

1 Rubin Salter, Jr. ASBN 01710
2 Attorney for Fisher, et al., Plaintiffs
3 177 North Church Avenue Suite 903
4 Tucson, Arizona 85701-1119
5 (520) 623-5706 (phone)
6 rsjr3@aol.com (email)

7 UNITED STATES DISTRICT COURT
8 FOR THE DISTRICT OF ARIZONA

9 ROY and JOSIE FISHER, et al.,)
10)
11 Plaintiffs,)
12)
13 Plaintiff-Intervenor,)
14 vs.)
15 ANITA LOHR, et al.,)
16)
17 Defendants,)
18)
19 SIDNEY L. SUTTON, et al.,)
20)
21 Defendants-Intervenors,)
22)

No. CV 74-90 TUC DCB
**FISHER PLAINTIFFS' OBJECTION
AND JOINDER WITH MENDOZA
PLAINTIFFS' OBJECTION TO
DEFENDANT TUSD'S 01/02/13
NOTICE AND REQUEST FOR
APPROVAL OF SCHOOL
CLOSURES**

Submitted to Special Master
Willis D. Hawley on 01/22/13

23 MARIA MENDOZA, et al.,)
24)
25 Plaintiffs,)
26)
27 UNITED STATES OF AMERICA)
28)
Plaintiff-Intervenor,)
vs.)
TUCSON UNIFIED SCHOOL)
DISTRICT NO. ONE, et al.,)
Defendants.)

No. CV 74-204 TUC DCB

1. OBJECTION IS TIMELY UNDER ORDERS OF 01/06/12 AND 08/22/12

This objection to Defendant Tucson Unified School District (TUSD)'s request for approval of 01/02/13 is timely under the briefing schedule established in this Court's order of 01/06/12 insofar as it is a responsive memorandum filed within twenty days of service of the opposed request in the above-captioned civil rights case. In its order of 01/06/12, this Court stated that:

the District must provide the Special Master with notice and a request for approval of any of the following: attendance boundary changes; changes to student assignment patterns; construction projects that will result in a change in student capacity of a school or significantly impact the nature of the facility; building or acquiring new schools; proposals to close schools; and the purchase and sale of District real property. Plaintiffs will be provided with a copy of any such notice and request for approval. Subject to any other briefing schedule that the Special Master may set in light of the particular circumstances,¹ any Plaintiff may file an objection to such notice and request described above, within twenty (20) days of receipt of the notice; the District shall then have twenty (20) days from receipt of the objection(s) to respond. After receipt of the District's response, the Special Master shall make a report to the Court setting forth proposed findings of fact and conclusions of law with respect to said notice. This report shall be submitted to the Court as soon as reasonably practicable under the circumstances, but in no event more than 30 days after the matter is fully briefed (order of 01/06/12 appointing the Special Master at pages 3-4 emphasis added).

¹ The Special Master has made no changes to the briefing schedule set by this Court, explaining in an email sent to counsel that "[t]he process is that you tell me your position, should you wish to take one, and send your position to the District within 20 days. The District has 20 days to respond to your concerns/comments. Taking into account your concerns, if any, and the District's response, I then make a recommendation to the Court within the next 30 days" (see Hawley email of 08/05/12).

1 **2. OBJECTION PROPERLY FILED WITH COURT UNDER 08/22/12 ORDER**

2
3 In its 08/22/12 order, this Court clarified “the appropriate procedures for briefing notices
4 and requests for approval,” stating that objections made to the Special Master should be
5 filed with the Court:

6 the parties have 20 days from the filing date of the Notice and Request for
7 Approval to file any Objection made to the Special Master with the Court [and]
8 that within 20 days of the filing date of an Objection, the District may file a
9 Response with the Court, simultaneously, with its presentation to the Special
10 Master [and] that after receipt of the Response, the Special Master has 30 days to
11 file a Report and Recommendation with the Court regarding the Notice and
12 Request for Approval (order filed 08/22/12 at page 8 emphasis added).

