

DISTRICT COURT, DENVER COUNTY, COLORADO

Denver City and County Building  
1437 Bannock Street  
Denver, Colorado 80202

**Plaintiffs:** ANTHONY LOBATO, et al.

and

**Plaintiff-Intervenors:** ARMANDINA ORTEGA, et al.

v.

**Defendants:** THE STATE OF COLORADO, et al.

▲ COURT USE ONLY ▲

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Case Number: 05-CV-4794

Div: 9

**PLAINTIFF-INTERVENORS' FIRST SET OF INTERROGATORIES,**  
**REQUEST FOR PRODUCTION AND REQUEST FOR ADMISSIONS**  
**TO DEFENDANTS**

TO: The State of Colorado; the Colorado State Board of Education; Dwight D. Jones, in his official capacity as Commissioner of Education of the State of Colorado; and Bill Ritter, in his official capacity as Governor of the State of Colorado (collectively, "Defendants").

Plaintiff-Intervenors Armandina Ortega, *et al.*, serve their attached First Set of Interrogatories, Request for Production and Request for Admissions ("First Set of Discovery," collectively) to Defendants in accordance with Colorado Rules of Civil Procedure 33, 34 and 36.

### INSTRUCTIONS

1. Unless otherwise stated, these discovery requests pertain to the last three school years for which responsive answers or documents are available through the present.

2. If any document responsive to these requests was, but is no longer, in Defendants' possession, custody, or control, or is no longer in existence, state whether it is: (i) missing or lost; (ii) has been destroyed; (iii) has been transferred voluntarily or involuntarily to others; or, (iv) otherwise disposed of; and, in each instance, explain the circumstances surrounding the authorization of such disposition and state the date, or approximate date, thereof.

3. If you withhold anything covered by these Requests or any subpart thereof for reason of a claim of privilege, and you do not provide an answer on the basis of such assertion of privilege, furnish a list at the time the responses are produced identifying the following information:

- a) the Interrogatory number and the language of the Interrogatory to which such withheld response relates;
- b) the basis upon which privilege is claimed (including work product);
- c) for documents: (i) the type of document; (ii) general subject matter of document; (iii) date of the document; and (iv) author and addressee of the document, or, if no such author and addressee are identified on the document, such other information as is sufficient to identify the document in a *subpoena duces tecum*;
- d) for oral communications: (i) the name of the person making the communication and the names of other persons present when the communication was made; (ii) the date and place of the communication; and (iii) the general subject matter of the communication.

4. If Defendants withhold any requested documents on the basis of any claim of privilege, please state in writing with respect to each such document withheld: (i) the name and position of each author of the document; (ii) the name and position of each recipient of the document; (iii) the date of the document; (iv) the subject-matter of the document; (v) the present location of the original and any copies of the document; and (vi) the grounds for the claim of privilege.

5. Each Defendant shall respond to this request in writing within thirty days after service of this request. For each document in electronic or magnetic form, documents shall be on CD in .pdf format for documents or .xls or .sps format for data compilations. The requested documents and/or tangible things shall be produced as they are kept in the usual course of

business or organized and labeled to correspond with the separate categories of this request. Documents should be produced within 30 days in both paper form and electronically to the undersigned attorneys at the Mexican American Legal Defense and Educational Fund, Inc., 110 Broadway Street, Suite 300, San Antonio, Texas 78205.

6. In answering these requests, furnish all information that is available to you (not merely such information within your personal knowledge). As such, these Interrogatories seek information in your possession, custody, or control, and where appropriate in the context, in the possession, custody, or control of your agents, representatives, employees, attorneys, and affiliates, wherever located.

7. In answering these requests, any term should be interpreted by its ordinary dictionary meaning in the context in which it is portrayed or, if an education-related term, given its commonly-accepted meaning in the educational context.

8. In answering these requests, make a diligent search of your records and other papers and materials in your possession or available to you or your agents, representatives, employees, attorneys, and affiliates.

9. If you cannot answer any request in full, answer it to the fullest and most complete extent possible, explain why you cannot answer the remainder, state the nature of the information or knowledge that you cannot furnish, and state whatever information or knowledge you have concerning the unanswered portion.

10. When identifying or describing any oral statement(s) made, any document(s) written, or any act(s) committed by a corporation or business or governmental entity, also specify the natural person or persons who made the statement(s), authored the document(s), or committed the act(s).

