

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

ELIEZER WILLIAMS, et al.,) Case No. 312 236

Plaintiffs,) Pages 1 - 310

VS.) VOL. I

STATE OF CALIFORNIA,)

DELAINE EASTIN, State)

Superintendent Of Public)

Instruction, STATE)

DEPARTMENT OF EDUCATION,)

STATE BOARD OF EDUCATION,)

Defendants.)

AND RELATED CROSS-ACTION.)

DEPOSITION OF DELWIN LAMPKIN

TAKEN ON

SUNDAY, MAY 27, 2001

REPORTED BY: ASHALA TYLOR, CRR, RPR, CSR No. 2436

CERTIFIED REALTIME REPORTER

1 Deposition of DELWIN LAMPKIN, taken on behalf
2 of the Defendants at 400 South Hope Street,
3 Los Angeles, California, on SUNDAY, MAY 27, 2001,
4 at 9:41 A.M., before ASHALA TYLOR, CSR No. 2436,
5 RPR, pursuant to Notice.
6
7
8
9

10 APPEARANCES:

11 FOR DELWIN LAMPKIN:

12 MORRISON & FOERSTER
13 BY: BENJAMIN J. FOX, ESQ.
14 555 West Fifth Street
15 Los Angeles, California 90013-1024
16 (213) 892-5307
17
18

19 FOR STATE OF CALIFORNIA:

20 O'MELVENY & MYERS, LLP
21 BY: SABRINA HERON STRONG, ESQ.
22 400 South Hope Street
23 Los Angeles, California 90071-2899
24 (213) 430-6000
25

1 UNANSWERED QUESTIONS:
2 Page 104, Line 5
3 Page 127, Line 10
4
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1 A P P E A R A N C E S (continued)
2
3 FOR LOS ANGELES UNIFIED SCHOOL DISTRICT:
4 LOZANO SMITH
5 BY: CHRISTOPHER J. FERNANDES, ESQ.
6 235 West 5th Avenue
7 Suite A
8 Escondido, California 92025-4848
9 (760) 739-9420
10

11 I N D E X

12
13 WITNESS EXAMINATION PAGE
14 DELWIN LAMPKIN (By Ms. Strong) 5
15
16
17
18

19 EXHIBITS PAGE
20 1 - Notice of Deposition 67
21
22
23
24
25

1 LOS ANGELES, CALIFORNIA
2 SUNDAY, MAY 27, 2001; 9:41 A.M.
3

4 DELWIN LAMPKIN,
5 having been first duly
6 sworn, was examined and testified
7 as follows:
8
9

10 EXAMINATION

11 BY MS. STRONG:
12 Q. Do you prefer to be called Mr. Lampkin or
13 Delwin?
14 A. Delwin is fine.
15 Q. Delwin, I'm Sabrina Strong. And I
16 represent the State of California in this action.
17 Would you please state and spell your full
18 name for the record.
19 A. My name is Delwin Deteriuse Lampkin.
20 First name, D-e-l-w-i-n; middle name,
21 D-e-t-e-r-i-u-s-e; last name, L-a-m-p-k-i-n.
22 Q. Okay. Have you had your deposition taken
23 before?
24 A. Yes.
25 Q. You have? And when was that?

1 A. Sometime early part of, I think, March.
 2 Q. Okay. And was that the only time you've
 3 had your deposition taken before?
 4 A. No. I've had it taken two other times.
 5 Q. Okay. When were those times?
 6 A. I believe the first one was sometime in
 7 November. And the second one was sometime in
 8 either January or February.
 9 Q. Okay. Is this November of what year?
 10 A. November of 2000.
 11 Q. Okay. And January 2001?
 12 A. Yes.
 13 Q. And then the third time was March 2001?
 14 A. Yes.
 15 Q. Okay. Any other times other than what you
 16 just mentioned to me?
 17 A. None I could remember.
 18 Q. Okay. So let's start with the first one
 19 in January 2001 -- 2 -- no, the first one would be
 20 November 2000. Sorry.
 21 A. Yes.
 22 Q. What was that in regard to?
 23 A. Basically, it was as far as the school
 24 conditions were concerned with. As far as the
 25 attendance of one of my teachers.

1 Q. Do you know if it was in a reference to a
 2 particular case?
 3 A. No. Not that I was aware of.
 4 Q. Okay. Why were you being deposed?
 5 A. I guess you could say the organization I
 6 was with, they had a few concerns with the schools.
 7 Q. Okay.
 8 A. And so I thought that maybe they want to
 9 hear my case or my concerns.
 10 Q. Okay. I'm trying to get an understanding
 11 of why it was -- if it was in reference to, for
 12 example, a court case, or if it was in reference to
 13 just some hearings. I mean, what was the purpose
 14 of the deposition? You said it was relating to an
 15 organization you were involved with. What was the
 16 organization?
 17 A. The Community Coalition.
 18 Q. Community Coalition?
 19 A. Yes.
 20 Q. Okay. And now was it the Community
 21 Coalition that was taking your deposition?
 22 A. No.
 23 Q. Okay. Who was taking your deposition?
 24 A. It was actually UCLA lawyers that was
 25 working with ACLU.

1 Q. Okay. So UCLA lawyers were taking your
 2 deposition?
 3 A. Yes, the first time.
 4 MR. FOX: Hold it.
 5 MS. STRONG: Do you want to take a break?
 6 MR. FOX: If you don't mind.
 7 MS. STRONG: Did you want --
 8 MR. FOX: Could I go outside with my
 9 client for a second?
 10 MS. STRONG: Okay.
 11 (Witness and his counsel leave the room
 12 and return.)
 13 MR. FOX: Can we go back on?
 14 MS. STRONG: Sure.
 15 MR. FOX: I believe that Mr. Lampkin may
 16 have misunderstood the question, and I'm going to
 17 object to the extent it calls for attorney-client
 18 communications. And I think he can clarify as to
 19 what he thought you were asking him.
 20 BY MS. STRONG:
 21 Q. Okay. Yes.
 22 Why don't we begin with your clarification
 23 before I continue with more questions.
 24 A. I actually thought you were talking about
 25 as far as interviews. They were actually

1 interviews, where I was being interviewed, as far
 2 as the extent of concerns through the schools --
 3 MR. FOX: I'm sorry. Objection to the
 4 extent it calls for attorney-client communications.
 5 You can say who you spoke to and generally
 6 what it was about, but not specifics as to what the
 7 conversations were about.
 8 BY MS. STRONG:
 9 Q. Okay. So with respect to the
 10 November 2000 incident that you were referring to,
 11 and in January 2001 and March 2001, each of these
 12 times you were having communications with attorneys
 13 regarding the case; is that the situation?
 14 A. Yes.
 15 Q. However, you did mention that some of this
 16 was -- included discussions with UCLA students; is
 17 that correct?
 18 A. Only one of them.
 19 Q. Which one included discussions with UCLA
 20 students?
 21 A. The first one.
 22 Q. Okay. So in November 2000, you met with
 23 some UCLA students. Who did you meet with?
 24 A. I cannot remember the name right now. I'm
 25 not sure of the name.

1 Q. How many people did you meet with?
 2 A. Just one.
 3 Q. Okay. Man or woman?
 4 A. Woman.
 5 Q. And she was a student?
 6 A. Yes, I believe so.
 7 Q. Do you know anything more about her?
 8 A. No.
 9 Q. Was she attending the law school at UCLA?
 10 A. I do not know.
 11 Q. Okay. We'll come back to that. But just
 12 to continue on.
 13 So you've never been in a proceeding like
 14 this before where you have had a court reporter
 15 taking down what's being said and so forth; is that
 16 correct?
 17 A. No.
 18 Q. Is that correct?
 19 A. Yes.
 20 Q. I want to go through kind of a background
 21 as to what's going to happen today, and make sure
 22 you understand what's going on here before we
 23 proceed any further. Okay?
 24 A. Okay.
 25 Q. The point of this proceeding today is for

1 me to learn about what you know about the facts
 2 relating to this case. I mean, that's the whole
 3 purpose of this. And as a result, I'm going to ask
 4 you a series of questions. You'll give answers.
 5 And the court reporter here is going to be taking
 6 down everything that's said.
 7 At the end of the deposition, you will
 8 have an opportunity to review this transcript that
 9 is produced. And you will have an opportunity to
 10 change any of the answers that you have given at
 11 that time. However, if you make any changes to the
 12 transcript, any attorney in this action will be
 13 able to comment upon any changes that you make.
 14 Do you understand that?
 15 A. Yes, I do.
 16 Q. So it's important that you try and give
 17 your full and accurate testimony here today to the
 18 extent possible.
 19 It's also important that you verbalize the
 20 answers that you give today with, for example, yes
 21 and no. And "uh-huh" and "uh-uh" doesn't read on
 22 the transcript. So we need to be very careful to
 23 make sure we verbalize answers and that we give
 24 answers that are recognizable on the transcript.
 25 Do you understand that?

1 A. I do.
 2 Q. It's important that we have a clear record
 3 so everyone can understand what was said here
 4 today. So in doing that, it's helpful if we can
 5 let one another finish what we're saying before
 6 beginning with either your answer or my next
 7 question. So I will try and wait for you to finish
 8 your answers. And if you can do your best to try
 9 and wait for me to finish the question that I ask,
 10 before you answer. Okay?
 11 A. Okay.
 12 Q. If at any time you do not understand one
 13 of my questions, please let me know that you do not
 14 understand the question. If you don't let me know
 15 that, I'm going to assume that you do. And we'll
 16 also assume that the answer that you give is based
 17 on you having understood the question.
 18 So do you understand that?
 19 A. Yes, I do.
 20 Q. Okay. You're required to answer the
 21 questions to the best of your ability. Nobody here
 22 wants you to guess. But we would like you to give
 23 your best estimate as to what you believe the
 24 correct answer or appropriate answer is.
 25 Do you understand that?

1 A. Yes, I do.
 2 Q. Today you are testifying under oath, and
 3 it has the same effect as if you were testifying in
 4 a court of law. Therefore, you are subject to all
 5 the penalties of perjury for giving false
 6 testimony. Even though we are in an informal
 7 setting, it's important that you do tell the truth
 8 today.
 9 Do you understand that?
 10 A. Yes, I do.
 11 Q. If you need a break for any reason, just
 12 let me know. This is not an endurance test. If
 13 you want to step out or talk with your attorney,
 14 please let me know, and I will ask the
 15 court reporter to go off the record and we can take
 16 a break. Okay?
 17 A. Okay.
 18 Q. If at any point during today's deposition
 19 I say something that triggers your memory, or
 20 you're testifying to something and you remember
 21 something else regarding a prior answer that you've
 22 already given, please feel free to let me know.
 23 And you can go ahead and supplement your answers as
 24 you remember things.
 25 If you do not do that, you know, I'm going

1 to assume that what you've given today is your full
2 and complete testimony regarding the topics that we
3 discussed. Okay?

4 A. Okay.

5 Q. Do you have any questions so far?

6 A. No, I don't.

7 Q. Okay. And is there any reason why you may
8 be unable to give your best testimony today?

9 A. No, there isn't.

10 Q. All right. Have you recently consumed any
11 medication, any alcohol, or any other substance
12 that would cloud your mind?

13 A. No, I haven't.

14 Q. Do you take medication currently?

15 A. No, I do not.

16 Q. Do you suffer from any disability that
17 would affect your ability to understand the
18 questions or answer the questions today?

19 A. No, I don't.

20 Q. Okay. Did you prepare for this deposition
21 in any way?

22 MR. FOX: Objection to the extent it calls
23 for attorney-client communications.

24 BY MS. STRONG:

25 Q. You can answer the question.

1 A. Sometime earlier this month.

2 Q. Okay. Do you know when exactly?

3 A. No, I do not.

4 Q. Like a week ago?

5 A. I would say about -- about a week and a
6 half ago or so.

7 Q. Where were you when you had this
8 conversation?

9 A. At home.

10 Q. Who else was present for this
11 conversation?

12 A. No one else.

13 Q. And what did you say to your mother?

14 A. Actually, I --

15 Can I consult with him for a minute?

16 MR. FOX: Sure.

17 MS. STRONG: Okay.

18 (Witness and his counsel leave the room
19 and return.)

20 THE WITNESS: Could you restate the
21 question?

22 (The following question was read by the
23 reporter):

24 "Q. And what did you say to your mother?"

25 "A. Actually, I --"

1 MR. FOX: You can answer.

2 THE WITNESS: Okay. Yes, I did.

3 BY MS. STRONG:

4 Q. What did you do to prepare for this
5 deposition?

6 A. Well, I had numerous -- I talked to my
7 lawyers numerous. We also had a breakfast this
8 morning.

9 Q. Okay. And when you say we had a breakfast
10 this morning, who are you referring to?

11 A. My lawyers.

12 Q. What lawyers are you referring to?

13 A. I'm talking about Catherine and Ben.

14 Q. Okay. Other than Catherine and Ben, have
15 you talked with anyone else about your deposition?

16 A. No, I haven't.

17 Q. Have you talked with your mother about
18 your deposition?

19 A. Not really, no, I haven't.

20 Q. Not really? Did you kind of talk with her
21 about it?

22 A. I did, but I didn't go into any depth with
23 it.

24 Q. When did you talk to your mom about your
25 deposition?

1 THE WITNESS: I talked to my mother just
2 basically about -- I was letting her know I was
3 going to be in a deposition, and that was just
4 basically about -- I mean, that was about it.

5 BY MS. STRONG:

6 Q. How did you find out you were going to be
7 in a deposition?

8 A. When I was contacted by my lawyer.

9 Q. Was this by telephone?

10 A. Yes.

11 Q. And you spoke with the attorney directly
12 about this, about having your deposition taken?

13 MR. FOX: Objection to the extent it calls
14 for attorney-client communications.

15 BY MS. STRONG:

16 Q. Is that how --

17 MR. FOX: That's just a yes-or-no
18 question.

19 THE WITNESS: Yes.

20 BY MS. STRONG:

21 Q. Okay. Did you talk to your brother about
22 the deposition?

23 A. Not much. It was just as far as,
24 basically, we're going to go at separate times. We
25 didn't talk about any other -- any other thing.

1 Q. And your brother, we're referring to
 2 D'Andre Lampkin?
 3 A. Yes.
 4 Q. So do you know if your brother D'Andre had
 5 his deposition taken last week?
 6 A. Yes, I'm aware that he did take his
 7 deposition last weekend.
 8 Q. And did you have an opportunity to talk
 9 with your brother about his deposition since last
 10 weekend?
 11 A. I did have opportunities, but I didn't go
 12 into depth with it. Didn't ask me anything --
 13 anything about deposition.
 14 Q. Did he tell you anything about the
 15 deposition?
 16 A. No, he did not.
 17 Q. Didn't even tell you kind of how it works,
 18 what to expect, anything like that?
 19 A. He just told me the setting. Other than
 20 that, that was about it.
 21 Q. You didn't discuss any of the questions
 22 that were asked?
 23 A. No, we didn't.
 24 Q. Okay. Did you do anything else to prepare
 25 for this deposition, other than speak with your

1 are two declarations instead of three, or do you
 2 have a specific recollection there are three?
 3 A. Like I said, I said about three. You
 4 know, maybe it's maybe two, maybe three.
 5 Q. Okay. Well, if there's a third
 6 declaration that you have, I would ask that you
 7 produce it and that you provide it to us. Okay?
 8 MR. FOX: Sure.
 9 BY MS. STRONG:
 10 Q. Will you look at home and see if you have
 11 a third declaration; and if there are three, all
 12 three should be given to your attorney so we can
 13 see them. Okay?
 14 A. Okay.
 15 Q. So you reviewed your declarations.
 16 Did you review any documents in
 17 preparation for the deposition today?
 18 A. No, I did not.
 19 Q. In reviewing your declarations, did you
 20 find them to be accurate?
 21 A. Yes.
 22 Q. Do you know if your brother has any
 23 declarations relating to this case?
 24 A. I'm quite sure he has declarations, but I
 25 haven't seen them or anything so --

1 attorneys essentially?
 2 A. No, I did not.
 3 Q. Okay. Did you review any documents in
 4 preparation for this deposition?
 5 A. Yes, I did. I reviewed my statements that
 6 I gave to my lawyers.
 7 Q. Okay. And what statements are you
 8 referring to?
 9 A. Just as far as the complaints, that you
 10 have my depositions.
 11 Q. Are you talking about your declarations?
 12 A. Yes, my declarations.
 13 Q. Okay. How many declarations do you have?
 14 A. I believe about three.
 15 Q. Okay. Do you have those with you?
 16 A. I do not.
 17 Q. Are they at home?
 18 A. Yes.
 19 Q. Do you know -- why do you have three? Do
 20 you know?
 21 MR. FOX: Counsel, I can represent that
 22 you have each declaration that he has given in this
 23 case. And as far as I know, there are two.
 24 BY MS. STRONG:
 25 Q. Okay. Does it sound right to you there

1 Q. You've never reviewed your brother's
 2 declarations?
 3 A. No, I haven't.
 4 Q. Okay. Have you read any news articles
 5 about this case or relating to any of the issues
 6 involved in the case?
 7 A. No, I haven't.
 8 Q. At any point?
 9 A. No, I haven't.
 10 Q. Have you seen any academic surveys that
 11 relate to this case?
 12 MR. FOX: I'm sorry, objection. Vague and
 13 ambiguous.
 14 You can answer if you understand what she
 15 means by an academic survey.
 16 THE WITNESS: Can you rephrase the
 17 question.
 18 BY MS. STRONG:
 19 Q. Do you understand what I mean by an
 20 academic survey?
 21 A. Are you referring to as far as the
 22 percentage of scores or any test or any -- or any
 23 percentages in statewide or anything?
 24 Q. What I'm referring to is broad, and it
 25 would encompass that or any other survey that was

1 done either relating to the conditions at public
2 schools in California or the test scores of
3 students in the schools in California. So,
4 either/or.

5 Have you reviewed anything of that nature?

6 A. The only survey I can think of right off
7 the bat is the survey that the Community Coalition
8 actually did as far as the resources and as far as
9 the academics that go with the students.

10 Q. What survey is this that you are talking
11 about?

12 A. The Fremont survey back in September of, I
13 believe, '99.

14 Q. What was the Fremont survey?

15 A. Basically talked about how many students
16 weren't able to graduate due to a late response to
17 their transcripts or classes they haven't took, and
18 talking about students that had classes that they
19 had already passed and they were given again, and
20 how many students talked to their counselors.

21 MR. FOX: I'm sorry, I don't know if we
22 are going off track. Is this in any way related to
23 this lawsuit? That was your original question,
24 right?

25 MS. STRONG: Yeah, and I believe he

1 A. I believe September of 1999.

2 Q. Okay. Where were you at the time when you
3 became involved with the group?

4 A. I was at school.

5 Q. Okay. What school?

6 A. Crenshaw.

7 Q. How did you first learn about the group?

8 A. I was approached by one of their
9 organizers, where he asked me if I would like to go
10 to a protest. Once I went to the protest, I
11 thought that I would be needed to be with that
12 organization, that I can have some input with the
13 organization.

14 Q. Okay. And who was it that came up to you,
15 this organizer that you refer to?

16 A. His name is Albert -- Alberto Rentano.

17 Q. Can you spell that, please?

18 A. I'm not too sure of the name. Last name.
19 I believe it's R-e-n-t-a-n-o.

20 Q. Do you know anything about Alberto?

21 A. Could you rephrase the question? I don't
22 know.

23 Q. Do you know if he's a student somewhere?
24 Do you know where he's employed? Is that his
25 full-time position?

1 believes that it is, and so I think it's
2 responsive.

3 Q. Do you believe it's related to this
4 lawsuit?

5 A. Well, in a way, yes, I do.

6 Q. How is it related to this lawsuit?

7 A. Just basically as far as the results. The
8 resources for -- the resources towards students.

9 Q. And what else did you say?

10 A. And how the counselors could be counted as
11 a resource for students.

12 Q. How did that survey relate to the
13 counselors?

14 A. It just basically talked about how many
15 students talked to their counselors throughout
16 their school year.

17 Q. Okay. So what is your involvement with
18 the Community Coalition?

19 A. Basically my involvement is, I guess you
20 can say, organizer for students. I'm basically
21 involved with going to one of the schools that they
22 are with, which is Washington, and we organize
23 around making changes in the schools.

24 Q. When did you first get involved with this
25 group?

1 A. I'm not sure if that's his full-time
2 position. I know he's in college right now. I'm
3 not sure of the college. As far as -- that is one
4 place he does work. I don't know if he works any
5 other place, but he does work there. He is
6 employed there.

7 Q. Does he get paid by the Community
8 Coalition?

9 A. I believe so.

10 Q. Okay. Why do you believe so?

11 A. Well, because I -- I believe he does work
12 there. He's a youth organizer there.

13 Q. Has anybody ever told you he gets paid by
14 them?

15 A. No.

16 Q. You just are assuming?

17 A. Yes.

18 Q. When you said you believe he attends
19 college, do you have any reason to believe he
20 attends a local college, UCLA, for example?

21 MR. FOX: Objection. Calls for
22 speculation.

23 THE WITNESS: No.

24 BY MS. STRONG:

25 Q. You have no reason to believe that he

1 attends any local college?

2 A. No, I'm not too sure what college he
3 attends.

4 Q. Why do you think he attends college?

5 A. I was told he does attend college. And in
6 a brief conversation I had with him, maybe sometime
7 last year, he did tell me he attended college. I
8 didn't ask what college or anything.

9 Q. Okay. So did you begin your involvement
10 with the Community Coalition while you were at
11 Crenshaw?

12 A. Yes.

13 Q. And that first protest -- did you go to
14 the protest that he asked you to attend?

15 A. Yes, I did.

16 Q. What was that regarding?

17 A. I believe it was regarding the -- yeah, it
18 was regarding the Fremont situation, as far as the
19 students not being able to graduate. And it was
20 also due to lack of resources.

21 Q. Okay. What do you mean it was due to lack
22 of resources?

23 A. As far as, like I said, the counselors.
24 And another thing was the books, and -- I believe
25 another thing was the faulty tiles in the ceilings.

1 A. Yes.

2 Q. The Community Coalition was focusing on
3 Fremont?

4 A. Yes.

5 Q. Is that what you were trying to say?

6 A. Yes.

7 Q. And accordingly, the attention of the
8 group was not focused on Crenshaw, correct?

9 A. I'm not -- well, not necessarily, it
10 wasn't focused on Crenshaw, but that's where --
11 just basically, because of the situation Fremont
12 was in, that was just one -- that was just one of
13 the schools we were working with at that time.

14 Of course we were going to be focused with
15 a lot of other schools. A lot of other schools
16 they are working with now. But just -- it was just
17 basically a situation that was going on.

18 Q. Once the Fremont rally or protest was held
19 in September 1999, were there any other protests
20 that you were involved with that group?

21 A. During that year?

22 Q. Since September 1999 until today.

23 A. Yes.

24 Q. Which protests?

25 A. Justice for Janitors.

1 Q. And this all related to Fremont
2 specifically?

3 A. Yes.

4 Q. Where was this protest held?

5 A. At the LAUSD headquarters.

6 Q. Was Alberto interested in learning about
7 any conditions at Crenshaw?

8 A. Yes, he was. It wasn't as far as during
9 that time of the protest. It was just -- we were
10 just focusing on Fremont. Because during that time
11 of that situation that was going on, that was one
12 of the key schools we were working with. And
13 usually every time after a protest, we always go
14 back to all the schools we were working with.

15 Q. Okay.

16 A. So Crenshaw was one of the focuses we were
17 working on, later on that year.

18 Q. I want to understand what you just said.
19 When you said, "That was one of the key schools we
20 were working with," Crenshaw was one of the key
21 schools?

22 A. Fremont was, during that time, during that
23 campaign.

24 Q. You are saying at that point in time -- do
25 we have a date? September 1999; is that correct?

1 Q. Justice --

2 A. Justice for Janitors. I believe it was
3 another protest we had at LAUSD during December of
4 2000.

5 Q. Regarding what?

6 A. That one was basically regarding access A
7 through -- A through G requirements.

8 Q. And what else?

9 A. And AP classes. And that's basically all
10 I can remember for right now.

11 Q. So there were three protests that you have
12 been involved with that you can remember since
13 1999?

14 A. Yes.

15 Q. With the Community Coalition, correct?

16 A. I'm sure there was more, but that's all I
17 can think of right now.

18 Q. The Justice for Janitors, where was that
19 protest held?

20 A. It was held -- actually, it was down at --
21 I can't remember the park's name, but it was in
22 downtown.

23 Q. Did that relate to Crenshaw specifically?

24 A. No, it didn't.

25 Q. What schools did that protest relate to,

1 if any?
 2 A. It was just basically where we were
 3 showing support to the janitors. It didn't relate
 4 to any school. It was just we felt the conditions
 5 of the janitors -- so we thought we would get
 6 involved.
 7 Q. What types of concerns?
 8 A. As far as wages were concerned.
 9 Q. Okay. And did this include janitors at
 10 Crenshaw, do you know?
 11 A. No, it didn't.
 12 Q. What janitors -- are they school janitors
 13 that were involved in this?
 14 A. No, they weren't. I believe they were
 15 janitors that worked in the downtown, in some of
 16 the buildings in downtown.
 17 Q. Okay. Private -- they worked for private
 18 entities?
 19 A. I'm not sure.
 20 Q. Okay. But not school janitors?
 21 A. No.
 22 Q. Okay. This third protest which was at
 23 LAUSD, regarding access A through G requirements
 24 and AP classes, did that relate to Crenshaw?
 25 A. Excuse me?

1 Q. Did that relate to Crenshaw?
 2 A. Could you restate the question.
 3 Q. Did this third protest that you referred
 4 to regarding access to A through G requirements and
 5 AP classes, did that protest relate in any way to
 6 Crenshaw?
 7 A. No, it didn't.
 8 Q. What schools did it relate to?
 9 A. Can you tell me what protest -- are you
 10 talking about the Justice for Janitors protest?
 11 Q. No. The one you described. You said --
 12 you described a third protest regarding access to A
 13 through G requirements.
 14 A. It was basically for all the schools.
 15 There were some schools that had more academic
 16 vocademic classes than --
 17 Q. What did you call it?
 18 A. Vocademics.
 19 Q. Vocademics?
 20 A. Yes.
 21 Q. Okay.
 22 A. Than the AP classes.
 23 Q. Okay.
 24 A. It brought a focus towards all the schools
 25 we were working with. Basically because other

1 schools in other areas had more AP classes than the
 2 schools that we were working with.
 3 Q. What schools were you working with?
 4 A. There were, I believe, five schools:
 5 Crenshaw, Washington, Manual, Fremont, Dorsey. And
 6 that's all I can remember for right now.
 7 Q. When you say Manual, is that Manual Arts?
 8 A. Yes.
 9 Q. First of all, what is vocademics?
 10 A. Basically, vocademics are what I consider
 11 them dead-end classes, classes that are not
 12 required to graduate out of a high school.
 13 Q. So classes that are offered by a school
 14 but are not required for graduation?
 15 A. Yes.
 16 Q. Can you give me some examples of what that
 17 class might be.
 18 A. One class is a floor and tile class. I
 19 believe there are classes at Manual. Cosmetology
 20 class.
 21 Q. Let's go slowly. Floor and tile was the
 22 first one?
 23 A. Yes. I'm not sure of the exact title of
 24 the class. There was another one where there are
 25 cosmetology classes.

1 Q. Cosmetology classes. Okay.
 2 A. And automotive classes.
 3 Q. So these are career-oriented classes?
 4 A. Yes.
 5 Q. What is your position with respect to
 6 these classes?
 7 A. Discuss --
 8 MR. FOX: Objection. Vague and ambiguous.
 9 Calls for -- well, that's enough.
 10 BY MS. STRONG:
 11 Q. Go ahead.
 12 A. Could you restate it?
 13 Q. Sure. What is your position with respect
 14 to these classes? What is it that you feel about
 15 these classes?
 16 A. Basically, for example, the cosmetology
 17 class, because it's not a requirement to even
 18 graduate, it's not necessary because it's not a
 19 requirement to graduate.
 20 But some classes, I mean, are like -- lead
 21 to low wage, as far as the textile classes. Some
 22 students aren't looking to become textilers, or
 23 whatever you want to title it, someone who does
 24 tiles, or anything like that. Some of the classes
 25 lead to, like, labor. So --

1 Q. So jobs in labor industries?

2 A. Yes.

3 Q. Is that what you are referring to?

4 A. Yes.

5 Q. And you think that the school should not
6 offer such classes; is that correct?

7 A. I don't think -- well, it's not -- I don't
8 think that they should just stop offering the
9 classes. It's just that some classes are more
10 important, as far as advanced placement classes
11 should be given more than voademic classes.

12 Q. I don't understand. Should be giving more
13 what?

14 A. The AP classes should be given more
15 voademic classes.

16 Q. There should be more AP classes --

17 A. Yes.

18 Q. -- on a school campus than voademic
19 classes?

20 A. Yes.

21 Q. Should the administration consider how
22 many students are -- meet the academic requirements
23 for AP classes before determining how many classes
24 should be on the campus of a particular nature?

25 A. Not necessarily as what -- in a way,

1 identified Crenshaw, Washington, Manual Arts,
2 Fremont, and Dorsey.

3 Is it your position that at each of these
4 schools, students were denied access to AP classes?

5 A. I'm --

6 MR. FOX: Let me object. I think we're
7 getting pretty far afield from what's involved in
8 this lawsuit. Community Coalition is interesting,
9 and I'll give you leeway, but I don't want to spend
10 all morning talking about this topic.

11 MS. STRONG: I believe in the complaint
12 there are allegations relating to access to AP
13 classes and particular courses at school, so I find
14 it's directly relevant; not likely to lead to
15 admissible evidence, but directly related to the
16 suit. So I believe we should continue with the
17 question.

18 Could you read it back.

19 (The following question was read by the
20 reporter):

21 "Q. Is it your position that at each of
22 these schools, students were denied access to AP
23 classes?"

24 THE WITNESS: At most of the schools,
25 students were denied AP classes. There were some

1 that's kind of like too broad of a question.
2 Because of the grades and requirements that some
3 students have, it's not necessarily -- it's not
4 necessary how many students are eligible for those
5 classes. But you have to think of the whole
6 structure, about how it's been running, if they
7 were to transfer to another school or if they did
8 want to be offered another class. I mean an AP
9 class.

10 Q. So it's really much of a broader question.

11 A. It depends how many students want the AP
12 class, is that what you are saying?

13 Q. No.

14 A. You have to think about it. If
15 there's -- if there's a certain amount of AP
16 classes given to a student --

17 Q. Okay.

18 A. -- you have to think about what kind --
19 what kind of education he had prior to going to an
20 AP class. It's not as much as they're eligible,
21 because they might come from another school that
22 doesn't offer the same resources.

23 Q. With respect to the schools that you said
24 were at issue in the protest regarding access to A
25 through G requirements and AP classes, you

1 students that were offered voademic classes even
2 though they did want AP classes.

3 BY MS. STRONG:

4 Q. How do you know this?

5 A. Just based on some of the students I did
6 talk to. Sometimes we would have meetings where we
7 would discuss some situation that some of the
8 students were going through.

9 Q. So did you speak with a student at each of
10 these schools that we have identified?

11 A. Yes.

12 Q. And there was -- you spoke with someone
13 specifically regarding each of those schools, and
14 you understood that that person was denied access
15 to an AP class; is that correct?

16 A. Yes.

17 Q. Okay. With respect to Dorsey, who did you
18 speak to at Dorsey?

19 A. I was -- actually -- I actually spoke to
20 Christy.

21 Q. What's Christy's last name?

22 A. I can't remember her last name.

23 Q. Is Christy a student at Dorsey?

24 A. Yes, she is. She is still currently a
25 student there.

1 Q. What grade is Christy?
 2 A. I believe 10th or 11th.
 3 Q. Is she a member of the Community
 4 Coalition?
 5 A. Yes, she is.
 6 Q. And Christy explained what to you?
 7 A. That she was -- she didn't tell me the
 8 exact class that she was trying to get into. But
 9 she did explain to me that she couldn't go to AP
 10 class, so, therefore, she was put into a -- I
 11 believe it was a class having to do with child
 12 development.
 13 Q. Do you know whether Christy had the
 14 prior -- the requisite classes to enroll in an AP
 15 class that she was trying to get into?
 16 MR. FOX: Objection. Calls for
 17 speculation.
 18 If you know.
 19 THE WITNESS: Actually, there is no -- are
 20 you trying to say are there required classes to go
 21 to AP class?
 22 BY MS. STRONG:
 23 Q. Yeah. Are there certain requirements you
 24 have to meet before you can actually take an AP
 25 class?

1 A. I'm not sure of the requirements at
 2 Dorsey. For each school I believe that there's
 3 different requirements for certain -- to go to
 4 certain AP classes.
 5 Q. Okay.
 6 A. Based on recommendation, grade point
 7 average, just basically signing up for certain
 8 classes.
 9 Q. Do you know whether Christy had whatever
 10 the requisite requirements were at her school?
 11 A. No, I'm not sure.
 12 Q. Okay. You don't know.
 13 With respect to Fremont, who did you speak
 14 with at Fremont regarding this issue?
 15 A. I believe I spoke to -- I can't remember
 16 who I spoke to. I forgot. I can't remember.
 17 Q. By the way, was there anyone else at
 18 Dorsey you spoke to, other than Christy?
 19 A. No, there wasn't.
 20 Q. With respect to Manual Arts, do you
 21 remember who you spoke with regarding the situation
 22 at Manual Arts?
 23 A. I believe it was Marcus.
 24 Q. What's Marcus's last name?
 25 A. I can't remember his last name.

1 Q. Is Marcus still a student at Manual Arts?
 2 A. Yes, he is.
 3 Q. And is Marcus a member of Community
 4 Coalition?
 5 A. Yes, he is.
 6 Q. What did Marcus say about Manual Arts?
 7 A. Basically, he did sign up for AP class. I
 8 can't remember what classes there were, it was so
 9 long ago. Instead of him going to AP class, he was
 10 given the textile class that was mentioned. He
 11 didn't want to be in that class. I don't know if
 12 he got out or if he ended up getting out of that
 13 class or not, but I do believe he did speak to
 14 numerous administrators at the school about the
 15 situation.
 16 Q. So you think he was enrolled in some
 17 textile class --
 18 A. Yes.
 19 Q. -- that he didn't want to be enrolled in?
 20 A. Yes.
 21 Q. And you believe he discussed that with the
 22 administration, and he was taken out of the class
 23 at his request?
 24 A. Like I said, I'm not sure if he did get
 25 out of that class.

