

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

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ELIEZER WILLIAMS, a minor, by)
Sweetie Williams, his guardian)
ad litem; et al., each individually)
and on behalf of all others)
similarly situated,)

Plaintiffs,)

vs.)

STATE OF CALIFORNIA; DELAINE)
EASTIN, State Superintendent of)
Public Instruction; STATE)
DEPARTMENT OF EDUCATION; STATE)
BOARD OF EDUCATION,)

Defendants.)
-----)

Case No.
312236
Pages 1 - 272
Volume I

DEPOSITION OF PATRICIA MUNOZ
SATURDAY, JANUARY 19, 2002
9:55 A.M.

REPORTED BY: LAURA J. MELLINI
RPR, CSR NO. 8181

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1 Deposition of PATRICIA MUNOZ, the witness, taken on
 2 behalf of the Defendant, on SATURDAY, JANUARY 19, 2002
 3 at 9:55 A.M., at 400 South Hope Street, 15th Floor,
 4 Los Angeles, California, before LAURA J. MELLINI,
 5 CSR NO. 8181.
 6
 7 APPEARANCES OF COUNSEL:
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1 APPEARANCES OF COUNSEL: (Continued)
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1 LOS ANGELES, CALIFORNIA; SATURDAY, JANUARY 19, 2002
 2 9:55 A.M.
 3
 4 PATRICIA MUNOZ,
 5 having been duly administered an oath
 6 in accordance with Code of Civil Procedure
 7 Section 2094, was examined and testified as follows:
 8
 9 EXAMINATION
 10
 11 BY MS. STRONG:
 12 Q Good morning, Patricia.
 13 A Good morning.
 14 Q My name is Sabrina Strong. I represent the
 15 State of California in this lawsuit.
 16 Could you please state and spell your name for
 17 the record.
 18 A Patricia Munoz, M-u-n-o-z.
 19 Q Do you have a middle name?
 20 A No.
 21 Q Do you know why you're here today?
 22 A Yeah, I'm here as a plaintiff for the case,
 23 the Williams case. I'm here to testify based on my
 24 personal experience on the bad system or the bad
 25 circumstances in schools, specifically in my school, the

1 high school.

2 Q Have you ever been deposed before?

3 A Deposed?

4 Q You don't know what that word is?

5 A No.

6 Q Have you ever come to a proceeding like this

7 before where an attorney has asked you questions and a

8 court reporter has taken it down?

9 A No.

10 Q Okay. So I'm going to explain to you how

11 we're going to proceed today and, if you have any

12 questions about any logistics or anything that's going

13 to happen today, please feel free to ask me. Okay?

14 A All right.

15 Q First of all, I'm here to find out what you

16 know about the conditions at your school, and what you

17 know with respect to this lawsuit. There is a court

18 reporter here who is going to be taking down everything

19 that we say today. She's going to write down all of my

20 questions and all of your answers and any of the

21 comments made by any of the attorneys in the room.

22 It's because she's doing that that it's

23 important that we give verbal answers. We can't nod our

24 head or shake our head because she can't capture that on

25 the transcript.

1 Do you understand that?

2 A Yes.

3 Q It's important that you say yes and no, and

4 uh-huh and unh-unh doesn't read on the transcript. So

5 we need to avoid that if at all possible. Okay?

6 A Okay.

7 Q She's going to take what we've said today

8 down, and we're -- you're -- it's going to be compiled

9 in a little booklet, and then you will have an

10 opportunity to review that booklet at a later date and

11 make any changes to that that you feel are appropriate.

12 However, if you do make any changes, at that

13 time any of the attorneys in this action will be able to

14 comment on the changes that you make. So it's really

15 important that you give your full, complete, truthful

16 testimony here today.

17 Do you understand that?

18 A Yes.

19 Q It's also important that one person speaks at

20 a time because she needs to capture everything that

21 we're saying. If we're speaking on top of each other

22 it's very difficult for her to do that. So I'm going to

23 do my best to let you finish an answer before I begin

24 with my next question. If you could do your best to let

25 me finish my question before you start with an answer,

1 it will make it a lot smoother today for the court

2 reporter and for our record.

3 Do you understand that?

4 A Yes.

5 Q It's important that you listen to the

6 questions carefully and answer the question that is

7 asked. If you do not understand the question, let me

8 know, and I'll either restate the question or rephrase

9 it. But if you just answer the question, I'm going to

10 assume that you have understood the question as asked.

11 Do you understand that?

12 A Yes.

13 Q Okay. And you're required to answer the

14 questions to the best of your ability today. I don't

15 want you to guess, but I am entitled to your best

16 estimate where you can provide one.

17 Do you understand that?

18 A Yes.

19 Q Because you're testifying under oath here

20 today, it has the same force and effect as if you were

21 testifying in a court of law. So you are subject to the

22 same penalties for perjury for giving false testimony.

23 Do you understand that?

24 A Yes.

25 Q Okay. If at any time you need a break for any

1 reason, just let me know. This is not an endurance

2 contest, and we can take a break. I'll try to come to a

3 stopping point as quickly as possible and let you take a

4 break, or if you need to talk to your attorney for any

5 reason, please just let us know. Okay?

6 A Okay.

7 Q If at any point during today's deposition you

8 think of something or you're reminded of something that

9 was responsive to a prior question of mine, feel free to

10 bring it up at that time, and you can supplement your

11 answers at any time throughout the day.

12 So it's important that at the end of the day,

13 we have your complete and full testimony regarding the

14 questions that I have asked.

15 Do you understand that?

16 A Yes.

17 Q Do you have any questions regarding what I've

18 said so far?

19 A No.

20 Q Is there in reason why you may not be able to

21 give your best testimony today?

22 A No.

23 Q Have you recently consumed any medication or

24 any other substance that would cloud your mind or affect

25 your ability to testify here today?

1 A No.
 2 Q And do you suffer from any disability of any
 3 kind that would affect your ability to testify here
 4 today?
 5 A No.
 6 Q Are you represented by an attorney here today?
 7 A Yes.
 8 Q And who is that?
 9 A Erin Spiotta.
 10 Q How did you meet her?
 11 A How did I meet her?
 12 Q Uh-huh.
 13 A Well, she -- she called me on Wednesday
 14 because she's from the ACLU, and she introduced herself
 15 to me as my new attorney.
 16 Q How did you first learn about this lawsuit?
 17 A In the summer of -- June, 2001, and I'm part
 18 of Locke student union, and they introduced me to this
 19 case. That's when I became interested in giving my
 20 personal point of view in it.
 21 Q So you said you're a member of Locke's student
 22 union. Can you tell me a little bit about that group?
 23 A Well, last year it was stronger than this
 24 year, but it's the group that -- when we meet, we talk
 25 about Locke, like, what's affecting us or what are we

1 missing or what kind of problems we're facing. We
 2 usually write it, type it down, and then we talk to the
 3 principal, or we send to the administration and try to
 4 make changes in Locke.
 5 Q You said the group introduced you to the
 6 lawsuit. Do you remember specifically when it was that
 7 you first heard about the lawsuit?
 8 A It was probably towards the end of the year,
 9 like, in June or maybe ending of May.
 10 Q Of 2001?
 11 A 2001.
 12 Q What happened?
 13 A Well, this group was fighting against Locke's
 14 issues, and then they told us that they had people from
 15 the ACLU that wanted to speak to some of the students,
 16 and they wanted to get personal opinions or personal
 17 experience that they had faced in Locke.
 18 I was -- I had -- I had a strong opinion about
 19 it, and I decided to meet them and see what it was
 20 about.
 21 Q When you said "they," who are you referring
 22 to?
 23 A It was different people from ACLU.
 24 Q But you said, they told me that the ACLU
 25 people were going to come?

1 A Oh, the students. For us it was like the head
 2 student from the student union.
 3 Q Who would that be?
 4 A That was Rosa Cuevas.
 5 Q Did anyone else other than Rosa Cuevas tell
 6 you about the ACLU attorneys in this lawsuit before you
 7 met with an ACLU attorney?
 8 A No.
 9 Q Just Rosa?
 10 A Just Rosa.
 11 Q Do you know how Rosa met with the ACLU
 12 attorneys or learned of this lawsuit?
 13 A I have no idea.
 14 Q So did Rosa arrange for a meeting for the ACLU
 15 attorneys to come and speak with the students or what
 16 happened?
 17 A As far as I remember, it was -- she was -- she
 18 had a phone call. They contacted her and they -- yeah,
 19 they set up a date to meet with students, and they
 20 introduced themselves, and they talked a little about
 21 the Williams case. And some other case.
 22 Q That was all as a group of students together
 23 with the attorneys?
 24 A Yes.
 25 Q Where was -- where did this meeting take

1 place?
 2 A They decided to take the students to a
 3 restaurant. Denny's.
 4 Q When was this? What type of day?
 5 A That was -- that was after school. I think it
 6 was a shortened day so that's why we went.
 7 Q Do you remember who was present that day with
 8 the attorneys at Denny's?
 9 A The only person I remember was Laura. Laura
 10 from the ACLU. There was several others, but I don't
 11 know their names.
 12 Q Several other people from the ACLU?
 13 A I'm not pretty sure if they were attorneys,
 14 but, yeah, they were from the ACLU.
 15 Q You don't know who was there. There were
 16 people with Laura that you didn't know?
 17 A Yeah.
 18 Q In terms of the students that were there, can
 19 you tell me who was there from the students?
 20 A Well, that I -- that I had, like, a personal
 21 contact, or that I knew was Rosa Cuevas and Lucia Ortiz.
 22 Q Do you know the names of any of the other
 23 students, even if you're not really good friends with
 24 them, but do you know their names?
 25 A Part of the group that was there?

1 Q People who were at Denny's with Laura.
 2 A At Denny's, no, I don't remember names.
 3 Q But both Rosa and Lucia were there?
 4 A Yeah, they were there.
 5 Q When is it that you decided to actually
 6 participate in this lawsuit?
 7 A Well, first I had, like, a backup -- like they
 8 told me everything about it, and then I had, like, an
 9 overnight -- well, actually, like, a week to think about
 10 it to see if I really wanted to get involved.
 11 At the beginning it scared me because I didn't
 12 want -- my senior year was coming up. I didn't want to
 13 face any kind of problems. But then when they explained
 14 that it would only help, and it would better the
 15 situation, then I decided to get involved.
 16 Q When you said a week to think about it, what
 17 do you mean by that?
 18 A Well, because they met again, and then I have
 19 to decide if I wanted to meet with them again, or I
 20 would just ignore everything and let it go.
 21 Q Who met again?
 22 A I met with Laura again and another lawyer
 23 named Chris. I don't remember the last name.
 24 Q Was there another group meeting arranged? Is
 25 that what was going on?

1 A The second time I met her, no, it was a
 2 private, with my parents, because my parents were
 3 concerned what was going on. They didn't know what was
 4 going on. They wanted to know what was happening. We
 5 had, like, my mom, my dad, and I had a meeting with her.
 6 She explained everything. Then that's when I decided to
 7 make a declaration.
 8 Q Where did that meeting take place?
 9 A My house. My mom.
 10 Q So did you proceed to make a declaration at
 11 that time?
 12 A No. We set up another meeting for that, yeah,
 13 that was only Laura and I.
 14 Q Where did that meeting take place with Laura?
 15 A I'm trying -- I don't remember exactly where.
 16 I think it was my -- my living room also.
 17 Q And so it was at that third meeting that you
 18 made a declaration. Is that correct?
 19 A Yes. That's correct.
 20 Q And at that third meeting was the declaration
 21 already prepared for you to review, or did you just tell
 22 her what you'd like to have stated in your declaration?
 23 A Well, at the third meeting, yeah, she had,
 24 like, a set of questions and, yeah, that's when she
 25 wrote my declaration down. And then she -- I think it

1 took her, like, a week to get it set up. Then I read
 2 it.
 3 Q So you didn't sign your declaration at that
 4 third meeting with Laura?
 5 A No, no.
 6 Q Was there another meeting where you did sign
 7 the declaration, or how did you sign your declaration?
 8 A Yeah, I signed it -- yeah, like a week or week
 9 and a half later she -- we had another -- well, she
 10 would just drop by to my house, and I overread (sic) the
 11 meeting -- the declaration and made sure everything was
 12 correct, and then I signed it.
 13 Q You said there was a meeting with your parents
 14 at your house?
 15 A Yes.
 16 Q What were your parents' concerns?
 17 A Well, they were kind of -- they didn't know
 18 nothing about it. I mean, I knew because I didn't have
 19 time to explain it. They wanted to know what -- you
 20 know, what was I getting involved in and was it safe or
 21 would it be convenient for me to actually become
 22 involved. That's why they decided -- they called Laura,
 23 and they said they wanted to meet with her. That's when
 24 they did.
 25 Q What was it that your parents learned that

1 made them decide that it was okay for you to
 2 participate?
 3 MS. SPIOTTA: Object for speculation and also
 4 object to the extent that this is going to infringe on
 5 attorney/client privilege. The content of those
 6 meetings is not something you should testify about.
 7 So if you know what your parents -- if you can
 8 answer the question, you can go ahead, but you don't
 9 have to tell her what happened at that meeting with you
 10 and Laura and your parents. You shouldn't tell her the
 11 contents of those conversations.
 12 THE WITNESS: Okay. Well --
 13 MS. STRONG: I don't agree with you that the
 14 conversation was privileged with her parents present.
 15 MS. SPIOTTA: Her parents signed her
 16 declaration (sic) for her. She's a minor. So her
 17 parents have signed a retainer agreement on her behalf
 18 and are also our clients.
 19 MS. STRONG: Okay.
 20 THE WITNESS: The reason they gave me the
 21 information to sign the paper was because they learned
 22 that if this came to be, if everything came to be
 23 successful, then it would better the education for
 24 future generations like me or my brother.
 25 My mom, also, she works at an LAUSD school.

1 She wants to see things better in schools, in
 2 California.
 3 BY MS. STRONG:
 4 Q You were particularly concerned with the
 5 conditions at your high school. Is that correct?
 6 A Well, I represent the State of California. I
 7 would love to see changes in all the schools but, yeah,
 8 specifically in my school.
 9 Q Your mother's a teacher. Where is she a
 10 teacher?
 11 A Not a teacher. She's just a community
 12 representative. She represents like -- she has a small
 13 position at my ██████████ High School.
 14 Q What's the name of her position?
 15 A Community representative.
 16 Q What does that mean?
 17 A She is usually in charge of getting the
 18 parents to assist the meetings at ██████████
 19 Q Getting the parents to what?
 20 A Go to the meetings that they have specifically
 21 for Hispanics, Hispanic parents. She's, like, the
 22 bilingual representative.
 23 Q What?
 24 A Bilingual.
 25 Q Bilingual representative.

1 How long has she had that position for?
 2 A She previously worked at Gompers Middle School
 3 for five years, or approximately five years. And at
 4 ██████████ has -- this is her first year, as of the last
 5 summer. This is actually going on to her second year.
 6 Q So the 2000/2001 school year was her first
 7 school year?
 8 A Yeah.
 9 Q So how often is she at ██████████ High School?
 10 A How often? Well, she works from Monday to
 11 Friday part time from 11:30 to 3:00.
 12 Q Who does she work with on a regular basis at
 13 the school?
 14 A She works at the Title 1 office. I don't
 15 know. Title I office. And she has -- she usually makes
 16 a lot of phone calls, like, to let the parents know
 17 about future meetings and stuff.
 18 Q Are the meetings that she is informing parents
 19 about regarding Title I issues?
 20 A No.
 21 MS. SPIOTTA: Just answer the questions if you
 22 know them. I'm going to object for speculation.
 23 THE WITNESS: Well, actually, yeah, she's in
 24 charge of the Title I and solo bilingual coordinators
 25 meetings.

1 BY MS. STRONG:
 2 Q So both?
 3 A Yeah. Yes.
 4 Q Do you know any students -- any other students
 5 at Locke High School who are involved in this lawsuit?
 6 A Yes.
 7 Q Who?
 8 A Just Lucia Ortiz and Rosa Cuevas.
 9 Q Do you know if Lucia Ortiz has signed a
 10 declaration in reference to this case?
 11 A Yes.
 12 Q How do you know that?
 13 A Because we talked to each other about it.
 14 Q Okay. When was the last time you talked to
 15 Lucia about that?
 16 A It was probably on Tuesday.
 17 Q And what happened on Tuesday when you talked
 18 about it?
 19 A Well, we just briefly talked about -- because
 20 we didn't -- we hadn't, like, talked about the whole
 21 Williams case anymore because it was -- it's been so
 22 long since we actually participated. And I was just
 23 wondering what had happened to her and what happened to
 24 me. She told me she had a meeting with her lawyer too,
 25 and they talked about her -- her role in the case.

1 That's basically it.
 2 Q Okay. Do you know if she's been deposed or
 3 come to a proceeding like this? This is called a
 4 deposition. Do you know if she's had a deposition?
 5 A Yes, she did.
 6 Q How do you know that?
 7 A She told me.
 8 Q On that same conversation on Tuesday?
 9 A Yeah. Yes.
 10 Q What did she tell you about her deposition?
 11 A Not much. She just told me she had one, and
 12 she had a lot of questions asked. She didn't tell me
 13 what or --
 14 MS. SPIOTTA: I told her that was accurate.
 15 BY MS. STRONG:
 16 Q And Rosa Cuevas -- do you know if she signed a
 17 declaration in this case?
 18 A She signed a declaration.
 19 Q How do you know that?
 20 A Because when we were -- she signed it, like,
 21 around the time I did. So her declaration was made,
 22 like, in the same period of time. I mean, I wasn't
 23 present when she signed it, but she did tell me that she
 24 did sign her declaration.
 25 Q So around the time when you were both --

1 A Yeah.
 2 Q -- preparing or signing declarations, she told
 3 you about it. Is that correct?
 4 A Yes.
 5 Q Have you talked with her since that time
 6 regarding her declaration?
 7 A No, not regarding her declaration.
 8 Q Have you talked to her since that time
 9 regarding anything related to this case?
 10 A No.
 11 Q Do you know if she has been deposed in this
 12 case?
 13 A She hasn't.
 14 Q Do you know if she's scheduled to be deposed
 15 in this case?
 16 A She's not.
 17 Q Why is that?
 18 A I don't know.
 19 Q How do you know that she's not scheduled to be
 20 deposed?
 21 A Because I asked her. Because she was, like,
 22 the head of our student union, and I was wondering why
 23 she wasn't deposed and I was.
 24 Q Did you ask her why?
 25 A Yeah.

1 Q What did she say?
 2 A She said she never -- she never had any phone
 3 calls or anything regarding the Williams case anymore.
 4 Q Do you know if she wants to be deposed?
 5 A I don't know.
 6 Q Did she tell you one way or the other?
 7 A No.
 8 Q Do you know if she wants to stay involved in
 9 the lawsuit?
 10 A I don't know.
 11 Q Did you discuss that with her?
 12 A No.
 13 Q So she never said anything to you of that
 14 nature that she either did or did not want to be
 15 involved in the lawsuit anymore?
 16 A No.
 17 Q Do you have any understanding as to why she
 18 hasn't been involved with the lawsuit recently?
 19 A Well, I think because she's been busy with
 20 school and stuff. She's been really busy with seniors'
 21 activities and stuff.
 22 Q Okay. Have you had an opportunity to review
 23 either Lucia's or Rosa's declaration?
 24 A No.
 25 Q What did you do to prepare for this deposition

1 here today?
 2 A Well, I had a meeting with my lawyer.
 3 Q Okay. Anything else?
 4 A We had a -- I reviewed my declaration. I
 5 looked at the complaint, and I also looked at the notice
 6 for me to be present here, and what to bring, what kind
 7 of papers to bring.
 8 Q Anything else that you did?
 9 A I just took the time to look for my papers and
 10 review my declaration constantly.
 11 Q Why do you say "constantly"?
 12 A Because I just felt like I had to remember
 13 what I said.
 14 Q Would you not otherwise remember if you hadn't
 15 reviewed your declaration so much?
 16 A Well, it's just so long ago. It was six
 17 months ago since I had done my declaration. So I felt
 18 like I had to remember exactly what I said.
 19 Q Do you think you remember the incidents, or do
 20 you remember it only because you read your declaration?
 21 A Oh, no, I remember the incidents. It's just,
 22 like, details about it. Like, specific books or, I
 23 don't know, specific numbers I mentioned there that I
 24 had to be accurate in.
 25 Q So some of the details you may not remember as

1 well, as you sit here today, had you not read your
 2 declaration recently. Is that correct?
 3 A No, that's not correct. I would have
 4 remembered it. I just wanted to make sure that it
 5 was -- that I wasn't going to go against what I said.
 6 Like, I don't know in numbers, just number-wise, that I
 7 would remember.
 8 Q You said that you reviewed the complaint.
 9 What did you review of the complaint?
 10 A I really didn't go over it. I sketched (sic)
 11 through it, and I basically just saw the introduction to
 12 it. I really didn't read through it, but I did see it.
 13 Q It's a big document, isn't it?
 14 A Yes.
 15 Q Do you remember anything that you read from
 16 the complaint specifically?
 17 A I just read the introduction, which was based
 18 on -- they mentioned why the -- it mentioned like --
 19 like what the case is about, kind of like the bad
 20 situation that some schools are in. That's what I
 21 remember reading.
 22 Q Do you remember any other details other than
 23 that which you've already testified to?
 24 A No, just that it was a thick document.
 25 Q Was there anything that you read that you

1 disagreed with?

2 A No.

3 Q You also said that you reviewed the notice
4 that requires your attendance here today, and the
5 attached request for documents. Did you look for
6 documents in response to that request?

7 A Yes.

8 Q And your attorney produced this morning before
9 the deposition began a set of documents. Are those the
10 documents that you found in response to the request for
11 production?

12 A Yes.

13 Q Okay. Do you have any other documents at
14 home -- let me just -- for the record I'd like to point
15 out that I have not yet had an opportunity to review the
16 documents, and I will try to do so during the break
17 today.

18 But given that I haven't reviewed them yet, I
19 want to ask you, do you have any other documents at home
20 regarding the conditions at your school?

21 A No. I don't think so. No.

22 Q Do you have any documents at home regarding
23 any conversations that you may have had with any
24 administrator or teacher regarding any of the issues
25 relating to this lawsuit?

1 A No. They all had to do with the student
2 union.

3 Q I just want to make sure it's clear. Maybe
4 with the student union you went and met with others.
5 Did you ever meet with anyone outside of the student
6 union in reference to conditions at the school? For
7 example, someone with the board or --

8 A Yes, we actually also assisted school board
9 meetings and discussed --

10 Q When you say "assisted" you mean attended?

11 A Attended, yeah.

12 Q School board meetings you said?

13 A Yeah.

14 Q Any other meetings that you attended outside
15 of your school and outside of just a Locke student union
16 group meeting? What other meetings did you attend?

17 A That I recall, just like -- the only people
18 that I had meetings with, other than the student union
19 were, like, ACLU members.

20 Q Oh, ACLU members?

21 A Yeah. Yes.

22 Q Was that after the meeting at the -- at your
23 house with your parents that you met with ACLU members,
24 or are you talking meetings prior to that?

25 A There was only one meeting prior to that,

1 A No, not me.

2 Q Do you know of someone else who does?

3 A Well, the person I would think would have some
4 kind of record would be Rosa Cuevas.

5 Q Why do you say that?

6 A Because she was the head of the union. She
7 might have some kind of records. That was last year.

8 Q Did you ever take notes during your Locke
9 student union meetings?

10 A Yes.

11 Q Do you have any of those notes?

12 A I did look for them, but I couldn't find them.
13 They're in my house. I just have to look for them a
14 little bit more.

15 Q So you think you may still have some notes
16 from the Locke student union meetings that you weren't
17 able to find yet?

18 A I think so.

19 Q Did you ever attend any meetings off campus
20 regarding the conditions at your school?

21 A They were usually off campus. They were never
22 on campus.

23 Q Let me rephrase that. Did you ever attend any
24 meetings that were not Locke student union meetings to
25 discuss the conditions at your school?

1 which is when I was introduced, and after that it was,
2 yeah, after my parents talked to Laura.

3 Q Any other meetings that you can think of?

4 A Not at this moment. I don't remember.

5 Q You said you met with the school board
6 members. How many times did you meet with someone from
7 the school board?

8 A From the school board, well, as a group we
9 went to the school board and each one played a role in
10 it. Like, in my case I talked about a certain topic and
11 another student about another. That was just once I did
12 that.

13 Q What was your topic?

14 A As far as I remember, I discussed the -- the
15 teachers at Locke, like, the unqualified teachers, and I
16 also discussed the fact that we are -- we lack books and
17 materials, and the fact that we deserve a competitive
18 education.

19 Q Is this a meeting where you spoke to the
20 entire school board?

21 A Yes.

22 Q Do you have any notes from that meeting?

23 A No, I don't think so.

24 Q When you said you also had meetings with the
25 ACLU people after that, did you ever have meetings with

1 the ACLU people where you met with others? It wasn't
2 just you and your attorneys, but there were other
3 individuals present at the meeting?

4 A The other individuals that were there were
5 other student union -- Locke student union members and
6 ACLU members.

7 Q Okay. So were they always regarding this
8 lawsuit, or were they regarding other issues as well?

9 A They regarded -- well, it was based on the
10 lawsuit, but they also regarded, like, how to solve the
11 problem -- well, okay, it was about the lawsuit, but
12 they also talked about what -- what could they do, like,
13 how to get the parents involved and stuff like how to
14 better the school, meanwhile, since this was taking
15 place.

16 Q How many meetings have you had with people
17 from the ACLU since the meeting at your house with your
18 parents?

19 A Approximately like -- I would say, like,
20 around ten to twelve meetings.

21 Q And where did these meetings take place?

22 A Where? In different places. Like, for
23 instance, a couple of times they took place in my house.

24 Q Are those other than the two that you already
25 described to me at your house?

1 A Yes. And other times it was -- I don't
2 remember the name of the place, but it's on the side of
3 Maxine Waters. It's, like, a place where they -- they
4 rent, like, the meeting room, and we would have, like, a
5 whole meeting room with ACLU members, lawyers, parents,
6 students, concerning Locke issues.

7 Q Concerning Locke issues?

8 A Yeah.

9 Q You don't remember where that was. You said
10 it was near Maxine Waters?

11 A Yeah, I don't remember the name of the place.

12 Q Near her office. Is that what you're saying?

13 A There's some Maxine Waters organization there,
14 and it's across the street.

15 Q Can you give me a general area as to where it
16 is?

17 A I think it's ACLU, it's on Central and 108th
18 or around that area.

19 Q Any other place that you can think of where
20 you had meetings with ACLU attorneys and other students?

21 A Well, in different occasions it was like in
22 Denny's or McDonald's.

23 Q How did you learn about these meetings?

24 A How did I become aware of where they were at
25 and stuff?

1 Q Correct.

2 A Phone calls from different -- it was basically
3 Laura, the one who called me about the meetings, or
4 other student union members.

