

<p>DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO 1437 Bannock Street Denver, Colorado 80202</p>	<p><input type="checkbox"/> COURT USE ONLY <input type="checkbox"/></p>
<p>PLAINTIFFS: Anthony Lobato, et al.</p> <p>and</p> <p>PLAINTIFFS-INTERVENORS: Armandina Ortega, et al.</p> <p>vs.</p> <p>DEFENDANTS: The State of Colorado, et al.</p>	
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<p align="center">DEFENDANTS' <u>THIRD</u> REQUEST FOR PRODUCTION OF DOCUMENTS TO SCHOOL DISTRICT PLAINTIFFS</p>	

Defendants, by their counsel, propound the following Third Requests for Production of Documents to be answered by School District Plaintiffs within 30 days of service.

DEFINITIONS AND INSTRUCTIONS

A. The term “document” means the original and identical or non-identical copy or any draft of any kind of any written, recorded, or graphic matter, however produced, stored, or preserved, including, but not limited to, storage in a computer system or database whether consisting of paper, disks, CDs, in digital format or any other form, ESI, or any other written or recorded or graphic material whatsoever.

B. The term “ESI” refers to “Electronically Stored Information” and includes any and all information and documents stored in any electronic medium or format.

C. The term “all” includes the term “any” and vice-versa.

D. The term “and” includes the term “or” and vice-versa.

E. The term “identify” or “identity” when used in reference to a natural person, means to state that person’s name, title, address and phone number, present or last known business address and phone number, present or last known position, title, job description, and educational institution or authority affiliation, and position, title, job description, and educational institution or authority at the time in question with respect to the particular interrogatory or request for production of documents involved.

F. The term “identify” or “identity” when used in reference to an entity other than a natural person or individual, means to state its full name, present or last known address and phone number, and the identity of the natural person or individual who has the best knowledge of the matter with respect to which the entity has been identified.

G. The term “identify” when used in reference to a document, means to state its title, type (e.g. letter, memorandum, etc.), date, author(s), or originator(s), addressee(s), or recipient(s), subject matter, any file numbers that may be used in locating the document, and the person in whose possession the document may be found.

J. The term “identify” when used in reference to a fact, means to state all known facts within your knowledge, care, custody of control or that should be available to you based upon reasonable inquiry.

K. The term “person” or “persons” includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.

L. The terms “address” or “addresses” mean the street address, including the city, state, and zip code.

M. The terms “you,” “your” or “District” refer to each School District Plaintiff responding to these requests for production, as well as any employee, agent, attorney, or other representative acting for the School District Plaintiff.

N. The term “preschool” refers to all educational services provided to students prior to first grade.

N. The term “Complaint” means the Second Amended Complaint filed by the Plaintiffs on July 28, 2010.

O. Unless otherwise specified, the relevant time period is 2005 through the present.

DOCUMENTS REQUESTED

1. All documents that you have received since 2004 from or through any entity in response to any Colorado Open Records Act (CORA) request, Freedom of Information Act (FOIA) request, or other similar request relating to school funding, school finance, or the *Lobato v. State* lawsuit.

2. All speeches, reports, presentations, or publications since 2004 made or given to schools, school districts, or other organizations, including but not limited to the National Education Association, Colorado Education Association, Colorado School Finance Project, Colorado Association of School Executives, and Colorado Association of School Boards, regarding school finance litigation or the *Lobato v. State* lawsuit.

3. All documents received from or through third parties relating to claims of “inadequate funding” of schools, including from or through the Colorado Education Association in response to their request for examples of “inadequate funding” in schools (<http://www.coloradoea.org/contactus/inadequatefunding.aspx>) or from or through the Colorado School Finance Project related to their “Colorado School Stories Project” (<http://www.cosfp.org/COSFSchoolStories.html>).

DATED: April 1, 2011

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*Original signature of Nicholas P. Heinke is on file at
the Office of the Colorado Attorney General*

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within **DEFENDANTS' THIRD REQUEST FOR PRODUCTION OF DOCUMENTS TO SCHOOL DISTRICT PLAINTIFFS** upon all parties herein electronically through LexisNexis File & Serve or U.S. Mail this 1st day of April, 2011, addressed as follows:

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