1 Q. With respect to an AP class, you don't
 2 know whether he was -- met the eligibility
 3 requirements at that particular school for an AP
 4 class or not, correct?
 5 MR. FOX: Objection. Calls for
 6 speculation.
 7 BY MS. STRONG:
 8 Q. Go ahead.
 9 A. No.
 10 Q. You don't know one way or the other?
 11 A. No.
 12 Q. Was there anyone else at Manual Arts that
 13 you spoke with?
 14 A. No, there wasn't.
 15 Q. Did you speak with anyone at Washington
 16 regarding this AP class issue?
 17 A. Yes. George Hernandez.
 18 Q. George Hernandez?
 19 A. Yes.
 20 Q. What did George Hernandez tell you?
 21 A. He tried to get into an AP class, I
 22 believe, sometime last year. He was denied. He
 23 was denied to get into that class. He does have AP
 24 classes now. I'm not sure if it's maybe one or
 25 two.

1 Q. Do you know what class he was denied
2 access to at Washington?
3 A. No.
4 Q. Do you know whether he met the eligibility
5 requirements for whatever that class may have been?
6 A. No.
7 Q. What AP classes is he enrolled in
8 currently, do you know?
9 A. Like I say, I'm not sure.
10 Q. Okay. Do you know if there are any other
11 AP classes that he would like to attend currently
12 but cannot?
13 A. I can't speak for him, so I wouldn't know.
14 Q. Did you speak with anyone else at
15 Washington regarding the situation?
16 A. No.
17 Q. Okay. With respect to Crenshaw, did you
18 speak with anyone regarding that situation?
19 A. Yes. It was -- no, I didn't speak to
20 anyone at Crenshaw. It was actually myself that
21 tried to get enrolled into an AP class.
22 Q. Okay.
23 A. I was actually -- I took -- well, actually
24 I talked to certain people about how to go about
25 taking AP classes. That's why I mentioned that

1 there were certain requirements for certain schools
2 to take AP classes.
3 Q. Okay.
4 A. As far as signing up, there is a -- before
5 you sign up, there are certain classes that you do
6 take before you actually accepted into an AP class.
7 Those classes are given either after school or
8 before school, and which at that time I told them I
9 could not attend.
10 Q. So in order to -- what AP class are we
11 talking about at Crenshaw?
12 A. I tried to get into honor -- I mean AP
13 literature.
14 Q. Okay. And you tried to get into AP
15 literature while you were in 9th grade?
16 A. In the 10th grade, actually.
17 MR. FOX: Did you say end of 10th?
18 THE WITNESS: In the 10th.
19 MR. FOX: Thank you.
20 BY MS. STRONG:
21 Q. Who did you go to talk to about this AP
22 class?
23 A. I can't remember the college counselor's
24 name, but I did go talk to the college counselor.
25 Well, it was during the time -- well, it was during

1 another situation, regarding flyers.
2 MR. FOX: Objection. Calls for things
3 that are not subject to this lawsuit, involving
4 your private life. I don't want you to give
5 personal information.
6 BY MS. STRONG:
7 Q. You can continue.
8 A. That's fine.
9 Q. What were you just about to say? You can
10 continue.
11 MR. FOX: Again, objection to the extent
12 it calls for private information not at issue in
13 this lawsuit. Basically --
14 Let's go off the record for a second and
15 go outside. Sorry.
16 (Witness and his counsel leave the room
17 and return.)
18 BY MS. STRONG:
19 Q. Now that you have had an opportunity to
20 speak with your counsel, would you like to go ahead
21 and continue with your answer, please?
22 A. Yes. It was just basically about -- it
23 was regarding a situation that happened as far as
24 me and a group of students putting up flyers around
25 campus for another campaign we were working on.

1 Q. Okay. And I just want to make sure I
2 understand what's going on. You said you went and
3 spoke to a college counselor at your campus --
4 A. Yes.
5 Q. -- regarding your AP class --
6 A. Yes.
7 Q. -- and also regarding some other situation
8 that was going on in school. And this other
9 situation relates to placing flyers around campus
10 for a campaign; is that correct?
11 A. Yes.
12 Q. Okay. What happened with the flyers being
13 placed on campus?
14 MR. FOX: Objection. Vague and ambiguous.
15 BY MS. STRONG:
16 Q. Go ahead.
17 A. Basically, she wanted to talk to me about
18 some of the information it had on the flyers about,
19 as far as how many students are going to a
20 four-year university after they graduate.
21 Q. Who did these flyers belong to?
22 A. It actually belonged to the Community
23 Coalition.
24 Q. They were produced by the Community
25 Coalition?

- 1 A. Yes.
- 2 Q. And what was the substance of the flyers?
- 3 A. I can't remember the exact wording. But
- 4 basically, on the flyer it said where the
- 5 information came from, and how many students go to
- 6 a four-year university after they graduate.
- 7 Q. What was your intent in placing the flyers
- 8 on the walls at Crenshaw?
- 9 A. Let the students be aware of their chance
- 10 of going to a four-year university.
- 11 Q. Okay.
- 12 A. And getting involved with their, I guess
- 13 you could say, transcripts and their requirements.
- 14 Q. Okay. And did it advertise a meeting, for
- 15 example?
- 16 A. No, it didn't. That flyer, no, it didn't.
- 17 Q. Did it provide a phone number for students
- 18 to call if they were interested to get further
- 19 information?
- 20 A. No, it didn't.
- 21 Q. There was no contact information on the
- 22 flyer?
- 23 A. No, it didn't. No, there wasn't.
- 24 Q. Have you placed -- were you placing those
- 25 flyers on the walls at Crenshaw?

- 1 A. Yes, I was.
- 2 Q. And were there other flyers that you
- 3 placed on the walls at Crenshaw at any time?
- 4 A. No, there wasn't.
- 5 Q. There was just one flyer that you did this
- 6 with?
- 7 A. Do you mean were there another set of
- 8 flyers?
- 9 Q. Correct.
- 10 A. No.
- 11 Q. Just this one set of flyers?
- 12 A. Yes.
- 13 Q. Was there a problem with you placing
- 14 flyers on the walls at Crenshaw?
- 15 A. I didn't see a problem with it during that
- 16 time, but the college counselor did see a problem
- 17 with it as far as the information being correct.
- 18 Q. Okay. So the college counselor at
- 19 Crenshaw was concerned about the accuracy of
- 20 information on the flyer?
- 21 A. Yes.
- 22 Q. And so did the college counselor call you
- 23 into his or her office? Is it a woman?
- 24 A. Yes, it's a woman. And she did.
- 25 Q. She called you into her office?

- 1 A. Yes.
- 2 Q. Was anyone else involved with this
- 3 situation?
- 4 A. No.
- 5 Q. Just you?
- 6 A. No -- I mean, yes, yes.
- 7 Q. No other students?
- 8 A. Well, there were other students posting up
- 9 the flyers, but because there was another teacher
- 10 that did notice us putting up the flyers, they
- 11 basically focused it on me and my brother, since
- 12 the teacher knew only me and my brother.
- 13 Q. Okay. So even though other students were
- 14 involved in placing flyers on the walls, only you
- 15 and your brother, D'Andre, were called to the
- 16 college counselor's office to discuss the
- 17 situation; is that correct?
- 18 A. Yes.
- 19 Q. What did the college counselor say to you
- 20 about this?
- 21 A. She --
- 22 Q. Other than the accuracy. I'm sorry.
- 23 A. Basically, she was telling me that it was
- 24 not accurate, and that maybe I should look -- look
- 25 on other -- look for other resources as far as

- 1 where to get the information from.
- 2 She also brought up numerous students that
- 3 she so-called said went to a four-year university.
- 4 She started naming off schools. I mean
- 5 universities.
- 6 She gave me a book on A through G
- 7 requirements. She talked about how many AP classes
- 8 that they do have at the school. She also talked
- 9 about the attendance at the school and how many
- 10 students attend at school.
- 11 Q. This is at Crenshaw?
- 12 A. Yes.
- 13 Q. Did she explain to you that you were not
- 14 permitted to put flyers on the walls?
- 15 A. No, she didn't.
- 16 Q. Okay. So she didn't have a problem with
- 17 you actually placing it on the walls themselves?
- 18 A. She told me she had a problem with putting
- 19 up the flyers, but she didn't say -- she didn't say
- 20 I couldn't put them up or anything.
- 21 Q. Okay. So that wasn't against school
- 22 rules, for example?
- 23 A. No, it wasn't.
- 24 Q. Okay. And the information on the flyers
- 25 that you described, was that specific to Crenshaw

- 1 as far as you were aware?
 2 A. Yes, it was.
 3 Q. And how was that information gathered? Do
 4 you know?
 5 A. From the postsecondary -- I can't remember
 6 the exact name, but it was on a website that we did
 7 get from Roy Romer, the superintendent.
 8 Q. Did you have a conversation with Roy Romer
 9 at some point?
 10 A. Not by myself. It was actually during
 11 another campaign we were working on.
 12 Q. Okay. Is this with the Community
 13 Coalition again?
 14 A. Yes.
 15 Q. And what kind of a campaign was that?
 16 A. It was -- it was the campaign as far as --
 17 no, actually, it was the same campaign as far as
 18 the AP classes. It was a campaign with AP classes.
 19 Q. Where were you when you spoke with Roy
 20 Romer?
 21 A. We were at the Community Coalition
 22 sometime during February.
 23 Q. It was at their offices?
 24 A. Yes.
 25 Q. Where are their offices?

- 1 A. 81st and Vermont.
 2 Q. 81st and Vermont?
 3 A. Yes.
 4 Q. Do you know their address?
 5 A. No, I do not.
 6 Q. Roy Romer went to 81st and Vermont, the
 7 offices of Community Coalition, and spoke with a
 8 group of you; is that correct?
 9 A. Yes.
 10 Q. And this website he directed your
 11 attention to, was it specific to Crenshaw, or did
 12 it have other schools on it?
 13 A. It had other schools on it.
 14 Q. What website is this?
 15 A. Like I say, I'm not sure of the website.
 16 Q. Okay.
 17 A. I can't remember the website.
 18 Q. Do you have any information regarding it
 19 at home?
 20 A. No, I do not.
 21 Q. You didn't -- if you had to find that
 22 website again, could you?
 23 A. I'm quite sure I could find it on the
 24 Internet.
 25 Q. Okay. And so what information was it on

- 1 the website that you used to gather the information
 2 for these flyers?
 3 A. I didn't look through the whole website.
 4 But just based on what I seen on the website, based
 5 on photocopies, there were -- it talked about the
 6 vocademic classes, how many vocademic classes there
 7 were, how many students went to a four-year
 8 university. And then it broke it down, out of
 9 those number of students that went to those
 10 four-year universities, the ethnicity, how many
 11 students during that time were in the school.
 12 Q. Okay. So it had lots of statistics on the
 13 website?
 14 A. Yes.
 15 Q. And these statistics were broken down as
 16 they related to Crenshaw specifically?
 17 A. Yes.
 18 Q. And so you relied upon those statistics in
 19 creating the flyers that were placed at Crenshaw,
 20 correct?
 21 A. Yes.
 22 Q. Do you know where the website got its
 23 information --
 24 A. No, I do not.
 25 Q. -- with respect to these statistics?

- 1 A. No, I do not.
 2 Q. Did you do anything to try and verify the
 3 accuracy of the statistics by looking for any
 4 information anywhere else?
 5 A. No, I didn't.
 6 Q. Going back to your conversation with the
 7 college counselor, did you speak to her because you
 8 were called into the office regarding the flyers?
 9 Is that why you had the conversation with her to
 10 begin with?
 11 A. Yes.
 12 Q. And you said you also spoke with her about
 13 getting into a literature AP course --
 14 A. Yes.
 15 Q. -- in school.
 16 Did you mention that just because it came
 17 up while you were in -- why did you have that
 18 conversation with the college counselor?
 19 A. Mostly because I didn't know how about
 20 going -- I didn't know how to go about getting --
 21 receiving those AP classes or anything. But while
 22 I was there, she did bring up AP subjects. So I
 23 just figured, thought that I would ask her. I
 24 thought she might know about how I can get into
 25 that class.

1 Q. So before that time, had you made any
2 efforts to talk with anyone at that school about
3 getting into an AP class?

4 A. No, because I wasn't aware of who -- I
5 didn't know who to talk to about it.

6 Q. Had you wanted to get into an AP class
7 prior to that time?

8 A. Yes.

9 Q. When did you first want to get into an AP
10 class?

11 A. Sometime during the second semester when I
12 was in 9th grade.

13 Q. How did that come up?

14 A. It didn't really come up, as far as
15 someone asked me if I wanted to do it. I thought
16 it would be a better chance for me.

17 Q. Okay. Did you know anyone who was in an
18 AP class?

19 A. No, I didn't.

20 Q. Did you know what AP classes were offered
21 at the school?

22 A. No, I didn't.

23 Q. Okay. What was your experience with AP
24 classes? How did you learn anything about an AP
25 class?

1 about it. It wasn't really a conversation, though.

2 He was letting me know about the AP classes.

3 Q. Your English teacher at Crenshaw?

4 A. Yes.

5 Q. In 9th grade?

6 A. Yes.

7 Q. What was the teacher's name?

8 A. Mr. -- I can't remember his name.

9 Q. First or second semester?

10 A. I had him first and second semester.

11 Q. Okay.

12 A. I can't remember his name.

13 One day he brought this up, or what
14 happened, we were at lunch. And I went inside of
15 his classroom, and we were just talking. And he
16 basically brought up the AP classes.

17 Q. And suggested that you take one?

18 A. Yes.

19 Q. Okay. So it was at that point that you
20 began to think about an AP class?

21 A. Yes.

22 Q. Did he tell you who you should speak with
23 about getting enrolled in an AP class?

24 A. No, because he was pretty much new to the
25 school his self.

1 A. I didn't really know anything about an AP
2 class. The only thing I knew, that it would be
3 basically -- it would have, like, a college set, as
4 far as challenge you with a lot of essays, as far
5 as the teachers -- I heard the resources would be
6 better in AP classes.

7 Q. How did you hear any of this information
8 about AP classes?

9 A. It was during that time I talked to my
10 counselor.

11 Q. The college counselor you're talking
12 about?

13 A. Yes.

14 Q. I'm talking about prior to that
15 conversation with the college counselor, did you
16 want to enroll in an AP class? And you said yes,
17 and you said it was sometime during the second
18 semester of 9th grade.

19 A. Yes.

20 Q. I'm trying to understand how you received
21 any information regarding AP classes when you were
22 in your 9th grade semester, prior to having the
23 conversation with the college counselor?

24 A. It was -- I talked -- it wasn't really a
25 conversation. I was talking to my English teacher

1 Q. Okay.

2 A. So he didn't know for sure who to talk to.

3 Q. Did you ask him who to talk to?

4 A. Yes, I did. And he told me he didn't
5 know.

6 Q. Okay. And did he have any suggestions
7 about who you should talk to?

8 A. No.

9 Q. Was he teaching an AP course, do you know?

10 A. No.

11 Q. But between that first conversation with
12 your English teacher in 9th grade and your
13 conversation with the college counselor in
14 September of the following -- is that correct?
15 When did the -- I'm sorry.

16 When did the conversation take place with
17 the college counselor?

18 A. I talked to her maybe around February,
19 about that time.

20 Q. February of?

21 A. February 2001.

22 Q. So between the conversation with your
23 9th-grade English teacher and the conversation in
24 February 2001, did you talk to anyone else about an
25 AP class at Crenshaw?

1 A. No, I didn't.

2 Q. The conversation that you had with the
3 college counselor in February of 2001, what did she
4 explain to you with respect to the requirements for
5 the AP literature class that you were interested
6 in?

7 A. She didn't tell me any requirements or
8 anything. The only thing -- well, the only
9 requirements, she did tell me as far as the classes
10 to take, and that was it.

11 Q. Okay. What do you -- I'm sorry, what do
12 you mean by the classes to take, if they are not
13 requirements?

14 A. She didn't actually go through in depth
15 the classes to take. They weren't really actual
16 requirements. They were classes that were more so
17 recommended that I take before I go into those --
18 before I go into any AP class.

19 Q. Okay. And what classes did she recommend
20 you take?

21 A. Like I said, she didn't tell me. She
22 didn't tell me what classes. Because she was more
23 so concerned about the flyers than me taking an AP
24 class.

25 Q. Okay. So she identified that there were

1 A. Those classes that she talked about, that
2 basically she told me that I could take, that the
3 college counselor said I could take.

4 Q. Okay. What classes are these?

5 A. She didn't say.

6 Q. So what exactly did she tell you?

7 A. She just basically told me that she knows
8 students that went to college, and they went to --
9 she just named out colleges. She also told me
10 there were classes I could take for AP classes.
11 And then she went back to how her students took the
12 AP classes and everything so --

13 Q. How did you know they were before school
14 or after school?

15 A. She told me they were before school and
16 after.

17 Q. She said there are classes before school
18 and after school you can take for AP classes?

19 A. Yes.

20 Q. Didn't tell you what they were?

21 A. No.

22 Q. No idea of the subject matter, who taught
23 them, how you get enrolled in them?

24 A. No.

25 Q. Did you ask anybody else about what those

1 classes that you should take --

2 A. Yes.

3 Q. -- but she didn't tell you what they were?

4 A. Yes.

5 Q. Did you ask her what they were?

6 A. No, I didn't.

7 Q. Okay. So you left that -- did you discuss
8 anything more about the AP classes during that
9 conversation?

10 A. No, I didn't. Because, like I said, she
11 was mostly concerned about the flyers.

12 Q. Okay. And so then did you proceed to have
13 a conversation with anyone else at Crenshaw
14 regarding an AP class?

15 A. No, I didn't.

16 Q. Did you ever get into the literature
17 classes --

18 A. No, I didn't.

19 Q. -- at Crenshaw?

20 Now, I think before, you testified that
21 there was something about classes that were given
22 either after or before school.

23 A. Yes.

24 Q. And that you weren't available to attend
25 those classes. What were you referring to?

1 classes were at any time?

2 A. No, I didn't.

3 Q. You don't know one way or the other
4 whether you could have gotten into this literature
5 AP class that you are referring to, correct?

6 A. Correct.

7 Q. Okay. One other issue before we leave
8 this topic. You said that that protest that was
9 regarding the AP classes also involved access to A
10 through G requirements?

11 A. Yes.

12 Q. What are A through G requirements?

13 A. Basically, A through G requirements are
14 requirements that are needed to graduate or go --
15 go -- yeah, basically to graduate from high school.

16 There were a lot of students that didn't
17 know what the A through G requirements were. And
18 even myself, I didn't know exactly what the A
19 through G requirements were, whether physical
20 education was required to actually graduate,
21 because, you know, you have extra activities as far
22 as leadership, how many years of English to take,
23 how many years of math to take.

24 Q. Okay.

25 A. And basically, because students didn't

1 know those A through G requirements, that's what
2 had other students believing that some vocational
3 classes were needed.

4 Q. So students believed that vocational class
5 were part of the requirements to graduate; is that
6 what you are saying?

7 A. Yes.

8 Q. But was there an issue as to whether or
9 not students actually could get into the A through
10 G requirements -- I'm sorry -- could get into A
11 through G classes?

12 A. Actually, there were -- I mean, basically,
13 the schedule is already set when you first come
14 into 9th grade, what class to take, what classes
15 you're supposed to take.

16 Now, after you get into -- when you get
17 into the second semester and the third semester --
18 I mean in the 10th grade, that's where it makes --
19 that's when students want to go take other classes,
20 like automotive and all these other classes, when
21 at the same time they still have classes that they
22 haven't took to graduate, as far as your -- I
23 believe it's four years of math, as far as your
24 English classes.

25 And then at the same time, there were

1 because those classes are needed, are required to
2 take, and because those classes are already set for
3 you in your schedule, that's why, you know, you
4 have that overcrowding in the classroom.

5 Q. Okay. But, fundamentally, do you know of
6 any student who was denied access to an A through G
7 class requirement --

8 A. No.

9 Q. -- that they needed to graduate? Let me
10 finish my question.

11 Do you know of any student that was denied
12 access to an A through G class that they needed to
13 graduate?

14 A. No.

15 Q. So that wasn't the issue?

16 A. No, wait.

17 Q. The issue was --

18 A. Sorry about that. Okay. As far as them
19 being denied, no.

20 But I did have a situation where I wasn't
21 actually denied to take the class, but I couldn't
22 be advanced to the class. It was a math class.
23 It's a requirement to take. But even though I
24 could have took it during summer school or
25 whenever, I was -- I couldn't advance to that

1 students that want to go into leadership. I
2 believe that PE is a requirement to graduate. But
3 because those students who go into leadership, they
4 end up losing focus and not being able to graduate
5 because they haven't finished PE classes.

6 Q. My question is, at Crenshaw were any
7 students denied access to these A through G
8 requirements that they wanted to take, as far as
9 you are aware?

10 A. Of course --

11 MR. FOX: Objection. Calls for
12 speculation.

13 THE WITNESS: The A through G
14 requirements, like I said, they are already set
15 once you go into 9th grade. They are not classes
16 that you have to be eligible to take. A through G
17 requirements are classes that are set for you to
18 graduate.

19 BY MS. STRONG:

20 Q. And students could always take those
21 classes? There's no issue of not enough of those
22 classes being provided for the students, correct?

23 A. Yes. Which, of course, is going to
24 related to overcrowding of the classrooms.

25 Not to go over to another subject, but

1 class. It was, I believe, Algebra II -- I mean
2 Algebra I-B, which is a class that you take after
3 you come out of I-A. Because --

4 MR. FOX: Why is that?

5 THE WITNESS: -- because the classroom is
6 overcrowded.

7 There were a set amount of classes that
8 was for Algebra I-B. Basically, the teacher told
9 us if you didn't have an A in that class, you were
10 going to be held behind; you were going to be put
11 in another classroom known as math investigations.

12 BY MS. STRONG:

13 Q. This is the math investigations/algebra
14 issue?

15 A. Correct.

16 Q. We're going to come to that later on
17 during the deposition.

18 But I think you've already answered the
19 question with respect to whether any student was
20 denied access to an A through G requirement. And
21 your answer was no, you don't know of any student
22 that was denied access to one of those classes at
23 Crenshaw, correct?

24 A. Yes.

25 Q. And with respect to the protest, your

1 concern was students become aware of what the A
2 through G requirements are; is that correct?
3 A. Yes.
4 MS. STRONG: Let's take a break.
5 (Recess.)
6 BY MS. STRONG:
7 Q. One last follow-up question before we move
8 on.
9 Do you know of anyone who was denied
10 access to an AP class at Crenshaw?
11 A. Yes. The ones that I mentioned earlier.
12 Q. With respect to you and your literature AP
13 class?
14 A. No, I'm sorry. No, I don't. I mean -- I
15 thought you meant from other schools. No, I don't.
16 Q. With respect to Crenshaw, you don't
17 know --
18 A. No.
19 Q. -- anybody who was denied access to an AP
20 class?
21 A. No.
22 Q. Correct?
23 A. Correct.
24 Q. We have to try and let me finish my
25 question. I know you know where I'm going, but --

1 so the question is clear. Okay?
2 A. (No response from the witness.)
3 MS. STRONG: I'd like to have marked as
4 Exhibit 1, Defendants' Notice of Deposition of
5 Delwin Lampkin and Request for Production of
6 Documents.
7 (Deposition Exhibit 1 was marked by the
8 reporter for identification and is attached
9 hereto.)
10 BY MS. STRONG:
11 Q. Have you seen this before? Do you
12 recognize the documents?
13 A. I believe parts of it I recognize,
14 actually.
15 Q. What parts do you recognize?
16 A. The parts that aren't underlined.
17 Q. I'm sorry, you said --
18 A. Okay, yeah. There are some other parts in
19 here. As far as your mandatory permanent pupil
20 record. I mean --
21 Q. Let's start again. Have you seen this
22 document before?
23 A. I've seen parts of it before.
24 Q. Okay. What part of this document have you
25 seen before?

1 You can say page numbers. There's page
2 numbers on the bottom.
3 A. Page 2.
4 Q. Okay.
5 A. Page 4.
6 MR. FOX: Don't guess. If you've seen
7 this actual document, or you've seen one that looks
8 like it but may not be that document, then you
9 should say so.
10 THE WITNESS: Like I said, I've seen parts
11 of it before.
12 BY MS. STRONG:
13 Q. I'm asking you what parts you've seen. So
14 you've seen page 2. And you say you've seen page
15 4?
16 A. Yes.
17 Q. Have you seen page 5?
18 A. I've seen -- it seems like it's, like,
19 changed, but I've seen parts of it.
20 Q. So you don't know -- you don't know if
21 you've seen this exact document or not?
22 A. I haven't seen this exact document.
23 Q. I mean not this copy. But this is a true
24 and correct copy of a document that was served in
25 this case. Do you think you have seen a copy of

1 this document in this case?
2 A. Yes, parts of it. This whole part here, I
3 haven't seen. (Indicating.)
4 Q. Okay. The proof of service you haven't
5 seen before?
6 A. I haven't.
7 Q. But except for the proof of service, have
8 you seen the remaining portion of this document?
9 A. Yes.
10 Q. When did you see this proof --
11 A. Sometime -- I can't remember.
12 Q. Approximately when do you believe you've
13 seen this?
14 A. Maybe --
15 Q. Do you have any idea?
16 A. No, I can't remember.
17 Q. We can work on this.
18 Was it like a week ago?
19 A. No. Maybe sometime early in May.
20 Q. Early in May?
21 A. Probably so.
22 Q. How did you receive this document, or how
23 did you see it?
24 A. Through my lawyer.
25 Q. Did it come to your house?

1 A. Yes.
 2 Q. By mail or by fax?
 3 A. Actually, my lawyer came up to my house
 4 and showed me this.
 5 Q. Okay. And which -- which lawyer are you
 6 referring to?
 7 A. Catherine.
 8 Q. Catherine Lhamon?
 9 A. Yes.
 10 Q. Can you turn to page 7 of the document,
 11 please. And can you please review that page for
 12 me.
 13 (Pause while witness peruses document.)
 14 BY MS. STRONG:
 15 Q. Have you had an opportunity to review
 16 that?
 17 A. No, I haven't.
 18 Q. Right now, though, have you just reviewed
 19 it?
 20 A. Yes, I just reviewed it.
 21 Q. Did you ever look at this before?
 22 A. No, I haven't.
 23 Q. Okay. So the day that Miss Lhamon spoke
 24 with you regarding what you believe to be this
 25 document, you didn't review page 7 of it, correct?

1 A. No, I haven't.
 2 Q. Now that you have had an opportunity to
 3 review it, do you know if you have any documents
 4 that are referred to in this paragraph?
 5 A. Actually, all those can be found at
 6 school, if you'd like to see those.
 7 Q. My question is: Do you have anything that
 8 you believe to fit within the description here?
 9 MR. FOX: Counsel, I'll represent to you
 10 that we have been over the subpoena with our
 11 client, and that you have all the documents -- they
 12 were produced at the beginning of the depo -- that
 13 were responsive.
 14 BY MS. STRONG:
 15 Q. Okay. You can answer the question.
 16 A. No, I don't.
 17 Q. You don't think you have any documents
 18 that fit within the description here?
 19 A. No.
 20 Q. Okay. Other than what you brought today?
 21 A. Oh, yes.
 22 Q. Those were things that you had at home?
 23 A. Yes.
 24 Q. Okay. And you brought a report card from
 25 Washington for your first semester of 10th grade,

1 is that correct?
 2 A. Yes.
 3 Q. And that is the 2000-2001 school year?
 4 A. Yes.
 5 Q. And you also brought with you a Star
 6 parent report reflecting your scores on the
 7 Stanford-9 test?
 8 A. Yes.
 9 Q. So these are the only two documents that
 10 you have that are responsive at home?
 11 A. Yes.
 12 Q. Do you have any other report cards at
 13 home?
 14 A. Not that I can find.
 15 Q. Okay. Did you look for them?
 16 A. Yes, I did.
 17 Q. Okay. Do you happen to have any notes or
 18 documents relating to any -- to the conditions at
 19 Crenshaw or any other issues related to the
 20 lawsuit?
 21 MR. FOX: Objection to the extent it calls
 22 for attorney-client communications.
 23 That means anything that we may have sent
 24 to you, or ACLU might have sent to you, such as
 25 letters.

1 THE WITNESS: Could you rephrase that?
 2 BY MS. STRONG:
 3 Q. I wanted to know if you have in your
 4 possession any notes or documents relating to the
 5 conditions at your school.
 6 A. That I have or that they've given me?
 7 MR. FOX: Excluding things that -- such as
 8 letters that we have sent you.
 9 THE WITNESS: Okay.
 10 BY MS. STRONG:
 11 Q. I think I'm entitled to know actually what
 12 documents you have, not the contents. If you have
 13 received documents of this nature from your
 14 attorneys, you can explain to me that you have
 15 them; and you do not need to identify the contents
 16 of those documents, but just the nature. I'd like
 17 to know the general nature of what documents you
 18 have at home.
 19 Do you have any documents, for example,
 20 that relate to the conditions at your school?
 21 A. Yes. The survey from Fremont.
 22 Q. Okay. That doesn't relate to conditions
 23 at Crenshaw, though, correct?
 24 A. We have, like, a few documents from
 25 Crenshaw, but I can't think of what it would be

1 right now. But I do remember having some documents
2 from Crenshaw.

3 Q. Like what?

4 A. Let's see. I believe there's -- no, I
5 don't have any of those.

6 Q. What type of documents are you thinking
7 of?

8 A. I'm thinking of some -- there's some
9 paperwork that I have from Crenshaw. One that I do
10 remember is when I did talk to my college
11 counselor, I did take down a couple of key notes.

12 Q. Okay.

13 A. As far as the amount of AP classes given.

14 Q. Okay.

15 A. As far as how many students there are in
16 this school, opposed to there being only one
17 college counselor for every -- for those amount of
18 students, which is about 3,000.

19 Q. Do you have anything else like that?

20 A. I believe I have actually the amount --
21 report on what I -- when I did talk to the college
22 counselor, I took down some notes, and I did come
23 up with a report just for myself.

24 Q. And it was kind of you took the notes that
25 you got from the college counselor and created a

1 I know that you've said that you asked her
2 about the AP literature class and that she didn't
3 give you much information, from your perspective,
4 about what classes had to be taken for it because
5 the focus was the flyers.

6 But did you discuss other aspects of AP
7 classes?

8 A. Yes.

9 Q. Okay.

10 A. I can't remember how we got, like, into
11 that conversation about it. But that's when I
12 started asking her, well, if there are this many
13 amount of AP classes given, how many other classes
14 are given at the school? And I asked her other
15 questions as far as how many students are in each
16 classes.

17 Q. Okay. So you took down notes regarding
18 that?

19 A. Yes.

20 Q. And so you got your notes. And you also
21 have a report regarding this?

22 A. Yes.

23 Q. Do you have those things at home?

24 A. Yes.

25 Q. Do you have any other documents or notes

1 report --

2 A. Yes.

3 Q. -- regarding the issues that were
4 discussed? For example, how many students are
5 assigned to this one college counselor, for
6 example?

7 A. Yes.

8 Q. Let me finish the question.

9 Did you say yes?

10 Wait until I finish the question so it's
11 clear, and then give your answer.

12 Go ahead. And also?

13 A. And also how many classes -- how many AP
14 classes there are, how many classes in general that
15 there are offered at the school.

16 Q. Did you get those from discussions with --

17 A. I --

18 Q. Did you get that information from the
19 college counselor?

20 A. Yes, I did.

21 Q. During that conversation that we discussed
22 earlier?

23 A. Yes.

24 Q. Okay. So during that conversation, what
25 did you discuss about these AP classes?

1 regarding conditions at your school, or anything
2 that relates to this lawsuit?

3 A. None that I can think of right now.

4 Q. Okay. Did you -- do you have notes, for
5 example, regarding discussions with any teachers or
6 custodians or any --

7 A. No, I don't.

8 Q. -- administrators at your school?

9 A. No.

10 Q. Do you have kind of any correspondence
11 relating to the issues in the lawsuit with anybody,
12 either from your school or otherwise?

13 A. Could you rephrase that question?

14 Q. Do you have any correspondence relating to
15 conditions at Crenshaw or any other issues relating
16 to this lawsuit? Correspondence meaning letters
17 back and forth --

18 A. No, I don't.

19 Q. -- between you and anyone else.

20 A. No, I don't.

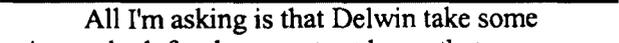
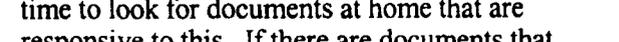
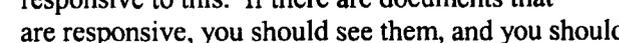
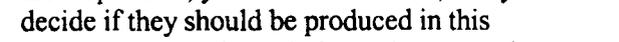
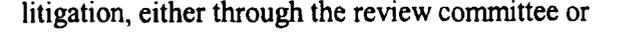
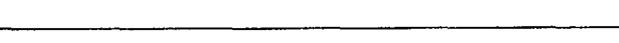
21 Q. Do you have letters from your attorneys?

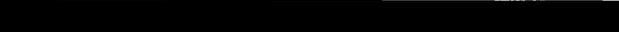
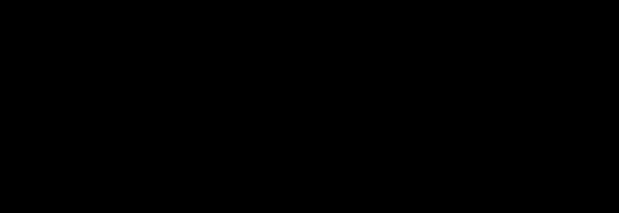
22 A. Yes, I do.