11. Where you supply facts set forth in an answer or portion thereof on information and belief rather than actual knowledge, so state and specifically describe or identify the source or sources of such information and belief.

### **DEFINITIONS**

1. The present tense of verb shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
2. The connectives "and" as well as "or" shall be construed either in the disjunctive or in the conjunctive as necessary to bring within the scope of the Interrogatories all responses that might otherwise be considered to be beyond their scope.
3. The words "each" and "every," and the words "any" and "all," shall be construed as interchangeable as necessary to bring within the scope of Interrogatories all responses that might otherwise be considered to be beyond their scope.

4. The term "including" shall be construed to mean "including but not limited to."
5. "You," "your," "Defendants" means The State of Colorado; the Colorado State Board of Education; Dwight D. Jones, in his official capacity as Commissioner of Education of the State of Colorado; and Bill Ritter, in his official capacity as Governor of the State of Colorado, and all employees, consultants, agents and persons acting or purporting to act on their behalf, including the Colorado Department of Education ("CDE").
12. "Person" means any individual, corporation, partnership, joint venture, firm, association, proprietorship, agency, board, authority, commission, governmental entity or any other such entity.
13. "ELL students" means students lacking English proficiency, which shares the same meaning as "students whose dominant language is not English" under the English Language Proficiency Act ("ELPA"), COLO. REV. STAT. ANN. § 22-24-103 (2007).
14. "Students from low income families" or "low income" means, unless otherwise stated, those students on the National School Lunch Act's Free and Reduced Price Lunch Program. To be eligible for free lunch under the NSLA, a student's household income must be at or below 130 percent of federal income poverty guidelines; reduced price lunch eligibility includes children from households with incomes between 131 percent and 185 percent of poverty guidelines.
15. "At-risk" refers to a student who is at-risk of not performing at grade level, being retained at grade-level or dropping out of school; or in the context of charter schools, one "who, because of physical, emotional, socio-economic or cultural factors, is less likely to succeed in a conventional educational environment." When used in terms of funding, "at-risk" means those students identified on the free lunch program under the National School Lunch Act, plus those students whose standardized test scores are not included in calculating a school's performance grade because the students' dominant language is not English and who are also not eligible for free lunch.
16. "Facility needs" includes but is not limited to the acquisition of land and pre-existing buildings, the construction of new schools, and the maintenance and repair of existing school facilities.
17. "Pre-school program" means programs that serve children between the ages three and five and not including Kindergarten.
18. "Document" means all written, reported, recorded, or graphic matter within the scope of Colorado Rules of Civil Procedure, however produced or reproduced, which is now, or was at any time, in the possession, custody, or control of any of the Defendants, including, but not limited to, all reports, memoranda, notes (including reports, memoranda, and notes of conversations and conferences), calendars, date books, application forms, computer printouts, electronic mails, instant messages, data, data compilations, records, letters, envelopes, telegrams, messages, studies, analyses, books,

articles, magazines, newspapers, booklets, circulars, bulletins, notices, instructions, accounts, papers, arithmetical computations, minutes of all communications of any type (including inter- and intra- office communications), purchase orders, invoices, bills, statements of account, questionnaires, surveys, charts, graphs, recordings, punch cards, magnetic tapes, disks, data cells, drums, printouts, video tapes, and all other data collections from which information can be obtained (translated if necessary by defendants in usable form), including drafts of the foregoing upon which notations and writings have been made which do not appear in the originals.

19. "Possession," "custody," or "control" includes constructive possession whereby you have the right to compel the production of a matter from a third-party. If any document requested was, but no longer is, in your possession or subject to your control, then produce in substitution thereof any and all documents that would tend to show what disposition was made of the requested document.
20. "Related to" shall have its usual meaning and shall also specifically mean reflecting, concerning, referring or responding to, describing, representing, estimating, discussing, evidencing, memorializing, or constituting.
21. A "communication" means all oral conversations, discussions, letters, telegrams, memoranda, e-mail, facsimile transmissions, and any other transmission of information in any form, either oral or written.
22. When used in reference to communications, the terms "identify," "identity" and "identification" shall mean to give, to the extent known, (1) the nature of communication, (2) the general subject matter, (3) the date of the communication, (4) the place of the communication, (5) and the identity of the persons involved in the communication.
23. When used in reference to persons, the terms "identify," "identity," and "identification" shall mean to give, to the extent known, (1) the person's full name, (2) the person's present or last known address, (3) the person's position and title, and (4) the person's present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.
24. When used in reference to documents, the terms "identify" and "identification" shall mean to give the name and identity of any custodians of the document and either: [A] identify to the extent known, (1) the title of any document; (2) the name of the individual or individuals who prepared the document; (3) the date or dates on which the document or documents was or were prepared; and (4) where a copy or copies of the document may be located; or [B] identify the document by bates range.
25. As used herein, the phrases "describe with particularity," "state the basis," "stating the basis," "state all facts," and "stating all facts" each mean:

- a. identify each and every document (and, where pertinent, the section, article or subparagraph thereof), which forms any part of the source of the party's information regarding the alleged facts or legal conclusions referred to by the interrogatory;
  - b. identify each and every communication which forms any part of the source of the party's information regarding the alleged facts or legal conclusions referred to by the interrogatory;
  - c. state separately the acts or omissions to the act on the part of any person (identifying the acts or omissions to act by stating their nature, time, and place and identifying the persons involved) which form any part of the party's information regarding the alleged facts or legal conclusions referred to in the interrogatory;
  - d. state separately any other fact which forms the basis of the party's information regarding the alleged facts or conclusions referred to in the interrogatory; and where appropriate, provide the legal support for your contentions, including citations to any relevant statutes, regulations, ordinances, and judicial decisions that you allege support your contentions.
26. The term "Plaintiff-Intervenor districts" refers to those four school districts in which Plaintiff-Intervenor children attend and any additional school districts from which any additional Plaintiff-Intervenor children, who may be added to this action, attend (Mapleton 1, Greeley 6, Rocky Ford R-2 and Sheridan 2).

## **I. FIRST SET OF INTERROGATORIES**

Plaintiffs submit the following First Set of Interrogatories to Defendants pursuant to Rule 33 of the Colorado Rules of Civil Procedure, to be answered fully under oath within 30 days of service.

1. Describe with particularity each educational service and source of funding (including federal, state and private grants) that you designate for and make available to school districts specifically for low income and at-risk students in Colorado. Please list by district, campus, grade (if applicable) and cost.
2. Describe with particularity each educational service and source of funding (including federal, state and private grants) that you designate for and make available to school districts specifically for ELL students in Colorado. Please list by district, campus, grade (if applicable) and cost.
3. Describe with particularity your efforts, if any, made in the past five years in helping to close the educational performance achievement gap (“achievement gap”) based on race and poverty, including how you measure the achievement gap based on race and poverty.
4. Describe with particularity your efforts, if any, made in the past five years in helping to close the achievement gap between ELL and non-ELL students, including how you measure the achievement gap based on race and poverty.
5. Describe with particularity the efforts you have made in the past five years to train Colorado public school teachers to serve its low income, at-risk, and ELL student populations.
6. Identify and describe with particularity any successful compensatory, accelerated, remediation and supplemental educational programs for at-risk and low income students, including reduced class size, smaller learning communities and specific after school and tutoring programs.
7. Identify and describe with particularity any successful language programs for ELL students in helping ELL students become academically proficient in the English language.
8. Identify and describe with particularity any obstacles and challenges to learning in Colorado public schools encountered by low income and at-risk students.
9. Identify and describe with particularity any obstacles and challenges to learning in Colorado public schools encountered by ELL students.
10. Identify and describe with particularity (including any specific performance indicators or educational outputs such as CSAP scores, ACT scores, etc.) how you determine whether

Colorado public school students “acquire the knowledge, skills and behaviors essential for high school graduates to be prepared to enter college and the workforce and to compete in the global economy,” as described by the Colorado Department of Education and Department of Higher Education under their definition of “postsecondary and workforce readiness.”