5 Q I'd like to ask you to go ahead and try and
6 look a little harder for your notes from the Locke
7 student meetings and give those to your attorney so they
8 can be produced in this litigation.

9 Do you understand that?

10 A Okay.

11 MS. STRONG: I would ask that you give them to
12 us when they're turned over.

13 MS. SPIOTTA: Absolutely.

14 MS. STRONG: Thanks.

15 Q Did you bring any other documents with you
16 today, other than the documents that your attorney gave
17 to me this morning?

18 A No.

19 Q How old are you?

20 A I'm 17.

21 Q And you're a student at Locke High School.

22 Correct?

23 A Yes.

24 Q How long have you been at Locke High School?

25 A I've been there -- this is my third year.

1 10th, 11th -- senior year.

2 Q Where did you go to school prior to Locke?

3 A I went to Middle College High School.

4 Q Middle College High School? Where is that
5 located?

6 A It's a Southwest College campus. It's on the
7 side.

8 Q Is that an LAUSD public school?

9 A I'm not sure. I think so, but I'm not sure.

10 Q I'll break that down into two questions. Do
11 you believe it's a public school?

12 A I believe it's a public school.

13 Q And you don't know if it's within the Los
14 Angeles Unified School District or not. Is that
15 correct?

16 A Well, I have a report card there. Maybe would
17 that -- I don't know. I think so, but I'm not sure
18 about it.

19 Q Okay. How long were you at Middle College
20 High School?

21 A For one year, freshman year.

22 Q 9th grade year?

23 A Yeah.

24 Q Where did you go to school prior to that?

25 A My middle school in Gompers Middle.

1 Q Gompers?
 2 A Yes.
 3 Q How long were you at Gompers for?
 4 A Three years.
 5 Q That would have been 6th, 7th and 8th grade?
 6 A Yes.
 7 Q Is that a public school?
 8 A Yes.
 9 Q Is it a Los Angeles Unified School District
 10 school?
 11 A Yes.
 12 Q Where did you attend -- where is Gompers
 13 located approximately?
 14 A It's like half a block from Locke on 110th, I
 15 think, and San Pedro.
 16 Q Where did you go to school prior to Gompers?
 17 A Figueroa Street School.
 18 Q How long were you there for?
 19 A Six years. Kindergarten through 5th grade.
 20 Q Okay. Is that an LAUSD school?
 21 A Yes.
 22 Q Where do you live?
 23 MS. SPIOTTA: You don't have to tell her your
 24 address.
 25 THE WITNESS: I live around that school, on

1 Q How many hours a day do you study at home?
 2 A Well, it depends, but I would say usually,
 3 like, two to three hours a day.
 4 Q What does it depend on?
 5 A It depends on how much homework, or if I have
 6 a test coming up.
 7 Q Okay. So sometimes you study more than two to
 8 three hours?
 9 A Yes.
 10 Q Do you ever study less than that?
 11 A No.
 12 Q So at a minimum you're studying two to three
 13 hours a day, approximately six days a week?
 14 A Yes.
 15 Q Where is it that you study in your house?
 16 A In my room.
 17 Q Do you have a desk there for you to study?
 18 A No.
 19 Q Where do you study in your room?
 20 A I usually study in my bed. Yeah, in my bed.
 21 Q I used to do that too. So you lie on your bed
 22 to study?
 23 A Sit, because if I lay, I go to sleep.
 24 Q Do you share your room with anyone?
 25 A Yes.

1 [REDACTED]
 2 MS. STRONG: Will you stipulate that you'll
 3 accept service of process in reference to everything --
 4 let me finish what I'm saying.
 5 MS. SPIOTTA: Before I agree.
 6 MS. STRONG: Yeah. Will you stipulate that
 7 you'll accept service of process for all issues relating
 8 or all papers relating to this lawsuit for the witness?
 9 MS. SPIOTTA: Yes, I will.
 10 BY MS. STRONG:
 11 Q How far away from Locke do you live?
 12 A [REDACTED]
 13 Q How long have you lived at that address?
 14 A For the past six years.
 15 Q Do you study or do homework at your house?
 16 A Yes.
 17 Q How often do you do that?
 18 A How often? Every day.
 19 Q So Monday through Friday. Do you also study
 20 on the weekends?
 21 A Yeah, yes.
 22 Q So seven days a week you study at your house?
 23 A I wouldn't say seven. Six.
 24 Q Approximately six days a week?
 25 A Yeah.

1 Q Who do you share your room with?
 2 A My little brother.
 3 Q What grade is your brother in?
 4 A He's in the 6th grade.
 5 Q Does he also have homework?
 6 A Yes.
 7 Q Does he study at home then?
 8 A Yeah.
 9 Q Does he do that in the same room with you?
 10 A Yes.
 11 Q Do you find that that area in your bedroom is
 12 a quiet place for you to study?
 13 A Well, I make the best out of it. It's really
 14 not that quiet.
 15 Q Are you able to study there?
 16 A Yeah, when I have to, and it's like mandatory,
 17 I make the time and the space to study, yeah.
 18 Q You do that two to three hours every night --
 19 well, six days a week approximately?
 20 A Approximately, yeah.
 21 Q Does anyone help you with your homework at
 22 home?
 23 A No.
 24 Q Do you ever study anywhere else other than in
 25 your room at home?

- 1 A Well, in cases like for my calculus class, I
2 stay for tutoring after school and study in the class.
- 3 Q That's for this year, your senior year?
- 4 A For this year and previous years, like when I
5 had tutoring or I had problems with something, I would
6 stay after school or on Saturday mornings.
- 7 Q Are you currently attending tutoring for
8 calculus?
- 9 A Yes.
- 10 Q How often do you go to tutoring for calculus?
- 11 A I usually go on Fridays from 3:09 to 4:30.
- 12 Q Is that every Friday?
- 13 A Not every Friday. I would say, like, two
14 Fridays from a month, yeah. Depending on, like, if I
15 have troubles with the week, the previous week.
- 16 Q Okay. Do you ever -- what other tutoring have
17 you attended this year?
- 18 A This year? That's the only tutoring I have
19 attended.
- 20 Q Calculus?
- 21 A Yeah.
- 22 Q Do you know if tutoring is offered in other of
23 your courses this year?
- 24 A Yeah, it's offered.
- 25 Q Which courses is tutoring offered?

- 1 A For this year my government class, my
2 teacher -- she offers Saturday tutoring. And that's it.
- 3 Q That you can think of?
- 4 A Yeah, that I can think of.
- 5 Q Have you ever gone to your Saturday tutoring
6 for government?
- 7 A Not this year, no.
- 8 Q Who's the teacher for your calculus class?
- 9 A Miss Mangram.
- 10 Q Mangram?
- 11 A Yes.
- 12 Q And she is the one that offers the tutoring on
13 Fridays?
- 14 A Yes.
- 15 Q Does she offer tutoring at any other time?
- 16 A Well, she offers -- you have to schedule her
17 if you want her, like, lunch time, or she also stays on
18 Thursdays.
- 19 Q So you have a choice of going during lunch,
20 Thursdays after school or Fridays after school. Is that
21 correct?
- 22 A Well, in my case it could only be, like, on
23 lunch or Fridays because on Thursdays I work.
- 24 Q But she offers that for students?
- 25 A Yeah.

- 1 Q Your government teacher, you said, offers
2 tutoring on Saturday. Does she offer tutoring at any
3 other time?
- 4 A If you make a schedule with her, yes, like an
5 appointment.
- 6 Q Do you know when you can schedule an
7 appointment with her?
- 8 A She would be happy any time, but you just have
9 to let her know what time.
- 10 Q So that could be lunch or after school. Is
11 that correct?
- 12 A Yes.
- 13 Q Or before school. Is that correct?
- 14 A Yes.
- 15 Q What is your government teachers's name?
- 16 A Mrs. Talley.
- 17 Q Mrs. Talley.
- 18 Do you know if there was tutoring offered for
19 any of your classes during your 9th grade -- I'm sorry,
20 10th grade year?
- 21 A Yes, there was always Saturday tutoring.
- 22 Q When you say "Saturday tutoring," what class
23 would that have been for?
- 24 A I remember attending two, for my science
25 classes and math.

- 1 Q Do you know if you could have received
2 tutoring for any of your classes on Saturdays?
- 3 A It was depending on which are the teachers
4 that participate on Saturday tutoring, but you could
5 always go in and try if they could help you with a
6 certain subject, but there was one for each subject, or
7 sometimes two teachers for each subject.
- 8 Q So every subject that you had in 10th grade,
9 if you needed tutoring, you could go on Saturdays, and
10 there would be some teacher -- maybe your teacher; maybe
11 not -- who was there to assist you. Is that correct?
- 12 A Yes, yes.
- 13 Q Was there any other tutoring offered during
14 your 9th (sic) grade year either after school, before
15 school or during lunch?
- 16 MS. SPIOTTA: Do you mean 10th grade?
- 17 MS. STRONG: Yeah, I'm sorry.
- 18 THE WITNESS: Any other tutoring?
- 19 BY MS. STRONG:
- 20 Q Yeah, offered.
- 21 A Like I said before, they would offer to stay
22 after school, if you needed. It was up to the student
23 to make an appointment with them.
- 24 Q So as far as you recall, in all of your
25 classes you could have made arrangements with your

1 teachers if you needed to meet with them at some other
 2 time other than Saturday to arrange for tutoring during
 3 your 10th grade year. Is that correct?
 4 A Yes.
 5 Q Do you know of any teacher who did not want to
 6 offer any tutoring during your 10th grade year?
 7 A No.
 8 Q I should rephrase that question, actually.
 9 That wasn't completely correct. Do you know of any
 10 teacher who did not offer tutoring during your 10th
 11 grade year?
 12 A From my personal experience, my teachers were
 13 waiting to spend time with you if you decided to do
 14 something, but I wouldn't know about other teachers.
 15 Q That's what I meant. With respect to your
 16 teachers, everyone that you knew offered tutoring as far
 17 as you're aware?
 18 A Tutoring, yes, yes.
 19 Q Is there something you're confused about?
 20 A No, no, I'm okay.
 21 Q I want to make sure we're understanding one
 22 another.
 23 So did you ever attend any of the Saturday
 24 tutoring during your 10th grade year?
 25 A Yes.

1 Q I think you said you attended for science and
 2 math. Is that correct?
 3 A Yes.
 4 Q How often did you go to Saturday tutoring
 5 during your 10th grade year?
 6 A Approximately, like, two Saturdays per month.
 7 Q Did you ever receive any other tutoring apart
 8 from the Saturday tutoring that you requested on your
 9 own from a teacher, for example?
 10 A It was usually, like, previous to my finals
 11 when I request special appointments or something to
 12 review for my finals.
 13 Q Do you remember specifically which classes you
 14 asked for tutoring in, apart from Saturday tutoring
 15 during your 10th grade year?
 16 A Which subjects?
 17 Q Uh-huh.
 18 A It was always math and science.
 19 Q So you would make appointments to meet with
 20 your math and science teachers in 10th grade prior to
 21 exams?
 22 A Yes.
 23 Q Who were your teachers?
 24 A My science teacher was [REDACTED] and my
 25 math teacher was [REDACTED].

1 Q [REDACTED] Can you spell that?
 2 A It should be on one of the report cards.
 3 Q When you see it on the transcript, you can
 4 correct it.
 5 On the occasions when you asked [REDACTED]
 6 to meet with you, you found that he was amenable to
 7 meeting with you?
 8 A Yes.
 9 Q The same question with respect to [REDACTED]
 10 When you asked [REDACTED] to meet with you for
 11 tutoring, you found that he was available or made time
 12 to meet with you. Is that correct?
 13 A Yes.
 14 Q With respect to your 11th grade year, what
 15 tutoring was offered at Locke High School during your
 16 11th grade year?
 17 A On Saturday it was the same teacher. Miss
 18 Talley. She offered -- my class was AP U.S. history.
 19 She offered history, U.S. history tutoring, and also my
 20 chemistry teacher, but he wasn't on Saturdays. So it
 21 would be after school or before school. He didn't have
 22 scheduled tutoring like that teacher on Saturdays, but
 23 he offered himself to stay after school if you needed to
 24 do so.
 25 Q Was the program the same that on Saturdays you

1 could get assistance with any of the subjects that you
 2 were enrolled in, and it may have been from another
 3 teacher, but somebody would have been there to help you
 4 with one of your subjects if you needed it on a
 5 Saturday?
 6 A On a Saturday?
 7 Q Uh-huh.
 8 A They didn't have any, like -- they would have
 9 a science teacher, but I would need a chemistry -- like,
 10 a chemistry teacher to explain, and they didn't have one
 11 when I was taking chemistry.
 12 Q Okay. Do you know if you could have gone to
 13 the science teacher on the Saturday to ask for
 14 assistance with chemistry?
 15 A He wasn't really experienced in the subject.
 16 He was a science teacher. The one that was there when I
 17 would want to go -- it was [REDACTED] my previous
 18 science teacher, but he really wasn't that experienced
 19 in that subject.
 20 Q Did you ever try -- it was [REDACTED] that
 21 was there during the 11th grade on Saturdays. Is that
 22 what you're saying?
 23 A 11th grade. I'm not sure if it was him,
 24 but -- because I never went. But I would think it was
 25 him because it was the previous one, but I'm not sure.

1 Q You never tried to go on Saturdays for
2 chemistry?
3 A Not for chemistry.
4 Q So you don't know if a science teacher,
5 whoever that would have been, could have helped you with
6 chemistry or not. Is that correct?
7 A Yeah, that's correct. Not actually, because
8 the teacher would be the intercourse science or the
9 basic science teacher. So I really -- I figured he
10 wouldn't be experienced with chemistry.
11 Q Okay. But you never tried to meet with that
12 person --
13 A No, I didn't.
14 Q So you don't know one way or the other whether
15 that person could have helped you with chemistry or not.
16 Is that correct?
17 A That's correct.
18 Q Then other than what you've explained to me
19 with respect to your concerns for chemistry, is it your
20 understanding that you could have gone on Saturdays to
21 have received assistance with respect to any subject,
22 even though it may have not been your teacher that was
23 present on Saturdays? Is that your understanding as to
24 how the tutoring program worked during your 11th grade
25 year?

1 A Yes.
2 Q Did you ever attend any Saturday sessions
3 during your 11th grade year?
4 A Yes.
5 Q Was that with Miss Talley?
6 A Yes.
7 Q How often did you go to a Saturday session
8 during your 11th grade year?
9 A Once again, it was like -- for her it was,
10 like, once a month that I went.
11 Q Did you ever go for any other reason other
12 than to meet with Miss Talley approximately once a
13 month?
14 A On Saturdays, well, I also had the Kaplan
15 course for my SAT prep.
16 Q How often did you go for the Kaplan course?
17 A It was a period of -- I think it was six weeks
18 every Saturday.
19 Q Then did you ever go on Saturdays to meet with
20 anyone else other than your -- Miss Talley and for the
21 Kaplan course?
22 A I think it was, like, several occasions, like,
23 once or twice with my chemistry teacher he offered to
24 go.
25 Q You made a special arrangement to meet him on

1 a Saturday?
2 A Yes, well, a group of students, yeah.
3 Q Can you think of any other time that you went
4 to any type of tutoring on Saturday?
5 A No.
6 Q You explained to me that during your 10th
7 grade year, all of your teachers offered to meet with
8 you when you arranged to meet with them outside of
9 class?
10 A Yes.
11 Q Was it the same for your 11th grade year?
12 A Yes, but it was, like, a special circumstance
13 with my AP chemistry teacher because it was his first
14 year teaching. They gave him an AP course. He was
15 unprepared. He was trying to teach to his own
16 curriculum. But they didn't ever take any kind of
17 preparation classes. So I don't know. Some kind --
18 something that prepared to teach AP. He was just out of
19 college, and they gave him the course. They refused to
20 give him zero period. And they gave us less time. So
21 that meant we had to meet more with him after school --
22 or on our own time to cover AP curriculum to try to pass
23 the test.
24 Q I want to make sure that the record is clear
25 with respect to the question that I asked you. I want

1 to know if during the 11th grade year, if you could
2 arrange to meet with all of your teachers outside of
3 class if you needed extra assistance for your classes.
4 Is that correct?
5 A Yes.
6 Q So you could meet with them, if you'd like to?
7 A Yes.
8 Q And that included your chemistry teacher. You
9 could make arrangements to meet with him outside of
10 class to work on AP chemistry with him. And you did
11 that on Saturdays, for example. Is that correct?
12 A For -- yes, yes.
13 Q What you were just explaining to me had no
14 effect on his ability to meet with you outside of class.
15 Is that correct?
16 A Well, it was -- it was kind of like -- we had
17 to go a lot on his time, and, I mean, I'm pretty sure
18 that sometimes he had meetings and something, and it was
19 hard for us -- like, we would love to meet five days a
20 week after school for a 7th period, but we couldn't do
21 that. So we had to meet, like, once or twice a week if
22 we needed his help. I mean, it didn't affect us at the
23 end of the period because we had one less hour. And an
24 AP course like chemistry should have two hours, but they
25 didn't want to give us a zero period.

1 Q They didn't want to give what?
 2 A A zero period.
 3 Q But every time that you wanted meet with him
 4 outside of class, you were able to do so. Is that
 5 correct?
 6 A Yes.
 7 Q How many times would you say that you met with
 8 your AP chemistry teacher outside of class during 11th
 9 grade year?
 10 A Approximately, like, it was also during before
 11 finals, like a month prior to finals. I met him
 12 probably like once a week.
 13 Q Other than the months before finals, where you
 14 met with him once a week, how often did you meet with
 15 him?
 16 A It was probably, like, two Saturdays I was
 17 talking about.
 18 Q So the two Saturdays plus approximately once a
 19 week for the month prior to finals. Is that correct?
 20 A That's correct.
 21 Q And finals take place two times a year. Is
 22 that correct?
 23 A That's correct.
 24 Q At the end of the first semester and at the
 25 end of the second semester?

1 A Yes.
 2 Q You explained to me the times that you went to
 3 school on Saturdays for assistance. Other than what
 4 you've explained to me with respect to your chemistry
 5 teacher, are there any times that you met with any other
 6 teachers outside of class?
 7 A No.
 8 MS. SPIOTTA: Talking about 11th grade still?
 9 MS. STRONG: Yes.
 10 THE WITNESS: No.
 11 BY MS. STRONG:
 12 Q But the teachers were available if you wanted
 13 to meet with them. You chose not to. Is that correct?
 14 I just want to make sure I understand.
 15 A Well, yes, that's correct.
 16 Q Is there something you want to explain to me?
 17 A I just wanted to explain that it was kind of
 18 hard for us to get an appointment with them. So we
 19 real -- in my case I would just try to make it when I
 20 really, really needed tutoring. I didn't want to make
 21 it, like, I want to see you every Thursday after school.
 22 When I felt the need, I really needed tutoring.
 23 Q Every time you tried to arrange a time to meet
 24 with one of your teachers, they were able to make the
 25 time to meet with you. Is that correct?

1 A If -- if I told them two days before, yeah,
 2 they would.
 3 Q That's what I'm saying. Every time you tried
 4 to make an arrangement with your teacher, you were able
 5 to, during your 11th grade year?
 6 A Yes.
 7 Q With respect to your senior year, I know that
 8 you've told me you've gone to tutoring for calculus and
 9 tutoring for government -- no, you haven't gone to
 10 government. It's been offered, but you haven't gone?
 11 A Yes.
 12 Q Have you gone to any other tutoring other than
 13 your tutoring for calculus during your senior year?
 14 A No.
 15 Q Again, has the Saturday been -- tutoring been
 16 offered for all courses similar to your 10th and 11th
 17 grade years?
 18 A It's the same teacher. Like, Miss Talley --
 19 for her I have tutoring offered for Saturdays. Not --
 20 well, there's teachers, like, basic subjects, but, yeah,
 21 I would say they would help.
 22 Q You could go on Saturdays for your other
 23 subjects to find a teacher to help you?
 24 A Yeah.
 25 Q But you haven't needed to do that this year.

1 Is that correct?
 2 A No, I'm only having trouble with calculus.
 3 Q Do you know if similar to your 10th and 11th
 4 grade years, with respect to your 12th grade year, you
 5 can make arrangements to meet with any of your teachers
 6 if you need to outside of class?
 7 A Yes.
 8 Q There's never been a time where you've tried
 9 to meet with a teacher outside of class, but were unable
 10 to. Is that correct?
 11 A Just like in calculus, like, whenever the
 12 teacher has a meeting, or she has class, because she's
 13 still in class, that's the time when she tells us, you
 14 know, I can't meet with you.
 15 Q But is she able to arrange another time that
 16 both of you can meet?
 17 A Yes.
 18 Q With respect to the Kaplan course, how did you
 19 learn about that?
 20 A My counselor told me about it.
 21 Q Who is your counselor?
 22 A Mr. Mandell.
 23 Q Did you have to pay for the course?
 24 A No.
 25 Q Do you know how much the course ordinarily

1 costs?
 2 A They told me that approximately, like, \$300.
 3 I'm not sure. I think it was around there.
 4 Q Do you know why you didn't have to pay for the
 5 course?
 6 A Well, my counselor briefly explained it that
 7 it was, I guess, some kind of grant or something offered
 8 for the students at Locke High School.
 9 Q You don't know one way or another --
 10 A I'm not sure how I was, but it was some kind
 11 of -- somebody contributed to Locke. I don't know.
 12 Q Do you know if any of the students at Locke
 13 have to pay for the Kaplan course?
 14 A They don't have to pay for the Kaplan course.
 15 Q Do you know if the Kaplan course is available
 16 to all students at Locke?
 17 A Yes, it is.
 18 Q You said that you work on Thursdays. What do
 19 you do?
 20 A I work as a cashier in a fast food restaurant.
 21 Q Where?
 22 A Exact, Carls Jr.
 23 Q How often do you work?
 24 A Right now since I'm in school, I only work,
 25 like, three days a week.

1 Q Can you tell me your shifts?
 2 A I work on Thursdays from 4:00 to 11:00 and
 3 Fridays from 5:00 to 11:00 and Sundays from 4:00 to
 4 9:00.
 5 Q How long have you had this schedule?
 6 A For the last two months.
 7 Q When did you first start the job?
 8 A Well, previously, I worked as a junior there
 9 too for six months.
 10 Q As a junior?
 11 A When I was in the 11th grade, which was -- I
 12 started in the summer of last -- 2000, which was my
 13 junior year or 2001? When --
 14 Q Right before your junior year?
 15 A Yeah, when I had just -- it was as soon -- it
 16 was 2000. 2000.
 17 Q The summer of 2000, which would have been the
 18 summer before your junior year. Correct?
 19 A Yes.
 20 Q That's when you began the job?
 21 A Yes.
 22 Q How many days a week did you work at Carls Jr.
 23 during your 11th grade?
 24 A It was basically the same schedule. I think
 25 another day or stuff, but it was basically just three

1 days a week. Three or four days.
 2 Q Approximately the same number of hours per
 3 day?
 4 A Yes.
 5 Q So you've had that -- you've worked
 6 approximately that much time for Carls Juniors during
 7 your 11th grade and all of your 12th grade. Correct?
 8 A Correct, yeah.
 9 Q So when you have a shift like your Thursday
 10 shift, where you work 4:00 to 11:00, when did you do
 11 your homework?
 12 A Well, when I have -- I don't procrastinate.
 13 Usually my home work are given on Mondays. If I have to
 14 do anything, I make time in school. Like lunch or
 15 nutrition. Or I'm also a peer counselor for my
 16 counselor -- for my own counselor. Sometime I have free
 17 time there, and I do it right there.
 18 Q So does that mean also that on other days
 19 during the week you might do more than two to three
 20 hours to make up for the time that you're not doing
 21 homework on Thursdays?
 22 A Like on those days I usually -- they take --
 23 like in school, yeah, or -- the two hours of homework I
 24 usually spend in school like on my lunch period and
 25 nutrition and my counseling period.

1 Q Okay. Do you play any sports at school?
 2 A Not this year.
 3 Q Did you before this year?
 4 A My sophomore year.
 5 Q What did you play?
 6 A Soccer and softball.
 7 Q When did you participate in soccer and
 8 softball?
 9 A It was like -- the season for soccer is in the
 10 winter. Winter -- in the winter, and softball is
 11 usually, like, in spring.
 12 Q When would you meet for soccer?
 13 A For soccer it would be -- if I recall, it was
 14 on Monday, Wednesday and Thursday.
 15 Q And what time was that?
 16 A It was from 6th period, which is the sport --
 17 which is like around 2:10 to 4:00, 4:30.
 18 Q So what would you do for 6th period on
 19 Tuesdays and Fridays?
 20 A We would still dress -- as soon as the bell
 21 rings, we would dress and go. We would still
 22 participate as an AP class. As soon as the bell rang,
 23 we went home.
 24 Q On Mondays, Wednesday and Thursdays you would
 25 stay longer?

- 1 A Yes.
- 2 Q With respect to softball, when would you meet
3 for softball?
- 4 A We practiced every day for softball.
- 5 Q Monday through Friday?
- 6 A Yes.
- 7 Q What time would you meet?
- 8 A From 6th period until 4:30.
- 9 Q When did you have games for soccer?
- 10 A For soccer, it was two days a week. It was
11 usually. It varies. It was Mondays and Fridays or
12 Tuesdays and Fridays. It would depend, depending on the
13 schedule.
- 14 Q That would be after school?
- 15 A Yes.
- 16 Q Then for softball when would you have games?
- 17 A It's the same.
- 18 Q Two days a week?
- 19 A Yeah, two days.
- 20 Q After school?
- 21 A Yes.
- 22 Q Did you participate in any other sports or
23 after-school activities while at Locke?
- 24 A During my -- any years? Well, this year I
25 take part in the student council. And I have meetings

- 1 for that too.
- 2 Q Any other activities that you've participated
3 in after school or outside of school time?
- 4 A I'm trying to remember. No, it was just this
5 year for the student council.
- 6 Q Okay. When do you meet for student council?
- 7 A We usually meet like -- we meet a lot in
8 lunch, like, to -- we don't have formal meetings, but
9 our formal meetings are usually two Thursdays of the
10 month.
- 11 Q Do you also have a period during the school
12 day that is dedicated to student council?
- 13 A Well, no. I'm about to have a leadership, but
14 it's a different thing. I'm the vice president of the
15 senior class, and then there's the other set of
16 positions, which is for leadership. So it's two
17 separate things. We don't have a specific period.
- 18 Q Leadership and student council are two
19 different things?
- 20 A No. Leadership and -- okay, student council
21 is with leadership. And then I have -- I meant the
22 senior class officers. That's what I meant. For my
23 meetings as a senior class officer.
- 24 Q You're talking about meetings after school?
- 25 A Yes, we have meetings after school.