23 Q. You do have some correspondence relating
24 to this lawsuit?

25 A. Yes.

1 Q. Let's make sure we are correct here. But
 2 only letters from your attorneys?
 3 A. Yes.
 4 Q. Okay. When was the first time you
 5 received a letter from who you believed to be your
 6 attorney?
 7 A. Say about -- earlier this year. I can't
 8 remember. I can't remember the exact month.
 9 Q. Okay.
 10 A. But I know it was sometime earlier this
 11 year.
 12 Q. So it was in 2001?
 13 A. Yes.
 14 Q. Not in 2000?
 15 A. No.
 16 Q. Okay. Has anyone asked you to look for
 17 documents at your house?
 18 A. No.
 19 Q. No one has?
 20 A. No.
 21 Q. Not even your attorneys?
 22 A. No.
 23 Q. Well, then, a couple things here. I would
 24 like to have you -- those notes that you took
 25 regarding the conversation with your college

1 a somewhat kind of thorough process that's being
 2 put in place by plaintiffs and defendants with
 3 respect to what information is produced and what's
 4 not. There's certain categories of documents which
 5 are clearly to be produced as ordered by the judge.
 6 There's certain types of documents that are clearly
 7 not to be produced. And there are some documents
 8 that are in what we shall call a middle ground,
 9 that will go to a review committee to be produced.
 10 I think what you have described may
 11 include some documents that actually should go to
 12 the review committee to be produced.
 13 
 14 
 15 
 16 
 17 
 18 
 19 
 20 All I'm asking is that Delwin take some
 21 time to look for documents at home that are
 22 responsive to this. If there are documents that
 23 are responsive, you should see them, and you should
 24 decide if they should be produced in this
 25 litigation, either through the review committee or

1 counselor, and that report that you wrote regarding
 2 that, I would like you to get that to your
 3 attorneys, and they can produce it in this
 4 litigation. Okay?
 5 And then also I'd like to ask that you go
 6 ahead and take the opportunity to look for any
 7 documents that may fit into what you just read on
 8 page 7, at home. And if you do find any documents
 9 that are responsive that, you know, fit within that
 10 description, then if you can please give those to
 11 your attorneys and have them produced in the
 12 litigation as well. Okay?
 13 
 14 
 15 
 16 Q. Would be what?
 17 
 18 
 19 
 20 
 21 
 22 
 23 
 24 
 25 MS. STRONG: I think there's a -- there's

1 pursuant to the judge.
 2 Delwin testified he has not looked for
 3 documents at home, no one asked him to look for
 4 documents at home. And I'm asking him to do that.
 5 MR. FOX: I'm sorry. I don't think he
 6 testified that he didn't look for documents. I
 7 think he testified he did look for documents and he
 8 didn't find any other than what you have.
 9 MS. STRONG: I think the record will be
 10 clear as to what's stated.
 11 But he said no one asked him to look for
 12 documents.
 13 MR. FOX: He didn't say he didn't look.
 14 THE WITNESS: You never asked me did I
 15 look.
 16 MS. STRONG: Okay. You've looked for
 17 documents, but your attorney never asked you to
 18 look for any type of documents.
 19 THE WITNESS: No, he didn't. I have
 20 looked for documents, but they haven't asked me --
 21 no one ever asked me to look for them.
 22 BY MS. STRONG:
 23 Q. What kind of documents were you looking
 24 for when you looked for documents?
 25 A. Flyers. I've looked for my -- actually,

1 those are two other documents that I looked for. I
 2 wasn't asked to look for them, but I did look for
 3 them.
 4 Q. Okay.
 5 A. Which were my grades and Stanford-9 test
 6 scores.
 7 Q. I appreciate that. I think that's great.
 8 All I'm saying is, now that you have had
 9 an opportunity to review what's called kind of a
 10 document request, now if you could look for those
 11 things that might be responsive to that, and if you
 12 could give them to your attorneys. It's not that
 13 big of a deal. I just want to make sure that it's
 14 done. Okay?
 15 A. Okay.
 16 MS. STRONG: It is clear that the notes
 17 and the report that we discussed should be given to
 18 you and produced.
 19 MR. FOX: We'll take a look at them.
 20 MS. STRONG: Okay.
 21 Q. All right. How old are you?
 22 A. 16.
 23 Q. Okay. 16. What school do you currently
 24 attend?
 25 A. Washington High.

1 Q. When did you begin your attendance at
 2 Washington?
 3 A. I believe it was March 6th, around that
 4 week.
 5 Q. Of 2001?
 6 A. 2001, yes.
 7 Q. Where did you go to school prior to
 8 Washington?
 9 A. Crenshaw High.
 10 Q. How long were you at Crenshaw for?
 11 A. Maybe about a year and a half.
 12 Q. What grade are you in currently?
 13 A. 10th.
 14 Q. So you began your attendance at Crenshaw
 15 in 9th grade, correct?
 16 A. Excuse me?
 17 Q. In 9th grade is when you started at
 18 Crenshaw?
 19 A. Yes.
 20 Q. Where did you go to school before that?
 21 A. I went to Audubon Middle School.
 22 Q. Can you spell that?
 23 A. A-u-d-u-b-o-n.
 24 Q. How long were you at Audubon?
 25 A. Three years.

1 Q. Can you spell it?
 2 A. A-u-d-u-b-o-n.
 3 Q. So you were in Audubon from 6th to 9th?
 4 A. 6th to 8th.
 5 Q. I'm sorry, 6th to 8th. Thanks.
 6 Prior to Audubon, what school did you
 7 attend?
 8 A. Woodcrest Elementary.
 9 Q. Woodcrest?
 10 A. Yes.
 11 Q. What grades were you at Woodcrest for?
 12 A. 4th and 5th.
 13 Q. Okay.
 14 A. Well, actually part of 4th.
 15 Q. Okay.
 16 A. And I was there for the whole year for
 17 5th.
 18 Q. Okay. And prior to Woodcrest, what
 19 school?
 20 A. Raymond Avenue Elementary.
 21 Q. Okay. And what grades were you at Raymond
 22 Avenue for?
 23 A. From, I believe, kindergarten until middle
 24 of 4th.
 25 Q. Okay. Where do you live?

1 MR. FOX: Objection.
 2 BY MS. STRONG:
 3 Q. What are the cross streets closest to your
 4 home?
 5 MR. FOX: Objection. You can give the
 6 general area. I don't think we need to get into
 7 what the streets are.
 8 MS. STRONG: This was a subject of the
 9 judge's ruling as well. Although the judge decided
 10 not to give direct street addresses, I believe
 11 there's no problem with giving cross streets.
 12 The only reason addresses were not given
 13 out, so -- I believe the explanation of plaintiff's
 14 counsel that was present at the hearing was so that
 15 the media not have access to these specific
 16 addresses. So there was no problem with cross
 17 streets.
 18 BY MS. STRONG:
 19 Q. What are the cross streets?
 20 MR. FOX: You can give the main cross
 21 streets.
 22 THE WITNESS: [REDACTED]
 23 BY MS. STRONG:
 24 Q. Are those the cross streets closest to
 25 your home?

- 1 A. Yes.
 2 Q. Say them again.
 3 A. [REDACTED]
 4 Q. And how far is [REDACTED] from
 5 your home?
 6 A. Maybe about four blocks.
 7 Q. Okay. How long have you lived at this
 8 address?
 9 A. Nine years.
 10 Q. Okay. Who else lives at your house with
 11 you?
 12 A. My brother and my mom.
 13 Q. Okay. And your brother is D'Andre --
 14 A. D, apostrophe, A-n-d-r-e.
 15 Q. Okay. Anyone else live with you at that
 16 address?
 17 A. No.
 18 Q. How far is Crenshaw from this home?
 19 A. I'm not sure of the mileage.
 20 Q. Approximately.
 21 A. Approximately, maybe about five miles.
 22 Q. Okay. Do you know how long it takes to
 23 get to Crenshaw from your house?
 24 A. Well, when I catch the school bus, 45
 25 minutes.

- 1 Q. Okay. How is it that you get to school,
 2 or how did you get to school at Crenshaw?
 3 A. By school bus.
 4 Q. Okay. Did you ever go via some other
 5 means other than the school bus?
 6 A. No.
 7 Q. Where did you catch the school bus from?
 8 A. [REDACTED]
 9 Q. [REDACTED]
 10 A. [REDACTED]
 11 Q. How would you get to that bus stop?
 12 A. I would walk. Sometimes I would get a
 13 ride.
 14 Q. From your house? You either walked from
 15 your house or you would get a ride?
 16 A. Yes.
 17 Q. Who would you get a ride from?
 18 A. Sometimes my mom. Some other times,
 19 friends.
 20 Q. Friends that you go to school with?
 21 A. Yes.
 22 Q. So they would drive you to the bus stop?
 23 A. Yeah, but it was -- it was like maybe --
 24 it was on and off. It wasn't -- it was maybe about
 25 once or twice.

- 1 Q. Like your friends' parents would drive
 2 you?
 3 A. No.
 4 Q. Not your friends who attend school with
 5 you?
 6 A. No.
 7 Q. How far is Washington from your house?
 8 A. [REDACTED]
 9 Q. Okay. So how do you get to school at
 10 Washington?
 11 A. Walk. I walked to school.
 12 Q. Okay. And how long does it take you to
 13 walk, approximately?
 14 A. Maybe about 15 minutes.
 15 Q. Okay. Is Washington your local high
 16 school, then?
 17 A. Yes.
 18 Q. So if Washington is your local high school
 19 why did you go to Crenshaw?
 20 A. I thought that the -- the academics would
 21 be better there, as far as the extracurricular
 22 activities and the programs.
 23 Q. Okay. Why did you think that the
 24 academics would be better at Crenshaw?
 25 A. Well, from what I've heard, that the

- 1 magnet program -- as far as the magnet program,
 2 there were two different magnet programs there. So
 3 I would have an option of which magnet I -- that I
 4 want to go to.
 5 Q. Okay.
 6 A. And whereas if you were at Washington,
 7 there were other magnets that weren't -- I mean,
 8 that I didn't think I would want to be in.
 9 Q. Okay. So what are the two magnets at
 10 Crenshaw?
 11 A. There's regular magnet and there's
 12 teachers training magnet.
 13 Q. Prior to attending Crenshaw, how did you
 14 learn about the programs at Crenshaw?
 15 A. Through a dean over at my other school.
 16 Q. At Audubon?
 17 A. Yes.
 18 Q. What's his name?
 19 A. Mr. Daley.
 20 Q. While you were at Audubon, you had
 21 conversations with Mr. Daley about a high school
 22 you would attend?
 23 A. Yes.
 24 Q. How many conversations did you have with
 25 Mr. Daley about this?

1 A. Just one.
 2 Q. Did you discuss both Crenshaw and
 3 Washington with Mr. Daley?
 4 A. No, I didn't.
 5 Q. What did you discuss with Mr. Daley?
 6 A. It was just a brief conversation. He
 7 asked me what high school was I interested in. I
 8 told him I wasn't sure. He told me Crenshaw would
 9 be a good school to go to. And then that was about
 10 it. And he just explained to me what the programs
 11 were there.
 12 Q. Okay.
 13 A. And that was it.
 14 Q. All right. So based on that conversation,
 15 you decided to enroll in Crenshaw, is that it?
 16 A. Yes.
 17 Q. Did you have to apply to get into
 18 Crenshaw, or how did that work?
 19 A. I'm not sure how it actually worked out.
 20 I mean, it's -- as far as me enrolling, my mom did
 21 enroll. Also, because I was in the magnet program
 22 at Audubon, I was given a chance to go to Crenshaw.
 23 And also the school bus I used to ride, it
 24 would go to Crenshaw and Audubon, so --
 25 Q. So you're not exactly sure what happened

1 going to Crenshaw. Because I didn't want to become
 2 a teacher or anything. That's basically what the
 3 teacher training magnet is for. It's for those
 4 that want to pursue a career in teaching. I didn't
 5 really want to become a teacher, so I thought the
 6 regular magnet would be fine.
 7 Q. Do you know if you ever, on any document,
 8 you put down a preference as to which magnet you
 9 wanted to be in?
 10 A. No, I didn't.
 11 Q. Do you know if your mother did?
 12 A. I think she did. I think she put down
 13 regular magnet.
 14 Q. But you don't know one way or the other?
 15 A. No.
 16 Q. Why is it that you think she did?
 17 A. Because she did tell me that she got the
 18 application for us to be in magnet. And when I
 19 came home and told her I was put in teachers
 20 training magnet, she said she didn't put down that
 21 choice.
 22 Q. Did she tell you she put down the regular
 23 magnet?
 24 A. Yes. And she told me she wasn't aware
 25 there was a teachers training magnet there.

1 with respect to paperwork to get you into Crenshaw?
 2 A. No, I'm not.
 3 Q. But you were excited about going, and
 4 that's where you wanted to go? That was your
 5 choice?
 6 A. Yes.
 7 Q. Did you enroll in a magnet program there?
 8 A. No, actually, I was just automatically put
 9 in.
 10 Q. Okay. Which -- you said there were two.
 11 Which one?
 12 A. I was put into teachers training magnet.
 13 Q. Was that your choice?
 14 A. No. Actually, I wanted to go into regular
 15 magnet, but I was put into teachers training
 16 magnet.
 17 Q. Okay.
 18 A. But when I actually went into teachers
 19 training magnet, I didn't see any major differences
 20 between the two magnets, so I decided to just stay
 21 in that one.
 22 Q. Okay. When did you make a decision as to
 23 which magnet you wanted to be in? Was this prior
 24 to going to Crenshaw?
 25 A. It was -- yeah, it was actually prior to

1 Q. Okay. Okay. So she enrolled you for a
 2 magnet, but she didn't realize there was a choice
 3 of magnets at the school?
 4 A. Yes.
 5 Q. So once you go to the school, did you ask
 6 anyone to change the magnet that you were in?
 7 A. Yes, I did. And they told me I would have
 8 to wait a couple of weeks for them to -- to file a
 9 request form. But during that time I was already
 10 dealing with other scheduling problems.
 11 Q. Who did you speak to about the magnet
 12 issue?
 13 A. Miss Silverstein. Actually, no. I spoke
 14 to Miss Washington about it.
 15 Q. Was this your first day of school?
 16 A. No. It was actually the second week.
 17 Q. Did you specifically ask her to be placed
 18 in the regular magnet and be removed from the
 19 teacher magnet?
 20 A. Yes.
 21 Q. And so she said wait a couple of weeks.
 22 Did you ever go back and discuss this
 23 issue with her again?
 24 A. No, because like I said, during that time
 25 I was dealing with another scheduling problem, and

1 I was the more so concerned about getting my
2 classes.
3 Q. I think I would like to talk about your
4 scheduling problem later, but I think, you know,
5 we'll get to that.

6 But did you ever have a conversation with
7 anyone else about the magnet that you were in,
8 again at Crenshaw?

9 A. No.

10 Q. Okay. Other than that one conversation
11 with Miss Washington, correct?

12 A. Yes.

13 Q. What was it -- you guys said that part of
14 the reason why you wanted to go to Crenshaw is
15 because you felt that the extracurricular
16 activities would be better than those at
17 Washington. What specifically did you know about
18 the extracurricular activities at Crenshaw?

19 A. Well, I knew about the leadership class,
20 even though I didn't enroll into the leadership
21 class there.

22 As far as the science classes, I was told
23 that there were, you know, some pretty good
24 teachers at Crenshaw. And he gave me a couple of
25 references who to talk to about that -- not to talk

1 teachers," but you didn't know what that meant?
2 A. He didn't say right teachers. He said the
3 right people.

4 Q. I'm sorry, the right people. You didn't
5 know who that meant?

6 A. Not really. Because, like I say, it was a
7 short conversation. It wasn't like --

8 Q. Okay. So you said one of the
9 extracurricular activities was the leadership
10 program?

11 A. Uh-huh.

12 Q. What was supposed to be good about the
13 leadership program at Crenshaw?

14 A. Actually it was the activities, as far as
15 the activities they planned. Some activities that
16 they had weren't -- they didn't actually do at
17 Washington.

18 Q. Some of the activities at Crenshaw were
19 not done at Washington?

20 A. Yes.

21 Q. Such as what?

22 A. They have what's called Shawaiian.

23 Q. What's that?

24 A. Basically, it's like an event, they have a
25 Hawaiian setting. Everyone comes in there,

1 to, but those that I could select.

2 Q. This is Mr. Daley giving you this advice?

3 A. Yes.

4 Q. So he was giving you advice as to specific
5 teachers at Crenshaw?

6 A. Not specific teachers. He just told me
7 just, you know -- there's certain people that you
8 should talk to about it before enrolling and
9 everything.

10 Q. Who did he tell you to talk to?

11 A. He didn't tell me exactly who to talk to.
12 He just told me, make sure I choose -- he just
13 said, make sure you -- you go talk to the right
14 people about it. He didn't actually say who to
15 talk to or anything.

16 Q. What did you interpret that to mean?

17 A. Huh?

18 Q. What did you interpret that to mean?

19 A. Basically just go -- basically who to go
20 talk to about what classes I should take.

21 Q. But he didn't tell you who to go talk to,
22 right?

23 A. No, he didn't.

24 Q. You left that conversation, and -- he
25 said, "Make sure you go talk to the right

1 Hawaiian attire and everything.

2 Q. And that's put on by the -- that's put on
3 by the leadership council?

4 A. Yes.

5 Q. Any other activities the leadership
6 counsel puts on?

7 A. Not that I can remember. Like I said, I
8 didn't enroll into that leadership class.

9 Q. Did you want to enroll in that class?

10 A. Not really. I was just more so worried
11 about the magnet program.

12 Q. What do you mean, you were more so worried
13 about the magnet program?

14 A. Just making sure I got to the magnet
15 program. Because like I said, science -- the
16 science teachers there were pretty good.

17 They also -- with the magnet program --
18 that was another reason why I want to Crenshaw.
19 With the magnet program, there was certain settings
20 in the magnet program that they had as far as the
21 classrooms you were in. For example, when I got to
22 10th grade, one class I had was in the
23 environmental building, which was, I wouldn't say,
24 secluded from the school, but it was, like, in
25 another -- I wouldn't say location. It was, like,

- 1 set off from the rest of the school, where they had
2 their own garden and everything.
- 3 Q. Did you take part in that class?
- 4 A. Yes, in the 10th grade.
- 5 Q. You never made an effort to participate in
6 the leadership class?
- 7 A. Correct.
- 8 Q. From what I understood, you had to run for
9 a certain office to get into that class.
- 10 A. I figured I had next year to do it. But
11 it turns out I didn't end up enrolling into that
12 class.
- 13 Q. Meaning in your 10th grade, you could have
14 enrolled or you could have tried to enroll if you
15 ran for an office or something?
- 16 A. Yeah. I had an opportunity to do it, but
17 I figured --
- 18 Q. You chose not to?
- 19 A. Yeah, I chose not to.
- 20 Q. With respect to the science teachers that
21 you believed were good teachers, was this based on
22 Mr. Daley's conversation, the conversation with
23 Mr. Daley?
- 24 A. No.
- 25 Q. Where did you base this belief?

- 1 A. Well, my mom, she used to go to Crenshaw
2 and everything. So she knew of a couple teachers
3 that might be still there --
- 4 Q. Okay.
- 5 A. -- and might be pretty good.
- 6 Q. So your mother told you that the teachers
7 at Crenshaw were good?
- 8 A. Yeah.
- 9 Q. Other than that, did you have any other
10 reason to believe that the Crenshaw teachers were
11 good teachers?
- 12 A. No.
- 13 Q. And so did you get into these classes with
14 some of the teachers that you believed were good
15 teachers at Crenshaw?
- 16 A. No, I didn't.
- 17 Q. Why do you believe that you didn't? What
18 do you mean? What class --
- 19 A. Just basically because --
- 20 MR. FOX: Hold on. There's no question
21 pending. Sorry.
- 22 BY MS. STRONG:
- 23 Q. Okay. You stated that you didn't get into
24 the classes with the good science teachers. What
25 do you mean?

- 1 A. Basically, I didn't get into those classes
2 because they had -- they were teaching other
3 grades. That's basically the reason why.
- 4 Q. So what classes are you referring to here?
5 Are you referring to a teacher or class?
- 6 A. A teacher. I mean, I don't know the
7 teacher's name or anything. I couldn't remember
8 the teacher's name or anything.
- 9 Q. There are certain teachers that you
10 identified as good teachers?
- 11 A. That my mom identified as good teachers.
- 12 Q. Okay. And so do you remember any of the
13 teachers' names --
- 14 A. No.
- 15 Q. -- that your mother identified?
- 16 A. No.
- 17 Q. How many teachers did your mother
18 identify?
- 19 A. It's so long ago. Maybe about -- I'm not
20 sure.
- 21 Q. Okay. But less than five?
- 22 A. Yeah.
- 23 Q. Okay. And did you look up these teachers
24 when you got to school?
- 25 A. No.

- 1 Q. Okay.
- 2 A. Because either way, I wouldn't be able to
3 get into those classes, because I would have to
4 fill out a request form. And even they were
5 teaching other grades.
- 6 Q. How did you learn that the teachers your
7 mother identified were teaching other grades?
- 8 A. Only -- I believe two of them were -- I'm
9 not sure about it. But I think it was about two of
10 them that were teaching other grades. And the rest
11 of them, I don't think they were there anymore.
- 12 Q. Which --
- 13 A. Which wasn't really a concern I was
14 worried about or anything. That's why I just -- I
15 mean --
- 16 Q. The two that you identified, you found
17 out -- the two that were still there, you found out
18 were teaching grades more senior to you, correct?
- 19 A. Yes. But I mean -- I mean, didn't go talk
20 to them or anything. I didn't do anything like
21 that.
- 22 Q. How did you find out --
- 23 A. I mean, I knew they were teaching, based
24 on what other students told me. I didn't go talk
25 to the teacher, or anything like that.

1 Q. So were there any other science classes or
2 teachers that you wanted to have that you didn't
3 have at that school?

4 A. No. Like I said, I wasn't worried about
5 whether I would have a teacher or not. I mean --
6 (Discussion off the record.)

7 BY MS. STRONG:

8 Q. All right. So you went to Crenshaw
9 because you felt it was going to be a better school
10 than Washington, correct?

11 A. Correct.

12 Q. And do you believe that that was correct,
13 a correct assessment of those schools?

14 A. No, actually -- I mean, I have my own
15 opinions about Washington, about other schools,
16 everything.

17 Q. Do you think Washington is a better school
18 than Crenshaw?

19 A. Now that I'm going to Washington now, I'd
20 say it's quite even. I mean, even -- because, I
21 mean, you have some programs at Crenshaw that are
22 not offered at Washington. But over at Washington,
23 you have other programs that are better than
24 Crenshaw, than classes at Crenshaw.

25 Q. Okay. So each school has something -- you

1 THE WITNESS: Yes.

2 MR. FOX: Preferences?

3 THE WITNESS: Yes.

4 BY MS. STRONG:

5 Q. Okay. Then why did you go to Washington?

6 MR. FOX: Objection. Privacy, irrelevant.

7 And I'm going to instruct the witness not to
8 answer.

9 You don't have to answer that question.

10 MS. STRONG: Can we go off the record a
11 second? Maybe you and I should go outside,
12 actually. You can come if you want.

13 (Counsel leave the room and return.)

14 MS. STRONG: We just had a brief
15 discussion off the record.

16 Plaintiffs' counsel represented that
17 Delwin's transfer from Crenshaw to Washington was a
18 personal choice, and that it was in no way related
19 to any of the issues in the lawsuit. And that the
20 decision had nothing to do with the education --
21 Delwin's ability to take advantage of the
22 educational program offered at Crenshaw, or any
23 actions by Delwin, interfering or rejecting that
24 education offered by Crenshaw.

25 Is that accurate?

1 know, offers different things?

2 A. Yes.

3 Q. But in your mind, they are pretty much
4 equivalent educational experiences?

5 A. Yes.

6 Q. Are you happy to be at Washington
7 currently?

8 A. I guess you could say yeah -- yes.

9 Q. You don't want to be back at Crenshaw?

10 A. I mean, it's pretty even. I mean --

11 Q. So you don't care either way?

12 A. Not that I don't care. It's just that --
13 I mean, either one is okay.

14 Q. Okay.

15 A. I mean, it's not that I don't care. If I
16 had a chance to go to Crenshaw, I would go to
17 Crenshaw. I mean, it's just the whole process of
18 going back and forth to schools -- I mean, it's --
19 Washington is okay and Crenshaw is okay.

20 Q. Okay.

21 A. I don't have any dislikes or likes about
22 either one.

23 Q. Okay.

24 MR. FOX: You mean in comparison to the
25 other?

1 MR. FOX: Yes.

2 MS. STRONG: Okay. And as a result,
3 plaintiffs' counsel has instructed his witness not
4 to answer any questions whatsoever relating to the
5 reasons for the transfer from Crenshaw to
6 Washington. Correct?

7 MR. FOX: As I said, it was a private
8 choice, personal decision he made with his family.
9 And, yes, it's not at issue in this lawsuit.

10 MS. STRONG: Okay. And you're instructing
11 your witness not to answer?

12 MR. FOX: Yes.

13 BY MS. STRONG:

14 Q. So I think this question, I don't believe
15 would be covered under that, which is: Now that
16 you're at Washington, do you want to go back to
17 Crenshaw for any reason?

18 A. No.

19 MR. FOX: I think that question was asked
20 and answered.

21 BY MS. STRONG:

22 Q. Go ahead. I'm sorry.

23 A. It -- I mean, like I said, I don't see
24 any -- it doesn't really matter to me, really.

25 Q. You don't really want to go back to

- 1 Crenshaw?
 2 A. Like I said, I mean --
 3 Q. You could, but --
 4 A. I could. And -- I mean, like I said, it
 5 doesn't matter. Like I said, it's the whole
 6 process of going back and forth. Both schools are
 7 the same. I mean, so --
 8 Q. Do you study at home?
 9 A. Yes, I do.
 10 Q. Okay. Where do you study at your house?
 11 A. In sometimes my living room. Every now
 12 and then in my bedroom. I mean, or in the dining
 13 room.
 14 Q. Is it a space that you -- can you have a
 15 private space where you can concentrate at home?
 16 A. No.
 17 Q. When you study, are there other things
 18 going on?
 19 A. You mean as in distractions?
 20 Q. Correct.
 21 A. No.
 22 Q. Why is it not kind of a private space?
 23 When you said, "No, it's not," what do you mean by
 24 that?
 25 A. There's no actual room -- I don't have a

- 1 A. Yes.
 2 Q. Where else do you study?
 3 A. I study at Coalition and sometimes study
 4 at the sheriff's station.
 5 Q. Okay. So where do you study at the
 6 Coalition?
 7 A. They have a large -- a large room where
 8 they have tutors there that can help you.
 9 Sometimes I'll just do work on my own in resource
 10 center.
 11 Q. Okay. And so how often are you studying
 12 at the Community Coalition?
 13 A. Hour and a half. Hour and a half to two
 14 hours.
 15 Q. Is that regularly?
 16 A. Yes, every Tuesdays and Thursdays.
 17 Q. Pardon me?
 18 A. Every Tuesday and Thursday.
 19 Q. You say there's tutors there?
 20 A. Yes.
 21 Q. Do you work with these tutors?
 22 A. Yes.
 23 Q. What subjects?
 24 A. Most of the time, math.
 25 Q. Any other subjects?

- 1 study room or anything.
 2 Q. But when you're studying in the living
 3 room, for example, are you able to study in the
 4 living room alone?
 5 A. Yes.
 6 Q. Okay. And are you able to have a quiet
 7 environment while you're studying?
 8 A. Yes.
 9 Q. So you don't -- do you have your own desk
 10 somewhere in your room or somewhere like that?
 11 A. No.
 12 Q. How often do you study at home?
 13 A. Maybe, ever now and then, two hours.
 14 Because I'm in -- I'm in other places during the
 15 week, so --
 16 Q. We'll go through those.
 17 At home you study two hours?
 18 A. Yes.
 19 Q. How many days a week?
 20 A. Maybe twice.
 21 Q. Approximately two days a week you'll study
 22 at home for approximately two hours. Is it any
 23 particular days that you are at home studying?
 24 A. No.
 25 Q. Just randomly?

- 1 A. Every now and then science.
 2 Q. Did you work with a math tutor there every
 3 Tuesday and Thursday?
 4 A. Yes. Well, actually, I don't know if they
 5 are -- if that's the only thing they do is math.
 6 But they do help me with math. I don't know what
 7 they major in or anything.
 8 Q. I just want to know if every Tuesday and
 9 Thursday when you go to study there, do you work
 10 with a math tutor, or is it only some Tuesdays and
 11 Thursdays?
 12 A. I work with a math tutor.
 13 Q. Every Tuesday and Thursday?
 14 A. Yes.
 15 Q. And do you go every week of school?
 16 A. Yes.
 17 Q. When did you start studying at the
 18 Community Coalition?
 19 A. I started working with the tutors maybe
 20 early part of April.
 21 Q. April 2001?
 22 A. 2001, yes.
 23 Q. Okay.
 24 A. And study -- ever since I started going
 25 there, I have been studying there.

1 Q. When did you start going there?

2 A. September.

3 Q. Of 2000?

4 A. 1999.

5 Q. 1999. Thank you.

6 You have been studying there every Tuesday
7 and Thursday since September '99, but you've only
8 worked with tutors since April of 2001; is that
9 correct?

10 A. Yes.

11 Q. And the sheriff's station you referred to,
12 where is that?

13 A. [REDACTED] sheriff's station.

14 Q. [REDACTED]

15 A. Yes.

16 Q. Where do you study at the sheriff's
17 station?

18 A. Sometimes at the front desk or at
19 dispatch.

20 Q. Why do you study at the sheriff's station?

21 A. Because sometimes during those days I'm
22 doing ride-alongs or patrols, or when I'm doing
23 dispatch, working dispatch.

24 Q. Do you volunteer there?

25 A. Yes.

1 Basically, I'm just -- there's a group of
2 us that are extra hands for the sheriff's
3 department, whenever they need help with anything,
4 do surveys, a lot of paperwork.

5 During Wednesdays, I'm at meetings or
6 briefings or training.

7 Q. Every Wednesday?

8 A. Yes.

9 Q. From what time to what time?

10 A. From 4:30 until 6:00. And because I'm --
11 I'm doing that, I'm also with -- training with the
12 Boy Scouts between 6:00 and 8:30.

13 Q. On Wednesday also?

14 A. Yes.

15 Q. Okay. Any other time commitments to the
16 sheriff's department that are regular? You have
17 Wednesday 4:30 to 8:30. Do you have any other
18 regular time commitments?

19 A. No.

20 Q. So --

21 A. On Saturdays, the academy. I'm drill
22 instructor for [REDACTED] located at
23 [REDACTED] It's basically from 6:00 in the morning
24 until -- sometime 2:00 to 4:00 in the afternoon.

25 Q. Every Saturday?

1 Q. Okay. How long are you there, and on what
2 days? Start, first, how long are you there to
3 study?

4 A. It's on and off. Some days it's two
5 hours. Some days it's maybe 30 minutes. I mean,
6 whenever I get a chance to study.

7 Q. Because sometimes there's distractions
8 there where you can't study?

9 A. Not necessarily. I don't just go there
10 just to study. I'm there for one reason. But when
11 I have the time, I study.

12 Q. Okay. You're there to help volunteer?

13 A. Yes.

14 Q. And you're required to do things such as
15 work dispatch --

16 A. Yes.

17 Q. -- for example?

18 A. Yes. I'm not required to do dispatch, but
19 during those days they ask me to do dispatch.

20 Q. Okay. What is it that you do there?

21 A. I'm an Explorer for the sheriff's
22 department. Basically on weekends, when I have
23 free time, they'll ask me -- well, actually I
24 choose to do patrol or ride-alongs. Some days I'm
25 required to do events as far as traffic, parades.

1 A. Yes.

2 Q. Some Saturdays until 2:00, some until
3 4:00?

4 A. Yes.

5 Q. And then sometimes you also give
6 additional time, even though it's not your regular
7 commitment?

8 A. Yes.

9 Q. How often is that?

10 A. Maybe four times out of the month, every
11 now and then.

12 Q. Okay.

13 A. Or if it's like a, you know, a hectic
14 month like December, during that time you have a
15 lot of events going on. So I donate my time to do
16 extra events and do more ride-alongs.

17 Q. Okay. Does anything you do at the
18 sheriff's station specifically relate to any of the
19 issues in the lawsuit?

20 A. No.

21 Q. So I understand that you study at
22 different places, you know, different times. But
23 do you believe that you study for school every day
24 of the week?

25 A. Actually, I do. I mean, like I said, it's

1 whenever I can. I mean, on Monday and Fridays, I'm
2 home, and that time, of course, I study.

3 Q. How often do you study on Mondays and
4 Fridays?

5 A. Two hours. I believe you already asked
6 that question.

7 Q. Okay. When you are at home, you study two
8 hours?

9 A. Yes.

10 Q. I didn't know it was Mondays and Fridays.
11 What else?

12 A. During other --

13 Q. Tuesday and Thursdays, you are at the
14 Community Coalition for approximately one and a
15 half to two hours?

16 A. Yes.

17 Q. Do you study any other --

18 A. No, I'm studying that time, one and a half
19 hours to two hours. Other than that, Wednesdays,
20 it's maybe 30 minutes or so.

21 Q. Given your commitments at the sheriff's
22 department?

23 A. Yes.

24 Q. Are there ever time periods where you
25 study more than that?

1 with your schoolwork?

2 A. Yes, my mom does.

3 Q. What subjects does she help you with?

4 A. Math most of the time.

5 Q. Anybody else?

6 A. That's about it.

7 Q. Anyone else?

8 A. That's about it.

9 Q. No other tutors?

10 A. No.

11 Q. Have you ever attended summer school?

12 A. No, I haven't.

13 Q. Do you know if it's offered at Crenshaw?

14 A. Yes, I'm quite sure it's offered. I don't
15 know the process of going through it, but it's
16 offered.

17 Q. Do you know if it's offered in Washington?

18 A. Yes, it is.

19 Q. Okay. But you're not interested in going
20 to Washington?

21 A. Maybe. I don't know. It depends.

22 Q. What does it depend on?

23 A. It depend on what grades I have, how well
24 I'm doing. Extra classes I might want to take.

1 A. Every now and then, of course. Like I
2 said, whenever I get the time to study.

3 Q. Like, for example, with exams, do you
4 increase the time you are studying when it comes
5 time for exams?

6 A. Not really.

7 Q. Okay.

8 A. But like I said, whenever I get a chance
9 to.

10 Q. During those two hours that you study, one
11 and a half hours you study each night, do you
12 review your notes from classes?

13 A. Yes.

14 Q. Do you take notes in all of your classes?

15 A. No, I don't. Because some of them don't
16 require that I take notes.

17 Q. We'll get into that. I just wanted to get
18 a general sense.

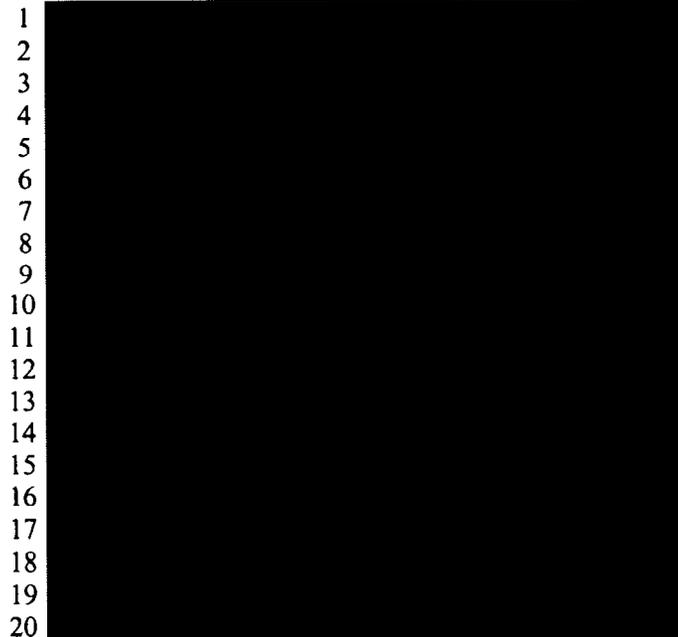
19 Do you have a computer at home?