11. Identify and describe with particularity (including any specific performance indicators or educational outputs such as CSAP scores, ACT scores, etc.) the tools and quality of education needed to enable all Colorado public school students to participate meaningfully in the civic, political, economic, social and other activities of society, and to exercise the basic civil and other rights of citizens of the State of Colorado and the United States of America.
12. Identify and describe with particularity all state educational mandates required of public school districts in the State of Colorado and the corresponding source of funding, if any, appropriated or otherwise made available to school districts to meet the mandate.
13. Identify each school district which is lacking highly qualified teachers as defined under the No Child Left Behind Act and Colorado law, listing for each district the grade level and content area for each teacher not meeting the standard.
14. For each school district in which the Plaintiff-Intervenor children attend, identify and describe with particularity any spending irregularities or unnecessary expenditures (as alleged, defined or determined by you) made by the respective school district.
15. Describe with particularity each specific source of facilities funding made available to school districts during the past 5 years, listing by district, source of funding, specific allocation, and purpose for funding.
16. Describe with particularity any deficiencies, shortcomings, errors, omissions, criticisms or failures in the report bearing the name of CDE, “Statewide Financial Priority Assessment, FY 2009-2010,” dated March 2010 or any other CDE report on capital construction over the past 5 years.
17. Describe with particularity the elements of a quality preschool program for at-risk, low income and ELL students and how those programs help those students achieve in school.
18. Identify and describe with particularity how you measure the success or quality of a preschool program.
19. Identify the overall number of children eligible for preschool funding (including the number of children on waiting lists) and the number of preschool-eligible children actually funded under the Colorado Preschool Program by State, district and age and disaggregated by the grounds for eligibility (i.e., language development, free and reduced price lunch, etc.).
20. Describe with particularity the elements of a quality full-day kindergarten program for at-risk, low income and ELL students and how those programs help those students achieve in school.

21. Identify the overall number of children eligible for full-day Kindergarten funding (including the number of children on waiting lists) and the number of Kindergarten children actually funded by the State, across the State and by district and disaggregated by the grounds for eligibility (i.e., language development, free and reduced price lunch, etc.).
22. Describe with particularity how the “state budget stabilization factor” affects Total Program Funding under the Public School Finance Act (“PSFA”) for each school district in Colorado, including the specific reduction in funding for each district.
23. Identify any consulting experts, that is, consulting experts whose work has been reviewed by the testifying expert or experts whom you may call to testify in this case, and any person you intend to call who may present expert testimony but for whom an expert report is not required under the federal rules. For each expert, provide the following information:
  - a. The expert’s name, address and telephone number.
  - b. The expert’s current resume and bibliography.
  - c. The facts known to the expert that relate to or form the basis of the expert’s mental impressions and opinions formed or made in connection with the case, regardless of when and how the factual information was acquired.
  - d. The mental impressions or opinions of the expert formed or made in connection with the case and any methods used to derive them.
  - e. Any bias of the expert.
  - f. Identify all documents and tangible things, including reports, models or data compilations, which have been provided to, reviewed by, or prepared by or for the expert, so the documents or tangible things may properly be sought by a request for production.

## **II. REQUEST FOR PRODUCTION**

Plaintiffs submit the following First Request for Production to Defendants pursuant to Rule 34 of the Colorado Rules of Civil Procedure, to be fully answered under oath within 30 days of service.

1. Produce all documents evidencing educational services and sources of funding (including grants) that you designate for and make available to Plaintiff-Intervenor districts specifically for low income and at-risk students in Colorado.
2. Produce all documents evidencing educational services and sources of funding (including grants) that you designate for and make available to Plaintiff-Intervenor districts specifically for ELL students in Colorado.
3. Produce all documents evidencing your efforts, if any, made in the past five years in helping to close the educational performance achievement gap (“achievement gap”) based on race and poverty, including documents evidencing how you measure the achievement gap based on race and poverty.
4. Produce all documents evidencing your efforts, if any, made in the past five years in helping to close the achievement gap between ELL and non-ELL students, including documents evidencing how you measure the achievement gap based on race and poverty.
5. Produce all documents evidencing the efforts you have made in the past five years to train Colorado public school teachers in Plaintiff-Intervenor districts to serve their low income, at-risk, and ELL student populations.
6. Produce all documents evidencing any successful compensatory, accelerated, remediation and supplemental educational programs for at-risk and low income students, including reduced class size, smaller learning communities and specific after school and tutoring programs.
7. Produce all documents evidencing any successful language programs for ELL students in helping ELL students become academically proficient in the English language.
8. Produce all documents evidencing any obstacles and challenges to learning in public schools encountered by low income and at-risk students.
9. Produce all documents evidencing any obstacles and challenges to learning in public schools encountered by ELL students.
10. Produce all documents evidencing any efforts made by you to determine whether Colorado public school students “acquire the knowledge, skills and behaviors essential

for high school graduates to be prepared to enter college and the workforce and to compete in the global economy,” as described by the Colorado Department of Education and Department of Higher Education under their definition of “postsecondary and workforce readiness.”

