

1 DECONCINI MCDONALD YETWIN & LACY, P.C.
2 2525 EAST BROADWAY BLVD., SUITE 200
3 TUCSON, AZ 85716-5300
4 (520) 322-5000

4 Richard M. Yetwin, Esq. (AZ #03196)
ryetwin@dmyl.com

5 Heather K. Gaines, Esq. (AZ #18447)
hgaines@dmyl.com

6 Sesaly O. Stamps, Esq. (AZ #25773)
sstamps@dmyl.com

7
8 TUCSON UNIFIED SCHOOL DISTRICT
9 LEGAL DEPARTMENT
10 1010 E. TENTH STREET
TUCSON, AZ 85719
(520) 225-6040

11 Nancy Hughes Woll, Esq. (AZ # 16830)
Nancy.Woll@tusd1.org

12 Attorneys for Defendants

13
14 **UNITED STATES DISTRICT COURT**
DISTRICT OF ARIZONA

15 ROY and JOSIE FISHER, et al.,)
16 Plaintiffs,)

17 UNITED STATES OF AMERICA,)
18 Plaintiff-Intervenor,)

19 vs.)

20 ANITA LOHR, et al.,)
21 Defendants,)

22 and)

23 SIDNEY L. SUTTON, et al.,)
24 Defendants-Intervenors.)

No. CIV 74-90 TUC DCB
(lead case)

SUPPLEMENT TO JOINT MOTION
TO MODIFY THE SCHEDULING
ORDER

1 goal of reaching agreement on as many aspects of the Unitary Status Plan as possible and
2 entering into a consent decree with respect to those areas of agreement. To the extent
3 that there are objections or areas in which agreement cannot be reached, the Parties
4 intend to file, on November 9, a single document identifying remaining areas of
5 disagreement and the Parties' positions and/or objections with respect to those areas. It
6 remains, however, the goal of the Parties to reach agreement on as many areas of the USP
7 as possible.
8

9 As set forth above and in the Joint Motion, the Parties and the Special Master have
10 been working diligently to resolve objections, reach consensus where possible, and meet
11 the Court's schedule. The Parties respectfully ask that the Court amend the September
12 11, 2012 scheduling order as previously submitted to provide the Parties with adequate
13 time to negotiate the terms of a consent decree in those areas in which agreement is
14 possible, and to clearly define objections and alternatives in those areas in which
15 agreement cannot be reached.

16 Respectfully Submitted,

17
18 Dated: September 19, 2012

/s/ Heather K. Gaines by permission
RUBIN SALTER, JR., ASBN 01710
Counsel for Plaintiffs Roy and
Josie Fisher, et al

19
20
21 /s/ Heather K. Gaines by permission
22 PROSKAUER ROSE LLP
23 LOIS D. THOMPSON
24 JENNIFER L. ROCHE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

MEXICAN AMERICAN LEGAL DEFENSE
AND EDUCATIONAL FUND
NANCY RAMIREZ

/s/ Heather K. Gaines by permission

THOMAS E. PEREZ
Assistant Attorney General
Civil Rights Division

ANURIMA BHARGAVA, Chief
CHRISTOPHER AWAD
ZOE M. SAVITSKY
Educational Opportunities Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Patrick Henry Building, Suite 4300
Washington, D.C. 20530
Tel: (202) 514-8392
Fax: (202) 514-8337

/s/ Heather K. Gaines

DeCONCINI McDONALD
YETWIN & LACY, P.C.
Richard M. Yetwin
Heather K. Gaines
Sesaly O. Stamps
Counsel for Defendant Tucson Unified School
District

CERTIFICATE OF SERVICE

1
2 X I hereby certify that on September 19, 2012, I electronically transmitted the attached
3 document to the Clerk's Office using the CM/ECF System for filing and transmittal of
4 a Notice of Electronic Filing to the following CM/ECF registrants:

5 Rubin Salter, Jr., Esq.
6 177 N. Church, Ste. 805
7 Tucson, Arizona 85701

8 William J. Maledon, Esq.
9 2929 N. Central Ave.
10 P.O. Box 36379
11 Phoenix, Arizona 85067-6379

12 Anurima Bhargava, Esq.
13 Christopher Awad, Esq.
14 Zoe Savitsky, Esq.
15 Civil Rights Division
16 U.S. Department of Justice
17 Washington, D.C. 10530

18 Lois D. Thompson
19 Jennifer L. Roche
20 Proskauer Rose LLP
21 2049 Century Park East, Suite 3200
22 Los Angeles, California 90067

23 Nancy Ramirez
24 MALDEF
25 634 S. Spring Street, 11th Floor
26 Los Angeles, California 90014

19 X I hereby certify that on September 19, 2012, I electronically transmitted the attached
20 document to the following, who is not a CM/ECF registrant:

21 Dr. Willis Hawley
22 2138 Tawes Building
23 University of Maryland
24 College Park, MD 20742
25 wdh@umd.edu