13
14 **3. FISHER PLAINTIFFS JOIN MENDOZA PLAINTIFFS’ 01/22/13 OBJECTION**

15
16 Fisher Plaintiffs join Mendoza Plaintiffs 01/22/13 objection to the District’s “school
17 master plan process” where they state that:

18 Nowhere is there a suggestion that the District took a step back and considered
19 how it could meaningfully advance the integration of its schools by developing a
20 true “master plan” that would assess the potential for using the strategies expressly
21 articulated in the USP (including magnet schools, open enrollment, the shaping of
22 attendance boundaries and/or elimination of such boundaries for certain schools,
23 feeder patterns, clustering, location of specific programs like dual language classes
24 and AVID, and targeted marketing and recruitment) in conjunction with its
25 claimed need to close some schools to develop an approach that would not simply
26 avoid “exacerbating ethnic imbalances within schools” but actually promote
27 meaningful integration of the schools. (Mendoza objection at 9).

1 And again at page 9 of their objection, where Mendoza Plaintiffs object to the District's
2 cursory justification for seeking to close Howenstine Magnet High School and argue that:
3 in closing Howenstine Magnet High School, [the District] is closing a school that
4 is currently *integrated* under the definition in the USP and one of only five magnet
5 schools (out of a total of 16) that currently meet that definition (See Appendix C to
6 the Proposed USP). Through that silence and knowing omission, the District also
7 avoids having to address the fact that it has made a decision to *close* a magnet
8 school notwithstanding that (1) the USP expressly embraces magnet schools and
9 programs as an essential tool to achieve integration in the District and (2) the
10 Magnet School Study and Plan required by the USP, which is intended in part to
11 address the future of magnet program services in the District, has yet to be
12 concluded (Mendoza objection at 9).

13
14 **4. MEMORANDUM OF POINTS AND AUTHORITIES**

15
16 Fisher Plaintiffs, by and through counsel undersigned, hereby submit this memorandum
17 of points and authorities in opposition to Defendant TUSD's request for approval of
18 school closures filed with this Court in the above-captioned case on 01/02/13.

19
20 **4.1. ARGUMENTS IN OPPOSITION TO TUSD'S REQUEST FOR APPROVAL**

21
22 The Defendant has filed a notice and request seeking the closure of eleven schools
23 without, however, showing that these closures would be fully aligned (or at least not
24 obviously detrimental to) the goals of the desegregation process. As Fisher Plaintiffs
25 noted in their 08/16/12 and 09/11/12 objections, it is the Defendant in this case that must
26 show that such actions are in full alignment with the goals of the desegregation process.
27 In its notice and request, the Defendant implicitly acknowledges its failure to meet this
28 showing, when it admits that the impact analyses referenced in its request do "not include

1 any effects from potential open enrollment or relocation of magnet schools” (request at 8)
2 and that “it is impossible to estimate what the actual impacts will be” (Idem). *The*
3 *District is correct.* Without knowing what form the USP will take and what measures it
4 will ultimately require, neither the District nor the plaintiffs can claim to know whether
5 the proposed closures will contribute to or actively impede the goals of the desegregation
6 process. *The District seeks this Court’s approval to radically and irreversibly alter its*
7 *school system without even attempting to show that its actions will accord with the USP.*
8 This is unacceptable. For this reason and those discussed below, this Court should either
9 deny outright - or in the alternative, defer its ruling on - the Defendant’s request for
10 approval as premature and uninformed by the goals of the desegregation process. Such a
11 ruling would be consistent with the rationale advanced by this Court in its order of
12 10/05/12, when it explained that the USP will serve as a guideline for evaluating future
13 notices and requests for approval (at pages 5-6 of order filed 10/05/12) and that the three
14 non-construction items included in the District’s request:

15 should be considered within the context of the USP, which may or may not require
16 delay until the USP is finalized. At a minimum, the Court delays its approval of
17 these non-construction proposals, pending the District providing further
18 information as requested by the Special Master and a supplemental report and
19 recommendation from the Special Master to this Court regarding Court approval
20 of them (at page 7 of order filed 10/05/12 emphasis added).

21

22 **4.1.1. THE DISTRICT’S IMPACT ANALYSIS IS FATALY FLAWED**

23

24 In its notice and request, the District admits that the projections it has provided the Court
25 do not account for the effects of open enrollment or the relocation of magnet schools. In
26 fact, the District openly admits that its projections are based solely on current enrollment
27 and residential patterns for the targeted schools. The District’s only justification for this
28 flaw is to observe that “many of the strategies outlined in the USP for student assignment

1 will not be implemented in time to impact student assignment for the 2013-14 school
2 year” (at page 8 of 01/02/13 notice and request). The District then concedes that it is
3 seeking this Court’s approval to radically alter its school system without however
4 knowing what the actual impact of its actions will be (Idem). This is unacceptable. This
5 Court should not be asked to approve actions that are not fully supported by detailed and
6 valid desegregation impact analyses.

