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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Roy and Josie Fisher, et al.,
 Plaintiffs
and
United States of America,
 Plaintiff-Intervenor,
v.
Tucson Unified School District, et al.,
 Defendants,
and
Sidney L. Sutton, et al.,
 Defendants-Intervenors,

No. CV-74-00090-TUC-DCB

Maria Mendoza, et al.,
 Plaintiffs,
and
United States of America,
 Plaintiff-Intervenor,
v.
Tucson Unified School District, et al.
 Defendants.

No. CV-74-0204-TUC-DCB

ORDER

1 On March 8, 2016, this Court issued the Order adopting in part and rejecting in
 2 part a Notice and Request for Approval (NARA) related to reconfigurations proposed by
 3 the Tucson Unified School District (TUSD) related to Borman, Collier, Drachman,
 4 Fruchthendler elementary schools and Sabino High School. On April 1, 2016, TUSD
 5 filed a Motion to Amend Correct, which as the Mendoza Plaintiffs point out is, in part, an
 6 untimely request for reconsideration. (Mendoza Motion to Respond to Reconsideration
 7 (Doc. 1923)). To the extent TUSD seeks amendment of the Court's Order so that terms
 8 and examples in the Court's Order are consistent with terms and provisions in the Unitary
 9 Status Plan (USP), the Court amends its Order (Doc. 1909). Likewise, the Court revises
 10 numbers used in its example of how the +/-15% rule works to reflect those reported by
 11 TUSD in its Annual Report for SY 2014-2015 (Doc. 1848). The amendments are as
 12 follows:

13 Page 4, In 7: Change "racially concentrated" to "predominately";

14 Page 14, In 15: Change "one minority" to "of one race";

15 Page 14, Ins 17-18: Change "should be at least" to "need not be more than";

16 Page 14, In 18: Change "38%" to add footnote "The range is 8% to 38%," Change
 17 "48%" to "44.4%, Change "62%" to "60%";

18 Page 14, In 19: Change "47%" to "45%," Change "70%" to add footnote "71%
 19 and above is racially concentrated";

20 Page 14, In 20: Change "35%" to "38%"; Add paragraph citation "(TUSD
 21 Annual Report for SY 2014-2015 (Doc. 1848-2), II-11, p. 7);
 22 (same (Doc. 1848-5), II-41 at cm/ecf p. 96), and

23 Page 15, In 4: Change "44.5%" to "44.4%."

24 The Court has reviewed the remainder of TUSD's requested amendments due to
 25 alleged error and finds they are either inaccurately described or taken out of context,
 26 unsupported by the record, and there is no showing of manifest error.

27 **Accordingly,**

28 **IT IS ORDERED** that the Motion to Amend Order (Doc. 1919) is DENIED IN

1 PART AND GRANTED IN PART.

2 **IT IS FURTHER ORDERED** that the Motion for an Opportunity to Respond to
3 TUSD's Motion for Reconsideration (Doc. 1923) is DENIED.

4 **Dated this 27th day of April, 2016.**

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David C. Bury
United States District Judge