11. Produce all documents evidencing any efforts made by you to determine the tools and quality of education needed to enable all Colorado public school students to participate meaningfully in the civic, political, economic, social and other activities of society, and to exercise the basic civil and other rights of citizens of the State of Colorado and the United States of America.
12. Produce all documents evidencing the lack of highly qualified teachers in Colorado public schools as defined under the No Child Left Behind Act and Colorado law.
13. Produce all documents evidencing any spending irregularities or unnecessary expenditures made by the Plaintiff-Intervenor districts.
14. Produce all documents evidencing each specific source of facilities funding made available to Plaintiff-Intervenor districts during the past 5 years.
15. Produce all documents evidencing any deficiencies, shortcomings, errors, omissions, criticisms or failures in the report bearing the name of CDE, “Statewide Financial Priority Assessment, FY 2009-2010,” dated March 2010 or any other CDE report on capital construction over the past 5 years.
16. Produce all documents evidencing your efforts in determining the elements of a quality preschool program for at-risk, low income and ELL students and how those programs help those students achieve in school.
17. Produce all documents evidencing your efforts in determining the success or quality of a preschool program, including any performance related data by district and school disaggregated by socioeconomic status and language.
18. Produce all documents evidencing the overall number of children eligible for preschool funding and the number of preschool-eligible children actually funded under the Colorado Preschool Program by State and district and age.
19. Produce all documents evidencing your efforts in determining the elements of a quality full-day kindergarten program for at-risk, low income and ELL students and how those programs help those students achieve in school.
20. Produce all documents evidencing the overall number of children eligible for full-day Kindergarten funding (including the number of children on waiting lists) and the number of Kindergarten children actually funded by the State, across the State and by district.

21. Produce all documents evidencing how the “state budget stabilization factor” affects Total Program Funding under the PSFA for each school district in Colorado, including the specific reduction in funding for each district.
22. Produce all documents evidencing your efforts in determining whether students are prepared for Kindergarten, including any performance related data by district and school disaggregated by socioeconomic status and language.
23. Produce all documents evidencing or supporting your determination that the calculation of at-risk funding should be limited to those students who qualify for the free lunch program, as opposed to the reduced price lunch program
24. Produce all documents related to any studies, reports, audits, evaluations, reviews, investigations, analyses, questionnaires and surveys of the board of trustees’ and administration’s practices and policies of the Plaintiff-Intervenor districts.
25. Produce all documents related to the facilities funding made available to Plaintiff-Intervenor districts.
26. Produce all documents related to any studies, reports, audits, evaluations, reviews, investigations, analyses, questionnaires and surveys of facility needs in the Plaintiff-Intervenor districts.
27. Produce all documents related to any studies, reports, audits, evaluations, reviews, investigations, analyses, questionnaires and surveys conducted by or on behalf of you, or which you rely upon, in assessing the educational needs of ELL students.
28. Produce all documents related to any studies, reports, audits, evaluations, reviews, investigations, analyses, questionnaires and surveys conducted by or on behalf of you, or which you rely upon, in assessing the educational needs of low income and at-risk students.
29. Produce all documents evidencing the state, local and federal funding made available to the Plaintiff-Intervenor districts.
30. Produce all documents and tangible things, including reports, models or data compilations, which have been provided to, reviewed by, or prepared by or for each consulting expert, whose work has been reviewed by the testifying expert or experts whom you may call to testify in this case, and by or for any other person you intend to call who may present expert testimony but for whom an expert report is not required under the federal rules.

### **III. REQUEST FOR ADMISSIONS**

Plaintiffs submit the following First Request for Admission to the Defendant pursuant to Rule 36 of the Colorado Rules of Civil Procedure, to be fully answered under oath within 30 days of service.

