UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF MISSISSIPI EASTERN DIVISION

CONSTANCE MCMILLEN,

Plaintiff,

v.

ITAWAMBA COUNTY SCHOOL DISTRICT; TERESA MCNEECE, in her official capacity as the Superintendent of Itawamba County School District; TRAE WIYGUL, in his official capacity as Principal of Itawamba Agricultural High School, and RICK MITCHELL, in his official capacity as Assistant Principal of Itawamba Agricultural High School, CIVIL ACTION NO. 1:10-CV-0061-D-D

Defendants.

PLAINTIFF'S NOTICE OF ACCEPTANCE OF DEFENDANTS' OFFER OF JUDGMENT

Pursuant to Rule 68(a) of the Federal Rules of Civil Procedure, Plaintiff

CONSTANCE MCMILLEN, through her undersigned counsel, hereby accepts and

provides notice that she has accepted Defendants' Offer of Judgment to Plaintiff dated

July 1, 2010, attached hereto as Exhibit A.

DATED: July 19, 2010. Respectfully submitted,

<u>/s/ Kristy L. Bennett</u> Kristy L. Bennett (MS Bar # 99525) 2888 Laverne Nesbit, MS 38651 Telephone: 662-403-1061 k_l_bennett@hotmail.com

Christine P. Sun American Civil Liberties Union Foundation 125 Broad Street, 18th Floor New York, NY 10004 (212) 549-2661 Fax: (212) 549-2650 csun@aclu.org

Bear Atwood (MS Bar # 103234) American Civil Liberties Union of Mississippi P.O. Box 2242 Jackson, MS 39225 (601) 354-3408 Fax: (601) 355-6465 bearatwood@aclu-ms.org

Norman C. Simon Joshua Glick Jason Moff Kramer Levin Naftalis & Frankel LLP 1177 Avenue of the Americas New York, NY 10036 (212) 715-9100 (Fax): (212) 715.8000 nsimon@kramerlevin.com jglick@kramerlevin.com jmoff@kramerlevin.com

Alysson L. Mills (MS Bar # 102861) Fishman Haygood Phelps Walmsley Willis & Swanson, L.L.P. 201 St. Charles Avenue, Suite 4600 New Orleans, Louisiana 70170 Telephone: 504-586-5252 Facsimile: 504-586-5250 amills@fishmanhaygood.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify that on July 19, 2010, I caused a true and correct copy of the

above and foregoing Notice of Acceptance of Defendants' Offer of Judgment to be

mailed, postage prepaid, and to be transmitted via electronic mail and facsimile to:

Benjamin Griffith Daniel Griffith Griffith & Griffith 123 South Court Street P.O. Drawer 1680 Cleveland, MS 38732 bgriff@griffithlaw.net

Michele H. Floyd Itawamba County School District 605 South Cummings St. Fulton, MS 38843 Telephone: 662-862-2159 Fax: 662-862-4713 mhfloyd@itawamba.k12.ms.us

COUNSEL FOR DEFENDANTS

THIS the 19th day of July, 2010.

/s/ Christine P. Sun_ Christine P. Sun