- 1 Q Sometimes at lunch?
- 2 A And, yeah, sometimes at lunch.
- 3 Q But that's always for senior officers?
- 4 A Yes, it's just on a formal week --
- 5 Q And it's not an officer with respect to your
6 leadership class?
- 7 A No.
- 8 Q Or student council?
- 9 A No.
- 10 Q Are you also in your leadership class at
11 school -- or in the leadership class in school?
- 12 A I'm going to be part of it next semester.
- 13 Q When you said with respect to your senior
14 officers' meeting, where you meet on Thursdays, you
15 said --
- 16 A Two Thursdays, yeah.
- 17 Q Two Thursdays a month?
- 18 A No, that was before I started working
19 actually. Now, we meet, like, on Tuesdays and Mondays.
20 Yeah, we meet from 3:09 to, like, 4:30 or 5:00
21 sometimes.
- 22 Q Do you have a teacher that meets with you or
23 just students?
- 24 A Our sponsor. She's not a teacher.
- 25 Q Who is your sponsor?

- 1 A Miss Adrian.
- 2 Q What does she do if she's not a teacher?
- 3 A She's in the student store. I don't know what
4 her position is called. She is the one that
5 administers. Like, we have a student store, and she
6 administers the money.
- 7 Q What is sold in the student store?
- 8 A Candy, chips, sodas.
- 9 Q Does Locke have any Magnet programs?
- 10 A No.
- 11 Q Does it have any academies?
- 12 A Yeah, we have the TCA Academy, Transportation
13 Career Academy.
- 14 Q Any others?
- 15 A And they also have the -- I don't know the
16 name, but it's an acting academy.
- 17 Q I'm sorry?
- 18 A It's an acting academy. I don't know the
19 name.
- 20 Q Do you participate in either academy?
- 21 A Transportation Career Academy.
- 22 Q What does it mean to participate in the
23 transportation academy?
- 24 A Well, basically, I was -- I became a member
25 since I was in 10th grade. I became a member since I

1 got into that school. And we have -- there's, like --
 2 it's, like, a program for students that have a certain
 3 GPA. There's money offered through this academy that
 4 offers activities, and sometimes they help with -- I
 5 don't know. If they have, I think, like, a certain
 6 class they need something or, you know, certain
 7 materials, if you request it, they will -- they will
 8 sponsor it. It depends. It depends.

9 Q How do you know what you know about -- I'm
 10 sorry.

11 How do you know what you just told me?

12 A When I became part of it, like, they had,
 13 like, a big meeting with all the TCA members, and they
 14 told us they were based on the MTA bus line, and they
 15 give a certain amount of money each year, and I don't
 16 know -- that's all I know about it.

17 Q Do you think it has any effect on you on a
 18 daily basis that you're a part of that academy?

19 A Not really. It's just a label.

20 Q Does it affect the classes that you take?

21 A Yes.

22 Q What do you mean by that?

23 A Because TCA has certain teachers that teach
 24 only TCA students. And those students get those
 25 teachers only, academy teachers.

1 for Mr. Mandell. Is that correct? Your counselor?

2 A Yes.

3 Q Has he been your counselor the entire time
 4 you've been at the school?

5 A Yes.

6 Q Do you know the principal at the school?

7 A We just received a new principal.

8 Q The prior principal, did you know her?

9 A Yes.

10 Q And when did you first meet her?

11 A I met her -- it was probably, like, in the
 12 first -- the first open house.

13 Q What is her name?

14 A Miss Webb.

15 Q So you would have met her at the first open
 16 house during your 10th grade year. Is that correct?

17 A Yes.

18 Q Did you ever interact with Miss Webb while she
 19 was there?

20 A Not personally, no.

21 Q Did she know who you were, did you meet her
 22 individually ever?

23 A Yeah, she knew who I was because of my mom
 24 because she -- my mom introduced me to her as her
 25 daughter, and that's how she remembered me.

1 Q Do you know what subjects receive academy
 2 teachers?

3 A It depends. Like, each year has a certain set
 4 of teachers. And if you get them -- you would have --
 5 only the students that are part of the academy receive
 6 those classes.

7 Q But it's not for all of your classes?

8 A For my classes? I'm among only TCA students
 9 in all my classes.

10 Q So every subject?

11 A But not every teacher is part of it. We
 12 just -- a group that sticks -- we're all TCA.

13 Q So the TCA students are -- attend classes
 14 together?

15 A Yeah.

16 Q And sometimes you have a TCA teacher, but
 17 sometimes you have a teacher that's not part of the --
 18 of that -- program. Is that correct?

19 A Yeah, because in my case, my government
 20 teacher is not a part of TCA. But my calculus one is,
 21 and my English one is too.

22 Q When you said your government teacher is not
 23 part of TCA, are you in a class with TCA students?

24 A Yes, most of them. Only a couple aren't TCA.

25 Q Do you know -- you mentioned that you worked

1 Q So you knew who she was, but you never had any
 2 conversations with her. Is that correct?

3 A That's correct.

4 Q Did you ever try and go and talk to her about
 5 anything at any time?

6 A Not me, no.

7 Q Okay. You don't know one way or the other
 8 whether you could have had conversations with her. You
 9 never tried to have one. Is that correct?

10 A I never tried.

11 Q Are there assistant principals at your school?

12 A Yes.

13 Q Do you know any of them?

14 A I know the new one. The one that -- she used
 15 to be our TCA -- she used to be the head of the TCA
 16 department, and now she is our assistant principal.

17 Q What's her name? Do you know?

18 A Yeah, I know. I just can't remember now.

19 Q If it comes to you, can you just tell me?

20 A Yes.

21 Q Do you know any of the other assistant
 22 principals that have been there while you've been at
 23 Locke?

24 A No. Well, I probably know who they are, but
 25 not by names.

1 Q Okay. Have you ever made an effort to go and
2 talk to any of the assistant principals at any time?
3 A No.
4 Q Then Mr. Mandell you've had since you were in
5 10th grade. Correct?
6 A Correct.
7 Q Have you always -- you obviously have a close
8 relationship with him now since you worked together. Is
9 that correct?
10 A Correct.
11 Q Did you know him well during your 10th and
12 11th grade years?
13 A I would know I am -- he would assist, like,
14 the meetings, but he really didn't pay that much
15 attention to us. He always concentrated on seniors
16 year. He has a really hectic schedule. Because in
17 previous years -- he was in charge of the seniors plus
18 TCA academy, and he was the only college counselor that
19 we have.
20 Q Did you ever have an opportunity to talk with
21 him during your 10th grade year?
22 A Not my 10th grade -- well, when I was -- just
23 like in one case when I was trying to get a scholarship.
24 That was basically it.
25 Q A scholarship for what?

1 A A special program from Berkeley that was -- I
2 forgot the name. It's a scholarship offered for 10th --
3 for a sophomore student who -- you have to write essays,
4 and they interview, and they decide whether you get the
5 scholarship.
6 Q Did you participate in that program?
7 A Yes.
8 Q You applied? Were you selected?
9 A I was selected to the top three, and then
10 after that, I didn't get it.
11 Q So they only selected one person to receive a
12 scholarship?
13 A Yeah.
14 Q And you were one of the three finalists. Is
15 that correct?
16 A Yes.
17 Q You don't remember the name of the
18 scholarship?
19 A It was something about precollegiate
20 association or something like that. I don't remember,
21 but it was from Berkeley.
22 Q Do you know what they considered -- what were
23 the factors they considered in deciding who would
24 receive the scholarship?
25 A It was definitely, like, parent income, grades


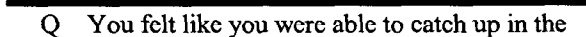
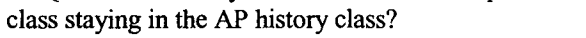
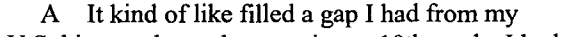
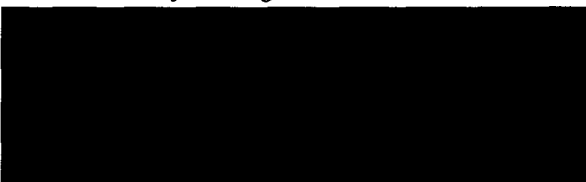





1 and ability to write or any personal hardship.
2 Q Do you know who participated in this applicant
3 pool for the scholarship?
4 A That I can remember it was Lucia Ortiz, the
5 one I mentioned before.
6 Q I'm sorry. Let me rephrase that.
7 Do you know if any student in California could
8 apply for the scholarship?
9 A It's one per high school. But I think it
10 was -- I don't remember which high schools, but it was
11 one per high school that would get it. But as many as
12 they want could have participated. They didn't have a
13 limit of who could participate, but only one would get
14 chosen.
15 Q Who could apply?
16 A Yeah.
17 Q So when you tried to talk to Mr. Mandell about
18 that scholarship in your 10th grade year, were you able
19 to do that?
20 A Yeah, he was -- well, I didn't -- he would
21 just explain to me the steps, and that I had to write a
22 essay and the due days and the curriculum.
23 Q Okay. Did you ever try and talk to
24 Mr. Mandell about any other issue your 10th grade year?
25 A Not -- oh, just that he had -- he had put me

1 in the 9th grade class when I was a sophomore, and he
2 didn't change it until my second semester. So I missed
3 out.
4 Q Did you try and talk to him about that issue?
5 A Yes, as soon as I saw that I was the only
6 sophomore in that class, but he said that it would --
7 subject for my first semester of -- because I had taken
8 physical science in my previous year, and he said that
9 it was kind of like the same thing. So I would just
10 complete my year of science so I stayed for one
11 semester.
12 Q So staying that one semester allows you to
13 complete your science. Is that correct?
14 A My one year, freshman year of science.
15 Q Because you had not already completed your
16 freshman year of science?
17 A It was two different subjects. I don't
18 know -- they changed my schedule. I had taken physical
19 science for my first semester. And then my second
20 semester they changed me to biology. So then I had,
21 like, two different courses on incomplete.
22 He said completing that one semester would
23 complete my freshman science year, and then my second
24 semester he changed me to intercourse science.
25 Q So you needed that first semester to graduate

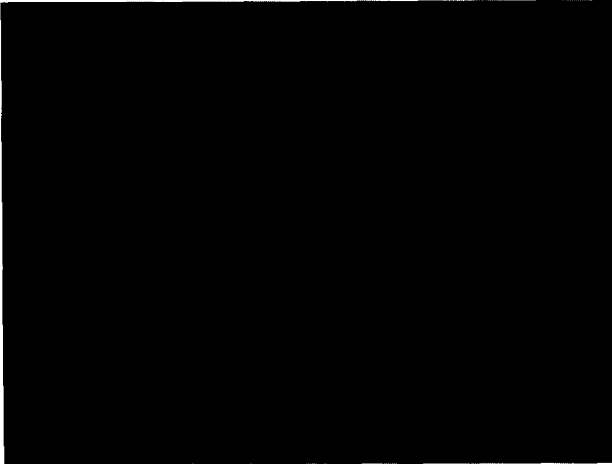
1 for your requirements. Is that correct?
 2 A Yes.
 3 Q With respect to your 10th grade year, did you
 4 ever try to talk to Mr. Mandell about any issues at
 5 school?
 6 A No, I was new, I didn't --
 7 Q You just explained your 10th grade year to me.
 8 During your 11th grade year -- you did try and
 9 talk to Mr. Mandell about that one issue during your
 10 10th grade year?
 11 A Yes.
 12 Q During your 11th grade, did you ever talk to
 13 Mr. Mandell about any issues in school?
 14 A Just like the fact that my discrete math class
 15 was -- first of all, was overcrowded. Second of all, we
 16 didn't have books, and then third of all, the teacher
 17 had no idea what the class was. So he didn't know what
 18 to teach us.
 19 Q Did you ever try and discuss that with
 20 Mr. Mandell?
 21 A Yes, as soon as -- it was like a period of one
 22 week when I was in that class. The teacher straight up
 23 told us, "I have no idea what this new math is. I'm
 24 unprepared. I don't have a curriculum." They just put
 25 us in there just to have us there.

1 When I attempted talking to him about it, he
 2 told me that he didn't want me to give up in any class.
 3 To try. I gave the teacher time to see if he could come
 4 up with something, but it was -- I mean, that was his
 5 conference period. He had a full schedule. So he took
 6 it as his conference. He a -- he said he was going to
 7 take it as a precalculus class, but he really was
 8 unprepared. He had no idea. They didn't even let him
 9 know.
 10 Q I want to focus on what you talked to
 11 Mr. Mandell about. My question was did you ask -- did
 12 you talk to Mr. Mandell about your discrete math class
 13 during the 11th grade? I believe your answer is yes?
 14 A Yes.
 15 Q How many times did you talk to Mr. Mandell
 16 about the issues relating to your discrete math class in
 17 the 11th grade?
 18 A At the beginning when I first saw, I went
 19 once. Then I went back and I decided to give him a
 20 chance and see what he was going to do. As soon as a
 21 couple of weeks, I saw it was going to be a waste of my
 22 time. I went back.
 23 Q To Mr. Mandell?
 24 A Yeah. He refused to change me.
 25 Q You had two discussions with Mr. Mandell about

1 the class?
 2 A Yeah, approximately two, yeah.
 3 Q Did you try and discuss any other issues with
 4 Mr. Mandell at all during your 11th grade year?
 5 A Oh, the fact that -- I was having troubles
 6 with my history class because of my history background.
 7 And he just told me to get assistance in tutoring and
 8 try my best, and he refused to change me because I
 9 wanted to go down to a regular history class, but he
 10 refused to. He told me that I have to stay. So I
 11 stayed. I went to --
 12 Q That was AP history?
 13 A AP U.S. history.
 14 Q You wanted to be taken out of AP because you
 15 thought it was too difficult?
 16 A Yes.
 17 Q He wanted you to stay and get assistance?
 18 A Yes.
 19 Q You said you were able to?
 20 A Yes.
 21 Q Were you happy that you stayed in the AP class
 22 after all?
 23 A Yes.
 24 Q Did you take the AP exam?
 25 A Yes.

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 5 Q You felt like you were able to catch up in the
 6 class staying in the AP history class?
 7 A It kind of like filled a gap I had from my
 8 U.S. history classes because in my 10th grade, I had no
 9 history whatsoever.
 10 The last history I had was in the 9th grade,
 11 was global world or some class. I had no kind of
 12 background. When I got there, it was like a college
 13 curriculum. I was lost. It kind of filled the gap.
 14 But I still feel like I'm behind.
 15 Q Who was your teacher in AP history?
 16 A Mrs. Talley.
 17 Q She worked with you outside of class to help
 18 you as well?
 19 A Saturday tutoring.
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Q Is there any other time that you tried to talk with Mr. Mandell regarding any other issue during your 11th grade year?

A Like, Kaplan. Like, I would go into his office and -- we had to take the SAT at the end. Just, like, one time about that.

Q Were you able to talk with him at that point?

A Yeah.

Q So was there ever a time during your 11th grade year where you were not able to discuss an issue

1 were there, and she walked in. She introduced herself.
2 She just talked about our goals, what colleges have you
3 applied to. How happy she was to be there.

4 Q Did you like her?

5 A Yeah, she's okay. She was a previous teacher
6 there.

7 Q Did you know her as a teacher?

8 A No, I didn't.

9 Q Do you feel if you wanted to discuss an issue
10 regarding Locke with Dr. Garrett, you could do that if
11 you wanted to?

12 A It's too soon. I don't know. I would think
13 so, yeah.

14 Q You haven't needed to do that yet?

15 A No.

16 Q Or you haven't wanted to go and talk to her
17 about any issue yet?

18 A No.

19 Q Is that correct?

20 A Yes.

21 Q You've talked a little bit about looking
22 forward to college. Do you plan to attend college?

23 A Yes.

24 Q Have you applied to any colleges?

25 A Yes.

1 that you wanted to bring to the attention of
2 Mr. Mandell?

3 A No.

4 Q During your senior year, I take it you have an
5 opportunity to speak with him on a regular basis. Is
6 that correct?

7 A Yes.

8 Q So if at any time you'd like to discuss any
9 issues with him, he's available for you. Is that
10 correct?

11 A Yes.

12 Q You said you have a new principal. Do you
13 know the new principal's name?

14 A Dr. Garrett, I think.

15 Q Have you had an opportunity to talk to Dr.
16 Garrett yet?

17 A Yes.

18 Q When did Dr. Garrett start at the school?

19 A At the beginning of the year, when we came
20 back from our break, which was January the 7th.

21 Q How many times have you had an opportunity to
22 talk with Dr. Garrett?

23 A Once.

24 Q When was that?

25 A She walked into Mr. Mandell's office, and we

1 Q Where have you applied?

2 A I applied to the UC system, which was UCLA, UC
3 Irvine, UC Riverside and UC Santa Barbara.

4 Q Not San Diego?

5 A No.

6 Q Not Berkeley?

7 A No. Also to Cal States.

8 Q What Cal States?

9 A Cal State Fullerton, Northridge, LA. There
10 was one more. I don't remember the last one.

11 Q Have you heard from any of the schools yet, or
12 is it still too early?

13 A I heard from UC Riverside. They told me
14 before I applied that I was already accepted because --
15 because I'm top of my four -- I'm the top four percent
16 of my senior class. So I had an instant admission.

17 Q When did they notify you of that?

18 A Around October. It was early.

19 Q So it was after you applied?

20 A No, before I applied.

21 Q Before you applied they said that you could be
22 admitted --

23 A They said I had a space -- all I had to do was
24 send in my application and my paperwork.

25 Q Congratulations. That's exciting. Do you

1 know what the parameters of that -- you were in the top
 2 four percent. Can you explain to me how that program
 3 works?
 4 A I think it's some kind of -- it's part of the
 5 UC -- some kind of program that offers -- each school
 6 the top four percent they give you a number, which is --
 7 they guarantee you an acceptance to one of the UC's, not
 8 of your choice, of course, but you're guaranteed to get
 9 acceptance to at least one UC.
 10 Q How did you learn of that program?
 11 A My counselor.
 12 Q Mandell?
 13 A Yes.
 14 Q So did you know about it prior to receiving
 15 the notice for UC Riverside?
 16 A Yes.
 17 Q With respect to the other schools, you haven't
 18 heard yet because it's not time yet. Is that correct?
 19 A Not only that, but my applications -- I turned
 20 them in, like, a week before they were due so it's kind
 21 of early to know.
 22 Q Because you've gotten them in on time?
 23 A Yes.
 24 Q What school do you want to go to for college?
 25 A I would -- my first choice would be LA, of

1 course, and my second choice would be Riverside.
 2 Q So you know you're into your second choice?
 3 A Yes.
 4 Q With respect to your classes at Locke High
 5 School, who have been your favorite teachers at the
 6 school?
 7 A I would have to say, like, my AP English
 8 teacher, Miss Shannahan. She's not there anymore.
 9 Q When did you have her?
 10 A In my 11th grade here.
 11 Q Anyone else?
 12 A And my chemistry teacher, AP chemistry.
 13 Q When did you have him or her?
 14 A 11th grade too.
 15 Q Was that for the entire year in the 11th
 16 grade?
 17 A Yes.
 18 Q What is his name?
 19 A Mr. Porter.
 20 Q Any others you considered to be your favorite?
 21 A No.
 22 Q And if you had to tell me your best classes at
 23 the school, what would they be?
 24 A My AP English course.
 25 Q Any others?

1 A And my -- all my English classes, yeah.
 2 Q That's a good subject for you?
 3 A Yes.
 4 Q Any other classes you would consider to be
 5 your best classes?
 6 A No.
 7 Q Why is it that you think Ms. Shannahan is one
 8 of your favorite teachers at the school?
 9 A Oh, because we learned so much. She ran by a
 10 college curriculum, and she really -- she assigned us a
 11 lot of work that really did help me progress in my
 12 writing skills and my ability to do well in English
 13 since I want to get into English in college.
 14 Q Is there anything else other than the
 15 curriculum that she taught you that makes you perceive
 16 her as one of your favorite teachers?
 17 A Well, I did admire her. She knew a lot. She
 18 was intellectual.
 19 Q Any other qualities?
 20 A She was also really strict with us, and that
 21 made me learn a little bit -- taste a little bit of what
 22 college was going to be for me. That made me become,
 23 like, strict with myself like on due dates and
 24 assignments, procrastinating, not to do it.
 25 Q You learned not to procrastinate with her?

1 A Yes.
 2 Q With respect to your AP chemistry teacher,
 3 Mr. Porter, why is it that you perceive him as one of
 4 your favorite teachers?
 5 A I just admired his hard work because it
 6 really -- it shocked me when I -- when -- was offered
 7 this course, I was -- I thought that my teacher was
 8 going to be -- his name is Mr. Hamroj, which was a great
 9 teacher. I was looking forward to having his class, but
 10 when I was informed that he had -- he was no longer
 11 going to be the teacher, and they told us we were going
 12 to have the teacher that was just out of college, which
 13 was from a program Teach for America -- I don't have
 14 nothing against that, but some teachers are good, but I
 15 was -- the fact that he didn't have no kind of
 16 experience, made me think, oh, you know, he's not going
 17 to be able to teach us as well as a teacher that does
 18 have experience.
 19 What he did is just shared us his knowledge.
 20 Shared us what he knew. I admired that. Then when he
 21 was -- he -- they didn't want to give him the zero
 22 period, he still tried to get a lot covered during the
 23 only period we had. I really admired him. If we would
 24 have had our zero period and he was experienced and
 25 stuff, we would have done a lot better.

1 Q You don't think you did well with him?
2 A I would say -- I would have -- I would have
3 done better as in -- we would have learned more. We
4 would have covered more of the curriculum. We didn't
5 even cover half of it.

6 Then also the fact that we didn't have any
7 kind of materials to work with for visual learning, like
8 experiments, labs. We had only a couple that dealt
9 with, like, sodium, little -- we really didn't have much
10 of the experience, the chemical experience.

11 Q But you thought he was a great teacher?

12 A Yeah, I think -- well, like, when we had --
13 when he learn -- when he had the opportunity to teach
14 us, like, the formulas and stuff, the way he helped us
15 memorize and stuff, yeah. But, I mean, it's also about
16 the visual and labs, and we had no opportunity to do
17 that.

18 Q We'll have an opportunity to discuss that a
19 little bit later.

20 I just want to understand what you've been
21 saying about the zero period. Do all AP courses work
22 with a zero period?

23 A No, not all AP courses.

24 Q Can you explain this to me?

25 A Like, for AP calculus, I guess, it depends on

1 Q Okay.

2 A AP -- I don't know -- English literature is
3 the second one you take. And AP English lit two. I
4 mean, AP literature.

5 Q You got two English literature classes?

6 A No, one is Spanish. One is English.

7 Q You said the first is you meant to say Spanish
8 literature?

9 A Yeah, and then AP English lit.

10 Q Okay. Of these AP courses that you've
11 identified, which ones have you been enrolled in for two
12 periods during the day?

13 A Just AP calculus.

14 Q That's your senior year?

15 A Yes.

16 Q No other course have you had this zero period
17 and another period associated with the one AP course.
18 Is that correct?

19 A Correct. The AP chemistry they had a zero
20 offered, like, the previous year with the previous
21 teacher, but they took it -- as soon as the next teacher
22 came, they took the zero period off.

23 Q So during -- while you were in 10th grade at
24 the school, the 11th -- the AP chemistry offered had
25 zero in first period, and then when you entered the 11th

1 the class. There was no way we could have a zero period
2 because we have to cover so much by May to take the
3 test. That's exactly the same thing with chemistry
4 because it's on the same format. The zero period only
5 give us, like, an extra hour to review stuff or, like,
6 in her case she lectures the first third, and the second
7 period we do work.

8 Q Are you assigned two periods for that class?

9 A For calculus?

10 Q Yes.

11 A Yes.

12 Q On your schedule it has you enrolled in
13 calculus for two periods?

14 A No, for zero it's labeled under math analysis,
15 and for first period it's labeled under calculus, AP
16 calculus. It's labeled as two separate classes, but we
17 only actually learn calculus.

18 Q Okay. How many -- tell me all of the AP
19 courses that you've been enrolled in at Locke.

20 A In my 11th grade year I took AP chemistry, AP
21 English language, AP Spanish language and AP U.S.
22 history.

23 Q During your senior year, what AP courses have
24 you been in?

25 A AP calculus, AP government.

1 grade, the AP chemistry class that was offered was just
2 offered for one period. Is it also first period?

3 A Yes. It was only first period.

4 Q Zero period is prior to school. Correct?

5 A At 7:00.

6 Q Were you able to -- given that your AP
7 chemistry class during 11th grade was during the first
8 period of school, were you able to come into class early
9 if you wanted to?

10 A The earliest he would get there was 7:30, but
11 not the whole class would be there. I mean, if they
12 would make it a zero period, the whole class would have
13 to be there. But since it wasn't part of the class,
14 they wouldn't come early.

15 Q I understand that. I want to know if you made
16 arrangements with the teacher, could you come in at 7:30
17 when he arrived to start working on AP chemistry?

18 A That would be like tutoring?

19 Q Correct.

20 A Yes.

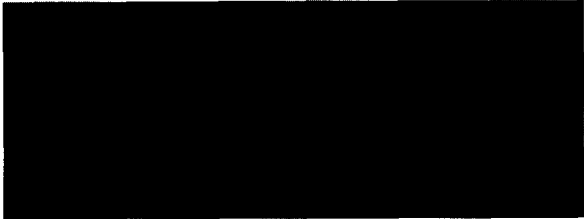

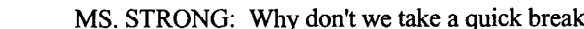
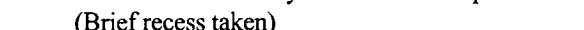


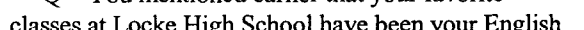
21 Q Did he make that available to the students?
22 Was he willing to do that?