7
8 **4.1.2. DISTRICT RESPONSE TO INFORMATION REQUEST WAS DEFICIENT**

9
10 Per the process established by the Special Master for submitting information requests
11 with the District, Fisher Plaintiffs sent an email on 01/05/13 to Interim TUSD
12 Desegregation Director Sam Brown and Special Master Willis Hawley requesting
13 information relevant to the proposed school closures. Specifically, Fisher Plaintiffs
14 sought: (1) a list of principals, other administrative staff and faculty assigned to all
15 affected schools disaggregated by years of experience, race and ethnicity; (2) a list of all
16 affected schools disaggregated by grade range and school performance for the past three
17 years (excelling, highly performing etc. as well as any other relevant and available
18 indicators of academic achievement); and (3) a list of current and projected average travel
19 times for enrollment at all affected schools disaggregated by race and ethnicity and grade
20 range (with projections based on the District’s proposed closure and reassignment
21 eventualities). Fisher Plaintiffs added an additional item to this request in a 01/18/13
22 email and noted their concern in light of the impending filing deadline that they had yet
23 to receive a response to their initial information request. The information requested was
24 (4) longitudinal data for all TUSD schools disaggregated by grade range and total
25 enrollment as a percentage of capacity with and without portables. External counsel for
26 the District replied to Fisher Plaintiffs’ 01/19/13 email explaining that:

1 the information responsive to question 1 was provided Thursday (although I am
2 working with the District to get information that is limited to the impacted
3 administrators and certificated staff, as opposed to the entire staffs of the schools)
4 [...]. With respect to question 3, the District provided travel times between the
5 closing and receiving schools. Because of the significant geographic areas that
6 will be impacted by these 9 closures, together with changes in transportation
7 required by the USP, the District's entire transportation system will have to be
8 revised, new routes created, etc. before average travel times can be established.
9 The District will not engage in this exercise until after the closures have been
10 approved due to the cost and District resources that would have to be allocated,
11 and the amount of time that this task will take. Accordingly, there is no further
12 information to provide in this regard [...]. [With respect to question 4,]
13 [i]nformation on capacity of all District schools and portables was provided at the
14 focus group exercise that was attended by DOJ and the Mendoza counsel. I have
15 requested that this information be provided (see attached email of 01/19/13).

16
17 Thus, the District concedes that the information it provided pursuant to item one of the
18 Fisher request was not disaggregated into the categories its acknowledges as relevant to
19 its desegregation obligations under the USP; that the information provided pursuant to
20 item three of the Fisher request was nonresponsive to the actual request;² and finally that
21 the information provided pursuant to item four was provided to some, but not all, of the
22 parties to this case. To date, the District has provided no further information.

23
24 _____
25 ² District counsel explained that the notice and request included travel times between
26 schools and that no further analysis of travel times will be conducted or provided until
27 this Court approves the closures. The District is certainly aware that travel times from
28 one school to another are not identical to the average travel times students attending one
school would have to travel if reassigned to another. The latter times are relevant to the
impact analysis and will depend on the students' place of residence and available
transportation, information not collected or provided with the District's request.

1 **4.1.3. CONVERSION OF MANZO TO CHARTER WOULD BE DETRIMENTAL**

2
3 In his 09/26/12 recommendation to this Court, Special Master Willis D. Hawley reviewed
4 the District's proposal to establish a charter school at the site of the Richey campus and
5 concluded that further information would be necessary to evaluate the District's proposal,
6 specifically recommending that the District provide information in three areas:

7 [1] Policies that will govern a range of issues regarding the proposed charter
8 school including: (1) Teacher qualifications and other staffing issues, (2) The
9 designated service area, (3) The specific educational programs offered, and (4)
10 The extent to which district policies affecting all other schools will apply to the
11 charter school. [2] The financial implications for the District of granting this
12 charter. [3] The effects of the establishment of this charter school on the
13 desegregation of the District's students. This information should include
14 consideration of the precedent being set by replacing a District school with a
15 charter school (at pages 1-2 of Special Master's 09/26/12 letter to the Court).
16

