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

Roy and Josie Fisher, et al.,  
Plaintiffs  
No. CV-74-00090-TUC-DCB  
(Lead Case)

and  
United States of America,  
Plaintiff-Intervenor,

v.  
Tucson Unified School District, et al.,  
Defendants,

and  
Sidney L. Sutton, et al.,  
Defendants-Intervenors,

Maria Mendoza, et al.,  
Plaintiffs,  
No. CV-74-0204-TUC-DCB  
(Consolidated Case)

and  
United States of America,  
Plaintiff-Intervenor,

v.  
Tucson Unified School District, et al.  
Defendants.

**ORDER**

1 On September 10, 2019, the Court adopted the 2019-20 Budget, but allowed the  
2 Mendoza Plaintiffs to tender some limited discovery to Defendant related to the Mendoza  
3 Plaintiffs' assertion that the District undermines the integrity of the Magnet schools by  
4 setting predetermined budget amounts for Magnet schools which ignore program needs  
5 identified in the Magnet Site Plans. Because the parties could not agree on the scope of  
6 the limited discovery, the Special Master reviewed the discovery requests and objections  
7 and formulated questions to be tendered to the District.

8 In the original Order, the Court directed that subsequent to review of the discovery  
9 the Mendoza Plaintiffs may reurge their Objection. It now appears that a better approach  
10 is for the Special Master to prepare and file a Report and Recommendation (R&R)  
11 regarding this budget issue, which is reoccurring and resolve it once and for all.

12 **Accordingly,**

13 **IT IS ORDERED** that the District shall have 14 days from the filing date of this  
14 Order to answer the discovery questions tendered by the Special Master.

15 **IT IS FURTHER ORDERED** that 28 days following the District's discovery  
16 disclosures and after consulting with the Mendoza Plaintiffs, the Special Master shall file  
17 the Report and Recommendation (R&R) in the event the Mendoza Plaintiffs seek to reurge  
18 the challenge; the parties shall have 14 days to file any objections to the R&R. There shall  
19 be no Reply unless called for by the Court.

20 Dated this 26th day of November, 2019.

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25 Honorable David C. Bury  
26 United States District Judge  
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