20 A. Yes.

21 Q. Do you have access to the Internet at
22 home?

23 A. Yes.

24 Q. Other than the tutors that you mentioned
25 at Community Coalition, does anyone else help you



21 Q. Do you know of any classes offered by any
22 community colleges or colleges in the area?

23 A. Yes. There's classes offered at Southwest
24 College. It's a junior college.

25 Q. Okay. Are you interested in taking any of

1 those classes?
 2 A. Actually, I'm taking one now.
 3 Administrative justice.
 4 Q. Okay. Is this a summer school program or
 5 during the year?
 6 A. No, during the time I'm doing my drill
 7 instructor duties, I am receiving extra college
 8 credits that prepare me for college. And it also
 9 prepares me for if I want to go into law
 10 enforcement, or if I want to take any classes when
 11 I actually do go into college.
 12 Q. This program at Southwest College is
 13 related to the sheriff's department that you are
 14 involved in?
 15 A. Yes.
 16 Q. And when do you attend that class?
 17 A. It's during the time I -- during my hours
 18 while I'm at Southwest for -- while I am a drill
 19 instructor.
 20 Q. While you are at Southwest or sheriff's
 21 department?
 22 A. During the time I'm a drill instructor.
 23 We can't do the academy at [REDACTED] because it's
 24 another agency, and it's not -- [REDACTED] is not the
 25 only station I'm trained. At the facility, it's

1 described to me with respect to the sheriff's
 2 department, any other activities you are involved
 3 in?
 4 A. Besides the Community Coalition?
 5 Q. Correct.
 6 A. That's it. That's it.
 7 Q. Do you play any sports?
 8 A. Yes. I play basketball and I run track.
 9 Only on my own time. I don't play for a specific
 10 team or anything. Just on my own time I run track
 11 and play basketball.
 12 Q. You don't play for your school team --
 13 A. No, I don't.
 14 Q. -- or run on your track team?
 15 A. No, I don't.
 16 Q. How did you first learn about this case?
 17 A. It was actually during the time I was
 18 approached by UCLA students that were associated
 19 with ACLU. I was asked if I had any complaint --
 20 MR. FOX: Objection to the extent it calls
 21 for attorney-client communications.
 22 BY MS. STRONG:
 23 Q. Go on, continue.
 24 MR. FOX: Not the subject of what you
 25 talked about.

1 not large enough. And so we actually have our
 2 academy there at Southwest.
 3 Q. On Saturdays?
 4 A. Yes.
 5 Q. On Saturdays you also attend a course --
 6 A. Yes.
 7 Q. -- at the college?
 8 Okay. Are there any other classes that
 9 are offered at Southwest that you are interested
 10 in?
 11 A. From what I understand, there's maybe
 12 Spanish III. A couple of extra English classes you
 13 can take. Depends on whether you are enrolled into
 14 their high school or -- there's a whole process
 15 people have to go through. There might be extra
 16 math classes you can take.
 17 Q. Have you looked into taking any of those
 18 classes at Southwest?
 19 A. No, I haven't.
 20 Q. Other than your volunteer work for the
 21 sheriff's department, do you have any other jobs?
 22 A. No, I don't.
 23 Q. Have you had any other jobs?
 24 A. No, I haven't.
 25 Q. Other than the activities that you

1 BY MS. STRONG:
 2 Q. When was this conversation?
 3 A. Sometime in, I believe, March of 2000.
 4 I'm not sure.
 5 Q. Okay. March of 2000.
 6 A. It was around that time.
 7 Q. And who were you speaking to? UCLA
 8 students you said, correct?
 9 A. Yes.
 10 Q. And this is your first interaction with
 11 anyone regarding the issues in this lawsuit,
 12 correct?
 13 A. Yes.
 14 Q. And where did this take place?
 15 A. At the Community Coalition.
 16 Q. Some UCLA students came to the Community
 17 Coalition?
 18 A. Yes.
 19 Q. What did you talk about? Who approached
 20 you first?
 21 MR. FOX: Objection. You can respond who
 22 approached you. Not what you talked about.
 23 BY MS. STRONG:
 24 Q. Who approached you?
 25 A. I was actually approached by one of the

1 students. I can't remember the name.
 2 Q. Did you know who student was approaching
 3 you about?
 4 A. Just basically wanted to know -- well --
 5 Q. Do you know -- first question: Do you
 6 know what he wanted to talk to you about?
 7 MR. FOX: Yes or no.
 8 THE WITNESS: Yes.
 9 BY MS. STRONG:
 10 Q. How did you know what he wanted to talk to
 11 you about?
 12 A. He asked me.
 13 Q. Before he approached you, did you know?
 14 A. Well, we were asked if we wanted to.
 15 Q. Who asked you about talking to these
 16 people?
 17 A. Albert.
 18 Q. Okay. And what did Albert say about these
 19 UCLA students?
 20 A. He told us where they were from.
 21 Q. Okay.
 22 A. What they were there for.
 23 Q. What were they there for, according to
 24 Albert?
 25 A. Just wanted to know if we wanted to be

1 interviewed about concerns about certain things in
 2 the schools or around the district.
 3 Q. Is that all Albert told you?
 4 A. He got more in depth into it.
 5 Q. What do you remember about what Albert
 6 told you?
 7 A. He just talked about their history and
 8 everything.
 9 Q. Whose history?
 10 A. UCLA. The UCLA's lawyers, history and how
 11 they get involved and everything.
 12 Q. How they get involved with what?
 13 A. ACLU.
 14 Q. Albert explained to you the UCLA students'
 15 involvement with ACLU?
 16 A. Yes.
 17 Q. Was that just in conjunction with this
 18 lawsuit or something broader than this lawsuit?
 19 A. It was from this lawsuit.
 20 Q. How do you know that?
 21 A. He told us. He told me.
 22 Q. He told you that there was a lawsuit out
 23 there and that --
 24 A. No, he didn't tell us there was an actual
 25 lawsuit. He just said that there were -- there

1 were -- well, they were somewhat planning -- well,
 2 it wasn't somewhat planning it. It was just --
 3 just it was the idea brought up about being --
 4 having a lawsuit.
 5 Q. So Albert said that there might be -- is
 6 it Albert or Alberto?
 7 A. Albert in English and Alberto in Spanish.
 8 Q. What do you prefer? I can use either.
 9 MR. FOX: What does Albert prefer?
 10 BY MS. STRONG:
 11 Q. How do you refer to him?
 12 A. I call him Albert. Alberto sometimes,
 13 too.
 14 Q. Well, Albert. It doesn't matter.
 15 Albert explained the students were
 16 considering a lawsuit? I'm trying to understand
 17 what Albert told me, and you're free to tell me
 18 whatever you remember about what Albert told you.
 19 As specific as you can get, I would appreciate it.
 20 A. They were just giving out information
 21 about the schools. Like I said, they just wanted
 22 to know if there was a lawsuit involved -- I mean,
 23 they knew that -- Albert wants to know if there was
 24 a lawsuit involved, actually. And prior to the
 25 time he talked --

1 Q. He wanted to know?
 2 A. Yes. Well, it was actually during --
 3 well, how can I put this?
 4 Q. It should be pretty simple. What I want
 5 you to try and do is remember what it was that
 6 Albert said to you. And everything that you
 7 remember about what Albert said to you is what I'm
 8 interested in.
 9 A. I can't remember the exact words. I don't
 10 remember exactly.
 11 Q. I understand that. What was your gist
 12 from Albert? What did he tell you?
 13 A. Basically just would be description. He
 14 just said who they were, where they were from, how
 15 they were involved with ACLU.
 16 Q. At that point did he mention anything
 17 about a lawsuit?
 18 A. No.
 19 Q. He just said the students were working
 20 with ACLU regarding the conditions in public
 21 schools?
 22 A. Yes.
 23 Q. Go on.
 24 A. And he just asked if anyone wants to talk
 25 to him -- I mean talk to them, just about concerns

1 in the schooling.
 2 Q. Okay. And at that time, that point, you
 3 said yes?
 4 A. Yes.
 5 Q. Did you go and speak to somebody?
 6 A. Yes.
 7 Q. Is this the person you don't remember who
 8 it was?
 9 A. Yes.
 10 Q. And it was a woman?
 11 A. Yes.
 12 Q. Do you know if that woman was an attorney?
 13 A. I'm not sure.
 14 Q. At the time that you were speaking to her,
 15 did you believe that she was an attorney?
 16 A. No.
 17 Q. At the time you were speaking with her,
 18 did you have any interest in filing a lawsuit?
 19 A. Not necessarily.
 20 But the way I understood it was our
 21 opinions weren't being heard. So I thought that
 22 would be an extra step I would take, because during
 23 the times that -- I mean, during the campaigns we
 24 were working on, we weren't getting attention.
 25 Basically, no one was -- no one was listening to us

1 as far as what our concerns were.
 2 Q. Okay.
 3 A. So I thought that would be the next step I
 4 could take.
 5 Q. So you went to her to share your concerns
 6 about the school because that's what you believed
 7 she was interested in learning about, according to
 8 Albert?
 9 A. Yes.
 10 Q. What did you talk to this woman about?
 11 MR. FOX: Objection. Calls for
 12 attorney-client communications. I'm instructing
 13 the witness not to answer.
 14 MS. STRONG: There's no basis on the
 15 record as to why this is protected by the
 16 attorney-client privilege. There's no information
 17 that he believed she was an attorney at the time.
 18 MR. FOX: He testified that he understood
 19 her to be working with ACLU.
 20 MS. STRONG: He did not believe she was an
 21 attorney, did not have any interest in suing at
 22 this point in time. This conversation, is it
 23 privileged? Are you instructing your witness not
 24 to answer?
 25 MR. FOX: It is privileged, and I'm

1 instructing him.
 2 BY MS. STRONG:
 3 Q. On that basis, we'll move on.
 4 When did you first think about suing in
 5 this case?
 6 A. When I was approached by -- actually, no.
 7 Actually, after I was -- after I spoke to someone
 8 from ACLU.
 9 Q. When was that?
 10 A. Sometime after the interview from the
 11 woman from UCLA, maybe about a month after.
 12 Q. You had this interview with the woman at
 13 UCLA in March. And then a month later,
 14 approximately, you spoke with someone from the
 15 ACLU?
 16 A. Yes.
 17 Q. Do you know who that was?
 18 A. No, I do not.
 19 Q. A man or a woman?
 20 A. I believe it was a man.
 21 Q. Okay. Do you know if that person was an
 22 attorney?
 23 A. No.
 24 Q. Okay --
 25 MR. FOX: No, you don't know?

1 THE WITNESS: I don't know. I don't know.
 2 BY MS. STRONG:
 3 Q. And where were you when you had this
 4 conversation -- in approximately April of 2000; is
 5 that correct?
 6 A. Yes.
 7 Q. April of 2000?
 8 A. Yes.
 9 Q. Where were you when you had this
 10 conversation with someone from ACLU in April of
 11 2000?
 12 A. It was actually at the Coalition again.
 13 Q. Someone from the ACLU came there?
 14 A. Yes.
 15 Q. Okay. And again, how did you -- how did
 16 you speak with that person at that time? Why did
 17 you and that individual from the ACLU have a
 18 conversation?
 19 A. Basically, he just --
 20 MR. FOX: Objection to the extent it
 21 conveys any information that he may have told you
 22 or you may have told him. You can give the general
 23 answer.
 24 BY MS. STRONG:
 25 Q. My question is not asking for information

1 as to what you guys discussed. I want to know why
2 you had the conversation.

3 Why did you first come into contact with
4 one another?

5 A. Well, he just wanted to know -- I mean,
6 basically, whoever talked to the woman from UCLA,
7 he wanted to talk to them again.

8 Q. Okay. So everyone who spoke with the
9 woman from UCLA was identified to this person from
10 the ACLU?

11 A. Yes.

12 Q. And the ACLU person wanted to then speak
13 with each of you?

14 A. Yes.

15 Q. And so did you speak with them together or
16 separately?

17 A. Separately.

18 Q. Okay. And that was the first time you
19 thought about suing?

20 A. Yes.

21 Q. And why is that?

22 A. Because I believe -- also during that time
23 we were working with another campaign. As far as
24 it was -- that was the one we were talking about
25 lack of resources in the schools. We didn't do any

1 are instructing your witness not to answer any
2 questions regarding what was said between that
3 individual from the ACLU in April 2000, then I'll
4 move on.

5 MR. FOX: Thank you.

6 BY MS. STRONG:

7 Q. When did you actually -- did you ever make
8 a decision to actually sue in reference to this
9 litigation?

10 A. Yes.

11 Q. When was that decision made?

12 MR. FOX: Objection. Asked and answered.

13 THE WITNESS: Like I said, it was during
14 the time I met the guy from the ACLU.

15 BY MS. STRONG:

16 Q. I think my question before was when did
17 you first think about suing. Now my question is --
18 it's not the same question -- it's when did you
19 actually sue.

20 MR. FOX: When did you actually decide?

21 BY MS. STRONG:

22 Q. Yes. When did you actually decide? Not
23 when you first thought about suing, but when did
24 you actually decide?

25 A. At that time when I talked to the person

1 protests or anything. But we did talk about it,
2 the Coalition. We did talk about what the
3 Coalition did.

4 At that time I thought we weren't getting
5 enough attention. Our demands weren't met or
6 anything. Just basic things that we basically need
7 at our schools. That's when I thought about suing.

8 Q. Okay. Again, with respect to that
9 conversation in April, you didn't know whether this
10 guy was an attorney or not. So you didn't ask him
11 to be your attorney, did you?

12 A. No.

13 Q. Okay. And you had no reason to believe
14 that he was representing you at that time, correct?

15 A. No.

16 Q. Is that correct?

17 A. Correct.

18 Q. Okay. So what did you talk about with
19 that attorney?

20 MR. FOX: I'm sorry. Objection. Calls
21 for attorney-client communication.

22 I'm instructing the witness not to answer.

23 MS. STRONG: Again. Same discussion as we
24 had before. I don't believe that there's any basis
25 for attorney-client protection here. But if you

1 from ACLU. That's when I first decided.

2 Q. The April conversation?

3 A. Yes.

4 Q. And what did you do next about that time?
5 How did you --

6 A. Basically just took down -- that's when I
7 did the declaration and everything. We talked
8 about other things.

9 Q. At that point what do you think happened?
10 You wrote a declaration; and what do you think the
11 effect of that was?

12 A. I'm quite sure it was presented to
13 someone.

14 Q. Okay.

15 A. And whatever -- whatever the process was
16 after that, I'm not sure of, what they -- as far as
17 what they did.

18 Q. Okay. So when do you think you became a
19 part of the lawsuit?

20 A. Sometime a month later.

21 Q. Okay. So approximately May 2000?

22 A. Yes.

23 Q. What happened in May 2000 that made you
24 believe that you were now a part of the lawsuit?

25 A. When I received a phone call.

1 Q. Okay. Who did you receive a phone call
2 from?

3 A. There was -- I can't remember her name.
4 But she was an Asian lady. There was an Asian
5 lady. She called. And we talked.

6 Q. Okay. Who is she from? What group is she
7 with?

8 A. She was also from the ACLU.

9 Q. Do you know if she was an attorney?

10 A. I don't know.

11 Q. And she explained to you that you were now
12 involved in the lawsuit?

13 MR. FOX: Objection. Calls for
14 attorney-client communications.

15 BY MS. STRONG:

16 Q. Based on that conversation, did you
17 understand -- I'm sorry. Are you instructing your
18 witness not to answer that question?

19 MR. FOX: If you reask it, then we can
20 revisit it.

21 MS. STRONG: Sure.

22 MR. FOX: Reask it and we'll try again.

23 MS. STRONG: Can you repeat the question,
24 please?

25 (The following question was read by the

1 weeks later she did call --

2 MR. FOX: Objection. Let's not divulge
3 the substance of that conversation.

4 MS. STRONG: I don't think he was
5 divulging the substance.

6 Q. Continue.

7 MR. FOX: Why don't you give us who you
8 thought was representing you but not why you
9 thought that.

10 THE WITNESS: Catherine.

11 BY MS. STRONG:

12 Q. Okay. So on the first call in May 2000
13 with the woman from the ACLU, who you don't know
14 who it was, did you believe that you were
15 represented by counsel during that call?

16 A. Yes.

17 Q. Okay. Who did you believe you were
18 represented by at that point in time?

19 A. Catherine.

20 Q. Okay. I thought you didn't know that
21 until two weeks later in a second phone call.

22 A. I mean, if you're stating the second phone
23 call, then, yeah, it was -- because it was by the
24 same person.

25 Q. I'm talking about the first phone call

1 reporter):

2 "Q. And she explained to you that you
3 were now involved in the lawsuit?"

4 MR. FOX: Objection. Calls for
5 attorney-client communications.

6 BY MS. STRONG:

7 Q. Based on that conversation, did you
8 understand -- I'm sorry. Are you instructing your
9 witness not to answer that question?

10 BY MS. STRONG:

11 Q. The question I was interested in having
12 answered was: Did she explain to you that you were
13 involved in the lawsuit somehow?

14 MR. FOX: That's a yes-or-no question.

15 THE WITNESS: Yes.

16 BY MS. STRONG:

17 Q. Okay. And at that point did you
18 understand that you were represented by attorneys?

19 A. Yes.

20 Q. Who did you believe that you were
21 represented by?

22 A. She didn't give me exactly who it was the
23 first time. When she called again, she did tell me
24 that I would be represented by someone. Then there
25 was maybe some other, let's see, maybe about two

1 with the woman.

2 A. The first phone call -- in May.

3 Q. And you said you first learned at that
4 point you believed you were involved in the
5 litigation based on that phone call?

6 A. Yes.

7 Q. And secondly, my question is: Did you
8 believe that you were represented by attorneys at
9 that time?

10 A. I didn't know. I didn't know for sure and
11 she didn't tell me whether I was going to be
12 represented or not.

13 Q. At that time you had no basis to
14 believe --

15 A. No.

16 Q. -- to believe that you were represented by
17 an attorney at that time?

18 A. No, until the second phone call.

19 Q. About two weeks later you said you had
20 another conversation?

21 A. Yes.

22 Q. With that same person from the ACLU?

23 A. Yes.

24 Q. And at that point did you believe -- was
25 anything said during that conversation that led you

1 to believe that you were represented by attorneys?
 2 A. Yes.
 3 Q. And at that point who did you believe that
 4 you were represented by?
 5 A. Catherine.
 6 Q. Okay. Prior to May 2000, did you have any
 7 conversation with anyone else regarding this
 8 lawsuit and -- regarding this lawsuit?
 9 A. No.
 10 Q. Did you discuss with your mother that you
 11 were interested in filing a lawsuit?
 12 A. Yes, I did tell her I was interested in
 13 filing a lawsuit, but it wasn't a conversation or
 14 anything.
 15 Q. Do you remember any of the details of
 16 those conversation?
 17 A. No.
 18 Q. Did you have a discussion with anyone
 19 else, for example, teachers at your school or
 20 anyone else at your school?
 21 A. No.
 22 Q. Anyone else that you can think of?
 23 A. No.
 24 Q. What about your brother?
 25 A. No.

1 Q. So you've explained that you had contact
 2 with the ACLU in reference to this lawsuit. You
 3 explained that you had contact with the UCLA
 4 student -- was the one contact that you explained
 5 to me the only contact with someone from UCLA?
 6 A. Yes.
 7 Q. Yes?
 8 A. Yes.
 9 Q. Okay. Now I'd like to know if you've had
 10 contact with any other organizations in reference
 11 to this lawsuit? For example, have you had any
 12 contact with public advocates?
 13 A. No.
 14 Q. Center for Law in the Public Interest?
 15 A. No.
 16 Q. Lawyers Committee for Civil Rights?
 17 A. No.
 18 Q. Asian Pacific American Legal Center?
 19 A. No.
 20 Q. Loyola Law School?
 21 A. No.
 22 Q. Georgetown University Law Center?
 23 A. No.
 24 Q. The Mexican American Legal Defense Fund
 25 and Educational Fund?

1 A. No.
 2 Q. Do you know whether or not you are a
 3 plaintiff in this case?
 4 A. Yes.
 5 Q. Okay. And you believe that you are?
 6 A. Yes.
 7 Q. Do you know whether or not the suit is
 8 intended to be a class-action lawsuit?
 9 A. Could you restate that question?
 10 Q. You can repeat it.
 11 (The following question was read by the
 12 reporter):
 13 "Q. Do you know whether or not the suit
 14 is intended to be a class-action
 15 lawsuit?"
 16 THE WITNESS: I have somewhat of an idea
 17 but I guess you can say no.
 18 MR. FOX: Is it because of the
 19 terminology?
 20 THE WITNESS: Yes, because of the
 21 terminology.
 22 BY MS. STRONG:
 23 Q. You can respond to my questions.
 24 Your answer was no? No, you do not know
 25 whether the suit is intended to be a class action,

1 correct?
 2 A. Yes, based on the terminology.
 3 Q. What do you mean by that?
 4 A. Do you mean as far as a group or --
 5 Q. I just want to know if you have any
 6 understanding or reason to believe, you know, that
 7 this lawsuit is brought or was intended to be a
 8 class action? And I believe the answer is no; is
 9 that correct?
 10 A. Yes.
 11 MR. FOX: Well, I'm sorry. He clarified
 12 his testimony. I think his testimony is that he
 13 doesn't understand the terminology that you are
 14 using.
 15 MS. STRONG: That's fine.
 16 MR. FOX: And clarified, you used the same
 17 terminology.
 18 MS. STRONG: Correct. The record reflects
 19 that, so it's fine.
 20 Q. Do you know what a class-action lawsuit
 21 is?
 22 A. No. I have an idea, but not enough to
 23 actually know what it is.
 24 Q. Okay. Is that why you don't know whether
 25 this is brought as a class action because you're

1 not sure what a class-action lawsuit is?

2 A. Yes.

3 Q. Okay. So based on that answer, is it
4 correct to say that you don't know of any -- what a
5 class in this lawsuit would constitute; is that
6 correct?

7 A. I'm not sure.

8 MR. FOX: Objection. Vague and ambiguous.

9 THE WITNESS: I'm not sure what you mean
10 by class. If you're talking about a group of
11 people suing another -- suing someone, then, yes, I
12 mean, I understand.

13 BY MS. STRONG:

14 Q. What -- how do you understand this lawsuit
15 to be configured? Why don't you explain that to
16 me.

17 A. Just basically group organization or I
18 mean whatever you -- however you want to call it --
19 is suing -- if you want to say district state, you
20 know, if you -- just basically in a whole general
21 sense. I'm just not saying this state in general.
22 Just any class action is suing another, you know,
23 district or state.

24 Q. Okay. So a class action is a suit against
25 a district or the state; is that correct?

1 Q. I want to know if you have any idea about
2 the lawsuit being broken up for any reason, along
3 issues, along types of people? I mean do you have
4 any basis to believe that the lawsuit is broken up
5 in the way that it's configured?

6 MR. FOX: Objection. Compound.

7 MS. STRONG: Do you have any
8 understanding? You can answer the question.

9 THE WITNESS: I really don't have an
10 understanding what you are talking about.

11 BY MS. STRONG:

12 Q. When you say that you're all suing as a
13 group, are you all suing for the same things?

14 A. Yes. Just based on representatives.

15 Q. Based on representatives? Okay. What
16 does that mean?

17 A. I mean everyone is not here basically.
18 You don't have 50 million students coming in and
19 giving testimony or anything. You just have every
20 now -- I mean you have a group of students that are
21 representing certain schools.

22 Q. All right. So how many representatives do
23 you think there are?

24 A. I'm not quite sure because you have some
25 that are even in the general area. I mean you have

1 A. Not necessarily. Like I said, it's -- I
2 mean --

3 Q. I'm just trying to understand what you are
4 saying. I just want to make sure it's clear.

5 So not necessarily. What do you mean?
6 Let's start back at the beginning. How do you
7 believe this lawsuit is configured? Do you
8 understand that question?

9 A. Yes.

10 Q. Please try and answer that one.

11 A. Basically you have a group organization
12 that as plaintiffs are complaining about a
13 certain -- that are complaining about, you know,
14 certain things that they don't agree with or are
15 opposing. And that they are suing another group.

16 Q. So there's a group of plaintiffs that are
17 suing another group?

18 A. Yes.

19 Q. Okay. So do you know whether the lawsuit,
20 for example, is broken up by issues? Do you know
21 anything about that?

22 A. I'm quite sure it's broken up by issues.
23 I don't know if you mean by as far as issues as in
24 just the resources. But I mean if you want to talk
25 about resources, you might --

1 some in San Francisco and everything. So --

2 Q. Okay. Do you have any sense?

3 A. Not really. I can say an estimate of
4 maybe about 100.

5 Q. Okay. All right. And so each of these --
6 let's say there are 100. Each of these 100 people
7 that you are thinking of, who do they represent, if
8 anybody?

9 A. They represent all the other students that
10 are -- that suffer from the same situations as they
11 are.

12 Q. Okay. And all 100 are focusing on -- they
13 are interested in achieving the same thing? You
14 have a common goal all 100 of you?

15 A. Yes.

16 Q. Do you know what a subclass is?

17 A. No, I do not.

18 Q. Okay. Now, do you believe that you're a
19 class representative?

20 A. Yes.

21 Q. Okay. Do you think that a class has been
22 certified in the case? Do you understand that
23 question even? Do you understand what I mean when
24 I say a class has or has not been certified? Do
25 you understand that?

1 A. No.
 2 Q. So you have no reason to believe one way
 3 or the other as to whether a class has been
 4 certified in this case, correct?
 5 A. I don't know what you mean by certified.
 6 I know what certified means but what do you mean by
 7 that?
 8 Q. All I'm asking is if you have an
 9 understanding of those terms. If you don't, that's
 10 fine.
 11 So the answer is you don't know one way or
 12 the other whether a class has been certified
 13 because you don't know exactly what that means,
 14 correct?
 15 A. Correct.
 16 Q. Do you know if a court, for example, has
 17 said that you are a class representative?
 18 A. Yes.
 19 Q. Okay. And what -- explain to me your
 20 basis for that understanding.
 21 A. Just basically, I mean like today I'm
 22 here. I'm stating my complaint or --
 23 Q. Okay.
 24 A. -- giving my testimony.
 25 Q. So you believe that the judge has made a

1 representative?
 2 A. Not necessarily, no.
 3 Q. What do you mean not necessarily?
 4 A. Like I said, I mean --
 5 Q. It's either a yes or no. Do you believe
 6 that the judge is going to make a ruling as to
 7 whether or not you are a class representative?
 8 A. No.
 9 MR. FOX: If you don't know, you can say
 10 you don't know.
 11 THE WITNESS: Okay.
 12 MS. STRONG: That's fine. This is all
 13 about what you know and don't know. And it's --
 14 you know, there's no judgments here. It's just
 15 trying to understand what the facts are. So we
 16 want just whatever -- however you want to respond
 17 is fine, whatever is the accurate response.
 18 With respect to a representative, a class
 19 representative, do you believe that a class
 20 representative has any special duties in the case?
 21 A. No.
 22 Q. Do you know that a class or, you know --
 23 let's see. Do you know whether a class
 24 representative may be required to review a
 25 settlement in the case?

1 ruling saying that you are a class representative?
 2 Is that your understanding?
 3 A. Not necessarily. I mean because -- I mean
 4 I'm quite sure there are students that drop out of
 5 the complaint.
 6 Q. Okay.
 7 A. And they are not required to be here.
 8 Q. Okay. But I want to know whether or not
 9 you believe a judge has made a ruling with respect
 10 to you --
 11 A. No.
 12 Q. -- with respect to you being a class
 13 representative?
 14 A. No.
 15 Q. You don't know one way or the other?
 16 A. No, I mean I know -- no, I don't. I mean
 17 it's not that I don't know. It's just that I feel
 18 it's no.
 19 Q. I'm sorry?
 20 A. I think it's no.
 21 Q. You think the answer is no? You think a
 22 judge has not made a ruling?
 23 A. He hasn't made a ruling, no.
 24 Q. Okay. Do you think a judge is going to
 25 make a ruling about whether or not you are a class

1 A. No.
 2 Q. Do you know --
 3 MR. FOX: So we have a clear record, you
 4 don't know?
 5 THE WITNESS: I don't know.
 6 MS. STRONG: Yeah. That the --
 7 Q. Do you know whether a class representative
 8 has any obligations to participate in strategic
 9 discussions regarding a class-action lawsuit?
 10 A. Yes.
 11 Q. You do?
 12 A. Yes.
 13 Q. What do you know about that?
 14 A. If you are talking about as far as
 15 speaking to my lawyers, yes. I mean not
 16 strategically, but make sure that I talk to my
 17 lawyers.
 18 Q. Is that because you're a plaintiff or is
 19 that because you're a class representative? Why is
 20 that?
 21 A. Because I'm a class representative.
 22 Q. Okay. And why do you think that?
 23 A. I mean like --
 24 Q. Do you understand my question? If you
 25 don't under --

1 A. I mean, I understand --

2 MR. FOX: Objection to the extent it calls
3 for attorney-client communications.

4 THE WITNESS: I understand what you are
5 saying, but it's just that I don't -- I don't
6 see -- I mean what's the -- what's the whole basis
7 of it? I don't --

8 BY MS. STRONG:

9 Q. Okay. Other than any conversations with
10 your attorneys, do you have any reason to believe
11 that a class representative has an obligation to
12 participate in strategic discussions with an
13 attorney in the case?

14 MR. FOX: Objection. Asked and answered.

15 THE WITNESS: Yes, it's been asked.

16 BY MS. STRONG:

17 Q. What was the answer?

18 A. It was yes.

19 Q. Okay. And it was other than based on your
20 conversations with your attorney. So what do you
21 base that on other than your conversations with
22 your attorney?

23 A. Like I said -- I mean, could you
24 restate -- I mean rephrase the question.

25 Q. Well, what part don't you understand?

1 then, yeah, I would. But if you are talking about
2 as far as looking over certain -- I mean, like, as
3 far as, you know, visiting any schools and all
4 these other things, then, no, I don't have any
5 special duties.

6 Q. What -- if you don't understand some part
7 of my question, let me know. But if you --
8 otherwise, I'm going to assume that you understand
9 my question. Okay?

10 A. It's just the way when you asked the
11 question, when you say the question --

12 Q. Okay.

13 A. -- I'm thinking you're meaning one thing,
14 but you're probably meaning something else.

15 Q. Okay. When you said no, you don't believe
16 that you have any special duties, you're now
17 explaining to me that with respect to talking to
18 your attorney, that's something, if that were
19 considered a special duty, that you do believe you
20 have an obligation to do?

21 A. Yes.

22 Q. Is there anything else that you believe
23 you have an obligation to do if you were a class
24 representative in a lawsuit such as the one that we
25 are involved in?

1 I'll be happy to rephrase because I'm not sure what
2 part you don't understand.

3 A. Do you mean am I obligated to come up with
4 a strategy?

5 MR. FOX: I think the question is why do
6 you think you as a class representative have
7 special duties such as --

8 MS. STRONG: That actually misstates the
9 testimony because he said he didn't believe he had
10 any special duties as a class representative.

11 MR. FOX: I don't know if I understood
12 that question, to tell you the truth.

13 BY MS. STRONG:

14 Q. Okay. So that the record is clear, and so
15 that your attorney is not testifying for you, let's
16 ask again. I believe I -- one of the first
17 questions is: Do you believe you have any special
18 duties as a class representative? Do you remember
19 your answer to that question?

20 A. I said -- I did say no.

21 Q. Okay. Was that an inaccurate answer?

22 A. As far as I don't know what you mean by
23 duties. I mean, there's certain ways of duties. I
24 mean if you are talking about as far as talking to
25 my lawyers, if you are considering that a duty,

1 A. No.

2 Q. Okay. Other than talking to your
3 attorneys, correct?

4 A. Yes.

5 Q. Okay. That's fine.

6 MR. FOX: It's nearly 12:30.

7 MS. STRONG: Let me finish this and we'll
8 take a break. I have a few more. It would take
9 five minutes to go through this. It doesn't
10 matter.

11 We can go off the record.

12 (Discussion off the record.)

13 BY MS. STRONG:

14 Q. Are you entitled any extra benefits for
15 serving as a named plaintiff that you are aware of?

16 A. No.

17 Q. Okay. Have any benefits been promised to
18 you?

19 A. No.

20 Q. Will you be paid for serving as a named
21 plaintiff or as a class representative?

22 A. No.

23 Q. Okay. Do you know whether your counsel is
24 being paid or not?

25 A. No.

1 Q. You don't know either way?
 2 A. I don't know.
 3 Q. Okay. Do you have an agreement with them
 4 to pay any fees?
 5 A. No.
 6 Q. Are you willing to pay any attorney's fees
 7 or costs in this lawsuit?
 8 A. No.
 9 Q. Okay. Do you have any understanding as to
 10 who is responsible for fees or costs incurred by
 11 your attorneys in this lawsuit?
 12 A. As far as the -- there was a form I filled
 13 out saying I would not be -- I would not pay for
 14 any fees or anything pertaining to the case.
 15 Q. Okay. But you don't have any
 16 understanding as to who actually is paying for or
 17 responsible for the fees or the costs in this
 18 litigation?
 19 A. No.
 20 Q. Okay. And have you seen any of the
 21 complaints filed in this action?
 22 A. Other than mine, no.
 23 Q. And when you say "other than mine," are
 24 you referring to your declaration?
 25 A. Yes.

1 Q. Other than your declaration, have you seen
 2 the complaint in this case?
 3 A. No.
 4 Q. Okay. Do you know where this action is
 5 taking place?
 6 A. No.
 7 Q. Have you seen any pleadings in the case?
 8 A. No.
 9 MR. FOX: Objection. Vague and ambiguous.
 10 BY MS. STRONG:
 11 Q. Do you know what pleadings means?
 12 A. As far as --
 13 MR. FOX: Something on paper like that?
 14 THE WITNESS: No.
 15 BY MS. STRONG:
 16 Q. Wait. Let's get the question correct. Do
 17 you understand what pleadings are?
 18 A. No. I mean, I have a general idea of what
 19 pleadings are.
 20 Q. What do you generally think pleadings are?
 21 A. As far as what they are stating?
 22 Q. What who is stating?
 23 A. The plaintiffs.
 24 Q. Okay.
 25 A. Or what they are asking for.

