

## Exhibit 2

RM

RICHARD M. MARTINEZ  
ATTORNEY AT LAW, PLLC

November 2, 2011

**Via E-Mail & First Class Mail**

Bryan Murphy, Esq.  
BURCH & CRACCHIOLO, P.A.  
702 East Osborn, Suite 200  
Phoenix, Arizona 85011-6882

Re: *Acosta, et. al. v. Huppenthal*

Dear Mr. Murphy:

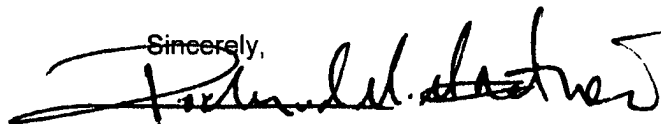
Yesterday I had the opportunity to speak with Kevin Ray from the Arizona Attorney General's office and learned that your firm would be withdrawing from further representation of Superintendent Huppenthal next week. The status of pending motions was also discussed, including a request for additional time to respond to plaintiffs motion for summary judgment. I advised Mr. Ray that his call coincided with a letter that I intended to send to you this week concerning the motion for preliminary injunction that I am in the process of finalizing. We agreed that I would respond to his request by this letter.

Due to the enforcement actions taken by Mr. Horne and then by Superintendent Huppenthal, the efforts to shut down the Mexican American Studies program have continued without pause or reflection on the role of the *Acosta* challenge. This is unfortunate, as it has caused the extraordinary expenditure of time and resources in the prosecution of the constitutional claims that are pending in federal district court. There has also been no consideration by your client of the unending severe adverse impacts that his enforcement actions have had on the educators and students in Mexican American Studies.

In light of the HB 2281 enforcement actions by Superintendent Huppenthal, the *Acosta* plaintiffs are prepared to forego the filing of a motion for a preliminary injunction only if the parties stipulate to the same and an order is immediately submitted for Judge Tashima's signature that places an immediate stay on all HB 2281 enforcement actions. The stay would need to remain in effect while the *Acosta* matter is pending. Otherwise, we need to move forward with the motion and have the summary judgment motion fully briefed without delay.

How we proceed is entirely up to Superintendent Huppenthal; there is no reason for him to force the *Acosta* plaintiffs to seek an injunction when he can voluntarily agree to one. Please advise immediately of Superintendent Huppenthal's decision, as the motion for preliminary injunction will be filed within a week. If there is no agreement, we are seeking your consent to our motion to exceed the page limitation and file a 50 page brief. In addition, we are seeking your agreement to an expedited briefing schedule, as we will not allow the enforcement actions to reach the final stage as promised by Superintendent Huppenthal.

Sincerely,



Richard M. Martinez  
Counsel for the *Acosta* Plaintiffs

c: Melissa G. Iyer, via e-mail only  
Kevin Ray, via e-mail only