23 A Yes.

24 Q To meet with you before class and tutoring you
25 in AP chemistry on a daily basis?

- 1 A Yes, he would.
 2 Q Did you do that while you were in that class?
 3 A No, I would just prefer to come after school.
 4 Q So he would be able -- your AP chemistry
 5 teacher, Mr. Porter, was available to meet with you
 6 during what would essentially be the zero period at
 7 approximately 7:30 or so on a daily basis, if you wanted
 8 to. Is that correct?
 9 A Yes.
 10 Q You just said you preferred to go after school
 11 to meet with him?
 12 A Yes.
 13 Q You just explained to me that you preferred to
 14 go after school. Is that correct?
 15 A Yes.
 16 Q And why is it that you preferred to go after
 17 school instead of meeting with your teacher before your
 18 first period class?
 19 A Because after he would lecture the first
 20 period, I would know if I had problems with whatever he
 21 was teaching, and then -- I would have, like, a problem
 22 that I didn't understand, and I would review it with
 23 him.
 24 Q Did you also prefer the later time in the day
 25 as opposed to getting to school at an early time?

- 1 A Yes.
 2 Q I understand that. Even though you weren't
 3 provided two periods for chemistry, you were able to
 4 meet with him for essentially the equivalent of two
 5 periods if you made arrangements with him. Is that
 6 correct?
 7 A Yes. But a zero period was started at 7:00.
 8 It would be, like, 30 minutes extra that you would get
 9 because you would get there at 7:30.
 10 Q I know, but how long is a period during the
 11 day?
 12 A During -- like one period?
 13 Q Uh-huh.
 14 A Like, 53 minutes.
 15 Q So two periods is almost two hours. Correct?
 16 A Correct.
 17 Q You were able to arrange to meet with him
 18 approximately two hours a day. One hour in class and
 19 approximately one hour out of class after school if
 20 you'd like to. Is that correct?
 21 A Correct.
 22 MS. SPIOTTA: I think she testified that he
 23 didn't get there until 7:30.
 24 MS. STRONG: We're talking about after school
 25 now.

- 1 Q Just one period -- one hour in class, and one
 2 hour after school, if you wanted to. Is that correct?
 3 A Right.
 4 Q Have you taken AP exams for each of these
 5 courses?
 6 A Yes.
 7 
 8 
 9 
 10 
 11 
 12 
 13 
 14 A No.
 15 MS. STRONG: Why don't we take a quick break.
 16 (Brief recess taken)
 17 BY MS. STRONG:
 18 Q You mentioned earlier that your favorite
 19 classes at Locke High School have been your English
 20 classes -- your AP English class in particular, you
 21 identified -- or, I'm sorry. Not your favorite classes,
 22 but your best classes.
 23 Why is it that you identified your English
 24 classes as your best classes at Locke High School?
 25 A Well, because, personally, I enjoy English

- 1 better, and I guess it would put an extra effort in the
 2 teacher, well, specifically, those teachers, they were
 3 like the people that influenced me more, and so the
 4 subject. That's why I think they were the best classes
 5 because I -- I paid more -- like, more attention to it,
 6 I guess.
 7 Q So part of it is that you like the subject
 8 matter?
 9 A Yes.
 10 Q And part of it is that you thought the
 11 teachers did more to attract your attention to the
 12 subject. Is that correct?
 13 A Yes, they were motivated teachers.
 14 Q That applies for your teachers each year at
 15 the school in English?
 16 A My 10th grade English teacher and 11th.
 17 Q Who did you have in 10th grade?
 18 A Miss Ramirez.
 19 Q Who did you have in 11th grade?
 20 A Miss Shannahan.
 21 Q So you had AP English in 11th grade?
 22 A And 10th it was honors English.
 23 Q Your senior year are you in English?
 24 A AP English lit.
 25 Q Who is your teacher for that?

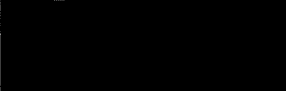
- 1 A Miss Moroney.
 2 Q You didn't identify Miss Ramirez and Miss
 3 Moroney as some of your favorite teachers in the school,
 4 and I'd like to know why.
 5 A Because they -- they were good teachers and
 6 all, but there was -- they were motivated too, but the
 7 work that they were giving, they didn't personally
 8 challenge me as much as my AP English one did.
 9 Q Miss Shannahan in 11th grade challenged you
 10 the most?
 11 A Yes.
 12 Q And so you appreciated that?
 13 A Yes.
 14 Q Did you think Ms. Ramirez was a good teacher?
 15 A Yes.
 16 Q You think you could have handled harder work
 17 in the class?
 18 A Yes.
 19 Q What was your grade in that class?
 20 A [REDACTED]
 21 Q Both semesters?
 22 A Yes.
 23 Q Did you do homework in that class?
 24 A Yes.
 25 Q How often would you have homework in your 10th

- 1 A Like, for example, we do -- she gives us ditto
 2 questions on stories, and the answers are obvious. I
 3 mean, a third grader could do it, if they know how to
 4 read.
 5 Q What kind of questions? Can you give me an
 6 example of a question with an obvious answer?
 7 A Like, for example, we would read -- we read
 8 the play Macbeth. She would ask questions like -- I
 9 don't know, like, who did Macbeth kill in the scene.
 10 Stuff -- they're supposed to be intellectual questions
 11 like do you think Macbeth is evil, corrupt or insane.
 12 Q Do you ever get any of those types of
 13 questions from her?
 14 A We got it for a term paper. That's a whole
 15 term paper.
 16 Q From Miss Moroney?
 17 A Yeah.
 18 Q She did give you a term paper on what you
 19 would consider to be a more intellectual issue?
 20 A Yes.
 21 Q But the dittos that she gives you -- how often
 22 does she give you the dittos that you referred to?
 23 A If we're reading a play, like if we would read
 24 a whole act, it would be every week.
 25 Q Were you reading that in class or at home?

- 1 grade English class?
 2 A We would have, like, weekly assignments, like
 3 essays. We read in books.
 4 Q Did you want more homework in that class?
 5 A I wanted more essays.
 6 Q You did?
 7 A Yeah.
 8 Q But you'd have essays at least once a week?
 9 A Around, yeah. Once or -- one essay in two
 10 weeks, depending on the process, the rough draft, the
 11 final draft and stuff.
 12 Q Miss Moroney -- you thought she was a good
 13 teacher, your current teacher?
 14 A Yes, she's a good teacher, but she really
 15 doesn't challenge me.
 16 Q Have you received a grade yet in that class?
 17 A Yes.
 18 Q What is your grade?
 19 A It's been [REDACTED]
 20 Q Would you like more homework from Miss
 21 Moroney?
 22 A Not the homework, not like the amount of
 23 homework, the -- how hard it is. It's simple work.
 24 It's not work that's preparing me for college.
 25 Q What kind of work program?

- 1 A Part of it in class, and part of it at home.
 2 Q Do you think part of the reason why she gave
 3 some of those more simple questions is to make sure that
 4 the students are actually reading the work?
 5 A Well, yeah, I guess she would do it for those
 6 reasons.
 7 Q With respect to each story or each play that
 8 you read, does she also tend to give one intellectual
 9 essay regarding that particular piece?
 10 A The only intellectual, like, essay we've had
 11 is probably this one, the term paper, and -- oh, and
 12 just, like, questions, like, personal opinions. That
 13 gives me an opportunity to share more of my perspective.
 14 Q Do you have that opportunity with respect to
 15 each story that you cover in class or each play?
 16 A Yeah, yes.
 17 Q Out of your classes at Locke High School,
 18 which class had the largest number of students?
 19 A It would have to be my French class.
 20 Q What would be your second largest class?
 21 A My discrete math class.
 22 Q What would be your third largest class?
 23 A My algebra 2 class.
 24 Q How many students in your algebra 2 class?
 25 A Approximately, like, 42, 43 students. Around

- 1 there.
- 2 Q How many students in your discrete math class?
- 3 A Around the same. Approximately around the
- 4 same.
- 5 Q 42. 43. What would be your fourth largest
- 6 class? This is during the entire time that you were at
- 7 Locke.
- 8 A I would say, like, at the beginning of my
- 9 Spanish I, but it -- a lot of them checked out so really
- 10 that didn't matter.
- 11 Q I want to make sure I have this clear. With
- 12 respect to the classes you've attended at Locke, the
- 13 three that you would identify as being large classes
- 14 would be your French class in 11th grade?
- 15 A 10th grade.
- 16 Q Your discrete math class in 11th grade, and
- 17 your algebra 2 class in 10th grade. Is that correct?
- 18 A Yes.
- 19 Q You can think of no other classes where you
- 20 considered it to be large. Is that correct?
- 21 A Yes.
- 22 Q With respect to your French class in 10th
- 23 grade, how many students were in that class?
- 24 A I really don't have, like, the exact number,
- 25 but I would say, like, around -- we probably did hit 50

- 1 Around 35, 40.
- 2 Q That was the number of students that were
- 3 enrolled for the remaining -- remainder of the year.
- 4 How many students would you say came to class on a
- 5 regular basis for the remaining period of the year?
- 6 A Like -- it would vary. Like, around 35 or 40
- 7 students too.
- 8 Q Okay. So approximately that many students
- 9 would be in the class after the second week of school.
- 10 Is that correct?
- 11 A Yes.
- 12 Q So from the second week of school on, or I
- 13 should say from the third week of school on, you would
- 14 have approximately 35 to 40 students in the class?
- 15 A Yes.
- 16 Q How many teachers did you have teaching the
- 17 class?
- 18 A That specific class? One.
- 19 Q What was the teacher's name?
- 20 
- 21
- 22
- 23 Q Did you have French before?
- 24 A Yes.
- 25 Q When?

- 1 students.
- 2 Q Okay. And did you have French for the entire
- 3 year?
- 4 A Yes.
- 5 Q Did that number of students ever change?
- 6 A As the time went by, some students just gave
- 7 up on it, and they would ditch. But it was always, I
- 8 would say, 40 to 45 students there in the class, but it
- 9 was, like, the first couple of weeks when it was around
- 10 50. But then it would vary when a couple of students
- 11 didn't care, or they wouldn't go to class and stuff.
- 12 Q Do you know if any students were taken out of
- 13 the class after the first week or two of school?
- 14 A Probably like -- I wouldn't know how many, but
- 15 there was some taken out for personal reasons.
- 16 Q When you referred to there being 50 students
- 17 in the class, are you referring to the first week or two
- 18 of school?
- 19 A Yes.
- 20 Q So after the first week or two of school, the
- 21 number dropped somewhat?
- 22 A Yes.
- 23 Q And for the remaining period of the year, how
- 24 many students would you say were in the class?
- 25 A I would say like 40 -- 35 to 40 students.

- 1 A My 9th grade year in the previous school.
- 2 Q Any other time?
- 3 A No.
- 4 Q What level French was it that you were
- 5 enrolled in during your 10th grade year at Locke?
- 6 A French 2.
- 7 Q Did you think that 35 to 40 students was too
- 8 many students to have in that class?
- 9 A Yes.
- 10 Q Why is that?
- 11 A Because there wasn't enough desks for
- 12 everybody.
- 13 Q Any other reason why you thought that was too
- 14 many students for the class?
- 15 A There was also not enough books, and it would
- 16 be really stressful for the teacher to teach with so
- 17 many students in the little room with not enough desks.
- 18 It was crowded.
- 19 Q You said there were not enough desks in the
- 20 room. Did you ever go to class and not have a desk to
- 21 sit at?
- 22 A Yes.
- 23 Q How many times were you in the class without a
- 24 desk, you personally?
- 25 A That happened to me only two times because it

1 was at the beginning. And then after that, I would make
 2 sure to run to class so I could get a desk.
 3 Q When you said it was at the beginning, would
 4 that have been during the first two weeks of school?
 5 A Two to three weeks, yeah.
 6 Q So it would have been during the first two to
 7 three weeks that you had those two occasions where you
 8 were without a desk. Is that correct?
 9 A Yes. That's correct.
 10 Q On each of those occasions what happened that
 11 day in class?
 12 A She told me to grab a chair, like, from the
 13 back -- chairs without desks or to go to the next room.
 14 I would just pull in a chair with another student that
 15 had a desk. Like, do my work there.
 16 Q So on those two occasions you were able to sit
 17 during the class, and use somebody else's desk to write
 18 on. Is that correct?
 19 A That's correct.
 20 Q After the first two to three weeks of school,
 21 did you ever see a student in that class without a desk?
 22 A Yes.
 23 Q How often would you see that?
 24 A Every day.
 25 Q And how many students would you say after the

1 drop from first to second semester?
 2 A Yes. First of all, because many of the
 3 students failed, and the other students were French 3
 4 when the class dropped, and that made it a little bit
 5 more like -- it was a little bit better after that.
 6 Q I'm sorry. I just want to make sure I
 7 understand this. I thought you said there were
 8 approximately 35 to 40 students in the class during the
 9 first semester after the first two or three weeks of
 10 school. Is that right?
 11 A That's right.
 12 Q Then if students dropped, why is it that
 13 there's still 35 students in the class second semester?
 14 A Because it varied. I mean, I didn't say exact
 15 number.
 16 Q Correct. I understand.
 17 A It varied, like, on the situation in French 3,
 18 and then after they -- they dropped, we had a stable
 19 amount of students. But they were constantly checking
 20 in. After they moved that, they checked people in. It
 21 varied. The number varied, but there was always
 22 people -- it was always overcrowded in the room.
 23 Q Okay. During the first semester the entire
 24 classroom, French 2 and 3 included, constituted the 35
 25 to 40 students; is that correct? -- that you referred to

1 two to -- two or three first weeks of school were
 2 without desks in that class?
 3 A Approximately five or six.
 4 Q Each day?
 5 A Yes. Concerning the fact that she had French
 6 3 added to her 5th period, which was French 2. So she
 7 had a group of, like, eight students in the back with
 8 French 3. So that meant that she had to teach two
 9 classes, which made it even harder and hectic for her.
 10 I just -- we were unable to learn -- I mean,
 11 French 2 or 3 were -- they missed out on their courses
 12 because of the fact that it was overcrowded. It was two
 13 separate classes in one period.
 14 Q When did French 3 there get added to the
 15 class?
 16 A It was since the beginning, and they were
 17 taking off after the first semester -- I mean, after the
 18 first semester the class was dropped.
 19 Q French 3 was dropped? So then you were back
 20 to French 2 by yourself?
 21 A Yes.
 22 Q How many students were in French 2 during
 23 second semester then?
 24 A Probably, like, around 35 students.
 25 Q So did the number of students in your class

1 earlier. Is that correct?
 2 A I'm trying to think. No, I think the French 3
 3 was an even part of my number. Because I didn't think
 4 of them until right now because they were in the back.
 5 There were only, like, eight students though so that
 6 would be added to the number. I remember the roll count
 7 number, which was only French 2. Not French 3.
 8 Q Then that second semester, though, you would
 9 say there were approximately 35 students in the class
 10 for the entire semester?
 11 A Yes.
 12 Q Did the class get better second semester?
 13 A Second semester? Well, yeah, we still didn't
 14 have enough books and -- we didn't have enough books,
 15 and the books that we had, some of them were plagiarized
 16 (sic), and some of them were just useful (sic), and we
 17 had to share books with other students in that class.
 18 Yeah, it got a little bit better.
 19 Q Why is it that it got better?
 20 A It was less students; it was less hectic.
 21 When it's a lot of students in a small room, they tend
 22 not to listen, not to pay attention. That affected the
 23 rest of us because with them acting up or not listening
 24 or talking, the teacher would just give up on us and
 25 just sit there.

1 Q During the second semester, you didn't have
2 those same problems with the class being hectic?
3 A It wasn't as hectic, but it was still hectic.
4 Q What do you mean "it was still hectic"?
5 A Because of the book situation, like, whenever
6 we had homework or -- sometimes it was really hard to
7 read the photocopies that she would give us. And I --
8 that made us -- well, it made me sometimes, like, not
9 even want to do the work because I couldn't even read
10 it.
11 Q I don't want to focus on the books right now.
12 I want to focus on the number of students in the class.
13 A Okay.
14 Q I want to know if you thought based on the
15 number of students in the class during the second
16 semester it was still hectic?
17 A Well, I would say it was okay. It wasn't -- I
18 would deal with that.
19 Q You were okay with the number of students in
20 the class for the second semester?
21 A Yes.
22 Q Wait until I finish my questions. I know it's
23 hard.
24 So when you described the second semester as
25 being hectic, you were referring to some of the problems

1 you were mentioning regarding the books and not the
2 number of students in the class. Is that correct?
3 A Yes.
4 Q During the second semester, were there enough
5 desks for the students in the class?
6 A Yes, but we had to pull, like, a table in, one
7 of them big tables with a couple of seats. But, yeah,
8 everybody had seats.
9 Q And a desk?
10 A And a desk.
11 MS. SPIOTTA: You mean a table. Everyone
12 didn't have their own individual desk. But everyone had
13 a place to write on?
14 THE WITNESS: Yes.
15 BY MS. STRONG:
16 Q And just so it's clear, everyone had
17 sufficient space on a desk to write on during the second
18 semester. Is that correct?
19 A Yes.
20 Q You said during the first semester, sometimes
21 it would get hectic, and the teacher would just give up
22 on us. What did you mean by that?
23 Q She would just -- after getting tired of
24 yelling at the students, of asking constantly to be
25 quiet and trying to do a lesson, and the results -- when

1 she didn't get any results and the students would not be
2 quiet, she would just sit at her desk. And she said,
3 work on it yourself. She would give us the photocopies
4 or books.
5 Q How often did she just sit down in the manner
6 that you just described?
7 A It was often. It was really often because --
8 it was really hard. I mean, I would understand if I was
9 in her position.
10 Q Approximately how many times during the first
11 semester did that happen?
12 A Approximately at least twice a week, three
13 times a week. Twice.
14 Q That's because the students would talk and not
15 listen to her. Is that correct?
16 A Well, not only that. I mean, the fact that
17 why would you pay attention when you don't even have a
18 book in front of you to follow her. And noisy -- and
19 then the people were noisy. People just give up because
20 they didn't have a book to follow her on. I don't know.
21 It was a hard -- it was not a good environment for her
22 to actually teach the students because they didn't have
23 the materials that they needed for them to work.
24 Q What was she using to teach the class on a
25 daily basis during the first semester?

1 A She would pass out the books that she did
2 have, and she would try to explain whatever, like, the
3 certain page that we have to do, she would try to do
4 that, and a set of, like, group of students would get
5 together and try to look at the book.
6 But, I mean, it was -- some of the students,
7 they didn't think -- they didn't think that they
8 deserved that. So they didn't do it.
9 Q Did she use a book every day?
10 A No.
11 Q What other materials did she use?
12 A Photocopies of books.
13 Q How often did she use the books in class
14 during the first semester?
15 A Not often. It was probably, like, once a
16 week.
17 Q So on the occasions when she wasn't relying
18 upon a book to teach the class, what was the reason why
19 the students weren't paying attention then, in your
20 mind?
21 A In my mind, it was just -- I guess -- I mean,
22 for me if we all would have cooperated and just be
23 quiet. Because some of the students wouldn't do it.
24 The French 3 would be discussing their own set of work,
25 and that would kind of interrupt us because sometimes

1 they had to do -- they had to do group work. And then
2 hearing them talk would interrupt us, the French 2,
3 French 3. So it would combine into a whole --

4 Q You started to say if it were up to you, you
5 would just be quiet and pay attention. What did you
6 mean by that?

7 A If everybody was like me, I would -- they
8 would be quiet and just listen and try to make the best
9 of it, even though it wasn't a good environment and
10 stuff.

11 Q So you think some of it was the students'
12 choice to not pay attention and not participate in the
13 class. That was part of the problem?

14 A No. Well, I think that it all costs -- I
15 mean, not having a book does not -- I mean, seeing where
16 you're at, where you're put at in the class full of the
17 students with two separate subjects with a teacher
18 that's really old and has no patience is not going to
19 motivate you to be quiet and pay attention. You're just
20 going to say, if they don't care enough for me to give
21 me what I need, why should I pay attention and try to
22 learn.

23 Q That wasn't how you responded. Correct?

24 A I didn't respond like that because I have
25 another perspective, I guess, me personally.

1 work in groups in the back of the class. How many times
2 do you recall that happening?

3 A Well, the reason why they would work in group,
4 it was because -- first, like I would say, the first ten
5 minutes of class she would spend it with them and
6 explain you have to do this, this and that, and she
7 would give them an assignment. That would be every day.

8 Q How many times did you notice the French 3
9 class interrupting your French 2 class during the first
10 semester?

11 A It was -- she would tell them to quiet down,
12 but it would interrupt. It was every day.

13 Q Did it affect your ability to learn
14 personally? Not other students. I'm talking about your
15 ability to learn in that class.

16 A Yes.

17 Q How?

18 A Because if I want to learn -- I'm not only a
19 visual person. I can't be listening to the teacher and
20 have some people in the back talking. Yeah, it did
21 interrupt me.

22 Q How?

23 A Because I wasn't able to pay full attention to
24 what the teacher was saying. I missed out on a lot.

25 Q What did you miss out on?

1 Q Yeah. What I'm focusing on that you said --
2 you tried to refer to when you don't have a book. I'm
3 talking about the days when the teacher didn't use a
4 book to teach the class. She was using other materials
5 to teach. Would you say that the student's own failure
6 to pay attention and to act in the way that you were
7 acting contributed to some of the hectic nature of the
8 class?

9 A What do you mean?

10 Q I want to know if you think the student's own
11 independent decisions as to how they would behave in the
12 class affected the nature of the class in any way?

13 A In some manner, but not -- it's not
14 completely -- I mean, I think that if they would have
15 not -- if they didn't have to deal with that, they would
16 have been paying attention, they would have done their
17 work. But having to deal with -- I mean, having to deal
18 with so many students, so many -- I mean, it was hot in
19 there. It was after the summer. It just makes it
20 harder. It makes it hard for a student to learn.

21 Maybe -- yeah, if they didn't want to pay
22 attention, I mean, but it wasn't because -- I mean, if
23 they would have had everything they needed, they
24 wouldn't have been complaining.

25 Q You said sometimes the French 3 class would

1 A Like, in some cases she would explain, like,
2 the use of a word and something, and a -- a little buzz
3 in the back, I mean, it would just take your attention.
4 You can't focus on something when you have so many
5 other, like, people talking. It just gets your
6 attention.

7 Q Did you ever complain to anyone about the
8 number of students in that class during the first
9 semester?

10 A Well, I remember going up to my teacher and
11 telling her to refuse to accept any more students
12 because she was still getting students in the class.
13 And I told her you need to stop because it's already
14 overcrowded. But then the counsellor would ask
15 for a special favor, please, let her in because she
16 needs the class. She wouldn't deny her the opportunity
17 to do it. Yeah. I talked to her, and it was -- it was
18 all that I could do.

19 Q What's the teacher's name?

20 A [REDACTED]

21 Q So you had that conversation with her at the
22 beginning of the semester. Is that correct?

23 A No, that was my sophomore year.

24 Q I realize that. When did you have that
25 conversation with her?

1 A At the beginning of -- like, when I saw the
2 problem, at the beginning of the first semester.
3 Q Would that have been within the first week or
4 two of school?
5 A Yeah.
6 Q Did you ever talk to anyone else in the school
7 about the number of students in that class during the
8 first semester?
9 A No.
10 Q Did you ever talk to anyone in your school
11 about the fact that there was a French 2 class and
12 French 3 class in the same classroom together?
13 A I did tell, like, my other teachers, which
14 tell them -- because I wouldn't see that in another
15 class, two subjects mixed into one. I would say, "Why
16 are they doing that?"
17 And I guess they would just say, "Oh, it's
18 Locke."
19 Q Who did you talk to about that?
20 A I remember talking to my English teacher.
21 Q Who?
22 A Miss Ramirez.
23 Q Anyone else?
24 A No.
25 Q It was Miss Ramirez that said, "Oh, that's

1 Locke?"
2 A No, she didn't say that. The time that I
3 shared that, it was because she asked her students,
4 like, the question, what do you think about Locke. And
5 I just told her, like -- because I had just gotten into
6 that school. I had no idea that other people thought
7 that was okay. For me it wasn't okay. That's why I
8 shared -- no that teacher didn't tell me that. Who told
9 me that? I think it was like -- I don't remember what
10 teacher, but I know it was somebody that told me. It
11 was just Locke. That was what they thought.
12 Q So you don't recall talking with anyone else
13 about either the number of students in your first
14 semester French class in 10th grade or the fact that
15 there were students from a French 2 and French 3 class
16 in that room. Is that correct?
17 A Yes.
18 Q You never raised it with your counselor
19 Mr. Mandell, for example. Is that correct?
20 A Yes.
21 MS. STRONG: Off the record.
22 (Discussion off the record.)
23 (Whereupon, at 12:15 P.M. the proceedings
24 were adjourned for the lunch recess.)
25 ///

1 (Whereupon, at 1:20 P.M. the proceedings
2 were reconvened.)
3 BY MS. STRONG:
4 Q You're still under oath. And do you have any
5 questions about any of the items that we went over at
6 the beginning of the deposition this morning?
7 A No.
8 Q Did you have anything at lunch that would
9 affect your ability to give your best testimony here
10 today?
11 A No.
12 Q You didn't consume any medication or any other
13 substance that would cloud your mind or affect your
14 ability to testify?
15 A No.
16 Q I'm afraid there's a double negative. No, you
17 did not?
18 A When?
19 Q You did not have any substance. Is that
20 correct?
21 A Yes, that's correct.
22 Q I was afraid there was a double negative on
23 the record so I wanted to make sure.
24 The class you identified as the second largest
25 class that you had while at Locke was discrete math.

1 Can you tell me when you first entered that class how
2 many students were in that class.
3 A There were approximately 45 students.
4 Q Okay. At any time did that number change
5 after the first day of class?
6 A Yes, it changed. It decreased. After two
7 weeks it decreased.
8 Q What did it decrease to?
9 A Like, to a number of 35 students, around 35
10 students.
11 Q Okay. Did it remain at approximately 35
12 students for the rest of the year?
13 A Yes.
14 Q Were you enrolled in that class the entire
15 year?
16 A Yes. But there was change of teacher in the
17 course, yeah.
18 Q So but it was the same students for the entire
19 year. Is that correct?
20 A Yes.
21 Q During the first two weeks of class, do you
22 believe that the class was affected by the number of
23 students in the class?
24 A Yeah. Yes, because -- because the number of
25 students -- he didn't have any kind of plans for the

1 class, but still he couldn't start anything. He
2 couldn't start whatever he was planning to do because of
3 the -- because a lot of students didn't belong there,
4 and they were trying to get out. It took, like, a week
5 for them to change classes. Two weeks.

6 Q So you said whatever plans he had, although he
7 didn't have any plans. I'm not sure I understand that.

8 A Because he didn't know -- he was just assigned
9 to that class, but he really never was noticed before.

10 He didn't have any kind of teaching plan or any
11 curriculum to go under. He didn't know what discrete
12 math was. A couple of weeks after he decided that he
13 was going to turn it into a precalculus class.