1. Admit that the documents produced by you in response to Plaintiff-Intervenors' First Set of Discovery Requests are true and authentic.
2. Admit that given sound, effective educational opportunities, ELL students can perform scholastically in school on equal terms with non-ELL students.
3. Admit that the primary purpose of the CELApro is to determine the level at which Colorado NEP and LEP students meet the Colorado English Language Development Standards in four domains (listening, speaking, reading and writing).
4. Admit that the CELApro does not measure an ELL student's knowledge of Colorado's content standards.
5. Admit that given sound, effective educational opportunities, low income students can perform scholastically in school on equal terms with non-low income students.
6. Admit that the State of Colorado holds all students, with the exception of certain special education students, to the same academic standards.
7. Admit that the primary purpose of the CSAP is to determine the level at which Colorado students meet Colorado's content standards in the content areas assessed.
8. Admit that the ACT is a standardized test used to measure high school achievement and college readiness.
9. Admit that you do not permit or otherwise authorize districts to use federal funds, including Title I and Title III funds, to supplant—as opposed to supplement—state funding.
10. Admit that educational research does not conclusively prove that it takes 2 years or less for ELL students to become proficient in English.
11. Admit that districts across Colorado do not have the same slate of at-risk-focused services available to them.

12. Admit that a low-performing, monolingual English speaking student who is not eligible for free lunch is not considered “at-risk” for funding purposes in the Colorado public schools.
13. Admit that a district will not receive at-risk funding under the PSFA for a low-performing, monolingual English speaking student who is not eligible for free lunch.
14. Admit that, generally speaking, a district’s geographic and financial position can affect that district’s ability to recruit and retain highly qualified teachers, as defined under the No Child Left Behind Act and Colorado law.
15. Admit that you do not require districts to hire teachers who teach ELL students to have a specialized degree or certification to teach ELL students.
16. Admit that the Colorado State Board of Education adopted the Common Core State Standards for English Language Arts and Mathematics.
17. Admit that the Common Core State Standards are designed to be robust and relevant to the real world, reflecting the knowledge and skills that our young people need for success in college and careers.
18. Admit that the Common Core State Standards for English Language Arts and Mathematics are equal to, or more rigorous than, the Colorado Model Content Standards currently in place.
19. Admit that public school districts in Colorado must adopt, at a minimum the Colorado Academic Standards, which include the Common Core State Standards for English Language Arts and Mathematics.
20. Admit that all classrooms that include Colorado Preschool Program-funded students must commit to use the Colorado Quality Standards as indicators of developmentally appropriate practice in a high quality program.
21. Admit that early school failure may ultimately contribute to such children dropping out of school at an early age, failing to achieve their full potential, becoming dependent upon public assistance, or becoming involved in criminal activities.
22. Admit that each district and preschool has a limited number of openings and often cannot accommodate all families who apply.
23. Admit that you do not provide full-day funding to Colorado school districts for all eligible Kindergarten students.
24. Admit that high quality preschool programs for ELL and low income students can help better prepare those students to learn the State content standards and achieve their full potential.

25. Admit that quality preschool programs can help reduce the achievement gap between ELL students and non-ELL students.
26. Admit that college remediation is an indicator that students are not sufficiently prepared for college.
27. Admit that the condition of school facilities can negatively affect student learning.
28. Admit that the facilities study bearing the name of CDE and titled "Statewide Financial Priority Assessment, FY 2009-2010," dated March 2010, is an accurate assessment of the facilities within those districts identified in the report.
29. Admit that school districts across the State have varying abilities to raise revenue for facilities and capital construction due to their property wealth.
30. Admit that, generally speaking, a school district with a lower property value must levy a higher mill in order to generate the same amount of revenue when compared to a school district with a higher property value.
31. Admit that school districts in Colorado do not have unlimited discretion in asking voters to raise revenue for capital construction and instructional expenditures.
32. Admit that a Colorado public school student's income status or race, standing alone, does not determine whether a student can achieve Colorado's academic standards.

DATED: October 8, 2010

Respectfully submitted,

David G. Hinojosa  
State Bar No. 24010689  
Nina Perales  
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By: /S/ David G. Hinojosa  
David G. Hinojosa  
**Attorneys for Plaintiff-Intervenors**

## CERTIFICATE OF SERVICE

I certify that on October 8, 2010, a true copy of Plaintiff-Intervenors' First Set of Interrogatories, Request for Production and Request for Admissions to Defendants was forwarded by Electronic Mail and via regular mail to the following:

***Attorneys for Defendants:***

JOHN W. SUTHERS  
Attorney General  
MONICA M. MÁRQUEZ  
Deputy Attorney General  
ANTONY B. DYL  
Senior Assistant Attorney General  
CAREY TAYLOR MARKEL  
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