

1 LOIS D. THOMPSON, Cal. Bar No. 093245 (Admitted Pro Hac Vice)
lthompson@proskauer.com
2 JENNIFER L. ROCHE, Cal. Bar No. 254538 (Admitted Pro Hac Vice)
jroche@proskauer.com
3 PROSKAUER ROSE LLP
2029 Century Park East, 24th Floor
4 Los Angeles, California 90067-3010
Telephone: (310) 557-2900
5 Facsimile: (310) 557-2193

6 JUAN RODRIGUEZ, Cal. Bar No. 282081 (Admitted Pro Hac Vice)
jrodriguez@maldef.org
7 THOMAS A. SAENZ, Cal. Bar No. 159430 (Admitted Pro Hac Vice)
tsaenz@maldef.org
8 MEXICAN AMERICAN LEGAL DEFENSE AND
EDUCATIONAL FUND (MALDEF)
9 634 S. Spring St.
11th Floor
10 Telephone: (213) 629-2512 ext. 121
Facsimile: (213) 629-0266

11 Attorneys for Mendoza Plaintiffs
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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,
25

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

**MENDOZA PLAINTIFFS' LIMITED
SUBMISSION FOR THE SOLE PURPOSE
OF CORRECTING THE RECORD WITH
RESPECT TO TUSD'S RESPONSE TO
FISHER AND MENDOZA PLAINTIFF
OBJECTIONS TO THE DISTRICT'S
NOTICE AND REQUEST FOR
APPROVAL (NARA) FOR A NO-
BOUNDARY ATTENDANCE AREA FOR
ROSKRUGE TWO-WAY DUAL
LANGUAGE K-8 MAGNET SCHOOL
(DOC. 2257)**

26
27 Hon. David C. Bury
28

1 Maria Mendoza, et al.,

Case No. CV 74-204 TUC DCB

2 Plaintiffs,

3 United States of America,

4 Plaintiff-Intervenor,

5 v.

6 Tucson United School District No. One, et
al.,

7 Defendants.

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10 Mendoza Plaintiffs fully understand that pursuant to this Court’s Order dated
11 8/22/12, Doc. 1385, there is to be no further briefing after the District responds to plaintiff
12 objections to a NARA. They make the following submission not for the purposes of
13 arguing the merits of the proposed NARA but solely to correct the record.
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15 In the District’s Response to Fisher and Mendoza Plaintiff Objections to the
16 District’s Notice and Request for Approval (NARA) for a No-Boundary Attendance Area
17 for Roskrige Two-Way Dual Language K-8 Magnet School (Doc. 2257) (“TUSD NARA
18 Response”), it writes that the “Mendoza Plaintiffs suggested replacing one of the TWDL
19 strands at Roskrige with a non-TWDL strand.” (TUSD NARA Response, Doc. 2257, at
20 5:12-13; *see also id.* at 5:7-9.) The District apparently misunderstood what Mendoza
21 Plaintiffs now see may have been some unclear language in their objection to the NARA.
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24 So that the record is clear: Mendoza Plaintiffs never intended to suggest that there
25 not be two TWDL strands at each grade level in the Roskrige K-5 TWDL program. What
26 they proposed was the addition of *another* strand in K-5 in which “all students study
27 Spanish but not in ‘immersion’ or dual language classes.” (Mendoza Plaintiffs’
28

1 Suggestion to Revision Roskruge as a World Language Academy Magnet School (March
2 4, 2019) (“Mendoza Suggestion”), attached as Exhibit 2 to Doc. 2236-1 at 61.)¹ They also
3 proposed three strands at the middle school level, as set forth in the District’s TWDL
4 framework, noting in particular: “ ‘TUSD middle schools are reorganizing the middle
5 school schedule to offer more than just a TWDL strand. Students without TWDL
6 experience should be given the option of taking high school equivalent Spanish courses for
7 English speakers.’ ” (Mendoza Suggestion, Doc. 2236-1 at 61, quoting TUSD TWDL
8 Framework at 26.)
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10 Respectfully submitted,
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25 ¹ Mendoza Plaintiffs believe the District understood this proposal to be for the addition of
26 one more class at each of the K-5 grade levels because in its written response it stated:
27 “The school does not have the space/capacity to start a second strand.” (Doc. 2236-1 at
28 62.) Mendoza Plaintiffs believe that the misunderstanding may stem from the parties’
imprecise use of the word “strand” and apologize to the Court for any confusion that such
loose use of the word has caused.

1 Dated: August 30, 2019

MALDEF
JUAN RODRIGUEZ
THOMAS A. SAENZ

2
3 /s/ Juan Rodriguez
4 Attorney for Mendoza Plaintiffs

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6 PROSKAUER ROSE LLP
7 LOIS D. THOMPSON
8 JENNIFER L. ROCHE

9 /s/ Lois D. Thompson
10 Attorney for Mendoza Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2019, I electronically submitted the foregoing **MENDOZA PLAINTIFFS' LIMITED SUBMISSION FOR THE SOLE PURPOSE OF CORRECTING THE RECORD WITH RESPECT TO TUSD'S RESPONSE TO FISHER AND MENDOZA PLAINTIFF OBJECTIONS TO THE DISTRICT'S NOTICE AND REQUEST FOR APPROVAL (NARA) FOR A NO-BOUNDARY ATTENDANCE AREA FOR ROSKRUGE TWO-WAY DUAL LANGUAGE K-8 MAGNET SCHOOL (DOC. 2257)** 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:

P. Bruce Converse
bconverse@dickinsonwright.com

Timothy W. Overton
toverton@dickinsonwright.com

Samuel Brown
samuel.brown@tusd1.org

Robert S. Ross
Robert.Ross@tusd1.org

Rubin Salter, Jr.
rsjr@aol.com

Kristian H. Salter
kristian.salter@azbar.org

James Eichner
james.eichner@usdoj.gov

Shaheena Simons
shaheena.simons@usdoj.gov

Peter Beauchamp
peter.beauchamp@usdoj.gov

Special Master Dr. Willis D. Hawley
wdh@umd.edu

/s/ Mariana Esquer

Dated: August 30, 2019