14 Q What grade was this?

15 A 11th.

16 Q What was the teacher's name?

17 A [REDACTED]

18 Q So why is it that you believe during the first
19 two weeks of class [REDACTED] was unable to start the
20 class because of the number of students in the class?

21 A Because there was no -- he didn't know who
22 were the students that were going to stay there. He
23 didn't know -- he was trying to get himself organized so
24 to try and teach a class. He was waiting for the
25 students that were going to leave to leave and to see

1 the review of algebra 2, but then after a while it was
2 too hard for him because he had a full schedule, and he
3 didn't know what to teach. He would use it as his free
4 period.

5 That would be my free period for me because I
6 would do other things because he never had assignment
7 for us. We didn't have a book for discrete math. We
8 didn't have a book for precalculus either. We did work
9 out of the algebra 2 books when we did work.

10 Q I'm getting mixed messages from you. I'm
11 getting that he did try and teach you algebra 2, a
12 review of algebra 2, and I'm getting he didn't teach you
13 anything. So I'm trying to understand what it is that
14 happened in that class.

15 A I said that he attempted because he tried
16 giving us, like, assignments from the book, and then he
17 tried teaching, like, a couple of -- it was like
18 reviewing stuff at the beginning. He did try at the
19 beginning, but then after a while he stopped.

20 Q At the beginning. What time period are you
21 referring to when you say "at the beginning"?

22 A After the two weeks, the two weeks where he
23 was waiting for students to check out, then he attempted
24 to teach.

25 Q You said he attempted to teach by teaching a

1 what he was going to come up with and what kinds of
2 plans to teach the class.

3 Q How do you know that?

4 A He told us.

5 Q Did he teach you anything during the first two
6 weeks of class?

7 A No.

8 Q What did you do while you were in there each
9 day?

10 A Talk or do homework or -- I don't know. We
11 really didn't do anything. We would just sit there.

12 Q He gave you no homework in that class for the
13 first two weeks. Is that correct?

14 A That's correct. Not only the first two weeks,
15 the whole semester. The only assignment I remember
16 doing was a stock report at the end of the semester for
17 a final grade in the discrete class.

18 Q Okay. After the first couple weeks, did you
19 start to have lesson plans in class?

20 A No.

21 Q You never had any lesson plans in that class?

22 A After he shared his situation about not
23 knowing what it was, he said he was going to make an
24 attempt to teach precalculus, which he did. He tried --
25 he tried teaching us math -- it was like we began with

1 review of algebra 2. Is that correct?

2 A And he said he was going to make, like, the --
3 okay, from algebra 2 he was going to try to get into
4 precalculus because they're so -- it has to do with it,
5 and that's what he tried to do.

6 Q So did he give you daily assignments in class
7 at that time?

8 A No.

9 Q How would he teach you that then?

10 A The times that I remember that he actually did
11 teach something, we would do, like -- he would tell us
12 to do a page out of the book, but he never collected it.
13 He never checked it.

14 Q So on how many days do you think that he --
15 how many times a week after that first two weeks of
16 class did he assign you something in class?

17 A I would say, like, for the first month
18 straight he did give us -- he would lecture, and we
19 would take notes, and he would tell us a new assignment,
20 but he never collected anything. We had one quiz at the
21 beginning, which was in that period.

22 Q What period?

23 A The period after the two weeks.

24 Q Before or after?

25 A After. To determine where we were at. We

1 never got that test back. That's the only assignment.
 2 After that we did have no kind of assignments. Months
 3 after he said that for us to get -- earn the final
 4 grade, he was going to just tell us to choose a couple
 5 of stocks and follow up on them and then get a stock
 6 report at the end and present it to the class.
 7 Q So what -- you had assignments on a daily
 8 basis for approximately a month at the beginning of the
 9 class. What did you do when he stopped giving you those
 10 daily assignments?
 11 A What did I do?
 12 Q In class.
 13 A I would just do other class work or other
 14 homework I had.
 15 Q He didn't expect the students to be working on
 16 anything for his class at that point in time?
 17 A He said he didn't have any stuff, to take
 18 advantage and do some other work from other classes.
 19 Q So at that point in time when he was not
 20 giving any of the students work, do you think that had
 21 to do at all with the number of students in the class?
 22 A No, I think it had to do with the fact that he
 23 had no idea how to teach the class.
 24 Q What is it that [REDACTED] ordinarily teaches?
 25 A Algebra and geometry.

1 him up to that point, but he had people from different
 2 levels. Like, we had people that had not had math in a
 3 year, and they were -- they needed a lot more review
 4 than others. It was on different levels. He tried to
 5 put us all in the same level, but he couldn't do it. I
 6 mean, he wasn't prepared. He wasn't a calculus teacher
 7 or precal.
 8 Q Your concern regarding the class size, the
 9 number of students in that class was just with respect
 10 to the first two weeks of school then. Is that correct?
 11 A Yes.
 12 Q You testified that he gave absolutely no
 13 assignments during the first two weeks of school?
 14 A Correct.
 15 Q You covered nothing in that class. Is that
 16 correct?
 17 A Correct.
 18 Q So if I asked any other students in that
 19 class, they would say the same thing, that nothing
 20 happened in that class for the first two weeks?
 21 A Correct.
 22 Q With respect to algebra 2, the third and final
 23 class you mentioned as a large class that you remember
 24 having to take at Locke, that was in 10th grade.
 25 Correct?

1 Q What is discrete math?
 2 A To me? I don't know. Until now I don't know
 3 what it was. I did ask what is discrete math. Like,
 4 when they were telling me on college applications to put
 5 what kind of math are we taking. We had people from
 6 other colleges helping us with applications, and they
 7 didn't know what discrete math was.
 8 Q Did you ever ask your counselor what discrete
 9 math was? Mr. Mandell.
 10 A Yeah, he told me it was just a form of
 11 precalculus.
 12 Q So when [REDACTED] said he would try to make
 13 it a precalculus class, that's what you understood
 14 discrete math to be. Is that correct?
 15 A Correct.
 16 Q That's what he began two weeks after the class
 17 began --
 18 A Yes.
 19 Q -- is teaching essentially precalculus?
 20 A No, algebra 2 review. He started with algebra
 21 2 -- like a review of algebra 2. Then he tried to get
 22 into precal.
 23 Q He proceeded into precalculus. You said "he
 24 tried." What do you mean by that?
 25 A He lost the class. The class -- we were with

1 A Correct.
 2 Q And when you first entered that class,
 3 approximately how many students were in it?
 4 A It was approximately, like -- like, 45
 5 students.
 6 Q Did that number change?
 7 A Yes, it changed.
 8 Q When did it change?
 9 A After a couple of weeks.
 10 Q What did it change to?
 11 A To, like, around 35, 37 students.
 12 Q So your concerns regarding the number of
 13 students in that class focused on the first two weeks of
 14 school when it was 45 students?
 15 A Well, actually, no, because the -- after the
 16 changes and the number decreased, there was still not
 17 enough books. So the amount of students was still
 18 not -- they didn't have a class -- well, they have a
 19 class set of books, which was -- I don't know how many
 20 books they had. It was, like, I would say around 30
 21 books, and we still didn't have enough books for
 22 everybody to take home and do their homework. So that
 23 kind of got in the way of other students doing their
 24 homework and not being able to pass a class.
 25 Q Okay. Other than the fact that there weren't

1 enough books for the students to take home, while the
2 class had 35 to 37 students in it, did you have any
3 other concerns regarding the number of students in that
4 class at that point in time?

5 A In that class we did have enough desks. It
6 was a big class. No, the teacher was strict and stuff.
7 We didn't have any hectic problems like the other one.
8 It was just the book problem.

9 Q During the first couple weeks when there were
10 approximately 45 students in the class, did you think
11 that the number of students in the class affected the
12 class?

13 A The first two weeks?

14 Q Yes.

15 A Well, I mean, he didn't stop. He didn't -- he
16 did -- he started teaching right since the first day.
17 It's just that the fact that there was so many students
18 that they didn't belong there, they would -- because
19 they knew that they didn't have to take the class. Some
20 took it already. They didn't pay attention. They made
21 little groups and would talk and stuff. That was
22 disrupting.

23 Q What was the name of your teacher in that
24 class?

25 A [REDACTED]

1 students, and that was, I guess, okay.

2 But my French class, the one I talked before,
3 that was still a lot of students in one class because
4 of -- because of the class set of books.

5 Q In second -- rephrase the question.

6 In each of these classes at one point in time
7 there became about 35 students in the class. Is that
8 correct?

9 A Correct.

10 Q Once the number of students got to be about 35
11 students, you no longer had concerns about the number of
12 students in the class. Is that correct?

13 A Correct.

14 MS. SPIOTTA: For the record will you clarify,
15 you were talking about discrete math and algebra 2 right
16 then, and were you also talking about the French class
17 that you covered before lunch?

18 MS. STRONG: Yes, the record will speak for
19 itself, but the French class she did testify got to 35
20 students for the second semester. I was referring to
21 all three classes.

22 MS. SPIOTTA: I think she testified it was 35
23 to 40 students.

24 MS. STRONG: The record will speak for itself.

25 Q Were there any teachers at the school that you

1 Q You personally were able to continue your
2 learning even during the first two weeks of class at
3 that class because he was stricter than your other
4 teacher. Is that correct?

5 A Yes.

6 Q You believe that some other students may have
7 been disturbed by those who were talking during the
8 class during the first couple weeks. Is that correct?

9 A Well, the people that were sitting by them
10 because they would sit in the back, yes.

11 Q But you were able to focus and learn during
12 the first two weeks of class in that particular class?

13 A Because, yeah, I sat near the front.

14 Q Okay. Just to tie this together, with respect
15 to the three classes you identified as large classes,
16 your concerns regarding the number of students in the
17 classes in each of them focus on just the first couple
18 weeks of school. Is that correct?

19 MS. SPIOTTA: I think I would like you to
20 break that up. I think that question is too compound.

21 BY MS. STRONG:

22 Q Can you answer the question?

23 A Because it depends on each particular class.
24 Like, in my discrete math -- I'll start with discrete.
25 It ended up with, yeah, 35 students or around 35

1 have had that you didn't like?

2 A That I didn't like? As in the way they taught
3 or personally or what do you mean?

4 Q Were there any teachers that you thought
5 weren't good teachers?

6 A Yes.

7 Q Who did you think was not a good teacher?

8 A Well, in my case, [REDACTED] his accent was
9 really -- he had a real -- he had an accent that made it
10 hard for me to understand what he was saying.

11 Q Any other teachers that you considered not
12 good teachers?

13 A My 10th grade science teacher.

14 Q Who was that?

15 A [REDACTED]

16 Q Any other teachers that you would think were
17 not good teachers that you had at Locke?

18 A Well, like right now my calculus teacher -- I
19 mean she's -- she knows her subjects. She knows
20 calculus, but for me I don't consider her a good teacher
21 because she doesn't have the patience to teach, and she
22 doesn't have -- she's not prepared to teach. She might
23 know the subject, which is calculus, but she -- I think
24 she's not trained enough to teach and especially at our
25 school because I know teaching at Locke may seem like

- 1 different, but, yeah, I don't think she's a good
2 teacher.
- 3 Q What's her name?
4 A [REDACTED]
5 Q [REDACTED] others?
6 A That's it.
7 Q With [REDACTED] your concern with him is his
8 accent?
9 A Yes.
10 Q Is that the only problem you had with
11 [REDACTED]
12 A Yes.
13 Q Were you still able to learn the materials
14 from [REDACTED] in the class despite his accent?
15 A I would just go with other teachers, with
16 another math teacher for review or for them to like --
17 not reteach but say it in a way I would understand.
18 Q You were able to overcome the problem that you
19 had with [REDACTED] accent by going to some other
20 teachers for assistance. Is that correct?
21 A Yes.
22 Q With respect to your science teacher in 10th
23 grade, [REDACTED] why did you think that he was not a
24 good teacher?
25 A Because he would teach based on -- okay. He

- 1 worksheets that you could take home. Correct?
2 A Correct.
3 Q How often do you think he gave you homework in
4 that class?
5 A How often? Like, twice a week.
6 Q What did you do to try and overcome your
7 concern regarding [REDACTED] failure to lecture
8 enough?
9 A I would ask a lot of questions. I was at his
10 desk a lot.
11 Q Did that help?
12 A It helped me.
13 Q Did you ever try and see [REDACTED] outside
14 of class?
15 A On Saturdays.
16 Q Any other times?
17 A No.
18 Q With seeing him on Saturdays and asking
19 questions in class, was that sufficient to help explain
20 the materials so that you could learn the materials that
21 were being taught in that class?
22 A Well, I wouldn't say that I learned them.
23 Like, when you -- when you have them in your head as in
24 something you learned. But it was -- I did the work.
25 He would help me finish the work or do an assignment.

- 1 wouldn't lecture. He wouldn't tell us -- he wouldn't
2 explain what was in books. He would just expect us to
3 do the work. That was hard for me because I need -- I
4 need to understand what he's talking about before I
5 could do the work.
6 Q So he would give you assignments out of the
7 book without as much lecturing as you would like?
8 A Yes.
9 Q Did you have a book to take home in that
10 class?
11 A No.
12 Q Did you have a book to use in class?
13 A Yes.
14 Q Did he give you homework to take home in that
15 class?
16 A Worksheets, yes.
17 Q He never assigned assignments out of the book
18 for homework?
19 A If he did, it wasn't often. We would be able
20 to take the book home.
21 Q On the occasions when he gave homework using
22 the textbook, you could take the textbook home.
23 Correct?
24 A Correct.
25 Q On other occasions he would give out

- 1 But really the terminology or the whole -- I really
2 didn't learn it like I would have liked to learn it.
3 Like, stuff that you memorize and later on in chemistry
4 or in other sciences you're supposed to know, I didn't
5 know that.
6 Q So you were able to learn the material to
7 complete the assignments in the class, but your
8 concerned that you didn't learn it as well as you'd like
9 to for long-term purposes?
10 A Yes, for me to use in other sciences.
11 Q And were there any other concerns that you had
12 about [REDACTED]
13 A No.
14 Q With respect to [REDACTED] h?
15 A [REDACTED]
16 Q For AP calculus why is it that you thought she
17 was not a good teacher?
18 A I've tried -- okay -- the way she teaches
19 doesn't -- I don't understand. Like I said, she knows
20 calculus, and she knows how to do it, but she doesn't
21 know how to teach it. She doesn't know how to break it
22 down for us. At least for me.
23 Yeah, I've heard other students complain the
24 same way. Once again, it's because, I mean, she's not
25 experienced. She doesn't have experience. This is her

1 second year teaching, and her first year there she was
2 assigned AP calculus too. Last year it was even worse
3 because she was really unprepared. The students that
4 had her complained a lot about that too. I mean, she
5 has one year experience now, but that's not enough.
6 She's unprepared. I think she's really, I mean, just
7 unprepared. If she was to go through some kind of
8 teaching training or something, she would do better or
9 just some experience in the teaching.

10 Q Just more time she spends in the class
11 teaching?

12 A Yes.

13 Q Do you know what kind of training she's had to
14 become a teacher?

15 A I asked -- that's why I asked at the
16 beginning, and she just -- because I found out about the
17 Teach for America program. A lot of teachers are from
18 Teach for America. And I was wondering if other
19 teachers, like, they go through experience or, I don't
20 know, teaching experience.

21 And she said that she was just out of college,
22 and I guess she went through some Teach for America
23 process. I don't know what that is. And then she
24 became a teacher.

25 It's like -- the way I see it, Teach for

1 A None of these teachers were mine, but I know
2 of, like -- that I know for sure, two teachers.

3 Q Do you know the names?

4 A No.

5 Q How do you know of those two teachers?

6 A Because of other students that had them.

7 Q They told you that?

8 A I would say why are they leaving if they were
9 doing such a good job. They're Teach for America and
10 only temporary, and they left.

11 Q Everything you know about that is based about
12 what other people told you. Is that correct?

13 A Of other students that had those teachers.

14 Q What they've told you?

15 A Yes.

16 Q Do you know if [REDACTED] has had teaching
17 experience from when she was in college?

18 A No.

19 Q Have you ever asked her about what her prior
20 teaching experience is?

21 A No.

22 Q [REDACTED] -- do you know if he was a Teach
23 for America teacher?

24 A He wasn't.

25 Q How do you know that?

1 America is they go and experience (sic) with us like
2 little rat labs (sic) or something. And if they like
3 teaching, they stay. And if not, they could go.

4 Q Do you have any teachers that you like?

5 A I like Mr. Porter, the one I talked about
6 before because he really is concerned about his
7 students. But these teachers are just waiting to get
8 out. They're just there to see if they like teaching
9 with us, and then they go to better schools and teach.

10 Q How do you know that?

11 A Because I asked. I asked Mr. Porter if --
12 when they got into that school, they told them you were
13 supposed to be here for a certain amount of years or
14 anything.

15 He said, no, we have a choice of staying one
16 to two years. If we like it, we stay. If not, we could
17 just leave. They could just go teach to another
18 school.

19 Q Do you know of teachers with the Teach for
20 America program that have left and gone to another
21 school?

22 A Yes, a lot of them have done that. They've
23 been good teachers, but they decided not to stay.

24 Q How many teachers do you know that have done
25 that?

1 A Because he was -- he had -- he was old. And
2 he had been teaching a lot for the past three years,
3 four years.

4 Q So is it fair to say that your experience is,
5 even if a teacher has experience in the classroom, it
6 doesn't necessarily make them a good teacher?

7 A It would -- I think that experience would be
8 one of the good factors, one of the main factors, but
9 not necessarily. They have to know what they're
10 teaching too. They have to understand first themselves
11 the subject to teach it.

12 Q Based on your experience with Mr. Porter, is
13 it your understanding that -- is it your belief that
14 some teachers their first year in teaching can be very
15 good teachers?

16 A Well, the reason why I said that was because
17 the way that he chose to teach us was his own way. We
18 were able to understand. I guess in his case it was
19 okay. But we would have learned a lot more, we would
20 have gotten a lot more in that class from an experienced
21 chemistry teacher. Maybe one of us would have passed
22 the test. Because none of us passed the test.

23 Q But isn't it also true that you could have had
24 an experienced teacher where you would have learned less
25 than you learned with Mr. Porter?

- 1 A That's true, but if a teacher with
2 experience -- she would have known the limit of time she
3 had on each subject, the curriculum that she has to meet
4 and how long she has. She would have planned. Even if
5 she didn't know how to teach, she would have covered --
6 Q You believe that's necessarily true?
7 A What?
8 Q That a teacher with more experience would have
9 followed the time guideline of the course a little more
10 closely?
11 A At least they would have been aware of it
12 more. They would have -- I mean, the experience they
13 had would have allowed them to actually get through all
14 the stuff they had to teach.
15 Q All of your teachers who have had a few years
16 of experience in school have always been able to cover
17 all of the materials in your class. Is that your
18 experience?
19 A Not in all my classes. In some.
20 Q It doesn't necessarily follow. Is that
21 correct?
22 A That's correct. Yeah.
23 Q With respect [REDACTED] did you think
24 [REDACTED] was a bad teacher?
25 A No.

- 1 Q That's the only other teacher you know of
2 that's taught discrete math at the school?
3 A That I know, since I was there.
4 Q Do they still teach discrete math?
5 A Yes.
6 Q Do you know who is teaching it now?
7 A [REDACTED]
8 Q That was your algebra 2 teacher?
9 A Yes.
10 Q Do you know if [REDACTED] has any
11 qualifications specific for discrete math?
12 A I wouldn't know.
13 Q Did the students have a choice as to whether
14 they wanted to take discrete math or not?
15 A It depends. It depends on the number of years
16 you have math completed. If you've already completed
17 your curriculum or your -- based on the college you want
18 to go to, you don't have to take it.
19 Yes, the choice is not required. You could
20 skip it and go to calculus because they don't -- they
21 don't -- for them, discrete math doesn't have to -- I
22 mean, the name doesn't have to do with calculus, but it
23 really should have because it's considered as a precal.
24 But, really, when you go through, like,
25 another school, they're not going to tell you you have

- 1 Q You didn't include him in the list of the
2 three teachers that you gave me that you thought were
3 not good. Why is that?
4 A Because I know that he's a good teacher in
5 algebra, in geometry. And I just understand that he
6 wasn't ready for us. I'm not saying that he didn't
7 know. I mean, apparently, he did, but he was just --
8 wasn't ready for that class.
9 Q How do you know that he was good in algebra
10 and geometry?
11 A Because of -- I mean, the students say when a
12 teacher is good. I never had him, but they tell me he's
13 good at this. He's good at that. I mean, I guess
14 that's why the administrator thought maybe you can
15 handle teaching discrete, but he wasn't ready for us.
16 Q Your understanding is that [REDACTED]
17 reputation on campus is that he's a good teacher?
18 A Yes.
19 Q Do you know of any other teachers at the
20 school who have taught discrete math?
21 A Yes, but he left.
22 Q Who was that?
23 A Mr. -- I don't know. I don't know the name.
24 Q When did he teach it?
25 A The previous year.

- 1 to take discrete math and calculus. It's actually
2 trigonometry before.
3 Q So it's your understanding that you could have
4 skipped discrete math altogether if you wanted to?
5 A Yes.
6 Q Are you glad that you took discrete math?
7 A No. It was a waste of time.
8 Q For second semester as well?
9 A First semester.
10 Q It wasn't a waste of time in second semester?
11 A No.
12 Q Who was it that taught the second semester for
13 you?
14 A Mr. Avila.
15 Q Avila. Why wasn't it a waste of time with
16 Mr. Avila?
17 A Because he -- he had -- this teacher, he had
18 just graduated from college. So he had a lot of his
19 work from college, calculus work, and he actually was
20 able to take some of the work out and teach precal,
21 which it did help because in my summer course, what he
22 had taught me, I had already learned. So he was a big
23 help.
24 Q Mr. Avila -- it's your understanding that that
25 was his first year teaching?

1 A Yes.
 2 Q Was he with the Teach for America program?
 3 A I don't think so. I don't know. Most likely.
 4 Q But, regardless, you thought he was a good
 5 teacher?
 6 A He was -- he was -- he was a good -- he
 7 provided us with a lot of -- with a lot of knowledge
 8 from him, from his experience.
 9 Q But that was his experience from college.
 10 Correct?
 11 A Yes.
 12 Q Not his experience from teaching other
 13 classes. Correct?
 14 A Correct.
 15 MS. STRONG: Can we take a quick break?
 16 (Brief recess taken)
 17 MS. STRONG: Just for the record, counsel for
 18 the deponent informed me that with respect to the report
 19 cards that she's producing here today, there are some
 20 report cards that are missing, and that's only because
 21 the deponent was unable to locate those report cards at
 22 home. Not because plaintiffs pulled them.
 23 Q You said something about summer school. Did
 24 you attend summer school?
 25 A Yes.

1 Q When?
 2 A Last summer.
 3 Q What for?
 4 A Trigonometry and math analysis.
 5 Q Why did you do that?
 6 A That was for -- for me it was kind --
 7 Mr. Avila told me that I should follow up on my math. I
 8 was kind of like completing what I had missed in order
 9 for me to go to calculus. That was a required class for
 10 me to pass up to calculus.
 11 Q Trig was?
 12 A Trig and math analysis.
 13 Q I thought you just testified that you could
 14 take discrete math instead of taking trig?
 15 A They made it -- Mr. Mandell made it a
 16 requirement for us to take. It was the same teacher.
 17 You had to be familiar with it before she started. So
 18 we didn't want to miss any time. We had to take that
 19 class forward for us to take calculus.
 20 It wasn't required as discrete math. Like
 21 that one, it doesn't matter if you take it or not. You
 22 could have not taken discrete and still gotten to the
 23 summer and gotten calculus.
 24 Q Did you know that at the time that you took
 25 discrete math?

1 A Yes.
 2 Q You still chose to take it anyways?
 3 A My counselor did. He put me in the class.
 4 Q Did you ever ask to leave the class because
 5 you didn't want to take it at all?
 6 A Yes, I did ask after a couple of weeks. He
 7 didn't want to take nobody out.
 8 Q You asked Mr. Mandell to take you out?
 9 A Yes.
 10 Q Why did he not let you out of the class?
 11 A Because he claimed that I should have tried a
 12 little bit more harder, that I should try and have
 13 patience, and see what he was going to teach. He didn't
 14 want me to give up any class.
 15 Q Was there a trig class that you could have
 16 taken that year?
 17 A No, they don't have -- for -- during the year.
 18 Only during the summer.
 19 Q Trig is only offered during the summer?
 20 A Yes.
 21 Q So you explained that you felt you learned a
 22 lot from Mr. Avila. Correct?
 23 A Correct.
 24 Q What did Mr. Avila use to teach the class for
 25 discrete math second semester?

1 A He used photocopies from his book, the book
 2 that he used in college.
 3 Q Do you know what the book was?
 4 A No.
 5 Q It was some book he had as a student in
 6 college?
 7 A Yes.
 8 Q How often would he give you photocopies from
 9 the book?
 10 A Every day.
 11 Q Were you able to take those home?
 12 A Yes.
 13 Q Do you know if Mr. Avila wanted to use a
 14 different book for that class?
 15 A He said he would have loved to have some kind
 16 of books like precal, precalculus books or even calculus
 17 books, but they didn't -- I mean, it was discrete math.
 18 They couldn't give him those books. It wasn't the
 19 subject.
 20 They -- there wasn't any books concerning
 21 discrete, and if he -- if he wanted other books, that
 22 wasn't to the subject, they weren't going to give it to
 23 him. He said, I want some calculus books. Why would
 24 they give them to him if he's teaching discrete.
 25 Q Do you know if he wanted to have a calculus

1 book to teach the class?
 2 A Yes.
 3 Q How do you know that?
 4 A He told us.
 5 Q When did he tell you that?
 6 A Like, at the beginning he said that since we
 7 didn't have any kind of books, he would have loved for
 8 us to have books, he was going to make an effort and
 9 make copies out of his own personal book for us to have
 10 the sheets to have the notes to learn a little bit more
 11 about precal.
 12 Q Do you know if he ever asked anyone at the
 13 school to have or to get a set of calculus or
 14 precalculus books for that class?
 15 A I wasn't there, but he did tell us that he
 16 tried talking to the administration, but he had no kind
 17 of response.
 18 Q When did he tell you that he talked to the
 19 administration?
 20 A He told us that after two weeks from the --
 21 when the second semester started.
 22 Q What did he tell you he told the
 23 administration?
 24 A He told them if there was -- if he had any
 25 books that was -- that there were, like, separated for

1 him, for the class, for the subject because every
 2 class -- every subject should have a set of books. I
 3 mean, it's math.
 4 And he said that they said no. And the
 5 calculus books that they have are for the calculus
 6 class, and they didn't have any kind of precalculus
 7 books.
 8 Q Do you know if he asked to try to get calculus
 9 books?
 10 A From what he told us, yeah.
 11 Q He told you that he asked for calculus books?
 12 A Or at least precal.
 13 Q I want to know what he did and didn't tell
 14 you. I understand all you know is what he told you.
 15 That's correct. Right?
 16 A Yes.
 17 Q So you recall Mr. Avila telling the class that
 18 he talked to the administration about books for the
 19 class, and that he -- there were no discrete math
 20 textbooks. Is that correct?
 21 A Yes.
 22 Q That's what he told you?
 23 A Yes.
 24 Q Do you know if he asked if there were any
 25 calculus textbooks available to use for your class?