17 This Court explicitly adopted the recommendations of the Special Master and
18 disapproved the District's charter school plans for the Richey campus (at page 2 of order
19 filed 10/05/02). In the same order, this Court expressed its concern that the charter
20 school proposal for the Richey site would effectively be irreversible. This Court also
21 agreed with the Special Master's recommendation to consider such public policy issues
22 as teacher qualifications for charter schools, designated service area, specific
23 programmatic offerings, how district policies would apply to the charter school, financial
24 implications for the District and most importantly: "the effects of the charter school on
25 the desegregation of the TUSD" (at pages 6-7 of order filed 10/05/02). These same
26 concerns apply to the conversion of Manzo into a charter school.
27
28

4.1.4. DISTRICT DOES NOT ADDRESS ALL GREEN FACTORS

As the United States Government noted in its 08/22/12 objection to TUSD's 07/27/12 notice and request for approval, the District is obliged to develop, utilize and include a desegregation impact analysis in notices and requests governed by this Court's order of 01/06/12 (at page 6 of Government's 08/22/12 objection). Such analyses must include a comprehensive examination of student enrollment, an explanation of the assumptions supporting its conclusions, and consideration of how the District's proposed actions will impact its ability to meet its desegregation obligations under every Green factor (*Idem*). Despite this clear requirement, and its acknowledgement that the proposed closures will directly impact no fewer than 14,768 students,³ the District offers little discussion (much less evidence) of how its actions will align with its obligations under each of the Green and ancillary factors recognized in the USP. This failure does not support this Court's approval of the requested actions.

4.1.5. PROPOSED CLOSURES WOULD LIMIT USE OF CLOSURES FOR USP

The opening and closure of schools is one of the principal means the District has available to integrate its schools. The approval of the proposed closures would create a significant impediment to using closures to meet the goals of the USP, since student mobility tends to undermine student achievement. It is problematic that the District's request in nearly every instance seeks to reassign students to schools located further from the center of the District. Allowing the District to reassign students from the center to the periphery⁴ of the District's geographic boundaries is very likely to undermine the

³ An attachment to the request states that "approximately students will be directly affected by school closures" (at pages 3-4 of document number 1419-9 filed 01/02/13).

⁴ Even where a closure would move students from the periphery closer to the center of the District, reassigning students from one identifiably minority school located at the

1 credibility, and therefore the efficacy, of the desegregation process, when changes in the
2 exact opposite direction are recommended under the USP. Based strictly on the schools'
3 respective locations within the geographic boundaries of TUSD and the assumption that
4 centrally located schools will prove easier to integrate than schools at the extreme ends of
5 the District, the closure of at least six of the targeted schools is very likely to impede
6 rather than facilitate the integration process.⁵ For this reason, the District's request
7 should be denied as unjustifiably limiting the options available to implement the USP.

8
9 **4.1.6. CLOSING SCHOOLS WILL NOT BALANCE THE DISTRICT'S BUDGET**

10
11 Attached to TUSD's 01/02/13 notice and request was an 11/21/12 letter from TUSD
12 Superintendent John Pedicone, addressed to TUSD faculty and staff, acknowledging that
13 school closures will not close the District's 17 million dollar budget deficit:

14 As we have said since the beginning of the School Master Plan process, closing
15 schools only provides a partial solution to overcoming our budget deficit.

16 Additional cuts will be needed to balance the district budget, including reductions
17 in administrative costs, programs and services, and operations (at page 3 of
18 document number 1419-7 filed 01/02/13).

19
20 Despite this admission, the District has rushed to close schools without explaining how
21 those closures would be integrated into the larger plan to close the deficit.

22
23 Southwest end of the District (Hohokam) to another equally identifiably minority school
24 also located at the Southwest end of the District does little to facilitate integration efforts.
25 Likewise, the closure of Howenstine would represent the loss of centrally located school,
if the physical site is not retained by the District for future use.

26 ⁵ Those schools are Schumaker (located in the Northeastern section of District), Ft.
27 Lowell/Townsend (located in the middle of District), Corbett (located in the Eastern
28 section of the District), Wakefield (located in the Southwest section of District), Brichta
(located in the Southwest section of District) and Menlo Park (located in the Southwest
section of District).