1 Q. So you think documents reflecting what
 2 plaintiffs are asking for would be -- would
 3 constitute a pleading in the case?
 4 A. Yes. I haven't seen any other than my --
 5 Q. Your declaration?
 6 A. My declaration.
 7 Q. Have you seen documents from defendants,
 8 for example?
 9 A. No.
 10 Q. Do you know whether motions have been
 11 filed in this case?
 12 A. No.
 13 MR. FOX: I'm sorry. Objection. Vague
 14 and ambiguous. Does he understand the term motion?
 15 BY MS. STRONG:
 16 Q. Do you --
 17 A. To forward it as far as --
 18 Q. No. Do you understand what a motion is?
 19 A. As far as to forward the case, right? I'm
 20 thinking of another.
 21 Q. Let's just --
 22 A. Well, I've --
 23 Q. All I want to know is does the term motion
 24 mean anything to you with respect to this lawsuit?
 25 A. Not as far as the lawsuit. But I've -- I

1 mean my whole other terminology of motion is
 2 different.
 3 Q. It could mean -- you could have an
 4 understanding. But with respect to this lawsuit,
 5 you don't have any basis of an understanding of
 6 that term in reference to this lawsuit?
 7 A. No.
 8 Q. Is it fair to say that you don't know
 9 whether any motions have been filed with respect to
 10 this lawsuit, correct?
 11 MR. FOX: I'm sorry. Again, same
 12 objection. I think we still haven't gotten past
 13 the problem that he doesn't know the term motion.
 14 BY MS. STRONG:
 15 Q. Well --
 16 A. As far as motion, I'm familiar with
 17 Roberts law of motion. I don't know if that's the
 18 same thing.
 19 Q. Okay. What's that?
 20 A. As far as -- as far as forwarding it.
 21 Q. Okay.
 22 A. When you give a second motion, then it
 23 is -- it is agreed upon.
 24 Q. Okay. All right. And just I think my
 25 answer is fairly simple here.

1 Do you have an understanding as to whether
2 any motions have been filed in this case?

3 A. No.

4 Q. Okay. The other questions -- can we go
5 off the record?

6 (Discussion off the record.)

7 MS. STRONG: We'll take a lunch break. Is
8 an hour okay for you guys?

9 MR. FOX: Okay.

10 (At the hour of 12:30 P.M., a luncheon
11 recess was taken. The deposition resumed at
12 1:43 P.M., the same persons being present.)
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25

1 Q. When did you see it?

2 A. About a week and a half ago.

3 Q. Where were you when you saw this?

4 A. At home.

5 Q. Did someone bring it to you or was it sent
6 to you?

7 A. Yes.

8 Q. Which?

9 A. Catherine.

10 Q. Catherine brought it to you?

11 A. Yes.

12 Q. Was that the same time when you were shown
13 your Notice of Deposition?

14 A. No.

15 Q. No? That was a different time?

16 A. Yes.

17 Q. She came to your house a week and a half
18 ago with this document and then sometime prior with
19 the Notice of Deposition; is that correct?

20 A. Yes.

21 Q. Okay. Prior to a week and a half ago when
22 Catherine Lhamon brought this document to your
23 house, had you seen it before that?

24 A. No.

25 Q. Okay. Have you had an opportunity to read

1 LOS ANGELES, CALIFORNIA; SUNDAY, MAY 27, 2001
2 1:43 P.M.

3
4 EXAMINATION (resumed)
5

6 BY MS. STRONG:

7 Q. I hope you had a nice lunch, Delwin.

8 Do you remember the basic ground rules we
9 discussed this morning about verbalizing your
10 answers and giving complete answers, things like
11 that?

12 A. Yes.

13 Q. Did you have any substance at lunch,
14 either medication or alcohol, that would affect
15 your ability -- that would cloud your mind or
16 affect your ability to testify?

17 A. No.

18 Q. I have here the first amended complaint
19 for injunctive and declaratory relief in this
20 action. Instead of marking it as an exhibit, can
21 we stipulate this is a true and correct copy of the
22 first amended complaint in this action?

23 A. Yes.

24 Q. Have you ever seen in document before?

25 A. Yes.

1 any of it?

2 A. I glanced through it. I had glanced
3 through it a week and a half ago. I didn't get to
4 read all of it.

5 Q. It's kind of a long document.

6 A. Yes.

7 Q. Do you remember any particular parts that
8 you looked at?

9 A. Oh, I looked at the -- what was it? Who
10 was going to be in -- who else was going to be
11 represented in this school -- schools. And the
12 other. Like here it has some of the high schools
13 and middle schools and elementaries listed.

14 Q. So you noticed some of the high schools
15 and middle schools listed in the complaint?

16 A. Yes. But I didn't get to read much of any
17 of the complaints or anything.

18 Q. Did you read the allegations that relate
19 to Crenshaw?

20 A. No, I didn't.

21 Q. Okay. That's fine. We can set that
22 aside. There's no other questions on that.

23 Do you know who is being sued in this
24 case?

25 A. As far as I know, the state of California.

1 Q. Do you know if anybody else is being sued?
 2 A. No, I do not.
 3 Q. Okay. Do you know what it is that's being
 4 sought in this lawsuit?
 5 A. Better -- I believe it's better resources
 6 for the schools.
 7 Q. And anything more than that?
 8 A. If you want to talk about the allocation
 9 of money, I mean that's the same thing. I mean I
 10 consider the money being part of getting the
 11 resources.
 12 Q. Okay. So you're seeking money for the
 13 schools?
 14 A. Not necessarily. Just resources. But I
 15 mean it takes the money to get the resources as far
 16 as what funds go to certain schools.
 17 Q. I want to understand. Through this
 18 lawsuit you believe you are seeking resources. I
 19 understand that.
 20 A. Yes.
 21 Q. Do you believe you are seeking money or
 22 not money?
 23 A. No.
 24 Q. You are not seeking money in this lawsuit,
 25 okay.

1 So what type of resources are you seeking
 2 specifically? Do you know?
 3 A. Well, actually I'm seeking for just plain
 4 and simple better textbooks, cleaner restrooms,
 5 more supplies, textiles -- not textiles, but like
 6 ceilings -- like ceiling fixtures, cleaner
 7 classrooms.
 8 I mean when you talk about cleaner
 9 classrooms, janitors are a resource. So I mean
 10 even though it's not, you know, confined within the
 11 lawsuit, but I mean janitors are a resource.
 12 Q. Meaning you want more janitors, is that
 13 what you are saying?
 14 A. Not more janitors. I'm saying cleaner
 15 classrooms. And a way of having cleaner
 16 classrooms, the janitors could be more active
 17 around the campus.
 18 Q. Okay.
 19 A. Better restrooms. Let's see. And I mean
 20 it's more, but that's about it.
 21 Q. You are looking for these things with
 22 respect to Crenshaw?
 23 A. For all schools.
 24 Q. And even though you're requesting with
 25 respect to all schools, do you hope that these

1 issues are addressed at Crenshaw specifically?
 2 A. Yes.
 3 Q. Yes?
 4 A. Not specifically. But for all -- I mean
 5 of course, yes, Crenshaw also.
 6 Q. Do you know what it is you're asking the
 7 state to do with respecting to these issues?
 8 A. I have some ideas of what they can do as
 9 far as presenting these issues, as far as solving
 10 the problems that are at the schools.
 11 Q. What are your ideas with respect to that?
 12 A. As far as how the money is given out to
 13 the schools, as far as the -- I mean, for example,
 14 with the Prop BB issue, that happened back in I
 15 believe it was '96. '96 or '98, I can't remember.
 16 During one of those years.
 17 But that was one of the problems that the
 18 schools were having as far as lack of funding for
 19 the schools that were more -- basically the schools
 20 with more resources were getting most of the money.
 21 Another thing is as far as testing goes,
 22 top scores get the most money. I don't agree with
 23 that because, like I said, better schools have
 24 better resources, which offers them time to study
 25 and to have more opportunities to, you know, look

1 through certain resources and which causes a
 2 separation between those schools, the rich -- not
 3 rich and poor schools, but the more fortunate
 4 schools.
 5 Q. So with respect to the Prop BB money, what
 6 is your opinion based on? This opinion that you
 7 just gave me with respect to the Prop BB money,
 8 what is your opinion based on?
 9 A. Like I said, with the money given out from
 10 Prop BB, I don't think that it's, you know, passed
 11 out to certain schools, you know, fairly.
 12 Q. Okay. And so how -- what do you base that
 13 belief on?
 14 A. Based on what schools have, what
 15 resources.
 16 Q. Have you read studies or have you read
 17 newspaper articles about this?
 18 A. Back in, I believe, a year and a half ago.
 19 But other than that, I haven't been keeping up with
 20 it lately.
 21 Q. Have you talked to anybody at your schools
 22 about this?
 23 A. Yes. I've talked to numerous people that
 24 were involved with the Community Coalition. And
 25 even if we agree with the same thing. And that's

1 one reason why they did -- the Community Coalition
 2 did win money for schools in South L.A.
 3 Q. Was that through a suit?
 4 A. I believe so. Actually, no, I believe it
 5 was through a protest. I'm not too sure whether it
 6 was a suit with it that went with it, but they
 7 ended up winning money for South L.A. schools.
 8 Q. Who at Community Coalition would know more
 9 about this?
 10 A. Marquis Dawson.
 11 Q. How do you spell his name?
 12 A. I'm not sure how you spell it. I think
 13 there's a q in there.
 14 Q. Marquis?
 15 A. Yes.
 16 Q. Jawson?
 17 A. Dawson.
 18 Q. Oh, Dawson, okay.
 19 So I think this line of questioning
 20 started out with a question stating, "What is it
 21 that you want the state to do based on this lawsuit
 22 or through this lawsuit?"
 23 A. Like I said, have the resources and give
 24 it to the schools that are needed.
 25 Q. Okay. You want the state to have -- I'm

1 sorry. Say that again. I don't know if I
 2 understood that.
 3 A. To have the state give out more resources
 4 to the schools that need it.
 5 Q. Okay. Is there anything else that you are
 6 asking the state to do?
 7 A. That's it.
 8 Q. All right. Turning to Crenshaw. Can you
 9 describe the school schedule at Crenshaw?
 10 A. Basically the school schedule is six
 11 periods. The second period is combined with
 12 homeroom unlike other schools where you have second
 13 period and then you have homeroom separate.
 14 Let's see. Basically they are 54 minutes
 15 to maybe an hour long actually, depending on what
 16 school it is. Crenshaw is 54 minutes, I believe.
 17 Maybe there is one or two periods that's maybe 48
 18 minutes or so.
 19 They do have nutrition in between second
 20 and third period. And lunch is in between fourth
 21 and fifth period.
 22 Q. What's the school year?
 23 A. It's from, I believe -- no, actually
 24 August 16th until June 24th, I believe. I'm not
 25 too sure about that.

1 Q. Are these broken down into semesters?
 2 A. Yes, it is broken down into two semesters.
 3 The second semester starts January 12th.
 4 Q. Okay. And the first semester ends?
 5 A. It ends -- actually, no. The second
 6 semester starts January -- maybe around
 7 January 20th, actually. Because January 12th is
 8 when we come back on vacation. The way it used to
 9 be, once you come back from vacation the second
 10 semester starts. But they changed it. I believe
 11 it's January 20th where second semester starts.
 12 And the first semester ends January 19th.
 13 Q. So do you have a winter break?
 14 A. Yes. I believe it's two to three weeks.
 15 It's from December 18th to January 12th. There's
 16 probably about three weeks.
 17 Q. You finish up the first semester when you
 18 get back?
 19 A. Yes.
 20 Q. And proceed into the second semester?
 21 A. Yes.
 22 Q. Are there any other breaks during the
 23 school year?
 24 A. No, other than summer break.
 25 Q. Is there a spring break?

1 A. No. Let's see --
 2 Q. Okay.
 3 A. I wouldn't really consider it a vacation
 4 break but I think Easter is maybe three days. I'm
 5 not too sure. Maybe three days. I think they do
 6 count that as a spring break, but it's not really a
 7 spring break.
 8 Q. You don't have a week?
 9 A. No.
 10 Q. Okay. Are there periods before -- I mean,
 11 you said there were 6 periods in a day. Are there
 12 sometimes extra periods before school and after
 13 school for certain classes?
 14 A. They wouldn't be counted as periods. But
 15 whatever extracurricular activities that you have
 16 as far as whatever the AP class was that was
 17 recommended to take. And they have a -- I believe
 18 it's --
 19 Q. You don't know what class that was?
 20 A. No, I do not.
 21 Q. Okay.
 22 A. And it wouldn't be considered a period.
 23 Q. Okay. Does everyone go to lunch and
 24 nutrition at the same time at your school?
 25 A. Yes.

1 Q. Is there -- you identified that there were
2 two magnets at the school. Is there also a section
3 of the school that is not a magnet at all?

4 A. They have a -- what is it called?
5 Parent -- no, it's not. It's -- I can't remember.
6 I think it's parent's school or something like
7 that. No, continuation. They have a continuation
8 school. But that's separate from the school. It's
9 on the same campus but it's separate. I can't
10 remember the name --

11 Q. Okay.

12 A. -- of the school.

13 Q. I guess what I'm trying to get at, are all
14 of the students at Crenshaw either in the teacher
15 training magnet or regular magnet?

16 A. No. Regular magnet, teacher training
17 magnet, and then there's regular school.

18 Q. Okay. Do you ever stay after school or
19 did your stay after school at Crenshaw --

20 A. No, I didn't.

21 Q. -- for any reason?

22 Did you ever get to school early for any
23 reason at Crenshaw?

24 A. Yes. Because the school bus drops us off
25 30 minutes before school starts.

1 Q. What time did you leave your house in the
2 morning when you would go to Crenshaw?

3 A. Around 6:40.

4 Q. What time did the bus leave from the stop
5 that you mentioned earlier?

6 A. 6:52.

7 Q. Okay. So you'd arrive at what time,
8 approximately?

9 A. Around 7:30 or so.

10 Q. What would you do between 7:30 and 8:00?
11 Would the classes start at 8:00?

12 A. Starts at 7:50.

13 Q. What would you do between 7:30 and 7:50?

14 A. Brush up on work, make sure my assignments
15 are ready to go and turn in.

16 Q. Every day you would study essentially or
17 work on your assignments before class?

18 A. Yes.

19 Q. Okay. Do you know the principal at
20 Crenshaw?

21 A. Yes.

22 Q. What's his name?

23 A. Mr. Kiel, K-i-e-l.

24 Q. When did you first meet Mr. Kiel?

25 A. When I was in middle school.

1 Q. At Audubon?

2 A. Yes. He used to be the principal there at
3 Audubon when I was in the 6th and 7th grade, and
4 during the time I was in 8th grade. I'm not sure
5 how it went, but the two principals at Crenshaw and
6 Audubon switched. And so the principal at Crenshaw
7 came to Audubon and the principal, Mr. Kiel, who
8 was Audubon, went to Crenshaw.

9 Q. Okay. Who is the principal that came to
10 Audubon at that time?

11 A. What was her name?

12 Q. If you remember.

13 A. No, I can't remember the name. I can't
14 remember.

15 Q. But you know that she was principal at
16 Crenshaw before coming to Audubon?

17 A. Yes.

18 Q. Did you act with Mr. Kiel often at
19 Audubon?

20 A. Not too much. Just talked to him every
21 now and then.

22 Q. Approximately how much did you talk to him
23 while you were at Audubon?

24 A. Maybe three times every month or so.

25 Q. Every month?

1 A. Yes.

2 Q. And what would you talk about -- was this
3 both for your 6th and 7th grades, is that accurate?

4 A. Yes.

5 Q. Okay. So approximately three times a
6 month for 6th and 7th grade you would have some
7 interaction with Mr. Kiel at Audubon?

8 A. Yes.

9 Q. What would you talk about?

10 A. Really not much. I would just see how he
11 was doing and everything, maybe ask him about
12 getting into certain classes. Other than that,
13 just, you know, saying hello every now and then.

14 Q. Okay. Did you like him?

15 A. Yeah, he's pretty cool.

16 Q. Did you feel comfortable talking to him?

17 A. Yes.

18 Q. Did you ever talk to him about the
19 conditions at Audubon?

20 A. No.

21 Q. Did you ever talk to him about any books
22 or any of your classes that you had at Audubon?

23 A. No.

24 Q. Did you talk to him about where you would
25 go to high school?

1 A. No.
 2 Q. Okay. Did you know that Mr. Kiel was the
 3 principal at Crenshaw when you decided to attend
 4 Crenshaw?
 5 A. Yes.
 6 Q. Did that have any impact on your decision
 7 to attend Crenshaw?
 8 A. No.
 9 Q. When you got to Crenshaw, did you have any
 10 opportunities to talk with Mr. Kiel?
 11 A. No, I didn't. I mean I would just say hi
 12 to him ever now and then. I only talked to him
 13 maybe once. The other times were just like "Hi,"
 14 and everything, "How are you doing?"
 15 Q. Where would you see him at Crenshaw?
 16 A. Sometimes walking around the campus. The
 17 other times he was doing tardy sweeps or
 18 whatever --
 19 Q. Were you tardy on those times?
 20 A. Oh, no. No.
 21 Q. So you would see him in the hallways and
 22 seen him on campus in general?
 23 A. Yes.
 24 Q. The one time that you are referring to
 25 that you remember having a conversation with him,

1 can you tell me about that?
 2 A. It was just basically in general. Because
 3 he didn't know -- because he didn't know I was
 4 going to be going to Crenshaw, attending Crenshaw.
 5 So I just happened to stop by his office. I said
 6 hi to him and he asked me, you know, how was I
 7 doing and everything, was Audubon okay and
 8 everything. Other than that, that was about it.
 9 Q. Okay. So you walked up to his office? Is
 10 this when you got there in 9th grade?
 11 A. Yes.
 12 Q. And he's available for you to just walk up
 13 to and talk to?
 14 A. Not all the time.
 15 Q. How do you know he's not available all the
 16 time?
 17 A. Because there were other times I went to
 18 his office and he wasn't there. I mean it wasn't
 19 related to anything as far as resources. It was I
 20 needed -- sometimes I would be sent down to his
 21 office for information or some other things.
 22 Q. So at that first conversation, do you
 23 remember when that was? Was that in September or
 24 August when you first got to school? Do you
 25 remember the month?

1 A. I think it was September.
 2 Q. Okay. So September of 1999, correct?
 3 A. Yes.
 4 Q. All right. During that conversation, did
 5 you discuss anything about the conditions at
 6 Crenshaw or about any of the issues relating to
 7 this lawsuit?
 8 A. No.
 9 Q. You said that sometimes you went to his
 10 office and he wasn't there. How many times did
 11 this happen?
 12 A. Maybe about -- say about -- I'm not going
 13 to guess. Maybe about six. I mean, I know it's
 14 roughly around six times. I mean, it wasn't like
 15 anything as far as I actually needed it right away.
 16 Q. Okay. So what would you do if he wasn't
 17 there?
 18 A. I would go back to the classroom.
 19 Q. Did you try and see him again?
 20 A. No, because most likely the teacher was
 21 sending another student down during another period
 22 to go see if he was there.
 23 Q. So you were doing something for the
 24 teachers?
 25 A. Yeah.

1 Q. It wasn't for you specifically?
 2 A. No.
 3 Q. So like a teacher wanted you to do an
 4 errand for them and you would go and see Mr. Kiel?
 5 And if he wasn't there, then you would go back to
 6 class?
 7 A. Yes.
 8 Q. Was there ever a time that you went to see
 9 Mr. Kiel of your own initiative because you wanted
 10 to talk to him for some reason and he wasn't there?
 11 A. No.
 12 Q. Do you know any of the assistant
 13 principals at Crenshaw?
 14 A. Yes.
 15 Q. Okay.
 16 A. Miss Garrison. I believe Miss Canon was
 17 one. That's all I can think of right now.
 18 Q. How did you meet Miss Garrison?
 19 A. I can't remember how I met her. I mean --
 20 Q. Do you remember when you met her,
 21 approximately?
 22 A. No, I don't.
 23 Q. Did you know her by September of 1999?
 24 A. No. No, I didn't.
 25 Q. Did you meet her during your first

1 semester of 9th grade?
 2 A. Yes.
 3 Q. If not in September, do you think it was
 4 in October then?
 5 A. Possibly. I'm not sure. It wasn't like I
 6 introduced myself or anything.
 7 Q. Did you have more than one conversation
 8 with Miss Garrison while you were at Crenshaw?
 9 A. No.
 10 Q. You had one conversation with her?
 11 A. Not really. It wasn't a conversation. It
 12 was just --
 13 Q. You said hello to her once?
 14 A. Yeah.
 15 Q. Did you say hello to her more than once?
 16 A. Yes, every now -- like I said, these
 17 weren't conversations.
 18 Q. So you would sometimes see her in passing
 19 her and say hello?
 20 A. Yes.
 21 Q. Is that the extent of your interaction
 22 with Miss Garrison?
 23 A. Yes.
 24 Q. And so you never had any conversations
 25 with her about the conditions at the school or the

1 there in his office. Or when I had to go down to
 2 Miss Canon's office, she wasn't there or anything.
 3 Q. Did you ever try and leave a note with
 4 these people and say you'd like to meet with them?
 5 A. No. Because actually the other assistants
 6 that were in the office they would tell me that
 7 they would let her know that I came by or the
 8 teacher was looking for her.
 9 Q. Okay. And was there ever a time that you
 10 wanted to speak with them and you left a message
 11 with somebody indicating that you wanted to speak
 12 with them?
 13 A. No.
 14 Q. Okay. And so with Miss Canon did you ever
 15 have any conversations that related to any of the
 16 issues in the lawsuit or the conditions at
 17 Crenshaw?
 18 A. No.
 19 Q. Are there any other administrators at
 20 Crenshaw that you met or talked with relating to
 21 the issues involved in this lawsuit?
 22 A. [REDACTED], I believe. Well, actually I
 23 didn't talk to her. It was a -- I just happened to
 24 found a letter that she or one of the other
 25 teachers had typed up because she's in the math

1 issues in this lawsuit; is that correct?
 2 A. No. Oh, it's correct.
 3 Q. And then Miss Canon?
 4 A. Yes.
 5 Q. Do you remember when you met her?
 6 A. Maybe sometime in -- maybe March of 2000.
 7 Q. Okay.
 8 A. Yeah, March 2000.
 9 Q. And do you remember any specific incident
 10 or a conversation that you had with her?
 11 A. I remember going into her office. It was
 12 for -- it was so long ago. It was for -- I think
 13 it was probably for a field trip confirmation.
 14 Q. Okay. How many times did you talk with
 15 Miss Canon, approximately?
 16 A. Twice, maybe.
 17 Q. Okay. And did you feel that you could go
 18 and talk to Miss Garrison and Miss Canon if you
 19 wanted to at any time if you made an appointment or
 20 went to their office and asked to speak to them?
 21 A. No, not really.
 22 Q. Why not?
 23 A. Probably because -- I mean, they were busy
 24 and everything. I mean, like either Mr. -- even
 25 when I ran errands to go see Mr. Kiel, he wasn't

1 department and she's the head of the math
 2 department and everything. And I just happened to
 3 found a letter that she had wrote stating that she
 4 was tired of coming out of her pockets to buy
 5 certain resources for her students.
 6 Q. Where did you see this letter?
 7 A. I actually found it by her doorstep.
 8 Q. Okay. Was [REDACTED] your teacher?
 9 A. Yes.
 10 Q. In what class?
 11 A. Math.
 12 Q. What year was this?
 13 A. This was -- oh, actually, it was 2001. It
 14 was this year. It was this year. Sometime in, I
 15 believe, late part of January.
 16 Q. Okay. So were you coming or going from
 17 that class?
 18 A. Going.
 19 Q. You were leaving the class?
 20 A. Yes.
 21 Q. And you found a letter by the door?
 22 A. Yes.
 23 Q. Okay. And who was the letter addressed
 24 to?
 25 A. It wasn't addressed to anyone. It had

1 just -- it wasn't even a formal letter. It was --
 2 as a matter of fact, I think it was for them to
 3 discuss during their math department meetings.
 4 Q. Okay. So it was -- but it wasn't
 5 addressed to anyone?
 6 A. No.
 7 Q. Was it kind of a note to herself?
 8 A. Yeah, I guess you can say that. Basically
 9 where she was going to talk to everyone about that
 10 six. Maybe she was in trying in the process of
 11 sending it to someone but --
 12 Q. You don't know one way or the other?
 13 What did the note say, if you can
 14 remember?
 15 A. It was maybe about three paragraphs. Just
 16 basically talked about. Like I said, she was
 17 spending money out of her own pocket to buy
 18 resources. It was so long I can't remember.
 19 Q. What did you do with the letter when you
 20 saw it?
 21 A. I read it and then I went back upstairs,
 22 told [REDACTED] there was a letter outside. She
 23 said she didn't need it. But I put it on her table
 24 and walked off.
 25 Q. You read it and gave it back to her?

1 A. Yes.
 2 Q. Did you discuss the contents of the letter
 3 with her?
 4 A. No, I did not.
 5 Q. Did you discuss the contents of that
 6 letter with anybody else?
 7 A. No, I did not.
 8 Q. At any time?
 9 A. No.
 10 Q. Did you discuss the lawsuit with
 11 [REDACTED] in any way?
 12 A. No, I did not.
 13 Q. Or any of the conditions at Crenshaw with
 14 her?
 15 A. No, I did not.
 16 Q. Okay. So is there anyone else at the
 17 campus who -- any administrators that you know of,
 18 or even teachers, where you've discussed the
 19 conditions of the school or the issues relating to
 20 this lawsuit?
 21 A. Miss Amicci. She's an English teacher.
 22 Q. How do you spell that name?
 23 A. I have no idea. I mean it's --
 24 Q. Try and say it again.
 25 A. Amicci.

1 Q. She's an English teacher?
 2 A. Yes.
 3 Q. Was she your English teacher?
 4 A. No, she wasn't.
 5 Q. In either 9th grade or 10th grade?
 6 A. Right, correct.
 7 Q. Is she the only person that you talked to
 8 about the conditions of the school or about the
 9 lawsuit?
 10 A. Other than the college counselor.
 11 Q. That one conversation that we discussed
 12 earlier?
 13 A. Yes. And Mr. Kamasian.
 14 Q. I'm sorry, who is that?
 15 A. Kamasian.
 16 Q. Kamasi?
 17 A. Kamasian.
 18 Q. Kamasian. And what does Mr. Kamasian
 19 speak -- I mean teach?
 20 A. He's an English teacher.
 21 Q. Was he your English teacher?
 22 A. No, he wasn't.
 23 Q. Other than these two individuals, is there
 24 anyone else that you spoke with at your school
 25 regarding the conditions at Crenshaw or of this

1 lawsuit?
 2 MR. FOX: I think we said three. Did you
 3 include the college counselor?
 4 MS. STRONG: I'm sorry, thank you.
 5 THE WITNESS: That's all I can think of
 6 right now.
 7 BY MS. STRONG:
 8 Q. Okay.
 9 A. Oh, I believe -- no. No. The question
 10 where you asked me who recommended me for AP class.
 11 So I talked about AP class, the English teacher,
 12 that was Mr. Hornbeck.
 13 Q. Other than suggesting that you look into
 14 AP classes, did you speak about anything else with
 15 Mr. Hornbeck --
 16 A. No.
 17 Q. -- relating to the lawsuit or to the
 18 conditions at your school?
 19 A. No.
 20 Q. You already told me about the substance of
 21 that conversation --
 22 A. Yes.
 23 Q. Correct?
 24 A. Yes.
 25 Q. Is there anything else you'd like to tell

- 1 me about the substance of that conversation?
 2 A. No.
 3 Q. With respect to Miss Amicci, when did you
 4 talk to her about the conditions of your school or
 5 the lawsuit?
 6 A. Numerous times. It didn't have anything
 7 to do with the lawsuit. I mean as far as the
 8 content of the lawsuit, yeah, it talked about
 9 resources and everything. But I didn't tell her
 10 about how a lawsuit was the being filed or anything
 11 or who I was with or anything like that.
 12 Q. Let me get this straight. You never
 13 discussed the actual lawsuit with her but you
 14 talked about the conditions at your school with
 15 her?
 16 A. Yes.
 17 Q. When did you speak with Miss Amicci about
 18 the conditions at your school?
 19 A. I mean it was on and off. It was maybe
 20 twice a week, every now -- again, sometimes it was
 21 maybe -- I mean, it was like on and off. It
 22 wasn't -- I mean, I can't give you exact dates.
 23 Q. Okay. When did you meet Miss Amicci?
 24 A. In the 9th grade.
 25 Q. Okay.

- 1 about how the security went in the bungalows.
 2 There was no security. There were no phones in the
 3 bungalows. There was no bell. There was -- we
 4 talked about how there wasn't a fire bell or
 5 anything.
 6 Like I say, it was on and off. Other than
 7 that, I mean there were some other things we talked
 8 about, but --
 9 Q. Okay. And then with respect to Mr. -- I
 10 think we'll come back to some of these items --
 11 with Miss Amicci. But with respect to Mr. --
 12 A. Kamasian.
 13 Q. Kamasian. When did you talk to
 14 Mr. Kamasian?
 15 A. It was like on and off. Probably
 16 beginning second semester.
 17 Q. Of your 9th grade year?
 18 A. Yes.
 19 Q. So approximately January of 2000?
 20 A. Yes.
 21 Q. How did you meet him?
 22 A. Through my brother again.
 23 Q. Was he your brother's teacher?
 24 A. Yes.
 25 Q. They both taught your brother in English?

- 1 A. I believe it was the middle of the first
 2 semester.
 3 Q. And how did you meet her?
 4 A. Through my brother, D'Andre.
 5 Q. And how did D'Andre know her?
 6 A. He had her class for English.
 7 Q. What were the circumstances of you
 8 actually meeting with Amicci?
 9 A. My classroom was maybe about two bungalows
 10 away from hers, so the teacher needed some tape and
 11 I went over to her classroom to see if she had
 12 some. She didn't know we were twins. And I walked
 13 in and she -- we just had a conversation.
 14 Q. She got you confused with your brother?
 15 A. Yes.
 16 Q. That's how you first met. What
 17 specifically -- when you say that you had
 18 conversations about the conditions of your school
 19 or the resources at your school, what specifically
 20 did you talk about with her?
 21 A. Specifically?
 22 Q. Yeah.
 23 A. Let's see. About the books. I talked
 24 about the books. And she talked about how she
 25 didn't like being in the bungalows. We both talked

- 1 A. No -- no. Wait. Actually, where are we
 2 here? No, it wasn't. It was through my brother,
 3 but he didn't have him for English. It was
 4 actually Miss Amicci. She had a classroom change.
 5 And they were like right down the hall from each
 6 other and that's how I met her.
 7 Q. Okay. And how many conversations did you
 8 have with Mr. Kamasian about these issues?
 9 A. Numerous conversations. It was like on
 10 and off.
 11 Q. You said approximately, you know,
 12 sometimes twice a week with Miss Amicci for the two
 13 years that you were there or since -- a year and a
 14 half that you were there?
 15 A. About a year and a half.
 16 Q. And Mr. Kamasian, would you say that's
 17 about the same --
 18 A. Yes.
 19 Q. What specific issues did you discuss with
 20 him?
 21 A. The same issues?
 22 Q. So books, bungalows, the security in the
 23 bungalows?
 24 A. Yes.
 25 Q. The facts there are no phones, no bells in

1 the bungalow area and no fire bell in the bungalow
2 area?
3 A. Yes. And at one point we talked about how
4 the teachers were going to go on strike.
5 Q. Is this with Mr. Kamasian?
6 A. Yes. The different -- he was with another
7 organization. Basically he wanted me to come to
8 one of his meetings.
9 Q. What organization is he with?
10 A. YUCA.
11 Q. I'm sorry. U -- can you spell it?
12 A. Y-u-c-a.
13 Q. Do you know what that stands for?
14 A. No, I do not.
15 Q. Do you know why the teachers were going to
16 go on strike, what you just referred to?
17 A. I can't remember.
18 Q. Did the teachers actually go on strike in
19 reference to this conversation?
20 A. No, he didn't.
21 Q. Did you ever attend a yucca meeting with
22 this teacher, Mr. Kamasian?
23 A. Yes, during school at lunch.
24 Q. He held meetings at school at lunch?
25 A. Yes.

1 life skills now. 5th was science again. It was
2 I-B. 6th period was PE.
3 Q. Okay. Your teacher for Algebra I?
4 A. [REDACTED]
5 Q. Your teacher for English?
6 A. Hornbeck, Mr. Hornbeck.
7 Q. Hornbeck?
8 A. Yes.
9 Q. Spanish?
10 A. Mr. Hanau. I don't know how to spell it.
11 Q. Hanau you said?
12 A. Yes.
13 Q. The fourth was that health?
14 A. Uh-huh, that was Mr. Jones.
15 Q. 5th?
16 A. 5th was [REDACTED]
17 Q. Say that again.
18 A. [REDACTED]
19 Q. And PE?
20 A. Was Miss Stewart.
21 Q. Steward with a d?
22 A. No, with a t somewhere.
23 Q. For the second semester, did you retain
24 the same teachers in each of the classes?
25 A. No.

1 Q. Okay.
2 A. Every other Tuesday, I believe. As a
3 matter of fact, I think the teachers were going to
4 strike. It had something to do with the union,
5 with the teachers union. UTLA, I believe it was.
6 I can't remember what else.
7 Q. Do you know if it related to anything that
8 you would consider at issue in this lawsuit?
9 A. No.
10 (Recess.)
11 BY MS. STRONG:
12 Q. Delwin, I'd like to get a list of your
13 classes from the 1999-2000 year at Crenshaw. Can
14 you tell me each of the classes that you took?
15 A. First period, I had Algebra I. 2nd period
16 I had English. 3rd I had -- I'm not too sure. I
17 think it was -- no, it wasn't even that. I believe
18 it was health. Oh, wait. 3rd, I had Spanish, 3rd.
19 4th was health. 5th was science. 6th was PE.
20 For the second semester, I had just
21 basically everything was the same except first
22 period was math investigations. 2nd was English.
23 3rd was Spanish II -- I mean I-B. 4th was ECP.
24 Q. What was that?
25 A. Education career planning. It's known as

1 Q. Math investigations?
2 A. I had [REDACTED]
3 Q. Same teacher?
4 A. Yes.
5 Q. English?
6 A. Second semester was all the same except
7 for educational career planning, that was
8 Mr. Savage.
9 Q. Mr. Savage?
10 A. Yes.
11 Q. English you had Mr. Hornbeck; Spanish you
12 had Mr. Hanau; for science you had Miss [REDACTED]
13 A. Yes.
14 Q. And for PE you had Miss Stewart?
15 A. Wait, no. No. PE I had -- what was her
16 name? I cannot remember her name.
17 Q. Okay. You can't remember the teacher in
18 PE for second semester?
19 A. No, I can't.
20 Q. Okay. And for your first semester in the
21 2000-2001 school year at Crenshaw, can you tell me
22 that list of classes?
23 A. I wasn't even there that long.
24 Q. When did you leave?
25 A. March 6th.

1 Q. But you were there for the complete first
2 semester of the school year?

3 A. Yes. But it was like brief. I considered
4 it brief.

5 First semester was -- first period was --
6 let me think about it. Oh, English 2-A. And that
7 was [REDACTED] 2nd period was PE. And
8 that was Mr. Garrett with two Rs. 3rd period was
9 Algebra I, again. And that was Miss Smith. 4th
10 period was biology, and that was Miss Basely. But
11 on the -- probably on, I mean if you were to look
12 her up as Miss Bird.

