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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF ARIZONA**

15 Roy and Josie Fisher, et al.,
16 Plaintiffs,
17 v.
18 United States of America,
19 Plaintiff-Intervenors,
20 v.
21 Anita Lohr, et al.,
22 Defendants,
23 Sidney L. Sutton, et al.,
24 Defendant-Intervenors,

Case No. 4:74-CV-00090-DCB

**MENDOZA PLAINTIFFS’ MOTION
FOR AN OPPORTUNITY TO RESPOND
TO TUSD’S MOTION FOR
RECONSIDERATION CAPTIONED
“MOTION TO AMEND ORDER ON
GRADE RECONFIGURATION” (DOC.
1919)**

MOTION FOR ACTION

Hon. David C. Bury

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1 Maria Mendoza, et al.,
2 Plaintiffs,
3 United States of America,
4 Plaintiff-Intervenor,
5 v.
6 Tucson United School District No. One, et
7 al.,
8 Defendants.

Case No. CV 74-204 TUC DCB

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10 Under LRCiv 7.2(g)(2), “No response to a motion for reconsideration and no reply
11 to the response may be filed unless ordered by the Court, but no motion for reconsideration
12 may be granted unless the Court provides an opportunity to respond.”

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14 Mendoza Plaintiffs hereby respectfully request that this Court provide them with the
15 opportunity to respond to TUSD’s motion for reconsideration, captioned “Motion to
16 Amend Order on Grade Reconfiguration” (Doc. 1919). Out of an abundance of caution,
17 because the District did not caption its motion as a “motion for reconsideration,” therefore
18 making it unclear how this Court might treat the motion, Mendoza Plaintiffs have prepared
19 both this request for an opportunity to respond and their opposition to TUSD’s “Motion to
20 Amend Order of Grade Reconfiguration” (attached hereto as Exhibit A) in the event that
21 this Court does not treat the District’s motion as a motion for reconsideration.
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Dated: April 15, 2016

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CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2016, I electronically submitted the foregoing Mendoza Plaintiffs' Motion for an Opportunity to Respond to TUSD's Motion for Reconsideration Captioned "Motion to Amend Order on Grade Reconfiguration" (Doc. 1919); Mendoza Plaintiffs' Opposition to TUSD's "Motion to Amend Order on Grade Reconfiguration;" Proposed Order to the Office of the Clerk of the United States District Court for the District of Arizona for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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Dated: April 15, 2016

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