1 **4.1.7. SIZE AND CAPACITY OF SCHOOLS DO NOT JUSTIFY CLOSURE**

2
3 In its notice and request, the District cites underutilization as somehow justifying the
4 closure of the targeted schools, explaining that the majority of the schools targeted for
5 closure operate “significantly under capacity” and are “expected to remain under
6 capacity” for the foreseeable future (at page 6 of request filed 01/02/13). The District
7 fails, however, to show that it has analyzed or even collected the comparative utilization
8 data necessary to determine whether the targeted schools are in any way exceptional in
9 this respect.⁶ In fact, operating “under capacity” could just as reasonably be cited as
10 grounds for reassigning students to, rather than away from, a particular school.
11 Comparative data might well show, for example, that many of the District’s top
12 performing schools are operating “under capacity.” Where the schools targeted for
13 closure are not underutilized, the District offers the fallback rationale that they are
14 “smaller” schools, and that reassigning the students attending such “smaller” schools will
15 better utilize nearby facilities (request at 6). This rationale is equally unsound without
16 the collection and analysis of comparative data on the relationship between school size
17 and such factors as operational costs and educational outcomes. For this reason, and
18 those discussed above and below, this Court should deny the District’s request.

19
20
21
22
23
24
25 _____
26 ⁶ Undersigned counsel for Fisher Plaintiffs submitted a 01/05/13 information request to
27 Special Master Willis Hawley and Interim TUSD Director of Desegregation Sam Brown
28 asking for “longitudinal data for all TUSD schools disaggregated by grade range, total
enrollment as a percentage of capacity with and without portables.” The requested
information has not been provided as of the date of this filing.

1 **4.1.8. CONVERSION TO K-8 SCHOOLS MAY LIMIT DESEGREGATION**

2
3 In a 01/15/13 letter addressing the closure of middle schools and the conversion of
4 elementary schools to K-8 schools, external counsel for the District explains that:

5 The District is utilizing K-8 schools as a strategy to combat the loss of students
6 between 5th and 6th grades. I will provide data showing that the District loses a
7 significant number of students during this transition. I will also provide data from
8 Robins and Roberts/Naylor that shows that 5th grade students in these schools are
9 staying in the District at their K-8 schools. The District is using the school closure
10 and consolidation process as an opportunity to provide more K-8 options to the
11 District's students. (Gaines 01/15/13 letter to counsel regarding closures).

12
13 While the District's stated rationale for converting elementary schools into K-8 schools is
14 to retain students who would otherwise exit the District, Fisher Plaintiffs are concerned
15 that what the District advocates as a remedy for flight may ultimately prove to be a
16 constraint on the integration of the District's 6th, 7th and 8th grades. It is a fact that the
17 District's elementary schools are generally smaller than its middle and high schools. It is
18 also true that its elementary schools typically draw students from smaller geographic
19 attendance areas, thus graduation from elementary to middle school in TUSD generally
20 means graduation from a neighborhood school to a school attended by students from a
21 larger, and potentially more diverse, geographic area. For these reasons, the Court should
22 not approve the closure of middle schools and the conversion of elementary schools to K-
23 8 schools until the District can show that such closures will not result in more TUSD
24 students attending relatively less diverse schools for the 6th, 7th and 8th grades.

1 **4.1.9. SCHOOL MASTER PLAN PROCESS WAS NOT GUIDED BY THE USP**

2
3 Despite the District's claim to the contrary,⁷ the pendency of the student assignment and
4 other key sections of the USP makes it impossible to offer a meaningful analysis of "the
5 impact of particular school closures, consolidations and reconfigurations on the District's
6 desegregation obligations" (at page 6 of District's notice and request of 01/02/13). The
7 District's school master plan process could not possibly have been informed by sections
8 of the USP that have yet to be developed. The proposed closures clearly fall under the
9 class of actions governed by this Court's order of 01/06/12. As such, the closures must
10 be shown to be fully aligned with the integration goals of the USP. The issue before this
11 Court, then, is whether the District's impact analysis meets this standard. As the Fisher
12 Plaintiffs have previously stated:

13 neither this Court, the Special Master, the Plaintiffs or the Defendant is currently
14 in a position to state with any degree of certainty what form the USP will
15 ultimately take [...]. The only rationale the District advances for ignoring this
16 inconvenient fact is that a comprehensive plan will take time to create and
17 implement (see objection filed 08/16/12 internal quotes and citations omitted).
18

19 The District's rush to close schools demonstrates its continued failure to incorporate its
20 desegregation obligations into its daily operation. This Court established a timeline
21 likely to lead to the adoption of the USP within a matter of months, not years as the
22 District has suggested (request at 8). Fisher Plaintiffs, therefore, ask this Court, to either
23 deny the Defendant's request or - in the alternative - defer its ruling on the Defendant's
24 request until the proposed closures can be shown in a revised impact analysis to be fully
25 aligned with the goals and strategies established in the USP.

