

<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>	
<p>Attorneys for Defendants: JOHN W. SUTHERS, Attorney General</p> <p>ANTONY B. DYL, 15968* Senior Assistant Attorney General E-mail: tony.dyl@state.co.us</p> <p>CAREY TAYLOR MARKEL, 32987* Senior Assistant Attorney General E-mail: carey.markel@state.co.us</p> <p>NICHOLAS P. HEINKE, 38738* Assistant Attorney General E-mail: nicholas.heinke@state.co.us</p> <p>JONATHAN P. FERRO, 35754* Assistant Attorney General E-mail: jon.ferro@state.co.us</p> <p>ERICA WESTON 35581* Assistant Attorney General E-mail: erica.weston@state.co.us</p> <p>Office of the Colorado Attorney General 1525 Sherman Street, 7th Floor Denver, CO 80203 Telephone: (303) 866-2383 Fax: (303) 866-5671 * Counsel of Record</p>	<p>Case Number: 05 CV 4794</p> <p>Div: 9</p>
<p align="center">DEFENDANTS' FIRST SET OF INTERROGATORIES TO PLAINTIFF-INTERVENORS</p>	

Defendants, by their counsel, propound the following First Set of Interrogatories to be answered by Plaintiff-Intervenors 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.

H. 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.

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

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

K. The terms “you,” “your” or “Plaintiff” refer to each Plaintiff-Intervenor responding to these Interrogatories, as well as any employee, agent, attorney, or other representative acting for each Plaintiff-Intervenor.

L. The term “Complaint” means the Complaint in Intervention filed by the Plaintiff-Intervenors on March 3, 2010.

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

INTERROGATORIES

1. Identify the person(s) who prepared or assisted in the preparation of the answers to these interrogatories and identify their relationship to you.
2. Identify any activities in which you or any of your children are unable to “participate meaningfully” due to the Colorado system of public school finance, as alleged in paragraph 21 of the Complaint.
3. Identify all “State standards-based reform efforts and accountability requirements” that you contend “further define a constitutionally thorough and uniform system of free public schools,” as alleged in paragraph 22 of the Complaint.
4. Describe how the Defendants impose “arbitrary restrictions on funding by way of statute or regulation,” as alleged in paragraph 37 of the Complaint.
5. Identify the “services” you or any of your children do not receive, as alleged at paragraph 45 and 62 of the Complaint.
6. Describe what changes, if any, you would like the District to make in regard to the District’s academic programs.
7. Identify the “quality language programs and services” referenced in paragraph 62 of the Complaint.
8. Identify the districts that are unable to provide “quality preschool programs,” as alleged in paragraph 68 of the Complaint.
9. Identify any students eligible for Colorado Preschool Program services who did not receive the services due to funding.
10. Describe any efforts you have undertaken to encourage community support for the bond elections referenced in paragraphs 72-74 of the Complaint.

11. For each child of yours who is or was a student in a Colorado school, state the schools that he/she attended in Colorado and the grade level(s) and year(s) of attendance.
12. For each child of yours who is or was a student in a Colorado school, state the grade level, years, and schools in which he/she received English language learner services.
13. Identify all schools that you allege are inadequate.
14. Identify the schools that have closed or consolidated, as alleged in paragraph 73 of the Complaint.
15. Identify any child of yours who is unable to attend a neighborhood school, as alleged in paragraph 73 of the Complaint.
16. Explain your assertion that “ELL and low income students . . . are most in need of compensatory services,” as that phrase is used in paragraph 101 of the Complaint.
17. Explain your assertion that “insufficient funding” causes “low graduation and high dropout rates” as alleged in paragraph 101 of the Complaint.
18. Describe the system of capital construction funding that would allow “local communities and their taxpayers” to “maintain[] and build[] safe and secure school facilities,” as that phrase is used in paragraph 101 of the Complaint.
19. Identify with particularity the “opportunities” that any of your children are unable to obtain, as alleged in paragraph 104 of the Complaint.
20. State how more education funding by the state would help you or any of your children.
21. Describe with particularity your involvement with your child or children’s school, including but not limited to School District governance, committees, volunteer activities, or parent associations.
22. Describe the educational programs for ELL students you believe would allow districts to provide a “thorough and uniform” education to their ELL students as alleged a paragraph 53 of the Complaint.
23. Identify whether any of your children are “low income” students, “English Language Learner” students, both, or neither, as those terms are used in the introduction to the Complaint.

24. Describe “additional educational services” you contend are needed for ELL students, as alleged a paragraph 48 of the Complaint.

DATED: October 12, 2010

JOHN W. SUTHERS
Attorney General

/s/ Carey Taylor Markel

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*Original signature of Carey Taylor Markel 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' FIRST SET OF INTERROGATORIES TO PLAINTIFF-INTERVENORS** upon all parties herein electronically through LexisNexis File & Serve this 12th day of October, 2010, addressed as follows:

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