1 A Okay. Well, since he was teaching
 2 precalculus, he meant a book in general -- I mean, of
 3 course not calculus. I meant, like, a book precal, not
 4 specifically calculus. I meant precal.
 5 Q Do you know if he asked if there were any
 6 precalculus books available to teach the class?
 7 A Yes.
 8 Q How do you know that?
 9 A He told us.
 10 Q He told you that he asked the administration
 11 exactly that?
 12 A Yes.
 13 Q Do you know if he asked if the administration
 14 could order a set of books that would be appropriate for
 15 that class?
 16 A As far as I remember, as far as I recall, he
 17 told us that they said that they would try, but the
 18 semester ended, and we never got books.
 19 Q Do you know what efforts Mr. Avila, if any --
 20 rephrase that.
 21 Do you know what efforts Mr. Avila made, if
 22 any, to try and get a set of books, other than that
 23 first conversation with the administration that he told
 24 you about?
 25 A After that conversation he had, after he

1 showed -- what they had told him, he didn't discuss
 2 about it anymore. Not with us.
 3 Q So you don't know if he made a decision to
 4 teach you with copies of his calculus books instead of
 5 trying to obtain a new set of class books for you or
 6 not. Do you don't know one way or another if he made a
 7 decision or the administration made a decision. Is that
 8 correct?
 9 A Well, I think that he -- since he was aware
 10 that -- I mean, he wasn't sure that he wasn't going to
 11 get any books, but it was a probability that he wouldn't
 12 get books. He just decided to go ahead and teach from
 13 his own, from photocopies.
 14 Q What I'm trying to say, you don't know one way
 15 or the other if the administration told him he couldn't
 16 get a new set of class books for your class. Is that
 17 correct?
 18 A I don't know exactly what they told him, but
 19 from the results, apparently, it was no because the last
 20 time he told us was that he was waiting on books, and we
 21 never got them. So I assume they said no, or they
 22 couldn't get them.
 23 Q That was during the first couple weeks of
 24 school -- his class -- the first couple weeks of the
 25 semester. Is that correct?

1 A Second semester, yeah.
 2 Q Were the handouts he used sufficient to teach
 3 you the materials he was trying to teach you in the
 4 class?
 5 A I guess, yes.
 6 Q Were there always enough copies of the
 7 materials for your class?
 8 A Yes.
 9 Q You could take those materials home?
 10 A Yes.
 11 Q Was there ever a time that you needed
 12 something other than those materials to complete the
 13 work for the class?
 14 A It would have been -- for me it would have
 15 been better to have a book where I could look at
 16 examples, and if I had any doubts at home, I will go
 17 back to a page or the previous chapter or, you know, go
 18 over examples. But the copies were, like, the
 19 assignments. And whenever he would do lecture, we would
 20 take notes. And with notes and the notes and the copy
 21 machines we would do our work.
 22 Q He was copying pages out of his textbook.
 23 Correct?
 24 A Yeah, it was a workbook. Not a textbook. It
 25 was -- it wasn't where they explain. Like textbooks

1 they have examples and stuff. It was, like, you know,
 2 where you change to the back of the book where you have
 3 the number of questions you're going to do. He gave
 4 us -- I mean, that was not all that he gave us. He also
 5 gave us, like, part of other books. He used more than
 6 one book that would help us understand more, like
 7 different parts of other books.
 8 Q He would photocopy all of those materials?
 9 A Yes.
 10 Q There was always enough photocopies for each
 11 of the class to have one of their own?
 12 A Yes.
 13 Q Speaking of copying, do you know if there are
 14 any limits placed on copying pages at the school?
 15 A Yes.
 16 Q What do you know about that?
 17 A Well, I was aware that they have a code, and
 18 they're -- each teacher has a certain amount of copies
 19 he can make. And I didn't know personally until this
 20 year when I have to do a lot of errands for Mr. Mandell,
 21 and a lot of teachers go to him because they say --
 22 because they get mad at Title 1 office and main
 23 office -- because they got to make copies. They got to
 24 go to Mr. Mandell in order for them to give it to their
 25 students so they could do their work.

1 The Title I office takes weeks or days or
 2 takes a lot of time for them to do it. Whenever I go to
 3 the main office, they give me attitude. Not you again.
 4 You're wasting paper. Wasting ink. I didn't know it
 5 was that much of a problem. I was aware of the problem,
 6 but I didn't know to what extreme. They're really
 7 stingy with paper.
 8 Q Has there ever been a time that you know of
 9 that you were prevented from copying anything for a
 10 class?
 11 A Like this year that I've been working with
 12 Mr. Mandell. I have gone to the Title I office, and
 13 I've left them a stack of paper, and I would tell him I
 14 need it for the afternoon. He would say, "Are you
 15 kidding? It's going to take days." Because they have a
 16 lot of copies to make.
 17 Q That doesn't have anything to do with the
 18 limit on the number of copies someone can make. That
 19 just is the time that it takes to make the copies. Is
 20 that correct?
 21 A No, because the reason why are they doing it
 22 like this is because they were not granted the
 23 opportunity to make it themselves because they had ran
 24 out of their copies number. They needed their papers
 25 regardless if they have enough copies or not.

1 Q Let's start at the beginning here. What do
 2 you think the limit on copies is at the school?
 3 A The way I see -- the way that I know it is
 4 each teacher has a code, and they can make certain
 5 copies. When they can't do them anymore or when they
 6 ask them and they say no, they go through Mr. Mandell,
 7 like, the teachers that are really close to Mandell.
 8 That is when I go and try to get the copies for them.
 9 Q How do you know the teachers have a code and
 10 certain number of copies they can make under their code?
 11 A I remember Miss Ramirez telling me one time.
 12 Q Is that the only way you know this from Miss
 13 Ramirez?
 14 A Yes, I didn't ask anybody else.
 15 Q Everything you know about this is from what
 16 Miss Ramirez told you. Is that correct?
 17 A No. The only thing I know about her is about
 18 the limit. About the other stuff is because I've been
 19 there.
 20 Q In terms of -- your knowledge with respect to
 21 there being a limit on the number of copies the teacher
 22 can make is solely based on what Miss Ramirez told you.
 23 Is that correct?
 24 A Yes.
 25 Q Did Miss Ramirez tell you how many copies a

1 teacher is allowed to make?
 2 A She told me a number, but I don't remember.
 3 Q Did Miss Ramirez ever tell you that she was
 4 unable to get copies for her class because she had
 5 reached her limit?
 6 A Yes.
 7 Q What did she tell you about that?
 8 A She would tell us that our copies would delay
 9 a little bit more because she had to go through Mandell
 10 in order for her to get copies.
 11 Q In that case she was able to actually get the
 12 copies. Is that correct?
 13 A In her case but other teachers were just --
 14 because as in the case -- her case because she was close
 15 to Mandell, and she had a good relation with somebody
 16 that had access to making more copies. But in other
 17 cases of other teachers they would just have to wait
 18 until, I guess -- I don't know how it works.
 19 Q That's what I want to try to understand. Do
 20 you know of a single teacher who was unable to make
 21 copies for their students because they had exceeded the
 22 limit on photocopying?
 23 A In the case of Ramirez, that's when I saw
 24 that, but she was able to -- I mean, she had another
 25 option. But doesn't -- I don't know why they have to go

1 expense?
 2 A She told us.
 3 Q When was that?
 4 A That was my 10th grade year.
 5 Q What semester?
 6 A It would be -- I don't recall which one.
 7 Q Do you remember what it was that she copied?
 8 A No.
 9 Q Was that the only time that you can remember
 10 her telling you that she copied some things for the
 11 class at Kinkos?
 12 A Yes.
 13 Q Was one occasion?
 14 A As far as I recall.
 15 Q Do you know if she ever got reimbursed for
 16 that?
 17 A She never got reimbursed.
 18 Q How do you know that?
 19 A She told us.
 20 Q You asked her if she got reimbursed?
 21 A I asked her.
 22 Q Do you know if she ever asked to have -- I'm
 23 sorry.
 24 Do you know if she ever asked to be reimbursed
 25 for it?

1 through that.
 2 Q I just -- try to listen to my question. I
 3 understand. I just want to know if you know of a single
 4 teacher who was unable to give photocopies to their
 5 students because they had reached the limit on the
 6 number of copies that they could make?
 7 A You're asking me -- I understand what you're
 8 asking me. That was the case with Miss Ramirez. She
 9 was unable to make copies. But she had another way out.
 10 But of another teacher, no, I don't know.
 11 Q But even with respect to Miss Ramirez -- I
 12 don't want to belabor this too much -- she was able to
 13 get copies for her students. She never had a situation
 14 that you know of where she was unable to give
 15 photocopies to her students because she had exceeded her
 16 limit. Is that correct?
 17 A That's correct. But the reason why we -- she
 18 never told us "I exceeded my limits so you guys aren't
 19 getting anything" is because she -- there was an
 20 occasion where she paid for the copies. She went to
 21 Kinkos and paid for the copies. She just didn't tell
 22 us, "I exceeded my copies so you guys aren't getting
 23 anything." She looked for a solution.
 24 Q How do you know she went to Kinkos on one
 25 occasion and copied papers for the students at her own

1 A The way that I see it, the way she explained
 2 it to us, I -- I'm not aware of if she went or not, but
 3 she said that it wasn't -- there wasn't any use for her
 4 to go ask because she knows she wasn't going to get
 5 reimbursed.
 6 Q You don't know if she ever did, in fact, get
 7 reimbursed for that?
 8 A From her previous experiences, I guess she had
 9 tried it before, asking, but I don't know -- I'm not
 10 aware if she asked at the time where I'm explaining.
 11 She said that she had -- before she had asked for,
 12 like -- I don't know -- for more copies or to get
 13 reimbursed or something, and they said no. So from
 14 there on she never asked again.
 15 Q I don't want you to guess about what you're
 16 testifying to. I want you to only tell me things that
 17 you know. Are you telling me that at one point she
 18 explained to you that she had previously asked for
 19 reimbursement, or it was either that or she couldn't get
 20 copies? I want to know what it was that you remembered?
 21 A Okay. When she was explaining why she didn't
 22 get reimbursed -- when she was explaining why there was
 23 no way she could get reimbursed was because she was
 24 basing it on a previous experience.
 25 Q How do you know that?

- 1 A Because she told us.
 2 Q What was the previous experience that she told
 3 you about?
 4 A She told us about a time where she made copies
 5 and -- she talked to them if she would get reimbursed,
 6 if she would get her copies at her own -- go to Kinkos
 7 and get them if she would bring the receipt, and she
 8 told us they said, "No, it's your class."
 9 Q You don't know whether she -- whether or not
 10 she asked the time that you know she -- rephrase.
 11 You don't know one way or another whether she
 12 asked for reimbursement when she told you she copied
 13 papers for you during the 10th grade class. Is that
 14 correct.
 15 A Yes.
 16 Q Do you know what the teacher is using to teach
 17 discrete math this year?
 18 A No.
 19 Q You don't know what materials are being used?
 20 A No, I don't have that class.
 21 Q With respect to photocopies, did you ever have
 22 a class where there were an insufficient number of
 23 copies in the class because the teacher was unable to
 24 make copies for the class?
 25 A Yes.

- 1 Q When did that happen?
 2 A That was -- let me think. Yeah, that was in
 3 my -- no, actually, that's it. The only experience that
 4 I had that I actually -- she told us why she couldn't
 5 get them was Ramirez.
 6 Q Miss Ramirez was teaching you what?
 7 A Honors English.
 8 Q That's the only time you remember a teacher
 9 having difficulties getting photocopies for your class.
 10 Is that correct?
 11 A Yes.
 12 Q But even with respect to Miss Ramirez, she was
 13 able to get the copies for you. It was just difficult
 14 for her to do so. Is that what you're testifying to?
 15 A Yes.
 16 Q There's no other class where you were unable
 17 to have copies because the teacher was unable to get
 18 enough photocopies for the class. Is that correct?
 19 A As far as I recall, yes.
 20 Q Okay. Did you have any other concerns
 21 regarding photocopying at your school or the use of
 22 photocopy materials in your class?
 23 A Just I remember one time in my AP Spanish
 24 class, the copies were -- and in my French class, they
 25 were blurry and kind of dark.

- 1 Q With respect to your AP Spanish class, how
 2 often did your teacher use photocopy materials in that
 3 class?
 4 A Probably, like, two times per week.
 5 Q Who was the teacher?
 6 A Mr. Fell.
 7 Q What grade is this?
 8 A This was junior year, 11th.
 9 Q Would he use the materials for in-class work
 10 or take-home work?
 11 A In class.
 12 Q How often -- let me rephrase it.
 13 Do you recall a specific time when you had
 14 difficulty reading a photocopied material because it was
 15 either dark or blurry in that class?
 16 A Yes.
 17 Q Can you tell me about that.
 18 A Well, I remember I received the paper, and
 19 I -- well, I went to Mr. Fell, and I told him, "I can't
 20 see this part of the page."
 21 And he said, "Well, look through the other
 22 copies and see if you find something better." But they
 23 were all the same.
 24 Q So he had extra copies for you to look
 25 through?

- 1 A In that case, yeah. In that time, yeah.
 2 Q And it was -- what was it that you were unable
 3 to read?
 4 A It was, like, the bottom part of it. It was
 5 kind of dark. It was dark.
 6 Q Was that a sentence or two or how much of the
 7 page?
 8 A No, it was like -- it was a whole -- it was a
 9 paper, I remember, explaining terms that we used, and it
 10 was, like, definitions. So it was, like, the whole
 11 bottom page. It was probably, like, three or four
 12 different issues of words.
 13 Q Can you think of any other time in his class
 14 when you recall a photocopied material being either dark
 15 or blurry?
 16 A As far as I remember, that's the only one I
 17 remember right now, but there must have been more.
 18 There probably were more. I just remember that one.
 19 Q You don't remember any other times when you
 20 couldn't read the material because it was either dark or
 21 blurry. Is that correct?
 22 A In that class?
 23 Q Yes.
 24 A Yes.
 25 Q On that occasion when all of the copies that

1 you looked at were all the same, what did you do?
 2 A I skipped -- I skipped -- it was -- I
 3 skipped -- I skipped those definitions.
 4 Q The three or four definitions that were there?
 5 A I just asked -- yeah, he had taken them out of
 6 the book to know which words were those, and we borrowed
 7 his book and got them from there.
 8 Q In class?
 9 A Yes.
 10 Q So you were able to overcome that problem by
 11 borrowing the teacher's book. Is that correct?
 12 A We all had to wait, though, because everybody
 13 had to use it. Yeah.
 14 Q With respect to your French class, you
 15 mentioned that there were also -- or that you recall
 16 photocopy materials in that class either being dark or
 17 blurry. Which French class is this?
 18 A Yeah, 10th French. 1 -- I mean, 2.
 19 Q Do you recall a specific time when you
 20 received the photocopied material and couldn't read
 21 something because it was either dark or blurry?
 22 A Yes.
 23 Q Can you tell me about that?
 24 A It was an assignment. It was questions. It
 25 was a questionnaire about something we had read. Yeah,

1 read?
 2 A Yes.
 3 Q How many questions were there that you
 4 couldn't read on the page?
 5 A Around four questions.
 6 Q What did you do about that?
 7 A I think I -- I did the same thing. We saw the
 8 book, or she put them on the board. I think, yeah, she
 9 put the questions on the board, and everybody copied
 10 them down.
 11 Q Do you recall any other time in your French
 12 class when you received either a dark or blurred
 13 photocopy?
 14 A There probably were some other times, but I
 15 remember that one specifically.
 16 Q As you sit here today, you can't think of any
 17 other times where that --
 18 A No.
 19 Q -- occurred?
 20 A I don't remember.
 21 Q You didn't have that situation in any other
 22 class. Is that correct?
 23 A Correct.
 24 Q You mentioned your -- Miss Ramirez teaches
 25 what?

1 the last part of the question, the last set of questions
 2 were -- we couldn't -- they were unreadable.
 3 Q When was this?
 4 A That was in the 10th grade.
 5 Q First semester or second semester?
 6 A That was second semester.
 7 Q Were you given a packet of material?
 8 A Yes.
 9 Q How many pages were in the packet? Do you
 10 recall, approximately?
 11 A Approximately three.
 12 Q The first couple pages were okay for you to
 13 read?
 14 A It was -- every single page, like, the bottom
 15 of it. Just the bottom of the page was. But the other
 16 ones didn't have anything on the bottom. Just the first
 17 one. They were -- there were pictures, I remember, and
 18 the set of questions at the top. The first section was
 19 the one that had the questions at the bottom that I
 20 couldn't see.
 21 Q Only on the first page was there material out
 22 of the three pages that you couldn't read. Is that
 23 correct?
 24 A Correct.
 25 Q You said it was questions that you couldn't

1 A English.
 2 Q You mentioned Miss Ramirez explaining to you
 3 that she once paid for photocopies for the class. Is
 4 that correct?
 5 A Correct.
 6 Q Do you know of any other teachers who told you
 7 they had to pay for materials for their class at any
 8 time?
 9 A Materials?
 10 Q Anything for the class.
 11 A I also remember my art teacher -- she told us
 12 that she had -- she said, "Take care of those colored
 13 pencils because I bought them." And she bought most of
 14 the material for art classes.
 15 Q Can you think of any -- I'll go back to that,
 16 but can you think of any other teachers that you know of
 17 that paid for any materials in their classes?
 18 A No. None.
 19 Q Who is your art teacher?
 20 A Art teacher? I don't remember her name.
 21 Q What grade was it?
 22 A That was -- it was 11th. Last year.
 23 Q One semester?
 24 A One semester.
 25 Q First or second?

1 A It was the second semester.
 2 Q Your teacher told you that she paid for the
 3 colored pencils. Did she tell you she paid for anything
 4 else in the class?
 5 A I remember she also told us she paid for these
 6 special pencils. I don't know. Some special pencils
 7 for art. And she paid for other stuff, but I remember
 8 those two objects because she said that -- I remember
 9 her telling us a list of things she bought, but I
 10 remember specifically, like, the colored pencils because
 11 she said that and the pencils because she said take care
 12 of them because I paid for them.
 13 Q When you said she read from some list of
 14 things she brought --
 15 A No, she had a list -- not a list, but she had
 16 a number of objects she brought.
 17 Q She read it in the class?
 18 A No. I just mean she had a list, a set of
 19 things. She told us, but I don't remember.
 20 Q She articulated this list to the class?
 21 A She didn't say, number one, this is what I
 22 bought, number two. She just said, like, a group of
 23 things she had bought for the class.
 24 Q And do you know if she ever sought
 25 reimbursement for the items that she purchased for the

1 Q Have you been in any classes at Locke where
 2 you feel that there have been insufficient textbooks for
 3 the students in the class?
 4 A Yes.
 5 Q Can you tell me which classes?
 6 A My algebra 2 class, my calculus class, my
 7 chemistry class didn't have enough books. I think
 8 that's it, from what I remember.
 9 Q The rest of your classes you had sufficient
 10 books for the students in the class. Is that correct?
 11 A From what I remember.
 12 Q With respect to your algebra 2 class, that was
 13 during your 10th grade year?
 14 A Correct.
 15 Q I should know all these teachers by now. Who
 16 was the teacher in that class?
 17 A [REDACTED]
 18 Q Why is it that you believe that there were not
 19 sufficient textbooks in that class?
 20 A Because when he issued the books, he was
 21 short. He was going by a list of all the students. And
 22 he would call everyone and give them a book. When the
 23 books -- he had finished distributing the books, there
 24 were still students without books.
 25 Q Did you have a book assigned to you in that

1 class?
 2 A She claims she did.
 3 Q How do you know that?
 4 A She told us.
 5 Q What did she tell you?
 6 A Like, I remember asking, "Well, doesn't the
 7 school have to pay for it?"
 8 She said -- she said something about they give
 9 her a certain amount of things, but they were -- they
 10 refused to pay for that. They said they gave her, like,
 11 a certain amount of stuff or a certain -- or certain
 12 things, but she needed -- she also needed the colored
 13 pencils and those pencils, and she had to pay for them.
 14 Q So she told your class that she could not get
 15 reimbursed for that?
 16 A Yes.
 17 Q Do you know who she talked to about getting
 18 reimbursed?
 19 A I guess to the head of -- she didn't tell, you
 20 know.
 21 Q Don't guess. We don't want you to guess.
 22 Everything you know about her efforts to seek
 23 reimbursement are based on what she told you. Is that
 24 correct?
 25 A Yes.

1 class?
 2 A He went by the alphabet. I was lucky enough
 3 to get one.
 4 Q A book was assigned to you for the year?
 5 A Yes.
 6 Q Were you able to take that book home?
 7 A Yes.
 8 Q How many students were in that class without a
 9 textbook being assigned to them?
 10 A From what I remember, it was approximately,
 11 just, like five to six students.
 12 Q How often did [REDACTED] use a textbook in
 13 that class?
 14 A He would teach from it so we would follow him
 15 in the examples every day.
 16 Q Did he use any other materials to teach the
 17 class?
 18 A He also gave us worksheets.
 19 Q How often did he give you worksheets?
 20 A He would give us a packet weekly.
 21 Q Did the weekly packet also follow what he was
 22 teaching in class?
 23 A Yes.
 24 Q Could students rely upon the weekly packet to
 25 follow what he was teaching?

1 A Well, the weekly packet was just a set of
2 problems. If you had any problems with your homework,
3 you could go back to the book that you were supposed to
4 have at home and look back at what he had -- what you
5 had done in class, like, what he had reviewed in class
6 from the book because he would use that book for
7 lecturing and teaching and stuff.

8 Q Did he ever use handouts to teach in class or
9 the weekly packet to teach in class?

10 A From what I remember, the packets were only
11 problems. He would teach from the book.

12 Q So the packets were what you were given for
13 homework?

14 A Yes.

15 Q You were not assigned problems out of the
16 textbook for homework. Is that correct?

17 A That's correct.

18 Q And you personally had a book the entire year
19 to take home with you because you were assigned one. Is
20 that correct?

21 A Yes.

22 Q So with respect to these five or six students
23 who you believed did not have a book assigned to them
24 throughout the year, do you know what they did in that
25 class?

1 A Yes.

2 Q At any other time during the school year, did
3 anyone ever discuss students not having a book in that
4 class?

5 A I remember a student telling me he still
6 didn't have a book, like, a month or two months after
7 the class started.

8 Q Do you remember who that student was?

9 A No. It was -- no.

10 Q He said he didn't have one assigned to him?

11 A That's the only person that I talked to, yeah,
12 of the ones that didn't receive a book the day he was
13 distributing it. And it was two months -- I mean, a
14 month and a half after or around there that he still
15 didn't have a book. He was waiting on one.

16 Q Do you know if he was allowed to borrow a book
17 from the teacher?

18 A Yes.

19 Q He was allowed to borrow one?

20 A He would just have to go after school.

21 Q So those students were able to borrow a book
22 from the teacher after school?

23 A After he had done his daily teaching, yeah,
24 after he didn't use it anymore, you could borrow it and
25 bring it right before school because he needed it for

1 A I don't know. I don't know. I didn't have --
2 no, I don't know. I don't know what they did.

3 Q How do you know that those five or six
4 students were without a textbook?

5 A From the time that -- he was -- I don't know
6 if -- I don't think he ever got more books. But if he
7 did, he would have given it to them. But from what I
8 remember that I know they didn't get the books is
9 because he was going down the roll call, and then when
10 he was -- the books were -- there weren't any more
11 books, those students didn't get books.

12 Q When did he hand out the books? At the
13 beginning of the school year?

14 A Yes.

15 Q Was it during the first week or two?

16 A No, after that.

17 Q When was that?

18 A After he had -- he got his class settled to
19 the people that had to check out -- checked out.

20 Q Was it the second or third week of school?

21 A Yes.

22 Q All you know about this is that the day he
23 handed out the textbooks, you were missing about five or
24 six books for the students that were in this class. Is
25 that correct?

1 his class set.

2 Q So the students could take it home after
3 school, and then bring it back to the teacher before the
4 beginning of the next day. Is that correct?

5 A Yes.

6 Q Is that your understanding that each of those
7 five or six students could borrow a book from the
8 teacher and bring it back to the teacher before his next
9 class began if they wanted to?

10 A Yes.

11 Q Do you know [REDACTED] ever requested
12 additional textbooks for that class?

13 A I don't know.

14 Q With respect to your calculus class, why is it
15 that you believe there are insufficient textbooks in
16 your calculus class?

17 A Well, for calculus you're supposed to have a
18 class set and a set to take home because she does assign
19 us homework from the book every day. Everybody had one
20 to take home so that was okay. But in class we shared
21 books. I share books every day.

