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12

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' CORRECTION
OF THEIR RESPONSE TO TUSD NOTICE
OF FILING OF 3-YEAR PLUS
INTEGRATION PLAN AND OUTREACH
AND RECRUITMENT ADDENDUM (DOC.
2270) AND OBJECTION TO THE
DISTRICT'S REQUEST THAT IT BE
AWARDED PARTIAL UNITARY STATUS
WITH RESPECT TO SECTION II OF THE
USP (DOC. 2275)**

26 Hon. David C. Bury
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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 In their Response (Doc. 2275) to the TUSD Notice of Filing of 3-Year Plus
11 Integration Plan and Outreach and Recruitment Addendum (“3-Year PIP”) (Doc. 2270)
12 and Objection to the District’s Request that it be Awarded Partial Unitary Status with
13 Respect to Section II of the USP, Mendoza Plaintiffs objected to the fact that the
14 Transportation Plan, which is part of the 3-Year PIP, failed to state that the TUSD
15 Transportation Department has monitored the ridership of express shuttles and suggested
16 that the District is not in compliance with so much of this Court’s September 6, 2018
17 Order (Doc. 2123 at 30:19-20 and n. 17) as required it to provide data on the race and
18 ethnicity of students riding those shuttles. (Doc. 2275 at 15:13-16:22.)
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21 Mendoza Plaintiffs now wish to correct the record because in the course of
22 reviewing materials after their receipt of the District’s most recent filings of September 24,
23 2019, they noted that on February 6, 2019, in response to RFIs submitted on relating to the
24 TUSD 2017-18 DAR, TUSD did provide ridership information for the Santa Rita, Sabino,
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1 Magee, and Drachman express busses. (See attached the TUSD RFI response form at page
2 5, attached as Exhibit 1.)¹

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5 Dated: September 30, 2019
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8 MALDEF
9 JUAN RODRIGUEZ
10 THOMAS A. SAENZ

11 /s/ Juan Rodriguez
12 Attorney for Mendoza Plaintiffs

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16 /s/ Lois D. Thompson
17 Attorney for Mendoza Plaintiffs
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26 _____
27 ¹Mendoza Plaintiffs do continue to note that the Transportation Plan is silent on the extent
28 to which, if at all, the Transportation Department assessed the data provided in the RFI
response in its planning for the 2019-20 school year. (See Transportation Plan, Doc. 2270-
4, at 4.)

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2019, I electronically submitted the foregoing **MENDOZA PLAINTIFFS' CORRECTION OF THEIR RESPONSE (DOC. 2275) TO TUSD NOTICE OF FILING OF 3-YEAR PLUS INTEGRATION PLAN AND OUTREACH AND RECRUITMENT ADDENDUM (DOC. 2270) AND OBJECTION TO THE DISTRICT'S REQUEST THAT IT BE AWARDED PARTIAL UNITARY STATUS WITH RESPECT TO SECTION II OF THE USP** 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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/s/ Juan Rodriguez

Dated: September 30, 2019