13 Q. Was it the same person?

14 A. Yes.

15 Q. B-e-a-s-l-e-y?

16 A. Yes.

17 Q. And did she get married in the middle of
18 the year?

19 A. Yes.

20 Q. And it switched to Miss Bird?

21 A. Miss Bird and it switched to Miss Beasley.

22 Q. Okay.

23 A. 4th -- wait, I'm on 5th. 5th was -- oh,
24 world history. And that was Miss Mims, M-i-m-s, of
25 the 6th period was Spanish 2-A. And that was

1 Q. Okay. What is in the school planner?

2 A. It just has a calendar, maybe some key
3 tips to study, scheduling, classes you can take.
4 That's all I can think of right now.

5 Q. Okay. And where is that school planner?

6 A. I have it at home.

7 Q. Okay. I'd ask that you give that
8 document, that school planner, to your attorney and
9 it be produced in this litigation. Okay?

10 A. Okay.

11 MR. FOX: We'll look at it once we review
12 it.

13 BY MS. STRONG:

14 Q. Do you know of any other type of handbook
15 that exists with respect to your school or is the
16 school planner the only thing you can think of?

17 A. That's the only one I'm aware of.

18 Q. But it does list kind of the classes you
19 should take or the ones you can take?

20 A. Actually, I've -- yes, the ones that you
21 can take.

22 Q. Okay.

23 A. I didn't see anything in there that has
24 the requirements.

25 Q. It doesn't tell you what you need to

1 [REDACTED]
2 Q. Second semester were you enrolled in the
3 same classes?

4 A. Yes, except for --

5 Q. So you had English, PE, algebra, biology,
6 world history and Spanish?

7 A. Yeah, all of them were the same.

8 Q. Okay.

9 A. I kept the same classes.

10 Q. Did you retain the same teachers for all
11 of those?

12 A. Yes.

13 Q. Do you have a school handbook from
14 Crenshaw?

15 A. I --

16 MR. FOX: Objection. Vague and ambiguous.

17 BY MS. STRONG:

18 Q. I'm sorry, go ahead.

19 A. Do you mean as far as a planner or --

20 Q. There's a second question. Do you have a
21 school planner. Do you have anything of that
22 nature? Do you have a planner, handbook, or
23 anything of that nature from the school?

24 A. I do not. I have a planner but not a
25 handbook.

1 graduate, for example?

2 A. No, it doesn't. Not that I know of.

3 Q. Okay. What classes do you consider to be
4 core subjects of the ones that you took at
5 Crenshaw?

6 MR. FOX: Objection. Vague and ambiguous
7 as to the term core subject.

8 THE WITNESS: What do you mean?

9 BY MS. STRONG:

10 Q. Do you have an understanding of what a
11 core subject is?

12 A. No, I do not.

13 Q. Do you know which of the classes you have
14 taken are necessary to graduate?

15 A. So far all of those classes that I have
16 are requirements to graduate.

17 Q. And is that from Crenshaw specifically?

18 A. Yes.

19 Q. Are they also -- do you understand them to
20 be required, these same classes required for
21 graduation at Washington?

22 A. Yes.

23 Q. Okay. And including educational career
24 planning?

25 A. It's -- well, the way that Washington's

1 scheduling goes, it's a totally different
2 structure. As far as health, it's -- from what
3 I've heard, it's a requirement. And I've heard
4 from other people that said it wasn't a
5 requirement.

6 For example, there are classes at
7 Washington which is an introduction to computers, I
8 believe. And I did let my magnet counselor know
9 over at Washington I did not take that class, and
10 she told me don't worry about it. I don't know
11 exactly how far that's going to go until it comes
12 to graduation. But I don't know if I have to take
13 that class or not.

14 Q. Okay. But it's -- your understanding --

15 A. As far as health, I understand that it's a
16 requirement at both schools.

17 Q. And all of the classes you've taken then,
18 including that one?

19 A. Yes.

20 Q. And do you know what classes you need to
21 get into college?

22 A. Not all of them. All of them, just maybe
23 a few.

24 Q. Okay. What classes do you know of
25 specifically that you need to get into college?

1 A. Yes. And she also gave me a list of those
2 requirements because she's retired.

3 Q. Retiring?

4 A. She is retiring.

5 Q. What's your magnet counselor's name?

6 A. [REDACTED]

7 Q. Not the same [REDACTED] that taught
8 your math class at Crenshaw?

9 A. No.

10 Q. Do you have that list of those requirement
11 at home?

12 A. I believe so.

13 Q. I would ask that be given to your
14 attorneys and produced at this litigation.

15 A. Okay.

16 Q. Do you have any other items from
17 [REDACTED] at Washington?

18 A. Not that I can think of right now.

19 Q. Did you speak to anyone else or read any
20 other materials regarding requirements for college
21 entrance?

22 A. From either Washington or Crenshaw?

23 Q. Either.

24 A. No, I haven't.

25 Q. Okay. With respect to your school classes

1 A. I believe it's four years of math, two
2 years of English. There is two years of Spanish,
3 three years recommended. They didn't list anything
4 about PE. So even though it's a requirement to
5 graduate from high school. Four years of science,
6 I believe. I mean it doesn't matter which science.
7 As far as I mean I think that's it. That's all I
8 can think of.

9 Q. Does it matter what math you take for the
10 four years of math?

11 A. Yes, it does.

12 Q. What do you need to take?

13 A. When they say four years, they mean a full
14 four years of math. That's what I understand as
15 far as you taking all the way up to Algebra II, I
16 believe.

17 Q. You need to have up to Algebra II?

18 A. Yes.

19 Q. What is it you base your belief that you
20 need these courses to enter college.

21 A. While I was at Washington, I was told by
22 my counselor that I would need that class.

23 Q. All of these classes?

24 A. Yes.

25 Q. All of these requirements?

1 that you took at Crenshaw, what would you identify
2 as your best classes while you were there?

3 MR. FOX: Objection. Vague and ambiguous.

4 THE WITNESS: Do you mean my favorite
5 class or my best classes? As far as grades or --
6 BY MS. STRONG:

7 Q. Both. Why don't we start with your
8 favorite classes.

9 A. I have to say science.

10 Q. Okay. And what -- was this in 9th grade
11 or 10th grade?

12 A. Both, 9th and 10th grade.

13 Q. Any other favorite classes?

14 A. I wouldn't really consider it a favorite,
15 but history.

16 Q. Okay. 9th or 10th grade?

17 A. 10th. Because in 9th grade it's not a
18 class.

19 Q. Okay. Any other classes you consider your
20 favorites?

21 A. No. That's it.

22 Q. Why was science in 9th grade one of your
23 favorite classes?

24 A. Because I like the whole thing of doing
25 experiments. I guess you can say I used to ask a

1 lot of questions in class. As far as how like
2 certain species live, certain -- it was also the
3 whole setting in the classroom.

4 Q. What about the setting?

5 A. Like the teachers they would have live
6 specimens in the classroom.

7 Q. Did it have anything to do with the
8 teacher in the classroom?

9 A. Not necessarily.

10 Q. It was more the subject matter?

11 A. It was more so the subject matter.



1 one textbook it had one -- one text. And in
2 another textbook it says something else. And also
3 the two textbooks were made by the same author but
4 they were different editions. And each -- like the
5 class, half the class had one edition and the other
6 class had the other edition. And in one part of
7 the book it stated -- I can't remember what it was,
8 but one of the book it stated one thing and in the
9 other book it stated another.



12 Q. Okay. Substantively were they stating
13 different --

14 A. Theories.

15 Q. Theories?

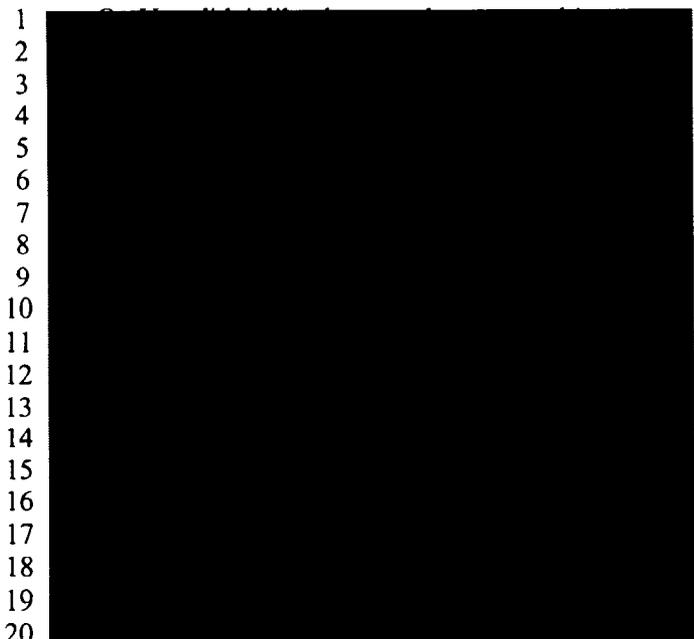
16 A. Yes.

17 Q. And so you brought this -- you noticed
18 that the two editions had -- stated different
19 theories for some particular point which you can't
20 recall at the moment. And you brought it to her
21 attention; is that correct?

22 A. Yes.

23 Q. What did you say so her in response to
24 that?

25 A. She said one part of the book was wrong



21 Q. Okay. Well, you said something about a
22 textbook. So what did you mention or what did you
23 discuss with her regarding any textbook?

24 A. Oh, as far as the textbook, it was just
25 information that they had inside the textbook. In

1 and I said you should go look it up in another
2 textbook from another edition or another author.

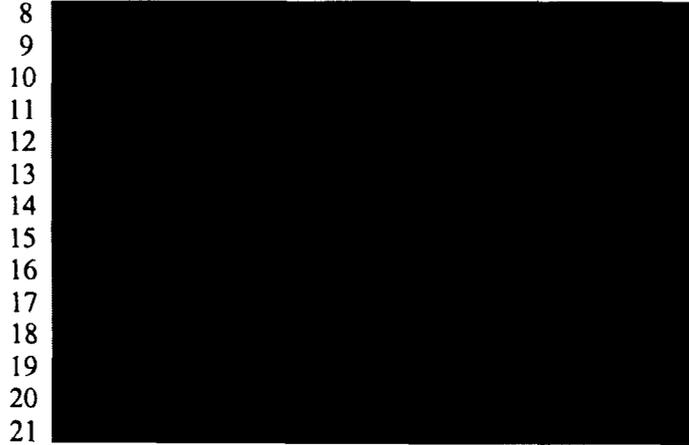


18 Q. Do you think that this contradiction that
19 you identified in the two textbooks had any affect
20 on the class?

21 A. Yes, because if we were to be doing
22 questions out of the book as far as chapter
23 reviews, half of the students would get it wrong,
24 half would get it right.

25 Q. Did that actually happen in your class?

1 A. Not that I know of.
 2 Q. Okay. So you don't know of any impact
 3 that that contradiction had on your particular
 4 class?
 5 A. No.
 6 Q. No, you do not?
 7 A. I do not.



22 Q. And do you know what was the subject
 23 matter of these other interactions with the other
 24 students and to Miss -- I'm sorry --
 25 A. [REDACTED]

1 Q. And what's the student's name?
 2 A. [REDACTED]
 3 Q. Do you know [REDACTED] name?
 4 A. No, I do not.
 5 Q. Was [REDACTED] a student in that class,
 6 [REDACTED] class, with you?
 7 A. Yes.
 8 Q. And this is 9th grade, correct?
 9 A. Yes.
 10 Q. What do you know about that situation?
 11 A. Basically she asked if she could use the
 12 restroom. The teacher told her no.
 13 Q. Did [REDACTED] ask her in front of the class?
 14 A. Yes. She then waited and asked again, and
 15 then they got into an argument and she walked out.
 16 Said that she was suspended from her class for
 17 about two or three days.
 18 Q. Do you know why the teacher said no, for
 19 example, and why she didn't permit her to go to the
 20 bathroom?
 21 A. No, I didn't.
 22 MR. FOX: Objection. Calls for
 23 speculation.
 24 MS. STRONG: I'm asking if he knows.
 25 THE WITNESS: No, I do not.

1 Q. [REDACTED] Thank you.
 2 A. I guess you can say some were behavior
 3 problems, maybe about one or two. There were some
 4 when they would ask a question she would get an
 5 attitude about it. I can't remember the questions.
 6 Q. How -- I'm sorry, go ahead.
 7 A. There were other times where students
 8 would be asked if they could use the bathroom. Of
 9 course that was going to happen. She denied it.
 10 She told them they couldn't go.
 11 Q. Okay. Do you remember any incident where
 12 she -- and I'm using your words here -- got an
 13 attitude with the students?
 14 A. Not with me.
 15 Q. With any of the students. You described a
 16 situation. I want to know if you remember any
 17 specific incident.
 18 A. No, I can't.
 19 Q. Okay. And with respect to a student
 20 asking the teacher to go to the bathroom, do you
 21 remember any specific incident where a student
 22 asked the teacher to go to the bathroom?
 23 A. Yes.
 24 Q. How many times did this happen?
 25 A. To this particular student, maybe twice.

1 BY MS. STRONG:
 2 Q. That was one time. You said there was a
 3 second time?
 4 A. Yes.
 5 Q. When was the second time? Was it after
 6 the first?
 7 A. Yes, after the first.
 8 Q. She had already been suspended for this
 9 issue, as far as you're aware? Do you know why she
 10 was suspended?
 11 A. As far as what she put on the suspension
 12 notice, I have no idea.
 13 Q. You don't know the actual basis for the
 14 suspension?
 15 A. No.
 16 Q. After she was suspended she came back to
 17 the class and there was a second incident with this
 18 teacher?
 19 A. Yes, but maybe about five months down. I
 20 can't remember that one.
 21 Q. Do you know what [REDACTED] said to the
 22 teacher the second time?
 23 A. I don't.
 24 Q. Okay. Do you have --
 25 A. I don't remember what she said to her.

1 Q. Do you have any reason to believe the
2 teacher didn't allow her to go to the bathroom the
3 second time?

4 A. Yes. I remember her asking if she can go
5 use the restroom. Of course she said no. But as
6 far as what happened after that, I can't remember.

7 Q. Okay. But you heard the teacher say no?

8 A. Yes.

9 Q. Why do you say "of course she said no"?

10 A. Because the first time she asked earlier
11 in the school year and she said no. And there
12 were, like, in between times where other students
13 would ask. That was like only one altercations.
14 And that's why I said, of course she said no.

15 Q. Because she never let's a student go to
16 the bathroom, is that what you are trying to say?

17 A. I wouldn't say never. Every now and then
18 she might say yes depending on what the schedule is
19 like. But most of the time she would say no.

20 Q. Okay. And why is it depending on what the
21 schedule is like?

22 A. Because there are some days -- like, for
23 example, when we had Stanford-9 testing, sometimes
24 we would be inside the classroom for maybe two
25 hours, two and a half hours. And then we do get to

1 cat. Basically we -- basically everything we
2 studied was around us. And it was, you know --
3 most of the -- even though most of the stuff that
4 she did have came out of her own pocket.

5 Q. Is this [REDACTED]?

6 A. No. This is Miss -- what is her name?

7 Q. Miss Basely?

8 A. Miss Beasley.

9 Q. This was for biology?

10 A. Yes.

11 Q. Okay.

12 A. She also had her own -- there was a --
13 another room which was for a club she ran which was
14 a Food From The Hood.

15 Q. Okay.

16 A. In between those two rooms she had another
17 room where she had made her on setting as far as
18 putting posters up. It was the more like a living
19 room setting and it had computers and everything
20 that she had just got. And, you know, she had
21 students could go in the back and do their work and
22 everything with no problem. So I mean like the
23 whole room was interactive.

24 Q. Okay. Did you like this teacher,
25 Miss Beasley?

1 her class. She was more, you know, relaxed. And
2 because of the long schedule she tells them, "Yeah,
3 you can go use the bathroom."

4 Q. On an ordinary schedule she was less
5 likely to permit a student to go to the bathroom?

6 A. Yes.

7 Q. Did you ever try and go to the bathroom --

8 A. No.

9 Q. -- and she didn't permit you?

10 A. No.

11 Q. So science was your favorite class in 10th
12 grade as well?

13 A. Yes.

14 Q. Was it for the same reason or different
15 reasons?

16 A. Same reason. Earlier I stated about the
17 environmental. Basically the whole environmental
18 building, it only had two classrooms in it. There
19 was a large garden in the back. There were animals
20 and everything, like pigs and, you know, all kind
21 of animals that you normally wouldn't have at a
22 high school. They grew their own vegetables. They
23 had other species inside the classroom.

24 I mean, she has like animals that are like
25 roaming around the classroom. She had a dog, a

1 A. Yes.

2 Q. In 10th grade you liked the subject matter
3 of the biology class and the classroom matter as
4 well?

5 A. Yes.

6 Q. You said in 10th grade your history class
7 was one of your favorite classes. Why was that
8 considered one of your favorite classes?

9 A. I basically considered that one of my
10 favorite classes. I didn't realize how much of a
11 favorite class it was to me until my teacher talked
12 to me about the class.

13 Because like when she does her lectures I
14 was most of the time actually -- when she asks
15 questions, I would be the person to answer most of
16 the questions. I'll be the person that would do
17 the extra research on a certain -- like certain
18 theories of -- because science was involved in
19 history. As far as wars, I knew a lot about wars.
20 As far as the growth of democracy, I knew a lot
21 about that. How the whole economic system goes, I
22 know basically that forward and backwards.

23 Q. So you knew all of this because of what
24 she taught you?

25 A. Not necessarily what she taught me, but

1 based on my own research. Sometimes the Coalition
2 would help me out with that. They would have an
3 academy where they would go through the whole
4 economic system. Basically like I said in my own
5 research and everything, my own, what I looked up.

6 Q. Okay.

7 A. And also my mom. Most of my family from
8 being in the military.

9 Q. Okay. Would you say it was one of your
10 favorite classes because of the subject matter or
11 because of the teacher, or both?

12 A. Both.

13 Q. And you said you had a conversation with
14 her about the class and that's when you realized
15 it? Is that Miss Mims?

16 A. Yes.

17 Q. When was this conversation?

18 A. Sometime October.

19 Q. 2000?

20 A. Late part, October 2000.

21 Q. What was that conversation about?

22 A. I just asked her -- like I said, I asked
23 her about a certain subject. I think it was
24 pertaining to Carl Matthews. And she said I should
25 become a teacher, you know, and work with history

1 grade?

2 A. In 9th grade I believe it was an [REDACTED] and in
3 the 10th grade I believe it was a [REDACTED] or an [REDACTED]

4 Q. Okay. And in science?

5 A. In science in the 9th grade it was either
6 a [REDACTED] or a [REDACTED]. And in 10th grade it was an [REDACTED]

7 Q. Okay. And is that for both semesters?

8 A. Yes.

9 Q. Of each? So 9th grade you received an [REDACTED]
10 in English for both first and second semester?

11 A. Yes.

12 Q. And then for science in 9th grade you
13 received a [REDACTED] or a [REDACTED] or both of the semesters?

14 A. I believe it was a [REDACTED] but --

15 Q. Okay.

16 A. But I'm not quite sure.

17 Q. And then in 10th grade you received -- did
18 you say a [REDACTED] -- and [REDACTED] in science?

19 A. Yes.

20 Q. For both semesters or only one semester
21 because you were only there for one semester?

22 A. I know in 9th grade was a [REDACTED], I believe.
23 And in 10th grade it was an [REDACTED].

24 Q. Just for the first semester in 10th grade?

25 A. First and second semester in 9th grade and

1 or do something, or be a historian or something.

2 And she told me, "Are you sure that
3 history isn't your favorite subject?"

4 And I told her, I said, "No, it's not."

5 But I never considered it as being a favorite
6 subject.

7 Q. Okay. Those were your favorite classes.
8 You said there was a difference with your best
9 classes. What would you identify as your best
10 classes at Crenshaw?

11 A. My best classes would be, as far as
12 grades, English and, let's see, science and --
13 science was one of my best classes also. PE, of
14 course. I mean that really wasn't a class. I mean
15 I wouldn't say I didn't like it and I wouldn't say
16 I like it. It was just a class. I mean because it
17 was easy to pass and it was -- and it was a
18 requirement. And that was about it.

19 Q. Okay. And when you refer to English, is
20 that in both 9th and 10th grade?

21 A. Yes.

22 Q. And so these are your best classes because
23 you received the best grades in these classes?

24 A. I guess you could say, yes.

25 Q. What were your grades in English in 9th

1 first and second semester of the 10th grade was an
2 [REDACTED].

3 Q. Did you get a grade for the second
4 semester in 10th grade?

5 A. Yes, because when I transferred my grades.

6 Q. They gave you a grade to transfer with?

7 A. Yes.

8 Q. Out of the classes that you had at
9 Crenshaw, what were your -- who were your favorite
10 teachers?

11 A. I have to say [REDACTED], Miss Mims,
12 Miss Beasley, Mr. Savage. Are you pertaining to
13 just the people I had classes with or teachers in
14 general?

15 Q. Why don't we start with the teachers in
16 your classes first.

17 A. Okay. Let's see who else.

18 That's about it.

19 Q. So [REDACTED], Miss Mims, Miss Beasley and
20 Mr. Savage, correct?

21 A. Correct.

22 Q. Okay. Are there teachers other than those
23 that you had classes with that you consider to be
24 your favorite teachers?

25 A. I have to say Mr. Kamasian, Miss Amicci,

1 Miss Shaw.
 2 Q. Miss Shaw you said?
 3 A. Yes.
 4 Q. S-h-a-w?
 5 A. Yes.
 6 Q. Any others?
 7 A. That's about it.
 8 Q. I just kind of want to get an explanation
 9 as to each of these teachers as to why they were
 10 considered your favorite teacher. For example, we
 11 can start with [REDACTED].
 12 A. Basically [REDACTED], she was like -- it
 13 was her first year. She was one of those teachers
 14 that even though she didn't have credentials she
 15 basically taught to the best of her ability. She
 16 didn't basically -- she didn't go just by the book.
 17 She brought in her own experiences as far as
 18 English. She made her classroom setting feel as if
 19 you were at home basically.
 20 The assignments she gave, those were
 21 assignments that would be educational and fun at
 22 the same time. Basically she was like one of those
 23 people that was like down to earth with everyone.
 24 Q. You said she didn't have a credential?
 25 A. Right.

1 Q. How did you know that?
 2 A. She told me and my brother.
 3 Q. Why did she tell you?
 4 A. It was a discussion. It had to do with
 5 the flyers when I went in to find out about the
 6 flyers.
 7 Q. And so you were discussing the flyers.
 8 Why did she bring up the credential?
 9 A. I forgot how we got into it.
 10 Q. Okay. As far as you're aware, she doesn't
 11 have any credentials?
 12 A. No. With respect to Miss Mims, when she
 13 talked to me -- I mean you don't have that many
 14 teachers that talk to you. Once the class is over,
 15 that's it. And she says, "Go ahead and go."
 16 She like enjoyed students. I mean having
 17 her mom being a teacher at the same school as her,
 18 she basically felt that -- she felt the need to be
 19 interactive with the students.
 20 Q. Her mom also taught at the school?
 21 A. Yes.
 22 Q. At the same time? What did her mom teach?
 23 A. I'm not sure. I think she -- I think
 24 she -- well, I think she taught -- what was it?
 25 One of the job courses. There's a small job course

1 that's offered before school.
 2 Q. Do you know if Miss Mims had a credential?
 3 A. I believe so.
 4 Q. Why do you think?
 5 A. Well, actually --
 6 MR. FOX: If you know.
 7 THE WITNESS: I'm not going to say if she
 8 did have a credential. I guess you could say I'm
 9 not sure.
 10 BY MS. STRONG:
 11 Q. And Miss Beasley?
 12 A. Miss Beasley she does have a credential.
 13 It says on her wall.
 14 Q. Do you know what kind of credential she
 15 has?
 16 A. No, I don't. Basically, like I said, her
 17 classroom setting, like I said, she was -- we were,
 18 you know, interactive with everything inside the
 19 classroom. By everything she had, I mean like she
 20 would basically break everything down to as far as
 21 a certain species.
 22 Sometimes she would go on adventure trips
 23 on her own time and report back to us what she did
 24 as far as like, for example, when she went on a --
 25 when she went to go dissect a bird. And when she

1 went to go make a stuffed bird. I forgot what they
 2 are called.
 3 She had like everything in her classroom.
 4 Like she had snakes. She had everything in her
 5 classroom. I mean she made everything interactive.
 6 Q. How about Mr. Savage?
 7 A. Mr. Savage, which was my ECP teacher, he
 8 didn't only just teach from what the -- what the
 9 school wanted him to teach, he felt that
 10 educational career planning doesn't just mean
 11 getting ready to go in the real world. He gave us
 12 different scenario, different situations. He
 13 talked about his experiences. He felt educational
 14 career planning went to having interaction with
 15 certain people.
 16 For example, he gave scenarios if we saw a
 17 certain person wear a certain color, what would you
 18 consider that person. It wasn't where he works at.
 19 It didn't matter whether you became a teacher or
 20 not. He didn't really even -- not to say he didn't
 21 care whether you were going to become a teacher or
 22 not, but he prepared you to be street smart, to
 23 say, I guess you could say.
 24 Q. With respect Mr. Kamasian?
 25 A. He was real interactive with students.

1 Even though I didn't have his class, I guess you
2 could say he was a teacher during lunch. He didn't
3 have to be there for the opportunities. He's one
4 of those people that let -- you knew whatever
5 resources he had even if he didn't know you.

6 Q. What about Miss Amicci?

7 A. Miss Amicci, she's a foreigner. So I
8 mean, like with her she knows how -- like how to
9 interact with people. She learns at the same time
10 we learn. As far as how she teaches, I did get to
11 get some chance to go to her class and watch her --
12 watch her teach. She's -- even though she says
13 she's not, but she's real good with drama.

14 Q. Is that what she teaches?

15 A. No. She teaches English.

16 Q. English?

17 A. Right. But she interacts English with
18 drama because seeing -- because you know you have
19 Shakespeare, which is boring, and she interacts,
20 makes it interactive. Not just relating 18 Century
21 modern English or anything like that to the subject
22 in English. She related how like generations are
23 related to English.

24 Like, for example, I never knew how
25 "Star Trek" would be related to English. I mean,

1 she does have to respect them. And it's --
2 basically she didn't have to do it. That's one
3 thing she didn't have to do. That was her
4 conference period. She had her own class to worry
5 about later on during the day. As a matter of
6 fact, sometimes she would have a conference period
7 but at the same time she has a class that acts so
8 accordingly she doesn't have to watch that class
9 every time. Sometimes she'll come downstairs and,
10 "What are you guys doing? Let me show you another
11 way of doing other things."

12 BY MS. STRONG:

13 Q. So now based on all these descriptions
14 that you've given with respect to your favorite
15 teachers, can you identify what factors it is that
16 makes these teachers your favorite teachers?

17 A. Just -- it's just simply -- it's just
18 simply not -- I'm not saying that you have to go by
19 the book -- I mean that you don't have to go by the
20 book, but there's certain things you can't teach
21 out of the book. So I mean that -- I mean that
22 basically covers everything.

23 Q. So what you like about them is that they
24 try and do something other than traditional book
25 style approach --

1 she actually went down that far and all this. I
2 mean, it's like basically stuff that you can make a
3 play out of. She did it because she had a stage in
4 her classroom. And it was basically the only stage
5 in the school. I mean, like basically she would
6 mix everything with English.

7 Q. Okay. Do you know if she had a credential
8 of any type?

9 A. I'm not sure.

10 Q. Okay. And Miss Shaw?

11 A. Miss Shaw, I didn't really -- I didn't
12 have her class.

13 Q. What does she teach?

14 A. I think she teaches math. I'm not sure.
15 But on days where -- when my teacher would come
16 late, my math teacher, which I don't know if you
17 are going to get into that, but when she used to
18 come late Miss Shaw would show up or open the door
19 for us. Sometimes when the administrator wouldn't
20 open the door.

21 She would go over math with us and
22 everything. And she would let us know like when
23 you have a job, you have got to understand you
24 can't come late every time. She tells us like she
25 doesn't like certain people but at the same time

1 A. Yeah.

2 Q. -- to learning or to teaching, I should
3 say?

4 A. Yes.

5 Q. You appreciate they try to do things
6 outside of the book and outside a traditional means
7 of teaching a class; is that correct?

8 A. Yes.

9 Q. Is there anything else that you can
10 identify as a general characteristic that's common
11 to these teachers as to why they are your favorite
12 teachers?

13 A. That's about it. I know just based on
14 their personality, you can tell they are outgoing.

15 Q. And they have an interest in the students?

16 A. Yes.

17 Q. Is that something that's important to you?

18 A. Yes. Because I mean with having a teacher
19 that is just there for that paycheck, basically
20 that's when -- that's the teacher that's going to
21 turn around and say, "Okay. Read this and do
22 chapter review and you are done for the day."
23 Those teachers weren't like that.

24 Q. And so those teachers, for example, that
25 are willing to put in extra time with their

1 students, that's important to you?
 2 A. Yes.
 3 Q. These are items that you consider
 4 important to making a good teacher at a school,
 5 correct?
 6 A. Yes.
 7 Q. Okay. Is there anything else that you
 8 would consider?
 9 A. No, that's it.
 10 Q. Do you think there are any students at
 11 Crenshaw that lack the skills necessary to teach
 12 the students?
 13 A. Yes. There's maybe a few teachers.
 14 Q. Okay. Who do you know that lacks the
 15 skills necessary to teach students?
 16 A. I believe there's a teacher named
 17 [REDACTED] a Spanish teacher I used to have.
 18 Q. So that was your Spanish teacher for your
 19 10th grade year?
 20 A. Yes.
 21 Q. And why is it that you believe she lacked
 22 the skills necessary to teach the students at the
 23 school?
 24 A. Well, because, number one, the whole --
 25 the whole point with being a good teacher you have

1 she told the class that she was trying to earn her
 2 credential. And I think that was one reason why
 3 she -- oh, that's what it was. When she asked --
 4 when she asked me do you know why she was late, you
 5 asked me that, it was because she had to go through
 6 fingerprint process. And she still doesn't have
 7 her credentials. She's -- I think she goes to UCLA
 8 now, still working on trying to get her
 9 credentials.
 10 Q. So there was some requirement, and it
 11 might have been relating to getting her
 12 fingerprints submitted that she had to comply with
 13 before she could actually come and teach the class;
 14 is that correct?
 15 A. Yes. But I mean it's not -- I can -- I
 16 still somewhat blame her for not being there on
 17 time. She could have done it earlier. Like, for
 18 example, [REDACTED] she was there on the first day
 19 and she had her fingerprints done and ready to go
 20 and everything, so I don't see why [REDACTED]
 21 couldn't.
 22 Q. Do you know what was going on in
 23 [REDACTED] life --
 24 A. No.
 25 Q. -- and as to whether or not she could

1 to give off that first impression that makes
 2 students think that you want to teach them. But
 3 for one, she can't -- the first two weeks of school
 4 she was not there. She didn't come.
 5 It's her first year, I understand. But I
 6 mean you have to make that first impression by
 7 coming on time, coming to the school. You have to
 8 always tell students, be there on time, come to
 9 school, and she wasn't there.
 10 Also, she lacks control of the class.
 11 During that time when I was in her class, we
 12 were -- there were 11th -- 10th and 11th graders in
 13 her class. And of course you have like students
 14 that are going to get out of control. But it got
 15 to the point where she lost so much respect that
 16 one of the students ended up cursing her out and
 17 she ended up crying in the middle of the class. I
 18 mean, like I said, she didn't have -- basically
 19 didn't have any control of the class.
 20 Q. Okay. Do you know why she wasn't in the
 21 class for the first two weeks of school?
 22 A. I'm not sure. I don't know.
 23 Q. And do you know if [REDACTED] has a
 24 credential of any kind?
 25 A. No, she doesn't, I know for sure, because

1 actually get to have her fingerprints taken for --
 2 at an earlier time?
 3 A. No.
 4 Q. And do you know if the school, for
 5 example, had a requirement as to when she had to
 6 have her fingerprints done or when she could go to
 7 get her fingerprints done?
 8 A. No.
 9 Q. But you -- as far as you're aware, she's
 10 attending classes at UCLA to get her credential?
 11 A. I believe it's UCLA.
 12 Q. Okay.
 13 A. Not too sure, but I think it's UCLA.
 14 Q. As far as you are aware, she doesn't have
 15 any credentials?
 16 A. Correct.
 17 Q. Okay. Do you remember any other teachers
 18 at your school that you can identify that you
 19 believe -- I mean at Crenshaw -- that you believe
 20 lacks credentials to teach the students?
 21 A. At Washington?
 22 Q. At Crenshaw.
 23 A. That's all I can think of now.
 24 Q. None of your other teachers you would
 25 identify as lacking skills necessary to teach the

1 students?
 2 MR. FOX: Objection. Mischaracterizes
 3 testimony.
 4 BY MS. STRONG:
 5 Q. You can answer.
 6 A. Like I said, there are other -- other
 7 teachers, of course. But like I say, I'm not
 8 too -- I mean that's all I can think of right now.
 9 Q. So out of the teachers that you've had on
 10 the campus, none of those teachers that you had,
 11 other than [REDACTED] can you identify as teachers
 12 who you believe lack skills necessary to teach the
 13 students, correct?
 14 A. Correct.
 15 Q. Okay. Do you know how teachers are hired
 16 at Crenshaw?
 17 A. No, I do not.
 18 Q. Okay. Do you think having a credential
 19 affects how a person teaches?
 20 A. Really I mean I can't really answer that
 21 question fully. But some teachers -- I mean it's
 22 either you have it or you don't have it. Some
 23 teachers are -- I mean even though they don't have
 24 credentials, they are there to be there for the
 25 students. Some aren't. Some aren't. They feel

1 A. I believe so.
 2 Q. Okay. And do you have an understanding as
 3 to -- that there are different types of credentials
 4 out there?
 5 A. I'm not aware of any different type of
 6 credentials.
 7 Q. I'll run through some and tell me if you
 8 know what any of these things are. For example, do
 9 you know what a multiple subject credential is?
 10 A. I've heard of it before.
 11 Q. Okay. And what does that mean to you?
 12 A. Basically they can teach -- where they can
 13 teach multiple subjects.
 14 Q. Okay. And do you know what a university
 15 internship credential is?
 16 A. No, I do not.
 17 Q. Do you know what a district internship
 18 credential is?
 19 A. I've heard of it but I'm not too sure
 20 about that.
 21 Q. How have you heard of it?
 22 A. I've heard of it from Janetha Hays.
 23 Q. Who?
 24 A. Janetha Hays.
 25 Q. Who is she?