22 Q Everyone is assigned a textbook to take home?

23 A Yes, everybody has a book to take home.

24 Q Is it the same book that you use in class?

25 A Yes.

1 Q Is there a reason why you can't bring your
2 book from home back to school to use in class?
3 A You could do that. You could do that, but a
4 lot of the students decide not to carry it back and
5 forth. We don't have lockers.
6 Q Can you leave your book with the teachers in
7 her classroom for the day if you didn't want to carry it
8 around with you all day?
9 A You could do that and then take it home.
10 Q So the students had a choice as to whether or
11 not they wanted to share the books that were in class,
12 or whether they wanted to carry their book from home to
13 class each day. Is that correct?
14 A Yes.
15 Q What did you decide to do?
16 A Me?
17 Q Uh-huh.
18 A I just share my book. The person I share the
19 book with -- we're at the same pace. We actually help
20 each other. We do a lot of partner work in there.
21 Q It works okay to share a book in that class?
22 A For me it does. I don't know about other
23 students.
24 Q Yeah, I know. The book that you share in
25 class -- is that one assigned to anybody? How does that

1 those are students we shared the books with, the ones
2 that were added.
3 Q When you first got to the class, when were
4 books assigned?
5 A They were assigned like -- because we were in
6 the bungalows, at that time there was construction going
7 on on the main building. So we were at the bungalows.
8 He didn't have any books. Everything was relocated, and
9 they didn't have no idea where the books were. By the
10 time he got it, it was, like, a month later we got the
11 books. And then he assigned books.
12 Q What did you use before you had books in that
13 class? That was Mr. Porter's class. Right?
14 A Yes.
15 Q What did he give you before you had a book?
16 A Photocopies.
17 Q For use in class and to take home?
18 A Yes.
19 Q What were the photocopies of? Do you know?
20 A No, I don't know. I don't know what book.
21 Q It was some textbook?
22 A Yes.
23 Q Do you know if Mr. Porter wanted to send home
24 books initially, or if he chose to send home photocopies
25 instead during the first month? Do you know one way or

1 work?
2 A Those aren't assigned. They're just on the
3 shelf, and as you go in, you grab a book.
4 Q You just have it set up that you share with
5 one particular person?
6 A Yes.
7 Q On a regular basis?
8 A Or in case I get there late or something, I
9 just pair up with somebody else.
10 Q Sharing in that class doesn't bother you
11 personally?
12 A No.
13 Q With respect to your chemistry class -- is
14 that 11th grade?
15 A Yes.
16 Q That's the Teach for America, Mr. Porter?
17 A Yes.
18 Q I'm getting your whole schedule down. Why is
19 it that you believe there were insufficient textbooks in
20 Mr. Porter's chemistry class?
21 A Because in that case we did have to bring the
22 book back and forth. We had to take it home and then
23 bring it back. In class we -- the students that didn't
24 have a book, we would share. After he distributed the
25 books, there were students added in the class. And

1 the other?
2 A Well, because he was waiting for the books to
3 get to him because they were sent to the book room, and
4 there was a lot of relocating stuff. And they didn't
5 know where they were at. By the time he found them,
6 yeah, he got one class set of books.
7 Q How do you know he was sending home
8 photocopies because he was waiting for books?
9 A Because he would have assigned our books -- I
10 mean, we needed the books. And if he had the books, he
11 would give it to us. He wouldn't make copies if we had
12 the books.
13 Q Do you know if he was making copies from the
14 book that you were eventually assigned?
15 A I don't know. No, I don't know.
16 Q It sounds to me like you're assuming that he
17 would have given books earlier. Do you know one way or
18 the other whether he made a choice to first give you
19 worksheets?
20 A The reason why he made the choice to give us
21 worksheets was because he didn't have the books.
22 Q How do you know that?
23 A Because he didn't have them in his class to
24 give it to us. Every year as soon as you get the class,
25 you get your book assigned. He was unable to assign us

1 the books because he didn't have them. He told us -- I
2 mean, they weren't there, and he told us the book lady
3 or the book room didn't know where the books were at,
4 but they were looking for them. As soon as he got the
5 books, we got the books. And we started working on the
6 books.

7 Q Do you know what efforts Mr. Porter made to
8 try to get books during -- before the first month of
9 school?

10 A I don't know. He asked -- he told us about
11 the time that he went to the book room and asked for the
12 books, and they told him that they were trying to get
13 the books back.

14 Q It didn't really stop him in his ability to
15 proceed with the class because he was able to use other
16 materials in the meantime. Is that correct?

17 A The photocopies, yes.

18 Q Once books were assigned, were there
19 sufficient books for every student in the class when
20 they were first assigned?

21 A From what I remember, I think we were short.
22 But then later he got more books.

23 Q I thought a minute ago you had said initially
24 there were enough books, and then students were added.
25 When you were first given the books in the class, were

1 did not receive a book that day?

2 A Probably, like, eight students. Around eight
3 students.

4 Q Did you receive a book that first day?

5 A No.

6 Q So you were one of the eight that did not
7 receive it that day?

8 A Yes.

9 Q When was the next time he handed out or
10 assigned books in the class?

11 A Like, a week later.

12 Q At that time were you given a book?

13 A Yes.

14 Q Do you know if all of the other students in
15 the class who had not been -- yet been issued a book
16 received one that day?

17 A The ones that were added? I don't know.

18 Q Just the students in the class that day.

19 A From before the students were added, yes, they
20 had a book. Everybody had a book. And then there were
21 students added, and I don't know if they got a book.

22 Q Let's try not to go ahead of me. The second
23 day when he handed out books -- so far we've talked
24 about two days when he's handed out books. Correct?

25 A Right.

1 there sufficient books for the students enrolled in the
2 class at that time?

3 A No, because he didn't get all the books at
4 once. Then he got the other set, and then we got more
5 students. That class was -- it was big also, but it
6 wasn't more than 35 students. But it was supposed to be
7 a small class because it was AP chemistry. He was
8 expecting to have only 7 to 8 kids, but then he had 30,
9 like, students. The class initially wasn't for 30.
10 They usually only have 7 to 8 students in that class.

11 When he saw it was so many students, he didn't expect so
12 many students. So did the book room. They didn't have
13 enough books for 30 students.

14 Q All right. About a month into this class it
15 sounds like you got some textbooks. Correct?

16 A Yes.

17 Q That first day how did he hand out the
18 textbooks?

19 A When we got the books? The same way. By the
20 roll. He called each person and gave them a book.

21 Q As you recall, that day in class there were
22 students that did not receive a book that day. Is that
23 correct?

24 A Yes.

25 Q Do you know how many students approximately

1 Q Let's focus on the second day when he handed
2 out books. Do you know if everyone who was in the class
3 that day received a book?

4 A Yes.

5 Q So at that point in time everyone had a book
6 in the class. Correct?

7 A Yes.

8 Q At some point thereafter students were added
9 to the class?

10 A Yes.

11 Q Do you know how much later or when it was that
12 students were added to the class?

13 A Like, probably, like, a week or two weeks
14 later. At different times there were different students
15 added. In the period of two weeks or three, before
16 nobody else, there were probably like seven students
17 added.

18 Q This is approximately a month and a half into
19 the class?

20 A Yes.

21 Q Do you know why these students were being
22 added to the class at that time?

23 A They claimed that their schedules were -- they
24 were wrong, and they were waiting on a long list. You
25 have to sign your name and wait for the counselor to

1 call you in so you could talk about changing your
 2 classes. That takes a long time.
 3 Q How do you know about -- how do you know the
 4 reasons why these students were added to the class so
 5 late?
 6 A Well, because the changes -- their counselor
 7 took so long to change their classes, or maybe -- I'm
 8 not going to assume. Well, in that case where one of
 9 the students was added, she said her schedule was done
 10 wrong. She was missing a science class, and she needed
 11 chemistry in order to complete her science. So that's
 12 why she was waiting for her counselor, and she could
 13 talk to her counselor to change her class.
 14 Q Who was that?
 15 A That was Emma Solarzano.
 16 Q You know about Emma --
 17 A Solarzano.
 18 Q -- Solarzano's situation because she told you.
 19 Is that correct?
 20 A Yes.
 21 Q Do you know the circumstances regarding any of
 22 the other students that transferred into that class at
 23 the time?
 24 A I didn't ask.
 25 Q So you don't know one way or the other why it

1 was that they were transferring in at that point in
 2 time. Correct?
 3 A Correct.
 4 Q Why is it that you believe that those students
 5 did not have a book once they arrived in the class?
 6 A Because when he had assigned the other
 7 books -- when everything was distributed, there was no
 8 extra books. And I don't know if they ever got a book,
 9 but they didn't have a book at that point.
 10 Q The first day they walked into class?
 11 A Yes. There wasn't no book -- there weren't
 12 extra books.
 13 Q Do you know if the teacher ever made
 14 accommodations for them at any time after the first day
 15 that they walked into class in terms of getting a book
 16 for them?
 17 A I don't know.
 18 Q As far as you're aware, they could have gotten
 19 the books the second day that they were in the class.
 20 You don't know one way or the other. Is that correct?
 21 A Correct.
 22 MS. SPIOTTA: Can we take a break?
 23 MS. STRONG: Sure.
 24 (Brief recess taken)
 25 BY MS. STRONG:

1 Q We've now covered the classes where you had
 2 insufficient textbooks. Did you have any classes where
 3 you had concerns regarding the conditions of the
 4 textbooks in the classes?
 5 A Well, actually, I remembered a couple of more
 6 classes where -- insufficient books means also not
 7 having books at all. Right?
 8 Q Uh-huh.
 9 A My discrete class didn't have no books at all,
 10 and my AP Spanish didn't have any AP Spanish books. We
 11 had a regular Spanish book, but they weren't AP
 12 material.
 13 Q After you've had an opportunity to discuss
 14 some of these items with your attorney, you'd like to
 15 supplement some of the answers you gave earlier?
 16 A I just would like to add two more classes.
 17 Q Tell me which classes you would like to add.
 18 A The AP Spanish. There weren't any AP Spanish
 19 books.
 20 Q What was the other class?
 21 A My -- my AP Spanish and my French class, my
 22 regular French 2 class.
 23 Q Are those the only two classes, or is there
 24 another class?
 25 A And my discrete class, which didn't have no

1 books whatsoever.
 2 Q Discrete math. So let me make sure that I've
 3 got a complete list here. In terms of classes, you feel
 4 that you -- in terms of classes where you believe that
 5 there were insufficient textbooks for the students in
 6 the class, you've now identified your algebra 2 class,
 7 your calculus class, your chemistry class, your AP
 8 Spanish class, your French class in 10th grade, and your
 9 discrete math class in 11th grade. Is that correct?
 10 A As far as I remember.
 11 Q Okay. We've already discussed the
 12 circumstances, all of your concerns with respect to
 13 those books with respect to the algebra 2 class and the
 14 calculus class and the chemistry class. Correct?
 15 A Correct.
 16 Q Let's move on to your AP Spanish class then.
 17 What grade was that?
 18 A 10th. 11th. 11th, sorry.
 19 Q Who was your teacher?
 20 A Mr. Fell.
 21 Q Why is it that you believe there were
 22 insufficient books for your AP Spanish class?
 23 A We didn't have AP Spanish books.
 24 Q What did the teacher use to teach the class?
 25 A Regular Spanish books.

- 1 Q Did he use anything else to teach the class?
 2 A Like I said before, photocopies.
 3 Q Anything else, any other materials?
 4 A No.
 5 Q With respect to the regular Spanish books that
 6 were used in that class, did every student receive one
 7 of those books?
 8 A No.
 9 Q How did you use the books in the class?
 10 A We used it only like in class. We shared
 11 them, and there were also -- like, they were vandalized
 12 and pages were missing.
 13 Q Right now we're going to talk about the number
 14 of books in the class.
 15 A Okay.
 16 Q How many students were in your AP Spanish
 17 class in 10th grade?
 18 A 11.
 19 Q 11 students?
 20 A No, 11th grade.
 21 Q I'm sorry. 11th grade. How many students
 22 were in your AP Spanish class in 11th grade?
 23 A We were around 25 students, approximately.
 24 Q And he would use what you referred to as
 25 regular Spanish books for in-class work. Is that

- 1 don't remember how many, but it wasn't enough for each
 2 student to have one.
 3 Q Did you ever have to share a book in that
 4 class?
 5 A Yes.
 6 Q On how many occasions do you recall having to
 7 share a book in that class?
 8 A I recall -- I would say every time we had an
 9 assignment from the book we shared it.
 10 Q You personally?
 11 A I personally shared it.
 12 Q So how many times did he give you assignments
 13 out of the book for in class?
 14 A We would probably use the book twice a week.
 15 Q What would you do? How would you use the book
 16 in class?
 17 A He would tell us to do a certain page, and we
 18 would just do it. And if someone was slower, you would
 19 just wait for the person to get done, and you would
 20 switch the page or copy the assignment down and then do
 21 it.
 22 Q Were you sitting side by side?
 23 A Yes.
 24 Q With the person you shared a book with?
 25 A Yes.

- 1 correct?
 2 A Correct.
 3 Q Would he ever assign homework in that class?
 4 A Yes.
 5 Q What would he use for homework?
 6 A The photocopies, or we would copy down
 7 whatever homework he wanted us to do in class.
 8 Q From the board?
 9 A From the board or from the book.
 10 Q Did he ever give you assignments out of the --
 11 he would sometimes give you assignments out of the
 12 textbook, but you would copy it down. Is that correct?
 13 A Correct.
 14 Q Now, you said that there weren't enough books
 15 in the class for each of the 25 students to have their
 16 own for in-class use. Is that correct?
 17 A Correct.
 18 Q How many books were there for the 25 students?
 19 Do you recall?
 20 A I just remember it wasn't a class set. It
 21 wasn't a class set of books.
 22 Q Meaning it wasn't 25, or what do you mean by
 23 that?
 24 A A class set is usually 35 books, and he didn't
 25 have 35 books. He didn't even have 25 for each one. I

- 1 Q At the same desk?
 2 A Well, there are two desks.
 3 Q You would have your desks right next to each
 4 other?
 5 A Yes, we would put them together.
 6 Q Did it bother you to have to share in that
 7 class?
 8 A Yes.
 9 Q As opposed to your calculus class, where it
 10 didn't bother you?
 11 A Yes.
 12 Q Why is that? What was the difference with
 13 Spanish?
 14 A Because it was readings and then
 15 questionnaires. And in calculus it's problems. You
 16 could copy down the problems, and then you're done with
 17 the book, unless you want to go back and look at the
 18 examples. This one it was like -- it was reading, and
 19 some people read faster than other people.
 20 Q Calculus you don't have to ever read anything
 21 out of the books. It's just problems?
 22 A Yeah, there are word problems, but their word
 23 problems are not long stories. You write them down.
 24 Q There's no explanations in a calculus book
 25 that you have to read?

- 1 A There's explanations. You would read those
2 too, but they're not long, paraphrased stories.
- 3 Q So your concern with respect to sharing books
4 in the Spanish class is that you would have to sometimes
5 wait for a person to finish the story before you were
6 done with it?
- 7 A Yes.
- 8 Q What was the longest you ever had to wait for
9 someone to finish a story?
- 10 A Approximately, like, two minutes.
- 11 Q Was that usual, you would have to wait two
12 minutes for someone to finish a story, or was that
13 pretty unusual?
- 14 A Depending on the person. Depending -- it
15 depends on who you were partnered up with, or who you
16 were working with.
- 17 Q Were there times when you were paired up with
18 someone who read essentially the same reading speed as
19 you did?
- 20 A Yes.
- 21 Q Then you wouldn't have to wait at all to
22 continue with the book. Is that correct?
- 23 A Yes.
- 24 Q Do you know if the teacher, Mr. Fell, ever
25 requested additional Spanish books for the class?

- 1 A No, I never asked him.
- 2 Q He never told you one way or the other?
- 3 A No.
- 4 Q Is that correct?
- 5 A Yes.
- 6 Q And you mentioned earlier that you had a
7 concern that you were using a regular Spanish book
8 instead of an AP Spanish book. Do you know if there are
9 such things as an AP Spanish book?
- 10 A He didn't -- no, I don't know if there are AP
11 Spanish books, but we used regular Spanish. I don't
12 know if they have them in school or they ordered them,
13 but, I mean, if it's a course, there would have to be a
14 book, I would think.
- 15 Q Do you know? Have you ever seen an AP Spanish
16 book?
- 17 A No, not in my school.
- 18 Q You don't even know one way or the other
19 whether they exist. Is that correct?
- 20 A No, I never saw them.
- 21 Q Did your teacher ever discuss with you an AP
22 Spanish book as opposed to a different type of Spanish
23 book?
- 24 A No.
- 25 Q Do you know if the teacher believed the books

- 1 you were using to be sufficient to teach the materials
2 that he wanted to teach you for the class?
- 3 A I don't know.
- 4 Q Do you feel that the books were useful to you
5 in learning the material that he was teaching in the
6 class?
- 7 A Well, I mean, I just saw it as an assignment.
8 If the teacher wanted us to do it, we did what he wanted
9 us to do.
- 10 Q The books helped you learn the material that
11 he was teaching you?
- 12 A Well, there wasn't much to learn. It was
13 reading and then answering questions. It wasn't -- what
14 we needed to learn was, like, how to use a word, the
15 verbs and a lot of Spanish stuff. We never did learn
16 that. We were -- we were supposed to already know that,
17 but I didn't know that. I had never taken Spanish in my
18 life. Because I was a Spanish speaker, they put me in
19 AP Spanish. That doesn't mean I know the grammar.
- 20 Q Correct. So you had to learn it in that
21 class?
- 22 A Up to now that's my problem because I don't
23 know about accent and all that stuff. I never did learn
24 that. I would do the assignments, but whenever I had to
25 do a writing assignment, he would notice grammatical

- 1 errors.
- 2 Q And he would correct those?
- 3 A Yes.
- 4 Q You took Spanish in 11th grade as well?
- 5 A It was in 11th grade, Spanish language.
- 6 Q 11th grade was your first Spanish in high
7 school?
- 8 A Yes.
- 9 Q What are you taking now in 12th grade?
- 10 A AP Spanish literature.
- 11 Q I think you explained to me before that you
12 took an AP Spanish test. Is that correct?
- 13 A Correct.
- 14 Q When did you take that test?
- 15 A Last May.
- 16 Q So that would have been at the end of your
17 11th grade Spanish class, which was the first Spanish
18 class you'd ever taken. Correct?
- 19 A Correct.
- 20 Q So, essentially, that one Spanish class in
21 11th grade was the only training you had with respect to
22 written grammar in Spanish. Is that correct?
- 23 A Correct.
- 24 Q What -- for the AP test in Spanish do you have
25 to write essays?

- 1 A Yes.
 2 Q So is grammar something you need to know for
 3 that test?
 4 A Yes.
 5 Q How did you do on your AP Spanish test?
 6 A I got a [REDACTED]
 7 Q What is the highest score you can possibly get
 8 on an AP Spanish test? Do you know?
 9 A [REDACTED]
 10 Q In your 11th grade Spanish class did you ever
 11 want to take the Spanish book home?
 12 A No. I would -- I would finish my work in
 13 class.
 14 Q So you personally never had a need or desire
 15 to take the Spanish book home. Is that correct?
 16 A Correct.
 17 Q Just to make sure, you never had a reason then
 18 to ask the teacher if you could borrow one to take home
 19 for the night. Is that correct?
 20 A Correct.
 21 Q With respect to your French class in 10th
 22 grade, why is it that you believe that there are
 23 insufficient books in that class?
 24 A Because whenever we had in-class assignment or
 25 book-related assignment, she would pass out a book, and

- 1 Q What would she use to give you homework
 2 assignments in that class?
 3 A Photocopies.
 4 Q Were there always sufficient photocopies for
 5 the students to take home?
 6 A Yeah.
 7 Q Were students actually assigned a book for
 8 in-class use?
 9 A Assigned? No.
 10 Q There were just books available for the
 11 students to use in class?
 12 A Yes.
 13 Q What kind of assignments would you do using
 14 the books in class?
 15 A The book was -- it was sometimes readings and
 16 then answering questions, or sometimes just grammar,
 17 spelling.
 18 Q So how would you share a book with students in
 19 the class? The same way as you described in your
 20 Spanish class?
 21 A Yes.
 22 Q You would bring your desk together and share a
 23 book?
 24 A Yes.
 25 Q You said sometime it would be up to four of

- 1 she would say, "There's not enough. Pair up with
 2 somebody" or even three, depending on how many people
 3 were there that day she assigned it. If it were -- if
 4 all the class was there, we would share, like, three,
 5 three or four to a book. It was depending on how many
 6 students were there.
 7 Q What did your teacher use to teach French?
 8 A I'm sorry?
 9 Q What materials did she use in that class?
 10 A She used photocopies, books, the books that we
 11 had.
 12 Q How often did she use the books to teach the
 13 class?
 14 A Once or twice a week.
 15 Q Was it always the same textbook?
 16 A Yes.
 17 Q The remainder of the days she would use what
 18 to teach the class, photocopy materials?
 19 A Yes.
 20 Q Did you ever have homework assignment in that
 21 class?
 22 A Yes.
 23 Q How often were you given homework assignments
 24 in that class?
 25 A Two to three times a week.

- 1 you sharing a book. How is it that four of you would
 2 share a book?
 3 A We would sit like in a pod, like four, and
 4 then two would copy first, and then turn around the
 5 book.
 6 Q So would you just copy material out of the
 7 book, and then work on your own papers. Is that
 8 correct?
 9 A Correct.
 10 Q There weren't stories that you would be
 11 reading in French?
 12 A Yeah, there were some stories we read, but
 13 most of the times they were -- they didn't make copies
 14 of stories. All we had to copy down from the books were
 15 questions.
 16 Q When you copied the questions down from the
 17 book, you had copies of those questions to take home
 18 with you. Is that correct?
 19 A The questions? Yes.
 20 Q Do you think it was useful to copy the
 21 questions out of the book?
 22 A Yes.
 23 Q Why is that?
 24 A Well, because you had them for yourself, and
 25 then you could do them at your own pace or rate.

- 1 Q Do you think it's useful sometimes for some
2 students to write down the words in a foreign language
3 to get accustomed to writing in a foreign language?
4 A Well, sometimes you -- just copying, you don't
5 even know what you're writing. You have to sit down and
6 actually figure it out.
7 Q Do you think it sometimes helps students to
8 learn vocabulary words, for example, when they write
9 them down?
10 A Maybe the spelling. But actually the
11 pronunciation is really hard. Not by writing them. I
12 would believe more by hearing it.
13 Q Would you have opportunities to practice the
14 oral expression of the words in class?
15 A She would talk a lot so we would listen.
16 Q In French?
17 A Yes.
18 Q Was there ever a time when -- first of all, do
19 you know if your French teacher ever asked if she could
20 obtain more books for the students in that class?
21 A I don't know. She never shared that with us.
22 Q Okay. Do you know -- was there ever a time
23 when you wanted to take your French book home?
24 A Actually, I did borrow -- me personally borrow
25 a book, like, a couple of times when I didn't finish my

- 1 Q And there were always sufficient copies for
2 the students to learn the material that he was teaching
3 you during second semester. Is that correct?
4 A Yes.
5 Q With respect to the first semester, did
6 [REDACTED] use any materials to teach the class?
7 A We used the algebra 2 book.
8 Q Any other materials other than the algebra 2
9 book?
10 A And a couple of times we got copies of the
11 assignments for in class.
12 Q Were you given weekly packets of materials in
13 that class?
14 A No.
15 Q Were you given weekly packets of materials
16 during that class in the second semester?
17 A Yes.
18 Q Do you know if those weekly packets were in
19 addition to the photocopies that were made by Mr. Avila?
20 A Avila. The packets. He would give that -- he
21 would give us that once a week. Then that would be,
22 like, the packet of assignments. Then daily he would
23 give us one sheet or whatever he discussed, or we would
24 take notes off the board or the overhead.
25 Q But first semester you didn't have those

- 1 assignment, and she would let me take it home.
2 Q So on the couple of occasions when you did
3 want to take a book home, you were able to borrow one
4 from the teacher. Is that correct?
5 A Correct.
6 Q Was there ever a time when you wanted to take
7 the book home, but you were unable to for any reason?
8 A As far as I recall, no.
9 Q During the second semester of your French
10 class, did you also have to continue sharing books while
11 you were in the class?
12 A Yes.
13 Q With respect to discrete math in 11th grade,
14 why is it that you believe that there were insufficient
15 books in that class?
16 A Because we didn't have any books.
17 Q And I know you've touched upon this a bit
18 during your deposition when we were covering some other
19 topics, but you had two different teachers for discrete
20 math. Correct?
21 A Correct.
22 Q And you described that during the second
23 semester your teacher would copy his book from college
24 to teach the class. Is that correct?
25 A Correct.

- 1 packets?
2 A No.
3 Q Is it your understanding that the math
4 department at your school would provide photocopies for
5 essentially each of the math classes?
6 A Photocopies of?
7 Q Of homework assignments?
8 A I mean, I think that would be the teacher -- I
9 mean, if he had a book to copy from, he would do it.
10 Why would they know which book?
11 Q Do you know if the math department would
12 produce weekly packets of materials for each class at
13 the school?
14 A I believe that that was, like, in my previous
15 algebra 2 class, that's what they did, they organize,
16 like, this is a packet that's going to be this week and
17 stuff. But not in my discrete class.
18 Q Not that you're aware of. Because they did it
19 second semester. Correct?
20 A No, those were his. It wasn't, like, the
21 whole math department. It was him individual.
22 Q With respect to the algebra 2 books that were
23 used in the class, were there sufficient numbers of
24 books for each of the students in the class?
25 A Yes, as far as I remember, yeah.

1 Q Could you take that book home?
 2 A No.
 3 Q Did you ever I -- I assume what you mean by
 4 that is you weren't assigned the book to take home. Is
 5 that correct?
 6 A Correct.
 7 Q Was there ever a time when you wanted to take
 8 that book home for any reason?
 9 A No, we never had an assignment from it.
 10 Q You never wanted to take it home for any other
 11 reason?
 12 A NO.
 13 Q You never asked the teacher if you could take
 14 it home one night, for example?
 15 A Not as far as I remember.
 16 Q Do you know if [REDACTED] in the first
 17 semester ever tried to get a set of books for that
 18 class?
 19 A I don't know.
 20 Q I think we covered this with respect to
 21 Mr. Avila. I'll just ask again. Do you know if
 22 Mr. Avila ever tried to get a textbook for the students
 23 in the class?
 24 A Yes.
 25 Q I think you testified -- I don't want to redo

1 can you think of any other classes that you have had at
 2 Locke High School where you have had a concern regarding
 3 the condition of the textbooks?
 4 A From what I remember -- like, my science in
 5 the 10th grade, I remember that once, yeah, the books
 6 were also missing pages. The book I was using was
 7 missing pages.
 8 Q Can you think of any other concerns you had
 9 with respect to the condition of any of the textbooks at
 10 Locke High School?
 11 A Right now, as far as I recall, that's the two
 12 occasions I remember.
 13 Q With respect to your Spanish book, you're
 14 referring to your 11th grade AP Spanish class. Is that
 15 correct?
 16 A Correct.
 17 Q And you said on one occasion you remember
 18 encountering missing pages in a book. Is that correct?
 19 A Correct.
 20 Q Can you tell me about that?
 21 A Well, he told us turn to a certain page, and
 22 when I turned, it was -- it wasn't there. It was
 23 missing a couple of pages.
 24 Q Okay. Do you remember what semester this was?
 25 A No, I don't remember. It was most likely

1 this testimony, but I believe your testimony was that it
 2 was your understanding that upon first request, he was
 3 not able to get books from the school, but you don't
 4 recall if he made any follow-up efforts or what happened
 5 with respect to his request. Is that correct?
 6 A As far as I remember, yes.
 7 Q But regardless you always had sufficient
 8 materials to learn the subject matter that Mr. Avila was
 9 teaching you?
 10 A From his photocopies.
 11 Q Yes.
 12 A Yes.
 13 Q So now I believe we've covered each of the
 14 classes where you've identified an insufficiency in the
 15 number of textbooks in the class for one reason or
 16 another. Is that correct?
 17 A As far as I recall.
 18 Q Now, did you have any concern regarding the
 19 condition of any of your books at Locke High School?
 20 A I was going to explain to you earlier, my --
 21 the Spanish books we did have in my Spanish class, they
 22 are vandalized, and on one occasion I found pages
 23 missing. On the occasion that I remember it was a
 24 couple of pages.
 25 Q Before we go into detail with respect to that,

1 first semester, but I don't remember.
 2 Q And what did you do when you discovered there
 3 were a couple pages missing?
 4 A I just went to another group or another pair
 5 and worked with them, if there were any other books
 6 available.
 7 Q What?
 8 A If there were any other books available, I
 9 would just pair up with another group.
 10 Q I want to know not what you would do
 11 hypothetically. I want to know what you did in that
 12 circumstance.
 13 A I just got together with another group.
 14 Q Okay. Then you were able to follow along with
 15 the assignment at that point in time?
 16 A Yes.
 17 Q Can you think of any other time where you had
 18 any other problem resulting from the condition of the
 19 books in that class?
 20 A In that class? Well, I just specifically
 21 remember that occasion. There must have been others,
 22 but I remember that one.
 23 Q What do you mean by "there must have been
 24 others"?
 25 A I mean, it didn't happen just once, but I

1 remember that time when he assigned us that page, and I
2 turned around, it wasn't there.