26 _____
27 ⁷ The District claims that: "[t]he impact of particular school closures, consolidations and
28 reconfigurations on the District's desegregation obligations was considered at every step
of the process (at page 6 of District's notice and request of 01/02/13).

1 **5. CONCLUSION**

2
3 The District’s desegregation impact analyses are fundamentally flawed in their reliance
4 on *current* enrollment data and assignment patterns, both of which stand to be
5 significantly revised in the upcoming school year under the USP. To permit the District
6 to push through the proposed closures and conversions without first showing that its
7 plans are fully aligned with its desegregation obligations would set a regrettable
8 precedent as the parties work to move the District closer to unitary status. The eleven
9 closures for which the District seeks this Court’s approval are not presented as integral
10 components of the cohesive, district-wide remedial desegregation plan pending before
11 this Court. The District admits this when it states that its impact analyses do “not include
12 any effects from potential open enrollment or relocation of magnet schools” (request at
13 8). Instead, the District explains, the analyses are “based entirely on the students
14 currently in the schools and the population in the geographic areas in which the schools
15 are located” (*Idem*). In fact, the District explicitly admits that “it is impossible to
16 estimate what the actual impacts will be” (*Idem*). For these reasons and those set forth
17 above, it is clear that the District’s impact analyses are fundamentally and fatally flawed
18 and fail to show that the closures will support (or even not directly obstruct) the goals of
19 the USP. Fisher Plaintiffs respectfully ask this Court to deny or defer its ruling on the
20 Defendant’s request for approval, to issue a temporary moratorium on the class of actions
21 addressed in its 01/06/12 order appointing the Special Master and to instruct the
22 Defendant to align all future requests with the goals and provisions of the USP.

23
24 Respectfully submitted this 22nd day of January, 2013

25
26 s/ Rubin Salter, Jr.

27 RUBIN SALTER, JR., ASBN 01710

28 Counsel for Plaintiffs Roy and Josie Fisher, et al

1 **6. CERTIFICATE OF SERVICE**

2
3 I declare and certify that foregoing document was electronically transmitted to the
4 CM/ECF system for filing and transmittal of a notice of electronic filing to the following
5 CM/ECF registrants on this 22nd day of January, 2013:

6
7 RICHARD M. YETWIN ASBN 03196
8 HEATHER K. GAINES ASBN 18447
9 Attorneys for Defendant TUSD
10 DeConcini, McDonald, Yetwin & Lacy
11 2525 E. Broadway Blvd., Suite 200
12 Tucson, Arizona 85716-5303
13 (520) 322-5000
14 ryetwin@dmyl.com
15 hgaines@dmyl.com

16 LOIS D. THOMPSON CSBN 093245
17 JENNIFER L. ROCHE CSBN 254538
18 Attorneys for Mendoza Plaintiffs
19 Proskauer Rose LLP
20 2049 Century Park East, Suite 3200
21 Los Angeles, California 90067
22 (310) 557-2900
23 lthompson@proskauer.com
24 jroche@proskauer.com

25
26 NANCY H. WOLL ASBN 00000
27 Attorney for Defendant TUSD
28 Tucson Unified School District
Legal Department
1010 E 10th St.
Tucson, AZ 85719
(520) 225-6040
nancy.woll@tusd1.org

NANCY A. RAMIREZ CSBN 000000
Attorney for Mendoza Plaintiffs
Mexican American LDEF
634 S. Spring St. 11th Floor
Los Angeles, CA 90014
(213) 629-2512
nramirez@maldef.org

1 CHRISTOPHER S. AWAD
2 ZOE M. ZAVITSKY
3 Attorneys for Plaintiff-Intervenor
4 USDOJ Civil Rights Division
5 601 D St. NW, Ste. 4300
6 Washington, DC 20004
7 (202) 353-3504
8 christopher.awad@usdoj.gov
9 zoe.savitsky@usdoj.gov

WILLIS D. HAWLEY
Special Master
2138 Tawes Building
College of Education
University of Maryland
College Park, MD 20742
(301) 405-3592
wdh@umd.edu

8 Respectfully submitted this 22nd day of January, 2013

10 s/ Rubin Salter, Jr.

11 RUBIN SALTER, JR., ASBN 01710
12 Counsel for Plaintiffs Roy and Josie Fisher, et al
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28