1 that they got their credential, they have done what
 2 they have to do. I mean everything they are
 3 thinking about the payroll, thinking about other
 4 things.
 5 Q. Whether a teacher has a credential or not
 6 doesn't necessarily indicate to you one way or
 7 another if that teacher is going to be a good
 8 teacher; is that correct?
 9 A. I guess you can say just so -- I mean it
 10 all depends. I mean because it shows how much that
 11 teacher is in for, you know, the students.
 12 If you think about it, a teacher without
 13 credentials, that means they are ready to get in
 14 there, they want to get in there now, they want to
 15 show these students who they really are, they want
 16 to show the students what they can teach them and
 17 also how they can learn from them. I mean you have
 18 a credentialed teacher, like I said, they are
 19 already there, they already made it, they got their
 20 credential and everything. Also with the
 21 credential it shows what type of person they are I
 22 mean in a way.
 23 Q. But so in some regards teachers without
 24 credentials have more of an interest in the
 25 students and were more excited about teaching?

1 A. President of the school board.
 2 Q. When did you meet her?
 3 A. I didn't actually meet her myself. It was
 4 during a meeting that she had that you had over at
 5 the district. It wasn't at the district building.
 6 It was over at -- I don't remember. It was another
 7 location. I think it's where they do accounting,
 8 or something like that. I can't remember the exact
 9 building. It's over at -- I can't think of the
 10 building's name, but it's something square.
 11 Q. When did you have a meeting -- when did
 12 you attend a meeting where she was -- when did you
 13 attend a meeting with her?
 14 A. I didn't actually attend it with her. It
 15 was during a meeting where she came outside.
 16 Because we were -- we were having a protest and she
 17 just happened to come outside and she spoke to us
 18 in the middle of her meeting.
 19 Q. Is this one of the protests that you
 20 referred to earlier?
 21 A. No.
 22 Q. Which protest was this?
 23 A. This one was regarding a -- I can't
 24 remember.
 25 Q. Do you know when this was?

1 A. Sometime, I believe, July.
 2 Q. Of?
 3 A. 2000.
 4 Q. And so do you remember what she spoke to
 5 you about, Miss Hays, that is?
 6 A. I can't remember. Whatever she was
 7 talking about had to do with the protest.
 8 Q. At some point in that conversation she
 9 mentioned the district internship credential?
 10 A. Yes.
 11 Q. But you don't know what she said about it
 12 or what it means?
 13 A. No.
 14 Q. Okay. And have you heard of an emergency
 15 permit?
 16 A. Yes. I'm aware of that as far as
 17 emergency credentialed teachers and emergency
 18 teachers who are -- they are either temporarily or
 19 they are until they get their credentials.
 20 Q. Have you heard of a credential waiver?
 21 A. No, I haven't.
 22 Q. When you referred to the teachers that you
 23 know of at your school that don't have credentials,
 24 were you referring to any particular type of
 25 credential or --

1 A. No.
 2 Q. You just don't think they have any
 3 credentials at all?
 4 A. I think they are working on credentials
 5 but I'm not sure what credentials they are working
 6 on.
 7 Q. As of now they don't have any, correct?
 8 A. Correct.
 9 Q. That's your understanding anyway?
 10 A. Yes.
 11 Q. Do you know the number of teachers at your
 12 school that lack full nonemergency credentials?
 13 A. No, I do not.
 14 Q. And do you believe that your -- your
 15 educational personally has been affected by
 16 teachers who don't have full nonemergency
 17 credentials?
 18 MR. FOX: Objection. Vague and ambiguous.
 19 THE WITNESS: I guess -- I mean in a
 20 way -- it depends on who the teacher is. Like I
 21 said, it -- a teacher without credentials or a
 22 teacher with credentials, it shows what kind of
 23 person they are. It depends on who the teacher is.
 24 BY MS. STRONG:
 25 Q. And in some regards you think that

1 teachers without credentials show more interest.
 2 But, you know, do you think that with respect to
 3 your experience at Crenshaw, do you think you were
 4 affected in any way by any teachers who -- because
 5 certain teachers didn't full-on nonemergency
 6 credentials?
 7 MR. FOX: Same objection. Complex, also.
 8 THE WITNESS: I mean, I -- I mean --
 9 BY MS. STRONG:
 10 Q. You can't think of any way in which it was
 11 affected?
 12 A. No.
 13 Q. No, you can't?
 14 A. I wouldn't really say. It depends on who
 15 the teacher is.
 16 Q. I understand.
 17 A. I understand your question. You're trying
 18 to say if they don't have credentials does that
 19 mean my education is going to decrease or --
 20 Q. I'm not asking the question in that
 21 regard. What I'm saying is based on your
 22 experience at Crenshaw, do you believe that your
 23 education was affected by any teacher because that
 24 teacher didn't have a full nonemergency credential?
 25 A. No.

1 (Recess.)
 2 MS. STRONG: Can you repeat where we were?
 3 (The following question was read by the
 4 reporter):
 5 "Q. I'm not asking the question in that
 6 regard. What I'm saying is based on your
 7 experience at Crenshaw, do you believe
 8 that your education was affected by any
 9 teacher who -- because that teacher
 10 didn't have a full nonemergency
 11 credential?
 12 "A. No."
 13 BY MS. STRONG:
 14 Q. Let me restate that question so that the
 15 record is clear.
 16 Do you believe your education at Crenshaw
 17 was affected by any teacher who did not have a full
 18 nonemergency teaching credential?
 19 A. No.
 20 Q. You do not believe that it was, correct?
 21 A. Correct.
 22 Q. Earlier you referred to a situation with
 23 an algebra and math investigations class. I
 24 believe in your declaration you stated that your
 25 school did not have enough algebra teachers to

1 accommodate all of the algebra students.
 2 Can you explain to me what happened with
 3 respect to your algebra and math investigation in
 4 this class and the issue that you were referring to
 5 in your declaration?
 6 A. Okay. It was basically two weeks -- no,
 7 week before 20-week report cards were going to come
 8 out.
 9 Q. What year was this?
 10 A. This was in 19 -- I mean 2000.
 11 Q. Your 9th grade year, correct?
 12 A. Yes.
 13 Q. Okay. This is January 2000?
 14 A. Oh, no. Actually it was '99. Sorry about
 15 that. It was January, late part of January 2000.
 16 Q. 2000, okay.
 17 A. And it was basically they were talking
 18 about who -- the teacher went down the row and she
 19 was letting everyone know what grade they were
 20 going to get on their report card. [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
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 5 [REDACTED]
 6 [REDACTED]
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 10 [REDACTED]
 11 [REDACTED]
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 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

1 [REDACTED]
 2 [REDACTED]
 3 And it turns out when the second semester
 4 started again -- I mean when the second semester
 5 started we ended up coming back to class. And we
 6 were wondering why we still got the same schedule
 7 for math.
 8 And she told us, she said, "Well, the real
 9 reason why you guys are in this class now is
 10 because they ran out of math classes."
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 And she told me, "Well, you're going to
 17 have to stay in here and everything." So --
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

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 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 Q. So now you had [REDACTED] for first

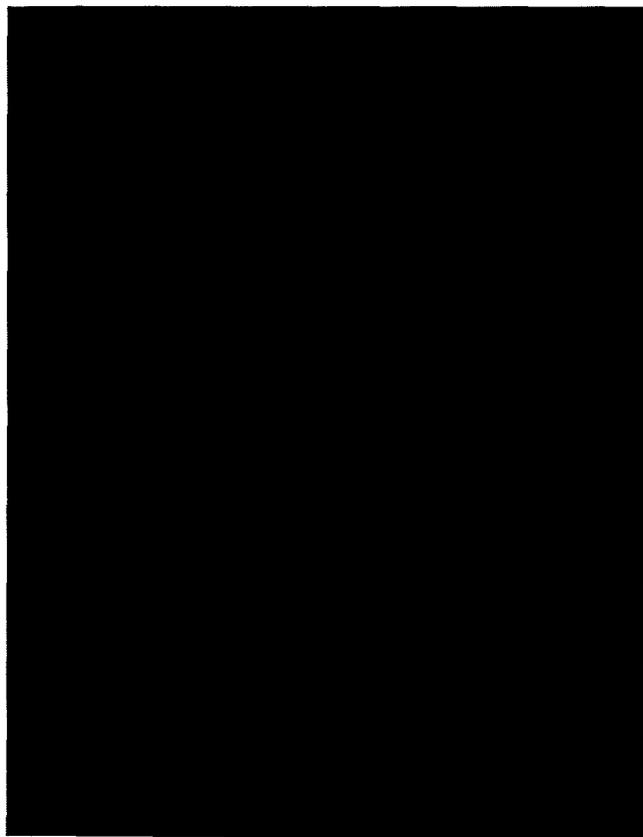
1 semester Algebra I, correct?
 2 A. Yes.
 3 Q. And [REDACTED] do you know if she had
 4 a credential?
 5 A. I don't know.
 6 Q. Okay. But she was teaching Algebra I,
 7 correct?
 8 A. Yes.
 9 Q. All right. And then second semester when
 10 you had math investigations, you also had
 11 [REDACTED], correct?
 12 A. Yes.
 13 Q. So why is it that you believe that there
 14 wasn't enough teachers to teach algebra if your
 15 algebra teacher, someone who was obviously
 16 qualified to teach algebra, was still teaching you
 17 second semester?
 18 A. Because she teaches Algebra I-A. There's
 19 a difference between I-A and I-B.
 20 Q. Okay. So she wouldn't teach Algebra I-B
 21 ever?
 22 A. I don't know if she had another period
 23 where she would teach Algebra I-B or Algebra I-A.
 24 But as far as our period was concerned, she was
 25 going to go ahead and teach math investigations.

1 A. I can't remember.
 2 Q. Do you know if any students were?
 3 A. I know who the students are. I just can't
 4 remember their names.
 5 Q. Do you know if those students received A
 6 in their Algebra I-A class?
 7 A. Three of them did. But there was one that
 8 I believe really didn't. And there were also a lot
 9 of students that thought the same thing. Because
 10 she had a lower grade than I did.
 11 Q. Who is the student?
 12 A. I can't remember the name. She would
 13 usually get into a lot of arguments with
 14 [REDACTED]. She would be told to leave the
 15 class. All kind of things people were saying why
 16 they let her pass the class. Some people were
 17 saying because [REDACTED] was scared of the girl
 18 or some were saying that [REDACTED] probably
 19 didn't want her in that class anymore and so she
 20 went ahead and passed her.
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

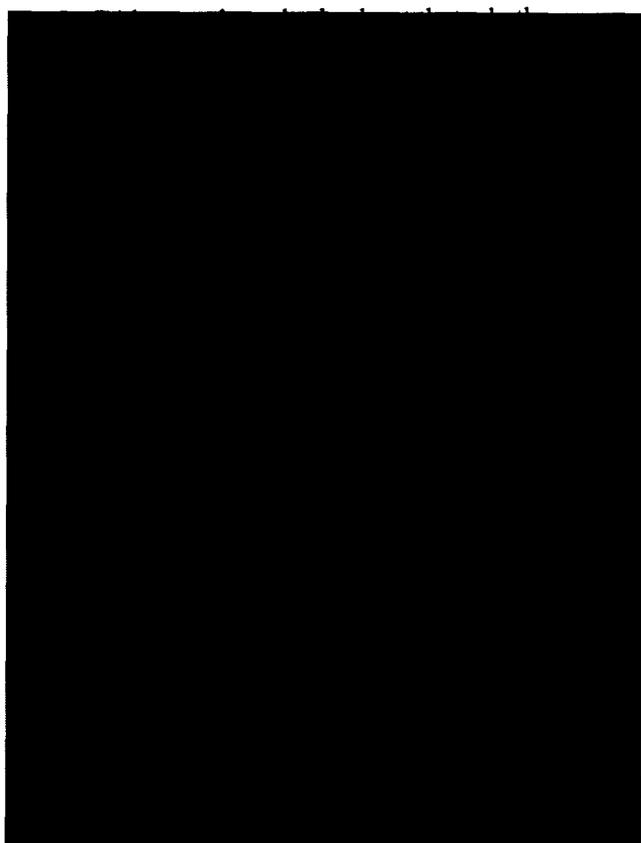
1 Q. But do you have any reason to believe she
 2 was just qualified to teach Algebra I-A and not
 3 qualified to teach Algebra I-B?
 4 A. I wouldn't know.
 5 Q. Do I know if [REDACTED] has ever taught
 6 Algebra I-B before?
 7 A. I don't know.
 8 Q. Do you know how many algebra classes there
 9 were on campus at that time?
 10 A. No, I do not. I didn't know.
 11 Q. What did you learn in math investigations?
 12 A. Basically it was just a refresher course
 13 for Algebra I-A. It was as if we were being taught
 14 the same thing 8th graders were taught in middle
 15 school.
 16 Q. You repeated the material you were taught
 17 first semester?
 18 A. Yes.
 19 Q. You didn't learn anything new your second
 20 semester in math class that year?
 21 A. No, I didn't.
 22 Q. Okay. Do you know who from your Algebra I
 23 class was actually placed -- I'm sorry. Who from
 24 your Algebra I-A class was placed in your I-B
 25 class?

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
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 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
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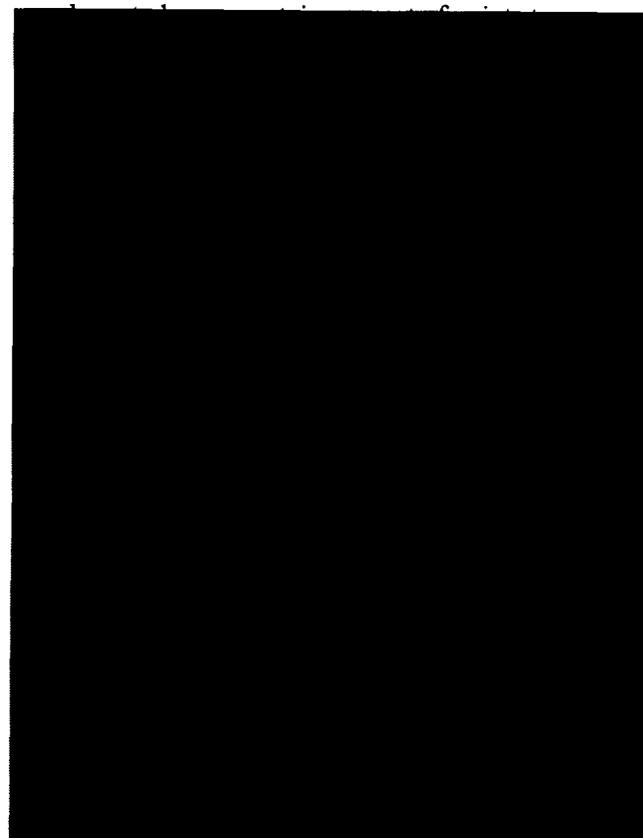
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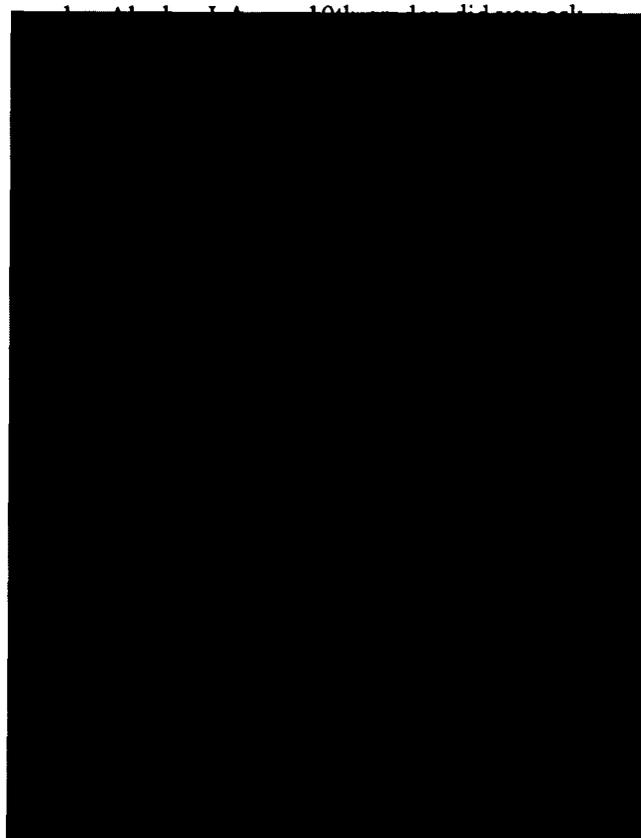
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BY MS. STRONG:

Q. Why, again, is it that you believe that you were forced to take math investigations because there were not enough teachers in the school to teach algebra?

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you had to take math investigations because there were not enough teachers to teach algebra is from a statement that [redacted] made in her class?
A. Yes.
Q. And you never complained to anybody else regarding the issue?
A. No.
Q. That's correct, right?
A. Correct.
Q. Do you know how many students were in any of the other algebra classes on campus?
A. No, I do not.
Q. You stated earlier, I believe, you don't know how many algebra classes there were on campus, correct?
A. Correct.
Q. Did you ever have a substitute teacher at Crenshaw?
A. Yes.
Q. What class?
A. Math. Let's see. Basically all my classes.
Q. Let me change the question.
Did you ever have a substitute teacher for more than a week at a time at Crenshaw?

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A. Because I was told by the teacher during the second semester that there wasn't going to be enough room.
Q. [redacted] said there wasn't enough room in the algebra classes?
A. In the Algebra 1-B class.
Q. When did you have this conversation with [redacted]?
A. This was during the class discussion actually, during the first day of the second semester.
Q. Okay. Did you talk to anybody in the administration regarding that issue at the time?
A. I already answered that question. I told you two days later I did talk to Miss Silverstein about it, about me getting credits for it.
Q. Okay. But did you have any other conversations with anybody else?
A. No.
Q. Okay. When you had that conversation with Miss Silverstein, did you discuss whether there was room in another algebra class or whether there were teachers on the campus available to teach algebra?
A. No.
Q. So the only reason why you believe that

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A. Yes.
Q. Okay. How many teachers and what classes?
A. For Spanish I had a substitute for two weeks.
Q. At the beginning of school, [redacted] class?
A. Yes.
Q. Okay.
A. And let's see. In my health class I had a substitute for a week.
Q. Okay. And health was first semester 9th grade?
A. Yes. Mr. Jones.
Q. Okay. Was it just one week?
A. Yes.
Q. Any other time that you can remember?
A. Not that I can remember.
Q. Okay. Did you like the substitute in Spanish?
A. I mean I didn't know -- I didn't really -- as a matter of fact, no, actually for those two weeks it was Mr. Jones. Mr. Jones, he's -- because, see, I'm not sure how it went, but he was a teacher over at Audubon and that's how I knew him. During the first semester of health he ended

1 up going to Crenshaw teaching there.
2 And during my 10th grade year, first
3 semester -- yeah, first semester, for those two
4 weeks he was a substitute. So I really didn't have
5 any problems with him.

6 Q. Okay. And then with respect to your
7 substitute teacher in your health class, which was
8 Mr. Jones's class, did you like that substitute
9 teacher?

10 A. Mr. Jones?

11 Q. I believe you had a substitute teacher for
12 Mr. Jones; is that correct?

13 A. Mr. Jones --

14 Q. Is that correct?

15 A. Yes.

16 Q. For one week of your health class,
17 health -- health which was ordinarily taught by
18 Mr. Jones, you had a substitute in that class for
19 one week. Did you like that substitute?

20 A. Yes.

21 Q. Do you think you learned anything from
22 that substitute?

23 A. Not really.

24 Q. Did the substitute continue on with lesson
25 plans?

1 when Mr. Jones leaves a lesson plan he leaves it on
2 the corner of his desk for us to find.

3 Q. Okay. And -- by the way, on the Spanish
4 class, the substitute for two weeks, was it
5 Mr. Jones for the entire two weeks?

6 A. Yes.

7 Q. Do you know if a substitute teacher has a
8 credential of any kind?

9 A. I don't know.

10 Q. How do you get assigned classes at your
11 school?

12 A. I'm not -- well, it's basically during 9th
13 grade they give you a set schedule as far as what
14 class you need to take. The only class that is not
15 set is health because health is switched with ECP
16 during second semester, and other than that, that's
17 it.

18 MR. FOX: We're talking about Crenshaw,
19 right?

20 MS. STRONG: Yes.

21 THE WITNESS: Yes.

22 MS. STRONG: Thank you.

23 Q. So the school just sets it automatically
24 for you essentially is what you are saying?

25 A. Yes.

1 A. No, he didn't because it was more than one
2 substitute for that week.

3 Q. You had more than one substitute for that
4 week?

5 A. Yes.

6 Q. How many substitutes for that week?

7 A. I believe it was four.

8 Q. Did you like each of the four substitutes?

9 A. Yes.

10 Q. Why did you like them?

11 A. I didn't really get to know them. I
12 didn't have any tension against them or anything.
13 So they were like neutral. I mean that's the
14 reason why I say I pretty much liked them.

15 Q. Did you think they should have done
16 anything different when they were substituting the
17 class?

18 A. Yes. They could have, you know, basically
19 just -- I mean as far as doing the lesson plan, the
20 teacher didn't leave any lesson plan. But they
21 could have done some other lesson plans.

22 Q. How do you know the teacher didn't leave a
23 lesson plan?

24 A. Because the teacher -- because the
25 substitutes said they couldn't find one. Usually

1 Q. And do you have an opportunity to see your
2 schedule before classes begin?

3 A. Yes, they do have a meeting with the
4 parents before school starts where they would --
5 where you can come pick up your schedule.

6 Q. Okay. And when is that meeting? Do you
7 know how soon -- how far in advance --

8 A. I'm not sure.

9 Q. -- those meetings are held?

10 A. Because I was not able to attend it
11 because I was in school.

12 Q. Okay. You were in school at Audubon at
13 the time?

14 A. Yes.

15 Q. But this is a meeting for your parent,
16 correct?

17 A. Yes.

18 Q. And so --

19 A. And we also weren't aware of the meeting.
20 I was told that there was a meeting maybe the
21 second day of school, and that's -- because I had a
22 problem with my -- with my scheduling.

23 Q. Do you know if a notice was sent home for
24 this meeting? Do we call it an orientation
25 meeting?

- 1 A. Yell.
 2 Q. Do you know if a notice was sent home
 3 regarding the orientation meeting prior to your 9th
 4 year?
 5 A. I don't recall. I probably didn't receive
 6 one because of the area I live in.
 7 Q. What does that mean?
 8 A. I live so far from the school they
 9 probably don't mail it.
 10 Q. Do you have any reason to believe that the
 11 school wouldn't mail out a notice to you?
 12 A. Because there were some students that
 13 would tell me they received flyers or invitations
 14 or certain letters to their homes. And I mean I
 15 would never receive some of them.
 16 Q. Well, first, did you ask your mother if
 17 you received these flyers?
 18 A. Yes.
 19 Q. Okay.
 20 A. And I mean she -- usually I check the mail
 21 sometimes.
 22 Q. Who gets the mail every day at your house?
 23 A. Most of the time my mom now.
 24 Q. Most of the time when you were in 9th
 25 grade?

- 1 A. Me or my brother.
 2 Q. Your mom wouldn't get the mail?
 3 A. Certain days she would and certain days
 4 she wouldn't.
 5 Q. With respect to these things, did you ask
 6 your mother if she happened to get these flyers on
 7 each instance that someone else got a flyer at your
 8 school that you didn't know about?
 9 A. Yes.
 10 Q. And you asked her each time?
 11 A. Yes.
 12 Q. And she said no?
 13 A. Yes.
 14 Q. Did you ever ask her if she got a notice
 15 regarding an orientation meeting for your school?
 16 A. Yes.
 17 Q. You specifically asked her that?
 18 A. Yes. It was during -- actually, it was
 19 during the third day because I didn't remember to
 20 tell her the second day I was there -- that they
 21 told me about the orientation, the third
 22 orientation. That third day in school I asked her.
 23 Q. You were in school at the time?
 24 A. No. It was after school actually.
 25 Q. Okay. She said no, she did not receive a

- 1 notice about it?
 2 A. Correct.
 3 Q. Okay. Did you ever complain to anyone at
 4 the school that you didn't receive an orientation
 5 notice or other flyers or notices that were sent
 6 home?
 7 A. No, simply because the orientation passed.
 8 It didn't really make sense to bring up any
 9 argument or anything.
 10 Q. With respect to other flyers that were
 11 coming out on an ongoing basis, did you ever make a
 12 complaint to anyone at your school about receiving
 13 them or not receiving them?
 14 A. No, because the other flyers that were
 15 given out were flyers to -- that were inviting
 16 people, the parents to council meetings, town hall
 17 meetings, other activities.
 18 Q. You weren't interested in those flyers?
 19 A. Not that I wasn't interested, but I was in
 20 other activities during that time which I couldn't
 21 go to the activity that they were having.
 22 Q. So it didn't bother you enough to complain
 23 about it basically?
 24 A. No.
 25 Q. No, it didn't? Correct?

- 1 A. Correct.
 2 Q. You arrived at school. If you didn't go
 3 to your orientation meeting, you arrive at school
 4 or how did you get your schedule?
 5 A. There's a list put up in the main hall of
 6 all the students and it would have the list of
 7 homerooms that you are supposed to go to.
 8 Basically the students check that list and wherever
 9 homeroom they are assigned to that's the homeroom
 10 they go to to pick up their scheduling.
 11 Q. Okay. When you first got your schedule at
 12 Crenshaw, did you notice anything about the
 13 schedule that bothered you?
 14 A. Yes. I had two Spanish classes and two
 15 science classes.
 16 Q. Okay. What did you do about that?
 17 A. I went to my counselor and I did tell her
 18 I had those classes. I was told to stay in those
 19 classes until the -- class change forms or whatever
 20 they are called, the change of class forms comes
 21 through the classrooms. I did fill out one of them
 22 actually a week later. I never got a return on it.
 23 I filled out another one another week. I didn't
 24 get a return on it. I --
 25 Q. I'm going to break this down. Let's back

1 up and go slowly through it because I want to know
2 all the details about this.

3 So you went to your counselor. Who was
4 the counselor you went to?

5 A. Miss Silverstein.

6 Q. Did you go to her office to talk to her
7 about this?

8 A. Yes.

9 Q. And she explained to you that you would be
10 getting a change of class request form?

11 A. Yes.

12 Q. Okay. Did she tell you when you should
13 expect to get one of those forms?

14 A. No, she didn't.

15 Q. Did you ask her when you would receive
16 one?

17 A. No, I didn't. She told me to go ahead and
18 stay in those classes and they should be coming
19 soon.

20 Q. Okay. So when did you first receive or
21 hear about the availability of a change of request
22 form -- change of class request form?

23 A. A week later.

24 Q. Okay. Where were you when you learned
25 about this?

1 saying what your new class is and what class they
2 did change. I didn't get any return. No one
3 brought me any slips or anything. I filled out
4 another one and turned it in. I didn't get a
5 return on that one.

6 Q. The first one you turned in was a week
7 after school started?

8 A. Yes.

9 Q. You waited another week and we are in the
10 second week after school started?

11 A. Yes.

12 Q. And that's when you filled out another
13 change of request --

14 A. Yes.

15 Q. -- or change of class request form?

16 A. Yes.

17 Q. And then what happened after the second --
18 in the second week of school when you turned in
19 your second form?

20 A. I waited two days and then I went down to
21 my counselor.

22 Q. Miss Silverstein again?

23 A. Yes.

24 Q. Okay.

25 A. And I told her that I was the missing

1 A. I was in my homeroom class.

2 Q. Okay. And how did you become aware of
3 them?

4 A. They were -- the teacher had told us that
5 if we had any -- "if you want to change any classes
6 for whatever various reasons, go ahead and fill out
7 one and turn it in."

8 Q. You turned it back into your homeroom
9 teacher?

10 A. Yes.

11 Q. Did your homeroom teacher explain to you
12 how long it would take to correct the situation?

13 A. He told me it would take a while. He
14 wasn't even sure of how long it would take. He
15 said to go ahead and fill out one and make sure we
16 tell him specifically what the problem is.

17 Q. He said it's going to take a while?

18 A. Yes.

19 Q. Okay.

20 A. And I turned it in and I didn't get a
21 return on it for a whole week.

22 Q. What does that mean getting a return on
23 it?

24 A. Usually you get -- there's service workers
25 that go down to your classroom, give you a form

1 certain classes and I had two Spanish classes, two
2 science classes. And during that time I had a note
3 that my mom had wrote.

4 And I gave her the note and she told me
5 okay, she would see what she can do about it. So I
6 waited, I believe, two more weeks for a return.
7 And finally I was given the classes I needed.

8 Q. Do you ask Miss Silverstein when you were
9 in there the second time during the second week of
10 school how long it would take to correct the
11 situation?

12 A. Yes, I did. And she told me that just --
13 she said, again, just stay in those classes. It's
14 going to take a while because the first -- the
15 first grading period is always tough and
16 everything. And she told me she said it's always
17 hectic. You always have a lot of students that
18 want to change classes. Also don't worry about the
19 5-week card anyway because it's just a progress
20 report. It doesn't count on your transcripts.

21 Q. So she didn't give you an answer as to
22 whether you would be put into the class?

23 A. No.

24 Q. Or corrected -- or when the class
25 situation would be corrected?

1 A. No.
 2 Q. So it was your fourth week of class when
 3 the situation got corrected?
 4 A. Yes.
 5 Q. Did you speak with anyone else about this
 6 situation?
 7 A. No, because Miss Silverstein is my
 8 counselor and that's who we are usually supposed to
 9 talk about any change of grades. Any other person
 10 I would have talked to couldn't have done anything.
 11 Q. What about the principal?
 12 A. The principal, what much can he do? It's
 13 the counselor's job in order to change my
 14 transcripts. And even if -- I mean this is just an
 15 assumption. But even if he did go tell her to
 16 change my schedule, he couldn't just put me in
 17 front of the line and said -- and tell her to
 18 change my schedule real quick. You had other
 19 students that need their schedules changed and you
 20 also have the other students that want their
 21 schedules changed for other various reasons.
 22 Q. Okay. So you think you were just waiting
 23 in line, is that what the situation was?
 24 A. Not necessarily because I thought that,
 25 you know, they should be able to get my class

1 start with English, first. Your English class for
 2 your 9th grade year, Mr. Hornbeck was the teacher.
 3 And if you had to rate that teacher on a scale of 1
 4 to 10, how would you rate that teacher?
 5 A. Say about a 9.
 6 Q. Okay. Were there any other teachers in
 7 that class? Any teachers aides?
 8 A. No.
 9 Q. And did you ever talk with this teacher
 10 about English outside of class?
 11 A. No.
 12 Q. Okay. Not before or after or during
 13 lunch? I'm sorry, not before school or after
 14 school or during lunch?
 15 A. Yeah, there was -- yes, there were some
 16 occasions where we did talk about English.
 17 Q. Did he give you kind of -- did he tutor
 18 you in the evening in any way?
 19 A. Yes, during the time we were doing
 20 Shakespeare.
 21 Q. How much time do you think he spent with
 22 you tutoring you?
 23 A. Maybe about 20 minutes.
 24 Q. On more than one occasion?
 25 A. Yes.

1 straightened out by then. I'm quite sure there
 2 wasn't that many students that -- that had to get
 3 their schedules changed.
 4 Q. Did anyone tell you could only speak to
 5 Miss Silverstein about this issue?
 6 A. No. But some people were assigned in the
 7 school as to who you are supposed to talk to.
 8 Q. Did you actually talk to your homeroom
 9 teacher about this?
 10 A. My homeroom teacher?
 11 Q. Yes.
 12 A. That was the first time I got their change
 13 of request form.
 14 Q. Anything more than what you have already
 15 described to me?
 16 A. No.
 17 MR. FOX: Can we have two minutes off the
 18 record?
 19 (Recess.)
 20 BY MS. STRONG:
 21 Q. I'm going to go ahead and ask you a series
 22 of questions about the classes that you had at
 23 Crenshaw and we're going to try and get into some
 24 of the specifics of the allegations.
 25 Why don't we go ahead and start with --

1 Q. About how many times?
 2 A. Say about 5 times.
 3 Q. Okay. Did you -- do you know if you
 4 missed any of your English classes last year?
 5 A. As far as being absent?
 6 Q. Correct.
 7 A. Yes, but they weren't absences -- they
 8 were activities -- activities I was on.
 9 Q. Okay. For example?
 10 A. Let's see. I think I was involved --
 11 there was a bazaar that Crenshaw usually has every
 12 year.
 13 Q. How many classes do you think you missed?
 14 A. Only two.
 15 Q. Okay. During the whole year?
 16 A. Yes.
 17 Q. Do you know if other students missed class
 18 often in that English class?
 19 MR. FOX: Objection. Vague and ambiguous.
 20 THE WITNESS: I don't know.
 21 BY MS. STRONG:
 22 Q. You don't know one way or the other?
 23 A. I don't recall.
 24 Q. You don't recall students missing classes
 25 quite often?

1 A. I'm not sure.
 2 Q. Did you use a textbook in that class?
 3 A. Yes.
 4 Q. Okay. What was the name of the textbook?
 5 A. I cannot remember.
 6 Q. Do you recall?
 7 A. No, I don't.
 8 Q. Did you have your own copy to use in
 9 class?
 10 A. No.
 11 Q. Can you explain to me the textbook
 12 situation for that class?
 13 A. There were about -- actually, I can tell
 14 you exactly. There were only at one time 15 books
 15 in the class. Also during that time I was in his
 16 class they used to have -- that class would also
 17 hold night school. Turns out the summer students
 18 that were in night school were taking some of the
 19 books out of the classroom. Maybe three months
 20 into the semester we only had 13. Then that was at
 21 the time we started sharing books. Then there was
 22 only 11 books in that class and we had to share
 23 them. Then there was only 9 books. And we were
 24 like -- sometimes we would have -- once we got down
 25 to 9 books we had to work in groups of maybe 3 to

1 Q. Did you have any textbook to take home in
 2 that class?
 3 A. No.
 4 Q. Okay. So was there any type of materials
 5 that were given to you to take home in that class?
 6 A. No.
 7 Q. You never had any take-home materials?
 8 A. No.
 9 Q. Okay. Did you ever have homework in that
 10 class?
 11 A. Yes.
 12 Q. What kind of homework would you be given?
 13 A. Sometimes I was told to finish poems that
 14 we were working on.
 15 Q. Writing them?
 16 A. No, we had to type them. They were poems
 17 from other authors, not poems we would make up.
 18 Q. You would type poems from other authors?
 19 A. Yes.
 20 Q. From what?
 21 A. Just from numerous -- it wasn't from a
 22 book or anything. We were given a list of authors
 23 of certain poems and also the poem name. And we
 24 were told to look them up during class. We were
 25 supposed to make a book out of it. And I mean that

1 4.
 2 Q. Okay. How many students in the class, do
 3 you know?
 4 A. I know when we first started there was 21
 5 students. About 21 students.
 6 Q. Did that change, that number?
 7 A. Yes. It went from, I believe, 23,
 8 approximately 23.
 9 Q. So when did it change to 23?
 10 A. Maybe about 4 weeks into the semester.
 11 Q. You got two more students in the class?
 12 A. Yes.
 13 Q. And as far as you're aware, almost
 14 everybody attended on a regular basis?
 15 A. Yes.
 16 Q. Okay. When you started the course, did
 17 you say that there were 15 books in the class?
 18 A. Yes.
 19 Q. Okay. And now this is for in-class use,
 20 correct?
 21 A. Yes.
 22 Q. Did you also have a textbook -- was that
 23 textbook -- was a version of that textbook assigned
 24 to take home in that class?
 25 A. No.

