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Tucson Unified School District No. 1

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

14 Roy and Josie Fisher, et al.,
15 Plaintiffs,
16 v.
17 Tucson Unified School District No. 1, et al.,
18 Defendants.
19 Maria Mendoza, et al.,
20 Plaintiffs,
21 v.
22 Tucson Unified School District No. 1, et al.,
23 Defendants.

4:74-cv-0090-DCB
(Lead Case)

4:74-cv-0204 TUC DCB
(Consolidated Case)

23 **RESPONSE TO PLAINTIFFS' REQUEST FOR ADDITIONAL TIME TO**
24 **RESPOND TO SUPPLEMENTAL PETITION FOR UNITARY STATUS**
25 **(ECF 2415 and 2416)**
26

1 The District reluctantly does not object to the plaintiffs' request to extend the time
2 to respond to its Supplemental Petition for Unitary Status through February 28, though it
3 remains eager to complete the briefing on the Supplemental Petition as expeditiously as
4 possible.¹

5 The Mendoza Plaintiffs note that the Court has not yet granted the District's
6 Motion for Leave to Exceed Page Limitation for Supplemental Petition for Unitary Status
7 (ECF 2405), with the result that the Supplemental Petition is still technically only lodged,
8 not filed. There have been no objections to the motion for leave to exceed, and the
9 District has filed herewith a request for summary disposition of the motion.

10 The District also respectfully submits that the resolution of the remaining issues on
11 completion plans should not delay the briefing schedule of the Supplemental Petition.
12 Given the considerable length of the briefing schedule remaining (with the requested
13 extension, it now stretches into May of this year), the remaining issues with completion
14 plans can and should be addressed in parallel with the briefing on the Supplemental
15 Petition.

16 In particular, the District believes that the submissions of the parties and the
17 Special Master on the remaining completion plan issues are now complete, and awaiting
18 orders from the Court. For many of the areas where the Special Master's Reports and
19 Recommendation requested additional tasks or information, the District has not waited
20 for an order, and has moved ahead to comply with those requests; the District intends to

21 ¹ This filing date was set by the Court's prior order setting a deadline for filing the
22 Supplemental Petition within 30 days of the filing of the Executive Summary, which in
23 turn was due under that order on December 1, 2019. [ECF 2312 p. 2.] The District filed
24 the Executive Summary as required on December 1, 2019, triggering a due date for the
25 Supplemental Petition of December 31, 2019. On December 3, 2019, the Court filed
another order extending the deadline for filing the Executive Summary (ECF 2386), but
by that time the District had already filed its Executive Summary.

1 file reports on these latest requests from the Special Master within the next two or three
2 days, in an effort to move the process along.

3 Dated this 30th day of January, 2020.

4 Respectfully submitted,

5 /s/P. Bruce Converse

6 P. Bruce Converse

7 Timothy W. Overton

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12 *District No. 1*

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CERTIFICATE OF SERVICE

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I hereby certify that on the 30th day of January, 2020, I electronically transmitted the attached foregoing document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic filing to all CM/ECF registrants.

/s/ P. Bruce Converse