schools Were Closed by the State See Arizona - Arizona Vocational Training LLC reason) (The official reason published nationally on public record was due to "internal squabbling over governance.")

2 The applicant argues that this is the valid and true reason and is also an insufficient reason to deny a charter to the applicant.

3 The applicant argues that the Board Executive Director could verify the validity of the reason listed at the NCER due to Ms. Rowe's failed closed charter school is also listed there (See NCER - List

of reasons Charter Schools Were Closed By The State - See Pathways Career Academy - Reason financially -"inadequate students ")

IX. Pleas and Plea Discussions

Applicant respectfully requests that the judge order the State Assistant Attorney general not to mention, refer to, or attempt to elicit in any manner, any evidence that Applicant entered a plea of guilty or no contest which was later withdrawn, or any plea-bargaining discussions or negotiations in the prior to the Hearing of this cause in the presence of the judge until a hearing has been held outside the presence of the judge to determine the admissibility thereof, Tex. R. Evid. Rule 410.

XI. Reports or Statements of State Witnesses

The applicant respectfully requests that the judge order the State Attorney General Assistant not to mention, refer to, or attempt to elicit in any manner or otherwise use before the judge, any written report or statement of any State witness (including any from any family members of Reed Gaddie), nor to suggest in any manner that such document ought to be offered in evidence by either party, until a hearing has been held outside the presence of the judge to determine the admissibility thereof. For cause, the applicant would show that an offer of such documents by the attorney for the State would substantially prejudice the rights of the applicant. Applicant desires to obviate the need to object in the presence of the judge to such offer.

WHEREFORE, PREMISES CONSIDERED, the State Assistant Attorney General should be instructed to approach the bench outside the presence of the judge to request a hearing on the admissibility of any such document.

Respectfully submitted,

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Reed Gaddie - Authorized Representative

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STATE OF ARIZONA

OFFICE OF ADMINISTRATIVE HEARINGS

In the matter of: JOHN HANCOCK ACADEMY, INC. (an Arizona non-profit corporation), Applicant	No. 13F-AP-001-BCS **ORDER OF MOTION IN LIMINE UNDER RULE 403 OF THE RULES OF THE ARIZONA SUPREME COURT**

ORDER ON MOTION IN LIMINE

Upon the foregoing Applicant's Motion in Limine, it is hereby

ORDERED that said Motion is in all things **GRANTED** as to Rule 403 and it is further

ORDERED that the attorney for the State not mention, refer to, or attempt to elicit any evidence of such matters in the Hearing of the cause before first approaching the Judge with his intention to do the same, and it is further

ORDERED that the attorney for the State instruct his witnesses as to the terms of this order in limine, as so

ORDERED This _____ day of _____ 2013

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Honorable Judge Sondra J Vanella

Copy of the foregoing Motion mailed this 28 day of April 2013 to:

DeAnne Rowe

Executive Director

Arizona State Board for Charter Schools

P.O. Box 18328

Phoenixd, AZ. 85009

Esq. Kim S. Anderson/#010548

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Honorable Judge Sondra J. Vanella

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By _____

Reed H. Gaddie

Authorized Representative of John Hancock Academy