1 was about it.
 2 Q. Okay. I'm a little confused. How would
 3 you type up the poem then at home?
 4 A. We would have to go on the Internet, look
 5 up the poem, and then -- or sometimes he would give
 6 us a copy of the poem, and we would have to write
 7 it down on a piece of paper and then go home and
 8 type it.
 9 Q. Okay. Either he would give it to you, you
 10 would copy it down in class, or you could look it
 11 up on your own on the Internet?
 12 A. Yes.
 13 Q. Were there any other assignments given for
 14 homework in that class?
 15 A. Study for starting quizzes or tests. But
 16 there wasn't anything that we could take home.
 17 Sometimes we have -- most of the times we have to
 18 take our own notes on things we might think we have
 19 to study.
 20 Q. Your notes from class?
 21 A. Yes. Yes.
 22 Q. Anything else?
 23 A. That's it.
 24 Q. He never gave you anything else that you
 25 had to take home?

- 1 A. Not that I can remember.
 2 Q. The book that you are referring to, was it
 3 just one book that you are referring to in that
 4 English class?
 5 A. Yes.
 6 Q. You don't remember the name of it?
 7 A. I know it was literature. It was
 8 something literature. It had literature in large
 9 letters.
 10 Q. What was in the book, for example? Can
 11 you describe to me what the book was like?
 12 A. The front cover was a picture of a boat.
 13 It had like a -- I guess like a brown canvas around
 14 the edges of the book. Inside the book they had
 15 numerous poems, numerous stories, chapter reviews,
 16 story reviews.
 17 Q. Would you sometimes have photocopies of
 18 the materials in the book to use in class as well?
 19 A. No.
 20 Q. No?
 21 A. No.
 22 Q. How would you use that book in class?
 23 A. Like I said, we had to get in groups.
 24 Q. Okay. So can you describe to me what
 25 would happen? The two of you would sit side by

- 1 to 9 books everyone -- there was more than 9 people
 2 that wanted to read. That's when we had to get
 3 into groups.
 4 Q. Okay. So only those people who wanted to
 5 read out loud to the class would have to have a
 6 book initially?
 7 A. Yes.
 8 Q. Okay.
 9 A. They wouldn't necessarily have to have a
 10 book, but I mean if they want --
 11 Q. That's how the books were assigned, to
 12 those who wanted to read to the class?
 13 A. Yes.
 14 Q. The way the class would study from the
 15 book would be to have one person at a time read a
 16 portion of the book; is that correct?
 17 A. Yes.
 18 Q. Did you ever ask to take that book home?
 19 A. One time I did ask if I could take it
 20 home.
 21 Q. Okay. Were you able to take the book
 22 home?
 23 A. Yes. But I mean I -- when I asked them,
 24 it was in privacy because there might have been
 25 other students that wanted to take the book home as

- 1 side? Were you reading silently? How would you
 2 use the book in class?
 3 A. It depends. However the group wants to do
 4 it. Most of the time when I was in a group we
 5 would just read out loud a paragraph and just
 6 rotate.
 7 Q. So you could choose how the group wanted
 8 to share the book?
 9 A. Yes.
 10 Q. And now you didn't break up into groups
 11 until what point in the semester?
 12 A. When there were nine books left.
 13 Q. Do you know at what point in the semester
 14 that was?
 15 A. No, I can't remember.
 16 Q. You had him for a full year. Was this
 17 second semester by the time you broke into groups?
 18 A. Actually, no. It was sometime during the
 19 first semester.
 20 Q. Okay. And initially when there were 15
 21 books in the class, you would share?
 22 A. Not necessarily. Because then by then --
 23 like what we would do is each person would take a
 24 book and we would read out loud. Therefore, there
 25 was no need to share. But then when they got down

- 1 well.
 2 Q. You asked the teacher on one occasion to
 3 take it home?
 4 A. Yes.
 5 Q. And he said yes?
 6 A. Yes.
 7 Q. Okay. And how long were you able to take
 8 it home for?
 9 A. I believe it was three days.
 10 Q. Okay.
 11 A. Because I was working on a website. I was
 12 working on a web page and I needed some pictures
 13 from the book.
 14 Q. Who were you working on a website for?
 15 A. For myself and also extra credit
 16 assignment that I asked if I could work on.
 17 Q. For who?
 18 A. Mr. Orbeck, my English teacher.
 19 Q. What was this website?
 20 A. It was Geocity's website.
 21 Q. GLC?
 22 A. Geocity's.
 23 Q. What is a Geocity's website? I'm not
 24 familiar with it.
 25 A. It's basically a group of -- it's a -- let

1 me see how can I put it to you.

2 It's a website where you can create web
3 pages. There's a whole terminology to it as far as
4 FTP's and downloads, uploads, transloads, and --

5 Q. How did you learn all this stuff about the
6 Internet?

7 A. Before I had a computer I would learn how
8 to use a computer on my own. Sometimes I used --
9 me and my brother used to go to my mom's job when
10 we were 5 or so, and just playing around with the
11 computer.

12 Q. Okay. Do you have computer classes at
13 school?

14 A. No.

15 Q. You just study at home on it, basically?

16 A. Yes.

17 Q. Was your website about literature?

18 A. One part of it was. I have multiple parts
19 of the web page where basically whatever people
20 like.

21 Q. So you brought this book home to help you
22 with this website. Did you ever want to take the
23 book home to study for class?

24 A. At one time I did ask him if I could take
25 the book home to study.

1 A. No, I don't.

2 Q. Okay.

3 (Recess.)

4 MS. STRONG: Can you repeat the last
5 question or answer, whatever it was?

6 (The following question was read by the
7 reporter):

8 "Q. Okay. And you don't know of any
9 time where the teacher denied someone the
10 opportunity to take the book home if they
11 wanted to?

12 "A. No, I don't."

13 BY MS. STRONG:

14 Q. Do you know if this literature book is
15 available in your library at school?

16 A. No, I do not.

17 Q. You don't know one way or the other?

18 A. No.

19 Q. What is the condition of -- do you use any
20 other books in that class?

21 A. No, I did not.

22 Q. Did you use any other books in the class?

23 A. No.

24 Q. What was the condition of the books that
25 you would use?

1 Q. Okay.

2 A. And also the reason -- I did use that time
3 to study when I took it home for those three days
4 because basically the web page did help me study.
5 It was basically the same section we were working
6 on in class. So, therefore, it also gave me some
7 entertainment and give me time to study.

8 Q. Okay. So there was a second time when you
9 wanted to take the book home to study as well?

10 A. Yes.

11 Q. And did you ask the teacher that second
12 time?

13 A. Yes.

14 Q. What did the teacher say?

15 A. He said it was okay and I brought it back
16 the next day.

17 Q. Okay. Was there any other time when you
18 ever wanted to take the book home in that class?

19 A. No.

20 Q. Okay. Do you know if anyone else asked
21 the teacher if they could take the book home?

22 A. No, I don't know.

23 Q. Okay. And you don't know of any time
24 where the teacher denied someone the opportunity to
25 take the book home if they wanted to?

1 A. Are you talking about as far as the --
2 what used to be the LAUSD grading scale on the
3 books?

4 Q. Do you know about a grading scale for --

5 A. As far as I know, it depends on how the
6 condition of the book looks. It could be an A, B,
7 C or D.

8 Q. Do you know what the grading scales was
9 for these particular books?

10 A. It wasn't marked, but based on the -- if
11 you looked at the book, it would be like maybe --
12 some of them were C condition and some of them B
13 condition.

14 Q. That's based on your assessment of the
15 books?

16 A. Yes.

17 Q. How did you learn about the LAUSD
18 designations for book conditions?

19 A. When I was in the fourth grade I looked --
20 there was a sheet given out to the teachers and I
21 looked at the sheet and it shows what certain
22 grading scales are for certain books. And most
23 likely if a book has bent edges it is C or -- it's
24 either C or below condition, depending on how many
25 pages.

- 1 Q. Is C a below condition or --
 2 A. C or below. I believe it goes all the way
 3 down to D condition. It if has ripped out pages --
 4 for every ripped out page, I think it's half of a
 5 letter. So if there's two ripped out pages, B
 6 condition. I'm not too sure about as far as the
 7 ripped out pages. But just based on the assessment
 8 of the book, you can tell which --
 9 Q. And you are basing this on your
 10 recollection of a notice that you saw regarding the
 11 gradings system in fourth grade?
 12 A. Yes.
 13 Q. Do you know if LAUSD still retains that
 14 grading system for books?
 15 A. I'm not sure because now on the books that
 16 I have the teachers just put fair.
 17 Q. The teacher puts what?
 18 A. The teacher tells us on a small card when
 19 we fill out the book number and the author and
 20 everything for the books, just put fair.
 21 Q. Okay. Did you do --
 22 A. Although when they do tell me to do that,
 23 I still put the condition and on the back of the
 24 card I put what's messed up on the book as far as
 25 graffiti just in case if there's a time when I turn

- 1 A. No.
 2 Q. One day you would use one book and another
 3 day you could use another?
 4 A. Yes.
 5 Q. It was random?
 6 A. Yes.
 7 Q. How many books would you say you -- let me
 8 change that.
 9 Do you know how many books in the class
 10 had torn pages?
 11 A. No, I'm not sure.
 12 Q. Okay.
 13 A. I know all the books had some kind of bent
 14 edge or something wrong with the cover. But as far
 15 as the inside, I mean I don't know -- I mean I
 16 can't remember which books I used that, you know,
 17 every day.
 18 Q. Okay. But you -- okay. And so did the
 19 ripped pages affect your ability to use the book?
 20 A. Yes.
 21 Q. How did it affect your ability to use the
 22 book?
 23 A. Because when we were reading there were
 24 some times when the page is totally reading. And I
 25 have -- I couldn't read that certain page.

- 1 in the book they said something I did on the book,
 2 on the paper it shows what's already done to the
 3 book.
 4 Q. Okay. In this class you didn't have to
 5 fill out a card for a book, correct?
 6 A. No.
 7 Q. So no book was issued to you for this
 8 English class?
 9 A. Correct.
 10 Q. So you said they are B or C. Can you
 11 describe them? Did they have torn pages in the
 12 books?
 13 A. There were a few that had ripped pages.
 14 There were some that had bent edges. I don't know
 15 if you notice when you have a book that has bent
 16 edges, the paper -- I mean it starts to turn white
 17 or like a white -- from the peeling of the book.
 18 Q. You're talking about the cover of the
 19 book?
 20 A. Yes.
 21 Q. Okay.
 22 A. Some had graffiti in them.
 23 Q. Okay. When you use books in this class it
 24 would rotate as to which book you used? You didn't
 25 get assigned a particular book for in-class use?

- 1 Q. That happened on a particular day?
 2 A. Yes. Not to me but to other students.
 3 There are some times where even if we have
 4 illustrations sometimes the teacher would describe
 5 the illustration or it would describe a picture
 6 with the caption on the bottom of it. And, you
 7 know, some students weren't able to see it or they
 8 would walk over to someone else's desk and look at
 9 it. Basically you wouldn't know what the picture
 10 looks like or anything until you go to another
 11 book.
 12 Q. How many times do you recall it happening
 13 in class that a student was reading and then
 14 encountered a torn page and couldn't finish the
 15 passage?
 16 A. I'd say about maybe about -- about
 17 approximately about five times.
 18 Q. Okay. And do you remember when these --
 19 when each of these instances occurred?
 20 A. No, I do not.
 21 Q. Do you know if they were first semester?
 22 A. No, I wouldn't remember. It was like
 23 every now and then.
 24 Q. Did it happen during second semester?
 25 A. It could have. Like I said --

- 1 Q. You don't have any specific recollection?
 2 A. I don't have any specific, no.
 3 Q. Do you remember who was reading, for
 4 example, at the time?
 5 A. Let's see. Maybe -- I can remember one
 6 person.
 7 Q. Who was that?
 8 A. That was Jennifer. I don't know her last
 9 name.
 10 Q. Is she still at the school?
 11 A. Yes.
 12 Q. Okay. And with respect to the graffiti in
 13 the books, where was the graffiti in the books?
 14 A. Sometimes on the -- on the outer part of
 15 the book. Sometimes on the back pages. On the
 16 front pages. Sometimes in the middle of the page.
 17 Q. Did you ever come across a situation where
 18 you couldn't read the text of the book because of
 19 graffiti?
 20 A. I can say no. I mean you can see through
 21 it.
 22 Q. Okay. When you say there was graffiti in
 23 the books, what types of writing are you referring
 24 to? What are you referring to with respect to the
 25 term graffiti?

- 1 A. Profanity, gang signs. Some people
 2 actually draw in the book.
 3 Q. You saw profanity in the books?
 4 A. Yes.
 5 Q. And this is in your English class?
 6 A. Yes.
 7 Q. You saw gang signs?
 8 A. Yes.
 9 Q. Were there gang names?
 10 A. Yes.
 11 Q. Do you remember any of them?
 12 A. Nasties, there was one that had Nasties in
 13 it.
 14 Q. That's the name of a gang?
 15 A. Yes. And that gang is on campus.
 16 Q. Do you remember any other gang names in
 17 the book?
 18 A. I can remember that one.
 19 Q. In the English one?
 20 A. Yes.
 21 Q. Did you ever identify these issues to your
 22 teacher, Mr. Hornbeck?
 23 A. No. He already knew there was graffiti in
 24 the book. All teachers know what's in the book.
 25 They know there's graffiti in the book. I mean,

- 1 it's that bad. It's got to the point it's a
 2 natural thing to have graffiti in the book so --
 3 Q. Well, did you ever talk to Mr. Hornbeck
 4 about it?
 5 A. No. I mean because he was already aware
 6 there was graffiti in the books.
 7 Q. How do you know he was aware there was
 8 graffiti in the book?
 9 A. Because he had the books since he started
 10 working at Crenshaw.
 11 Q. Okay. But you have no specific reason to
 12 believe one way or the other that he knows that
 13 there's graffiti in the book, correct?
 14 MR. FOX: Objection. Asked and answered.
 15 BY MS. STRONG:
 16 Q. Is that correct?
 17 A. Correct.
 18 Q. Okay. Did you ever get any new books in
 19 that class or any books in addition to the nine
 20 that you had at one point?
 21 A. No, I did not.
 22 Q. Okay. Do you know if Mr. Hornbeck ever
 23 requested additional books for the class?
 24 A. Yes. That was also during another time
 25 when I went to go talk to Miss Canon. He asked --

- 1 he wants to know about a class, another class set
 2 of books. And it was also during that time when --
 3 I'm not sure what the form looks like, but there
 4 was a form that goes around and you're supposed to
 5 turn in or make sure that you have those books.
 6 And he mentioned Miss Canon told him -- he did a
 7 checklist and told him all these books were stolen
 8 or all these books are missing. He sent me down to
 9 Miss Canon to talk to her about getting new books
 10 and since I was there we never got them.
 11 Q. Okay. I want to make sure I understand
 12 what happened. There was a point in time when
 13 Mr. Hornbeck asked you to speak to Miss Canon about
 14 the books in the English class?
 15 A. Yes.
 16 Q. Did he give you a note to take to her?
 17 A. Yes.
 18 Q. Did he tell you to say something to her?
 19 A. Yes. He gave me the form and he told me
 20 to let her know that these books are missing and to
 21 let her know if he can get another set of books.
 22 Q. Okay. Did it have the title of the book
 23 on this form?
 24 A. Yes.
 25 Q. Do you remember when this was?

1 A. I can't.
 2 Q. Do you know if it was first or second
 3 semester?
 4 A. I'm thinking second semester.
 5 Q. Okay. Do you know if it was before or
 6 after Easter?
 7 A. Most likely after Easter because that's
 8 what the forms come out asking the teachers where
 9 are the books because you have to do it every year.
 10 Q. At the end of the year like in May, for
 11 example?
 12 A. Around that time.
 13 Q. Was it like May 2000, for example, is what
 14 you believe it to have been?
 15 A. Yes.
 16 Q. At that point the request was he get new
 17 books for the following year, correct?
 18 A. Yes.
 19 Q. Do you know whether Mr. Hornbeck ever made
 20 requests to get new books for the next year, 1999
 21 to 2,000 school year to get new books?
 22 A. Not that I know of.
 23 Q. Do you know if Mr. Hornbeck's request for
 24 the additional books for the 2000-2001 school year
 25 was filled or not.

1 who you talked to?
 2 A. No. No.
 3 Q. Did you ask them if -- if Mr. Hornbeck
 4 issued them a textbook or not?
 5 A. Yes.
 6 Q. You did?
 7 A. I asked that question.
 8 Q. Okay. So you did ask and they said no.
 9 Okay.
 10 Do you know if Mr. Hornbeck told them that
 11 they could take an English book home if they wanted
 12 to upon request?
 13 A. No, I did not know.
 14 Q. Okay. So with respect to the graffiti and
 15 the torn pages and the -- what did you say? Bent
 16 corners, is that what you said?
 17 A. Yes.
 18 Q. Other than what you've already testified
 19 to, do you believe that they had any -- they had
 20 any affect on your ability to learn in that class?
 21 MR. FOX: Objection. Vague and ambiguous
 22 and compound.
 23 THE WITNESS: Of course it affected -- it
 24 affected the -- how I was going to learn in that
 25 class because I couldn't read out of the book if

1 A. I don't think there were because there
 2 were a couple of times after I got to 10th grade I
 3 would go to see him and the same books would be
 4 sitting there. There was no new stack or anything.
 5 Q. Do you know whether he issued books to his
 6 10th grade class, for example? Do you know one way
 7 or the other?
 8 A. No, I don't think he did issue books to
 9 his new class because there were numerous 9th
 10 graders I did know, and they didn't have -- they
 11 didn't have any books from his class. And it
 12 wasn't that I asked him. They asked me if I could
 13 use my book. I told him I didn't have one. And he
 14 told me, "Didn't they give you guys books?" And
 15 they told me no.
 16 Q. You talked to some students in
 17 Mr. Hornbeck's 9th grade class when you were in
 18 10th grade; is that true?
 19 A. Yes.
 20 Q. What students did you have conversations
 21 with regarding this issue?
 22 A. I cannot remember names. I mean because I
 23 just -- I was just now getting to know them and
 24 everything.
 25 Q. You can't remember a single student's name

1 there were torn pages.
 2 BY MS. STRONG:
 3 Q. Uh-huh. But you still believed that
 4 Mr. Hornbeck was a good teacher, correct?
 5 A. Yes.
 6 Q. And do you believe that he was successful
 7 in teaching you English?
 8 A. Yes.
 9 Q. And you proceeded to do quite well in that
 10 class, correct?
 11 A. Yes.
 12 Q. Do you think you would have done better or
 13 learned more had you been in a different class with
 14 another teacher?
 15 MR. FOX: Objection. Calls for
 16 speculation.
 17 THE WITNESS: Actually, I really wouldn't
 18 know because during that time I didn't know too
 19 many English teachers. Also, I don't know the
 20 resources that other teachers have in their
 21 classrooms.
 22 BY MS. STRONG:
 23 Q. But overall you were pleased with your
 24 experience in Mr. Hornbeck's English class?
 25 MR. FOX: Objection. I think that

1 mischaracterizes his testimony.

2 BY MS. STRONG:

3 Q. Go ahead. You can answer the question.

4 A. Just because I say he was a good teacher
5 and I learned from his class doesn't necessarily
6 mean that it was -- I mean doesn't necessarily mean
7 that it messes up how I'm going to learn. I mean
8 it doesn't necessarily mean that it messes up how
9 I'm going to learn in that class. Although he was
10 a good teacher, that doesn't necessarily mean I
11 learned a lot.

12 Q. You don't think you learned a lot from
13 him?

14 A. I'm not saying that. That's just an
15 example. He's a good teacher and everything, but
16 the whole thing is that he made the best of it. He
17 made the best of it. I mean it was a resource that
18 he had. He had to work with what he had. So
19 overall he was a good teacher.

20 Q. This doesn't require speculation. This is
21 just your assessment of what you learned in that
22 class. Do you feel you learned a great deal from
23 Mr. Hornbeck in his English class?

24 A. Yes.

25 Q. I know we discussed materials that are

1 A. I believe it was about a week before the
2 Stanford-9.

3 Q. When were the Stanford-9s?

4 A. Stanford-9s are usually in late April,
5 early May or so.

6 Q. Did he give out one packet or more than
7 one packet?

8 A. It was a requirement for each school to
9 give out a practice test. So he did do that. And
10 also during -- during the whole school year
11 everything we covered had to do with the
12 Stanford-9.

13 For example, as far as covering
14 Shakespeare, that was just one way of being
15 inquisitive or asking or answering questions about
16 certain questions on the Stanford-9. Because, if
17 you think about it, there are a lot of -- for
18 example, Shakespeare is a book that most people
19 don't understand or "Orthelo" is a book that
20 someone doesn't understand. "Tale of Two Cities,"
21 that's a very hard book for someone to read that is
22 in the 9th grade.

23 Q. These are all stories that you have read
24 in his class?

25 A. "Orthelo" and "Tale of Two Cities" I read

1 sent home by Mr. Hornbeck and we've covered that
2 issue. I wanted to ask you, were there any other
3 materials that you used in class with Mr. Hornbeck,
4 in the English class?

5 A. Yes. Like I said, the poems he gave us.
6 Ever now and -- and the test sheets he would give
7 us.

8 Q. Did you ever have any other novels or
9 poems in that class he would use?

10 A. No.

11 Q. Did he ever ask that you read the
12 newspaper?

13 A. Yes.

14 Q. He did? In class or at home?

15 A. At home.

16 Q. Did you discuss the newspaper articles
17 that you read in class?

18 A. No.

19 Q. He just asked you to do it?

20 A. He encouraged us to read the newspaper.

21 Q. Okay. Did he ever give you worksheets or
22 handouts to prepare for the Stanford-9 test?

23 A. Yes, he did.

24 Q. Okay. When did he give out those
25 worksheets, do you know?

1 that while I was at Washington. Those are examples
2 of books that are hard for someone to read. But
3 someone who reads it can understand it better on a
4 Stanford-9.

5 Q. You are using that as an example meaning
6 Mr. Hornbeck would give you Shakespeare reading to
7 prepare -- even though it wasn't directly intended,
8 to prepare you for the Stanford-9s, it in fact did
9 prepare you for the Stanford-9s?

10 A. Yes.

11 Q. Those are assignments he would give you
12 throughout the year?

13 A. Yes, Shakespeare and poems and other
14 numerous books. Actually stories, not books.
15 Stories.

16 Q. And in reference to the packet for the
17 Stanford-9 he gave out about a week before the
18 test, was there just one packet that was given to
19 the students?

20 A. You mean --

21 Q. Of test prep materials?

22 A. It wasn't a packet. It was just, say,
23 maybe 4 pages. The normal Stanford-9 tests would
24 be given to all schools. It's maybe about 5 pages.

25 Q. It's a packet that's given to students at

1 all schools?
 2 A. Yes.
 3 Q. Okay. Did you receive it from your
 4 English teacher or did someone else give it to you?
 5 A. Our English teacher gave it to us.
 6 Q. Okay. We briefly talked about the
 7 homework you were given in Mr. Hornbeck's class.
 8 Would you say you were given homework on a regular
 9 basis in that class?
 10 A. Yes.
 11 Q. How many times would that be, for example?
 12 A. Maybe three times a week.
 13 Q. Okay. You stated, I believe, that you
 14 continued to use that literature book through the
 15 second semester, correct?
 16 A. Yes.
 17 Q. With respect to your 10th grade English
 18 class, did you use a book in that class?
 19 A. Yes, I did.
 20 Q. And what book was that?
 21 A. It was a -- it was a -- it was the same
 22 book but 10th grade edition. I can't remember the
 23 name. It just had literature on top. It had a
 24 small -- it had a small title on top of it, above
 25 literature.

1 Q. Okay. She was trying to -- what was she
 2 trying to do?
 3 A. Well, see basically where she used to
 4 teach at was in New Orleans. And in New Orleans
 5 she ended up making -- her and her students made a
 6 book basically that had numerous poems and art in
 7 it. So she thought she could start one up at
 8 Crenshaw. Basically you could sell it in stores
 9 and everything. She wasn't looking for a profit or
 10 anything. It was a book you could buy in stores
 11 and she would donate the money to somewhere else.
 12 And basically it prepared us just by having those
 13 poems or if we had some kind of talent in art.
 14 Q. Go ahead. Are you done?
 15 A. Yes.
 16 Q. You would meet with her approximately
 17 three times a week to help her put together this
 18 book?
 19 A. Yes.
 20 Q. And either you would write a poem or draw
 21 a picture.
 22 A. Yes.
 23 Q. How would you help her particularly? Did
 24 you do both?
 25 A. I made one poem but I really wasn't in it

1 Q. Okay.
 2 A. But we didn't really use it that much. We
 3 only used it maybe twice --
 4 Q. Okay.
 5 A. -- throughout the first semester.
 6 Q. Let me ask you about [REDACTED], rank her
 7 on a scale of 1 to 10, 10 being the best, how would
 8 you rate her?
 9 A. 10.
 10 Q. Were there any teacher aides in that class
 11 or any other teachers?
 12 A. No, there wasn't.
 13 Q. Did you ever talk with her about English
 14 outside of the class?
 15 A. Yes, I did.
 16 Q. And how often did you do that?
 17 A. Maybe three times out of the week.
 18 Q. Every week during your 10th grade year
 19 while you were at Crenshaw?
 20 A. Yes.
 21 Q. And would she essentially tutor you to
 22 some degree?
 23 A. No, she didn't. It was more so due to a
 24 book she was trying to get together for the
 25 students.

1 so I ended up drawing.
 2 Q. You did more artwork for her?
 3 A. Yes, more artwork.
 4 Q. Did you ever meet with her outside of
 5 class with respect to your English class as opposed
 6 to the book she was putting together?
 7 A. As far as?
 8 Q. The substance of what you were taught in
 9 the English class?
 10 A. As far as meet outside of the English
 11 class?
 12 Q. Yes.
 13 A. Okay. No, I didn't.
 14 Q. Did you ever miss that class during your
 15 10th grade year at Crenshaw?
 16 A. Yes.
 17 Q. How many times?
 18 A. I would say about four times due to -- it
 19 was, like I said, the bazaar. They have that every
 20 year. There was also a field trip.
 21 Q. Okay.
 22 A. Also extracurricular activities I was
 23 doing in other classes. All absences that I have
 24 throughout the whole school year are due to
 25 activities. It's not really that I'm absent. I'm

1 there, but I'm just --
 2 Q. I just wanted to know how many days you
 3 missed her class. You think that's about four?
 4 A. Yes.
 5 Q. During the year?
 6 A. Yes.
 7 Q. Okay. Have you ever been late to her
 8 class?
 9 A. I have, but with a written excuse. Like I
 10 said, it was an activity.
 11 Q. How many times do you think you were late
 12 to the class?
 13 A. Maybe one time.
 14 Q. Okay.
 15 A. Because mostly I get there early.
 16 Q. Do you know if other students are late to
 17 that class?
 18 A. Yes.
 19 Q. And often?
 20 A. There are some that are there late often.
 21 Q. Okay. For example, how often are some
 22 students late to class?
 23 A. Say about maybe once a week. There was
 24 one at -- one time where there was one girl she
 25 came -- she came late four times out of the week.

1 Q. And how long did that go on for?
 2 A. Only about two weeks.
 3 Q. Did she stay in the class?
 4 A. It was due to family problems.
 5 Q. Okay. Do you know of any other students
 6 that were late on a regular basis?
 7 A. No, not that I know of.
 8 Q. Okay. Do you know of any students that
 9 were absent from that class on a regular basis?
 10 A. Not that I know of.
 11 Q. Okay. So you stated that you do use
 12 textbooks in that class and the 10th grade edition
 13 of the same book you used in 9th grade. Do you
 14 have your own copy to use from class? Or did you
 15 have your own copy of that book to use in class?
 16 A. Yes.
 17 Q. And --
 18 A. I didn't have my own copy. It was just
 19 there were enough books there for everyone to use.
 20 Q. Okay.
 21 A. I wasn't assigned a book.
 22 Q. So there was an in-class set?
 23 A. Yes.
 24 Q. And everyone could use a book. But no
 25 book was assigned to a particular person for

1 in-class use?
 2 A. Correct.
 3 Q. And how many students were in the class,
 4 approximately?
 5 A. I'd say about 30, 35.
 6 Q. You don't know? Between 30 or 35?
 7 A. Around that. I'm not too sure.
 8 Q. Whatever the number was, there were enough
 9 books?
 10 A. Yes.
 11 Q. Did you have a book to take home in that
 12 class?
 13 A. No, I didn't.
 14 Q. Okay. The teacher didn't issue any books
 15 to go home?
 16 A. Only because it was a class and she
 17 couldn't -- there was only enough books for one
 18 period to take home. Other than that, there
 19 weren't enough books for every one in all of her
 20 periods together.
 21 Q. Do you know if there were any books on
 22 campus that were available for her to issue to
 23 students?
 24 A. Can I can say there wasn't. Because if
 25 there were, all students would have books in their

1 classrooms for everyone to take home.
 2 Q. I want to know specifically -- did you
 3 ever ask anyone, for example, if there were
 4 additional copies of that book that you were using
 5 in that particular English class anywhere on
 6 campus, for example, in a book room? Did you ever
 7 ask anyone that?
 8 A. I did ask [REDACTED] one time. And I mean
 9 of course she didn't know because it was her first
 10 year.
 11 Q. What did you ask her?
 12 A. I don't remember how that conversation
 13 came up. I don't remember how it came up.
 14 Q. I wanted to know what you asked her.
 15 A. I know. That's what I'm saying, I can't
 16 remember exactly how -- I mean it was -- I can't
 17 remember when I asked her or how I asked her.
 18 Q. I want to know what you asked her, though?
 19 What did you ask her, not when or how?
 20 A. I just asked her, "Are there any more
 21 books in the textbook room?"
 22 Q. Okay.
 23 A. And she told me she didn't know.
 24 Q. So you don't know one way or the other if
 25 there were or there weren't books in the textbook

1 room, for example, or anywhere else on campus that
2 were available for the students to take home,
3 correct?

4 A. Correct.

5 Q. Do you know if [REDACTED] ever asked anyone
6 for additional books for her classes?

7 A. Not that I know of.

8 Q. You don't know one way or the other, okay.
9 Correct?

10 A. Correct.

11 MR. FOX: Can we go off the record?

12 MS. STRONG: Sure.

13 (Discussion off the record.)

14 MS. STRONG: We've just had a brief
15 discussion off the record, and plaintiffs' counsel
16 has pointed out that it's 5:00 and has asked, you
17 know, thinking of the court reporter, that we
18 continue this deposition at this point.

19 I do have more questions and I have
20 represented to plaintiff and his counsel that I
21 think it's going to be difficult to actually finish
22 this deposition in even a second day, and most
23 likely we will need to go a third day. But we
24 discussed what days would be available for a second
25 day to continue this deposition.

1 There are conflicts with LAUSD's counsel,
2 the following weekend, which is the weekend of the
3 1st and 2nd -- 2nd and 3rd. There are conflicts
4 with plaintiffs' counsel for the following weekend
5 and myself, which is the weekend of the 8th
6 and 9th. So it looks like the next available
7 weekend would be the 16th and 17th.

8 So tentatively, we are going to try to
9 arrange for the second day of the deposition on the
10 17th, assuming that the plaintiff does not have a
11 conflict with it himself, Plaintiff Delwin Lampkin.
12 And if there is a conflict, we will proceed into
13 the next weekend, which is June 23rd or June 24th.
14 And this will be worked out with Ben and myself
15 during the closing week.

16 As to the closing stipulation, may we
17 stipulate that copies of the documents attached to
18 the deposition may be used as originals? May we
19 stipulate that the original of this deposition be
20 signed under penalty of perjury; that the original
21 be delivered to the office of Morrison & Foerster
22 to the attention of Benjamin Fox; that the reporter
23 is relieved for liability of the original of the
24 deposition; that the witness will have 15 days from
25 the date of the court reporter's transmittal letter

1 to Morrison & Foerster to the attention of Benjamin
2 Fox to sign and correct the deposition; and that
3 Benjamin Fox will notify all parties in writing of
4 any changes in the deposition. And if there are no
5 such changes communicated or signature within that
6 time, that any unsigned and uncorrected copy may be
7 used for all purposes as if signed and corrected.

8 MR. FOX: So stipulated.

9 By the way, we disagree that a third day
10 is necessary, but we can revisit that at the end of
11 day two.

12 MS. STRONG: Okay.

13 THE REPORTER: And you both need a copy?

14 MR. FOX: Yes.

15 MR. FERNANDES: Yes.

16 (The deposition was recessed at 5:06 P.M.)
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1 DECLARATION
2
3
4

5 I hereby declare I am the deponent in the
6 within matter; that I have read the foregoing
7 deposition and know the contents thereof, and I
8 declare that the same is true of my knowledge,
9 except as to the matters which are therein stated
10 upon my information or belief, and as to those
11 matters, I believe it to be true.

12 I declare under the penalties of perjury
13 of the State of California that the foregoing is
14 true and correct.

15 Executed on the _____ day of
16 _____, 2001.
17 _____, California.
18
19
20
21

22 _____
23 WITNESS
24
25

1 I, ASHALA TYLOR, a Certified Shorthand
2 Reporter for the State of California, do hereby
3 certify:

4 That prior to being examined, the witness
5 named in the foregoing deposition, was by me duly
6 sworn to testify as to the truth, the whole truth,
7 and nothing but the truth pursuant to
8 Section No. 2093 of the Code of Civil Procedure;

9 That said deposition was taken before me
10 at the time and place therein set forth, and was
11 taken down by me in shorthand and thereafter
12 reduced to typewriting via computer-aided
13 transcription under my direction;

14 I further certify that I am neither
15 counsel for, nor related to, any party to said
16 action, nor in anywise interested in the outcome
17 thereof.

18 IN WITNESS WHEREOF, I have hereunto
19 subscribed my name this 9th day of
20 June, 2001.

21
22

ASHALA TYLOR
CSR No. 2436, RPR, CRR

23
24
25