

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT
Form 7. Mediation Questionnaire**

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form07instructions.pdf>

9th Cir. Case Number(s) 20-16485

Case Name Roy Fisher, et al. v. Tucson Unified School District No. 1

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Represented party/parties Defendant-Appellant Tucson Unified School District
No. 1

Briefly describe the dispute that gave rise to this lawsuit.

This is a school desegregation action brought by two groups of plaintiffs, the Mendoza Plaintiffs and the Fisher Plaintiffs, against Tucson Unified School District No. 1 ("TUSD"). TUSD has been subject to the Unitary Status Plan, the district court's structural injunction that governs nearly every aspect of TUSD's operations.

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Briefly describe the result below and the main issues on appeal.

In the district court, TUSD filed a petition for unitary status by which it asked the district court to immediately dissolve the structural injunction and terminate the court's supervision and control over TUSD's operations. The district court has failed to dissolve the structural injunction, has continued to require compliance with the structural injunction, and has issued additional injunctive orders that impose new mandatory obligations on TUSD. The main issues on appeal are as follows:

1. Whether the district court erred as a matter of law by refusing to dissolve the injunction because the only vestiges of de jure discrimination were eliminated by 1983, and TUSD has long since met the good-faith compliance standard, as properly applied in the circumstances of this case.
2. Whether the district court erred as a matter of law by refusing to dissolve the injunction because the vestiges of past discrimination by TUSD have been eliminated to the extent practicable, and TUSD has complied in good faith with the whole of the Unitary Status Plan.

Describe any proceedings remaining below or any related proceedings in other tribunals.

Because the district court refused to dissolve the structural injunction and terminate supervision, it continues to control TUSD's operations.

Signature

Date

(use "s/[typed name]" to sign electronically-filed documents)