3 Q When you're saying it just didn't happen once,
4 you think there might have been another time when there
5 was a page missing from the book that you're testifying
6 to?

7 A Yes.

8 Q But you don't recall a specific instance?

9 A No.

10 Q Is that correct, no, you do not recall?

11 A Correct.

12 Q Did you ever make a complaint to the -- to
13 anyone about the pages missing in the books?

14 A I told the teacher the pages are missing. And
15 then he told us, "Well, just grab another book."

16 I told him, "Well, there's no other books."

17 He told me to pair up.

18 Q Did you ever make a complaint to anyone at the
19 school regarding the condition of your textbooks in any
20 of your classes, other than that complaint that you made
21 to your teacher about missing pages in that one Spanish
22 book?

23 A No.

24 Q With respect to your science class in 10th
25 grade, what was your concern regarding the condition of

1 you had a concern or a problem relating to the condition
2 of the books in your science class in 10th grade?

3 A No, not as far as I can recall.

4 Q Okay. You said in your 10th grade science
5 class you didn't have a book to take home. Did he ever
6 give assignments that required you to take the book
7 home?

8 A No.

9 Q Did you ever want to take the book home in
10 that science class?

11 A No.

12 Q You never asked the teacher if you could take
13 one home at any time. Is that correct?

14 A Correct.

15 Q You've identified both an incident in a
16 Spanish class and an incident in your science class in
17 10th grade where you had some concerns regarding the
18 condition of the books.

19 Have you now told me all of your concerns
20 regarding conditions of textbooks in any of your classes
21 at Locke High School?

22 A Actually, my French class books were also
23 vandalized.

24 Q What made you think of that?

25 A Because they were written all over.

1 the books in that class?

2 A It was the same. The same -- the same -- it
3 was the same situation. I had to turn to a page, and
4 then when I turned, it wasn't there. It was the same
5 situation. Same.

6 Q In your science class, did you have enough
7 books for each of the students to use in that class?

8 A Yeah -- yeah, that one we did.

9 Q Okay. Was it a book that you had, and it was
10 assigned, and you were able to take it home?

11 A No. Those are the ones we used in class. We
12 didn't have books to take home.

13 Q What did you do that time when you discovered
14 that there was a page missing in your book in the
15 science class in 10th grade?

16 A I told the teacher, and then he told me to use
17 another book with another person. The same thing my
18 other teachers told me.

19 Q Do you know if there was another extra book
20 available in the class? Because in that class there was
21 sufficient for each student?

22 A I don't remember -- I don't remember if I got
23 another book or just -- I think I just worked with
24 another person. I don't remember looking for a book.

25 Q Okay. Can you think of any other time where

1 Q No, right now. Because I asked you before if
2 there were any other classes, and I think you said no.
3 What made you think of it now?

4 A Because I was thinking back.

5 Q Okay. What is it that you remembered about
6 your French class?

7 A I remember the books being written all over,
8 tagged up from previous students.

9 Q Can you tell me a specific instance where you
10 recall it being a problem in your class?

11 A Yeah, because -- because it was tagged up, I
12 couldn't read it. It was with marker.

13 Q Was there one instance that you're thinking
14 of?

15 A That happened a lot. It was almost on every
16 book. Every book was written all over.

17 Q Where would the writing be?

18 A In the cover, inside, in the middle of the
19 pages. Everywhere.

20 Q So how many times do you think you encountered
21 the situation where you couldn't read something in the
22 book because of tagging?

23 A Well, as far as I remember, it would probably
24 be, like, three times that I remember.

25 Q That was during the year?

1 A Yeah.

2 Q On each of those occasions, what did do?

3 A What did I do? I looked through other books

4 from the other students. And sometimes mine was the one

5 that was bad so I would use another one. Sometimes it

6 was theirs. So it would vary.

7 Q So the three occasions it wasn't always your

8 book. You remember three times where students had to

9 share because of tagging?

10 A No, the one I remember was me personally. It

11 happened to me, but the ones that I remember was three

12 times.

13 Q That was a book that you had on three

14 occasions you remember it having tagging in it?

15 A It wasn't the same book though.

16 Q How do you know that?

17 A Because it had numbers.

18 Q And you remember that it was a different book

19 each time?

20 A Well, yeah. They're tagged up really bad.

21 Q Did you ever complain to anyone about the

22 condition of those books at the school?

23 A Not as far as I remember.

24 Q Do you know who would have written in those

25 books?

1 A It was most likely, like, the gangsters in

2 school, the ones that would tag up their crew name or

3 their taggers name.

4 Q So some of the students would be doing that?

5 A Some of her own students.

6 Q Did you ever see anyone writing in a book in

7 class?

8 A Yes.

9 Q How many times did you see someone writing in

10 a book in class?

11 A Right now I remember one specific time when I

12 saw him writing tag with a marker. It was one of her

13 students, French students.

14 Q Did you ever tell anyone about that individual

15 writing in the book in class?

16 A That's not safe.

17 MS. SPIOTTA: What did you say?

18 THE WITNESS: That's not safe.

19 BY MS. STRONG:

20 Q You never told anyone about that individual

21 writing in the book. Is that correct?

22 A I would have probably told my mom. Yeah, I

23 told my mom. I wouldn't tell the administrator or

24 anything.

25 Q When you say "that's not safe," what do you

1 mean by that?

2 A Because you can't rat -- you can't tell

3 anybody. They will find out. I mean, violence is also

4 an issue right there. I was -- yeah, the reputation

5 that Locke had, and I was new. I was scared. I

6 wouldn't have told.

7 Q Would you tell someone now if you saw someone

8 writing in a book, now that you're a senior?

9 A Yes, I think I would.

10 Q Notwithstanding safety concerns?

11 A Yeah, well, I would make sure it was anonymous

12 and stuff. I would look at my -- what options I had.

13 Q Have you ever had to purchase any supplies or

14 materials for any of your classes?

15 A Yes.

16 Q What?

17 A I remember my 10th grade honors English class

18 with Miss Ramirez, we had to buy the books Great

19 Expectations and Frankenstein.

20 Q Can you think of any other times when you have

21 had to buy any materials, either supplies or books or

22 anything for a class at Locke?

23 A My next year, my AP English class I had to buy

24 the book To Kill a Mockingbird and the Scarlet Letter.

25 Q Can you think of any other time when you had

1 to buy anything for a class at Locke?

2 A I remember my chemistry teacher telling us to

3 buy colored pencils, rulers. Yeah, colored pencils and

4 rulers as far as I remember.

5 Q Can you think of any other time when you ever

6 had to purchase anything for any class at Locke?

7 A As far as I recall, that's it.

8 Q With respect to your 10th grade English class,

9 you said that you had to purchase Great Expectations.

10 Who told you that?

11 A Our teacher.

12 Q Was it required that you purchase it?

13 A Oh, yeah because we -- it was going to be a

14 class reading. It was going to be a book that we all

15 had to read this.

16 Q How long did you read the Great Expectations

17 in that class?

18 A We probably took, like, a month, a month to

19 read it.

20 Q Okay. Did you buy the book?

21 A Yes.

22 Q Did you ever ask the teacher if there was

23 anything that you could do to participate in the

24 assignment and read the book without having to purchase

25 it?

- 1 A She said that we could -- we had the option of
2 renting it from a library. Then, again, you also had to
3 write notes in it. So that wasn't an option for me. Or
4 you could make photocopies. But that was a lot of
5 pages. So I just decided to buy the book.
- 6 Q So your teacher, when she gave the assignment
7 initially, she gave the students options to either
8 purchase it, rent it or photocopy it. Is that correct?
- 9 A Correct.
- 10 Q With respect to renting it, what do you mean
11 by that?
- 12 A Library.
- 13 Q So when you borrow a book from a library, you
14 don't have to pay for it?
- 15 A Correct. Yes.
- 16 Q When you say "rent," do you mean borrow?
- 17 A She also offered to rent a couple that she
18 had. She had, like, two, three books, and she would --
19 people that couldn't afford it, she offered to let them
20 borrow it.
- 21 Q I want to make sure I understand. When you
22 say "rent," what do you mean by that?
- 23 A From the library.
- 24 Q So when you say "rent," you don't mean that
25 the student would have to pay any money for it.

- 1 Q Did the teacher offer to photocopy the books
2 for you?
- 3 A Not in that case, not in the Great
4 Expectations.
- 5 Q Do you know if any student asked the teacher
6 if she would photocopy the book for the student?
- 7 A No.
- 8 Q You don't know one way or the other whether
9 the teacher would have done that in that circumstance.
10 Right?
- 11 A Right.
- 12 Q You chose to buy the book. Correct?
- 13 A Correct.
- 14 Q How much was the book? Do you remember?
- 15 A I think that one was -- I don't remember
16 exactly. I think it was 5.95. I don't remember.
- 17 Q In terms of borrowing the book, do you know if
18 there were any students that wanted to borrow the book
19 from the teacher and couldn't because she didn't have
20 enough copies?
- 21 A Well, nobody wanted to buy the book. They
22 didn't want to give the money. So everybody wanted the
23 option can we borrow the book. So she didn't have
24 enough. Then she -- then she made a list, and she made
25 everybody that was able to buy the book sign their name.

- 1 Correct?
- 2 A Correct.
- 3 Q Is it fair to say when you refer to "rent," it
4 would also be fair to say that you were meaning that the
5 student could borrow the book? Those words would be
6 interchangeable in your mind. Is that correct?
- 7 A From a library?
- 8 Q Yeah.
- 9 A Correct.
- 10 Q And also from the teacher. You said the
11 teacher would offer to lend the books as well. Is that
12 correct?
- 13 A Correct.
- 14 Q So I want to make sure I have this correct.
15 The three options were, one, to buy the books; two, to
16 borrow the book from either library or a teacher; or,
17 three, photocopy the book. Is that correct?
- 18 A Correct.
- 19 Q If you were to borrow the book from the
20 teacher or a library, could you write in the margins in
21 those books?
- 22 A No.
- 23 Q If you were to photocopy the books, who would
24 photocopy the book?
- 25 A You would have to do it.

- 1 Anybody who wasn't on the list, she talked to them and
2 offered them the option of renting from a library or
3 borrowing from her.
- 4 Q When you say "renting from the library," you
5 also -- I suppose it's clear for the record, but you
6 mean without --
- 7 A Paying.
- 8 Q -- without paying?
- 9 A Correct.
- 10 Q When you say borrowing it from the library,
11 which library are you referring to?
- 12 A Our school library didn't offer. You would
13 have to go to public library.
- 14 Q How do you know your school library didn't
15 have the book?
- 16 A Because she told us that they didn't -- at
17 least not enough copies. She didn't say -- I don't
18 remember her saying if they didn't have it at all. But
19 if they had it, they wouldn't have enough copies for the
20 whole --
- 21 Q The entire class?
- 22 A The entire class.
- 23 Q You don't know one way or the other if the
24 library ran out of copies for those students who wanted
25 to borrow them from the school library. Is that

1 correct?

2 A I wouldn't -- yeah, that's correct.

3 Q With respect to Frankenstein, did your teacher
4 in 10th grade English class offer the same three options
5 for that book?

6 A Well, that book was cheaper. She got it
7 from -- she was part of this club where she could get
8 the books -- they're illustrated differently. They're
9 thinner, and they're not the hard cover. For a dollar.
10 So everybody got to buy their book.

11 Q That was a new copy for a dollar?

12 A New copy. But in that case there was also
13 students that they didn't buy it. So she had a couple
14 to lend.

15 Q Those students who didn't want to buy -- have
16 a dollar to buy the books could borrow them from the
17 teacher for the Frankenstein assignment. Is that
18 correct?

19 A Yeah, but she didn't have that many so
20 there -- all of us had to buy regardless.

21 Q You could have also borrowed it from another
22 library. Is that correct?

23 A Correct, but she -- we had an assignment that
24 consisted in quoting things out. So we had to highlight
25 a lot of stuff. So it was best to buy the book.

1 Q I understand that it was best to buy the book,
2 but I want to make sure that I have it clear that it was
3 your understanding that if you couldn't afford to buy
4 the book, or you didn't want to buy the book, you could
5 have borrowed a book from the library or from the
6 teacher. Is that correct?

7 A Correct.

8 Q With respect to your AP English class, you
9 said that you bought To Kill a Mockingbird. Who was
10 your teacher for AP English?

11 A Miss Shannahan.

12 Q When Miss Shannahan first gave that
13 assignment, what options, if any, did she give to the
14 students regarding purchasing the books?

15 A She had -- her first option was to sell some
16 books that she had used that were new for a dollar. She
17 only had, like, four of them. Approximately four. Then
18 after that, if you wanted to buy a new one, you would
19 order it, and we would pay for that many. Or the option
20 of also renting it from the library with no cost.

21 Q Do you know how much the book was to purchase
22 it new?

23 A I think I paid \$7.

24 Q Okay. So again Miss Shannahan gave the
25 students three options when she assigned To Kill a

1 Mockingbird. Is that correct?

2 A Correct.

3 Q Just to confirm, she offered to sell some
4 students a used book for a dollar. She also offered to
5 purchase books for students at the price of \$7. And
6 then she also offered students to borrow a book from a
7 library to complete the assignment. Is that correct?

8 A Correct.

9 Q Why is it that you purchased the book for \$7?

10 A Because, once again -- well, when she offered
11 the used ones, I think I was absent, and I -- I couldn't
12 buy a used one. So I bought the new one.

13 Q That was because -- why did you choose to buy
14 a new one instead of borrowing a copy from a library?

15 A Because of the highlights, and I take a lot of
16 notes. I don't want to write a lot of stuff.

17 Q Was that the same -- I'm sorry.

18 Did she give you the same options with respect
19 to the Scarlet Letter?

20 A Yes.

21 Q Did she also have some used books to sell to
22 the students with the Scarlet Letter?

23 A Well, no, she had -- there was a couple in the
24 library, in the school library, and some students did
25 rent from the school library.

1 Q Okay. So with respect to the Scarlet Letter,
2 you had two options. You could either purchase the
3 book, or borrow it from the school library. Is that
4 correct?

5 A Correct.

6 Q Or from some public library if you wanted to,
7 which would be a third option. Correct?

8 A Correct.

9 Q When we refer to borrowing things from the
10 library, can we use "borrow" instead of "rent." Rent
11 has an implication to some people that it means somebody
12 had to pay something for it. You don't mean to have
13 that implication. Is that correct?

14 A Correct.

15 Q I don't want to have to make it clear every
16 time.

17 If the teacher had a set of class books
18 provided by the school, do you know if students would be
19 able to write in the class books provided by the school?

20 A The only time I remember that we were able to
21 do that was in my history class. We were able to
22 highlight the book.

23 Q That was a book owned by the school?

24 A It was a college book too. It was all
25 highlighted because she would let all her students

1 highlight.

2 Q Do you know if that book was owned by the
3 school or the teacher? Do you know one way or the
4 other?

5 A I think the AP program granted the books to
6 her. Yeah, it was probably owned -- I'm not sure who
7 owned them, but I know that the AP program provided the
8 books for us.

9 Q It was AP history?

10 A AP U.S. history.

11 Q Do you know what the name of the book was?

12 A The American Pageant.

13 Q When you got the book, there were highlights
14 in it?

15 A Yes.

16 Q You added to the highlights?

17 A I just used another color highlighter.

18 Q Then you returned the books, and the next
19 people that used it would add highlights as well?

20 A Yeah, they're adding highlights.

21 Q As a matter of practice, other than this one
22 class, this AP history class, have you ever had the
23 experience where students could -- were allowed to write
24 in the textbooks provided by the school?

25 A No, not as far as I remember.

1 Q Do you think that that's a good policy?

2 A That they don't let us write in them. Yes.
3 Because, yeah, different people would highlight
4 different things, and it would just make it harder for
5 the next set of students to study their own way.

6 Q Even if -- in the circumstances with your two
7 English classes, even though you could have had a book
8 provided to you for free, you chose to buy one so that
9 you could actually write in it. Correct?

10 A Correct.

11 Q With respect to your chemistry class, you said
12 that you had to purchase colored pencils and rulers. Is
13 that correct?

14 A Correct.

15 Q Who was the teacher?

16 A Mr. Porter.

17 Q Why did you need to buy colored pencils for
18 that class?

19 A Because we had -- we had to -- like, in some
20 cases we had to -- we had, like, chemistry labs, and we
21 had to draw something in some other color. One time we
22 had the -- some kind of light -- radioactive light
23 project, and we had to blend it with one color. That
24 was the case where he told us to buy the colored
25 pencils.

1 Q How much did you spend on colored pencils for
2 that class?

3 A \$2.

4 Q Did Mr. Porter give the students any other
5 option other than purchasing the colored pencils?

6 A We would share. He didn't have any. So if
7 you didn't have any, you would just share them with
8 other students.

9 Q Do you know if Mr. Porter asked anyone at the
10 school for colored pencils for the class?

11 A No, I don't know.

12 Q Do you know if there was any student who
13 couldn't afford to buy the colored pencils?

14 A No, I don't remember hearing anybody say we
15 couldn't afford colored pencils.

16 Q So you don't know if anyone went to Mr. Porter
17 and asked if they could participate in the project
18 without purchasing colored pencils. Is that correct?

19 A I remember sharing my colored pencils with a
20 student, but I don't remember him going up to the
21 teacher and telling him.

22 Q So even if some students didn't purchase
23 pencils, they were able to participate in the project by
24 sharing with others. Is that correct?

25 A Correct.

1 Q You never knew of a student going to
2 Mr. Porter and asking if there was a way of
3 participating without purchasing in and of themselves.
4 Is that correct?

5 A Correct.

6 Q With respect to the rulers, did you buy a
7 ruler for his class?

8 A Yes.

9 Q How many rulers did you buy?

10 A I bought one ruler.

11 Q How much you did spend on a ruler?

12 A 99 cents.

13 Q Why did you need a ruler for that class?

14 A For the drawings -- drawings that we had to
15 make.

16 Q Did you have a problem purchasing the ruler
17 for that class?

18 A No.

19 Q Were you able to keep these materials after
20 the class was over? The ruler and the pencils.

21 A Yes.

22 Q Do you know if Mr. Porter gave students
23 another option of completing the assignments without a
24 ruler?

25 A No.

1 Q Do you know if he offered to get a ruler for
2 any of the students who didn't want to purchase them, if
3 there were any?

4 A He had a couple of rulers in his desk. He
5 would let the students borrow them.

6 Q So if you didn't want to buy a ruler, you
7 could have borrowed one from Mr. Porter?

8 A He didn't let us know that because nobody
9 would have bought one. But, yeah, that was the case,
10 yeah.

11 Q Do you know if -- do you know if any student
12 went up to Mr. Porter and asked him if they could
13 participate and complete the assignments without
14 actually purchasing the ruler on their own?

15 A Not as far as I recall.

16 Q Have you ever seen any pests or rodents at
17 Locke?

18 A Yes.

19 Q What have you seen?

20 A I saw a rat.

21 Q Anything else that you've seen?

22 A I saw rat droppings.

23 Q Any other pests or rodents that you've seen at
24 the school?

25 A Not as far as I remember.

1 A Nothing. She just closed the door and then
2 came back.

3 Q And just kept teaching class?

4 A Yes.

5 Q How long did that whole incident last?

6 A It was like a little hectic and stuff.

7 Everybody was scared. But it was a couple minutes
8 before she came back, and that was it.

9 Q So the incident took about two minutes of
10 time. Is that right? A couple minutes, you said?

11 A A couple minutes.

12 Q Is that correct?

13 A Correct.

14 Q When was the second time that you saw a rat?

15 A It was one time when -- I went to look at --
16 we had -- it was a class, and it was on the sidewalk,
17 students were to work on their projects, and it was
18 under the table, like, where the -- she had, like,
19 tables, and I saw it, like, just pass by.

20 Q Is this at the same class?

21 A Yeah, it was separated so where the place
22 where students work with their paintings and stuff, and
23 there was, like, desks on the other side.

24 Q So students -- I'm sorry. I wasn't with you
25 when you were saying it was the same class. You were

1 Q On how many occasions have you seen a rat?

2 A A rat? I remember twice.

3 Q Can you describe for me the first time when
4 you saw a rat on the school campus?

5 A That was in my art class. And we heard noises
6 in the class. Then she went to open the class, and the
7 rat jumped out.

8 Q What grade were you in? This is second
9 semester of 11th grade?

10 A Yes, the art class that I had.

11 Q You don't remember the teacher's name? Do you
12 remember now?

13 A I just --

14 Q That makes you forget it.

15 A Miss Montevelli (phonetic).

16 Q Okay. So on that one time in Miss
17 Montevelli's class when you heard noise in the class,
18 and she opened it and a rat came out, did you actually
19 see the rat?

20 A Yeah, it was on the floor.

21 Q What happened?

22 A She screamed, and then I don't know where it
23 went. I guess it went under something else. I don't
24 know. I just saw it come out.

25 Q Okay. Then what did she do with the class?

1 over by the art -- the painting part of the class?

2 A Correct.

3 Q Where did you see the rat?

4 A It passed by under the table.

5 Q What happened that time?

6 A I just saw it. I didn't say anything.

7 Q You didn't say anything. Did any other
8 student see it?

9 A I don't think so. I didn't say anything. If
10 they saw it, they didn't say anything either.

11 Q So nobody else mentioned anything about it,
12 and you just continued on with your work. Is that
13 correct?

14 A Correct.

15 Q Did you ever complain to anyone about that
16 time?

17 A I told Miss Montevelli.

18 Q What did she say?

19 A She just said that she had already complained,
20 and they had -- they had not done anything about it yet.

21 Q How close in time was this second time that
22 you saw the rat to the first time?

23 A It was a long time apart. It was the first
24 incident that was, like, at the beginning of the
25 semester, and the second was towards the end.

1 Q When Miss Montevelli told you that she
2 complained, do you know when she complained?
3 A No, she didn't tell me when she complained,
4 but she said that she had already done so.
5 Q So you don't know how much time had gone by
6 since she had made a complaint regarding that. Is that
7 correct?
8 A Correct.
9 Q And you never saw a rat at any other time at
10 campus at Locke. Is that correct?
11 A As far as I recall, no.
12 Q Is that correct?
13 A Correct.
14 Q You said that you also saw rat droppings at
15 school. Where were you when you saw rat droppings?
16 A The same class, my art class.
17 Q Your art class. When did you see rat
18 droppings?
19 A That was constantly. That was every -- after
20 the weekend, we will come back, and we will see rat
21 droppings all over the sink and the table.
22 Q So you said after the weekend you'd come back
23 and see it?
24 A Every -- every weekend when I came back, on
25 Monday there was -- it was full of...

1 Q When did that start?
2 A I -- for me I started seeing that when I got
3 in -- second semester when I got into that class because
4 I never been to that class before. I never had art and
5 I would see that a lot.
6 Q So when -- what period did you have that
7 class?
8 A 6th period.
9 Q What would happen when you'd see them on
10 Monday? Would the teacher do anything?
11 A She wouldn't clean it. She would just tell
12 the janitor, and by the next day it was cleaned up
13 already.
14 Q So as far as you're aware, she would make a
15 complaint to the janitor, and the janitor would have it
16 cleaned that night. Is that correct?
17 A Correct.
18 Q So Tuesday through Friday you would not see
19 rat droppings in the class. Is that correct?
20 A Correct, because she would tell the janitor to
21 clean every morning. She would tell him to go check.
22 Q How do you know that?
23 A Because she -- she would tell us that janitor
24 had cleaned -- because I would ask who cleaned the
25 droppings today, and she said the janitor. I guess she

1 asked for -- special request for him to clean in the
2 mornings.
3 Q Okay. But he wouldn't clean Monday mornings?
4 A I guess it was after the weekend because they
5 didn't work on -- I don't know. It wasn't on Mondays.
6 I remember seeing that on Mondays. Then after that, I
7 wouldn't see them until the next Monday.
8 Q But if the janitor had cleaned on Monday, you
9 think it wouldn't have been there during your 6th period
10 class on Monday?
11 A If he would have cleaned in the morning, it
12 would have.
13 Q Do you know if he was cleaning every morning
14 Tuesday through Friday?
15 A That's not a fact. I don't know if he cleaned
16 every day because the days that I didn't see it is
17 because he cleaned.
18 Q Could it be that the rats just didn't have any
19 droppings there that day?
20 A No, I think it was because they cleaned it.
21 Q I'm wondering why you believe that. If you're
22 making an assumption or if you know that for some
23 reason?
24 A If I didn't see them, it's because they
25 cleaned it. Because there was -- this was there always.

1 I mean, I would see them constantly.
2 Q But you saw it every Monday, you said?
3 A That's why. Yeah, it would basically be
4 Mondays. If it was cleaned up, it was because the
5 janitor had cleaned it because she wouldn't clean it,
6 and we wouldn't clean it.
7 Q Regardless, you would see it on Mondays and
8 not on Tuesday through Friday. Is that correct?
9 A Correct.
10 Q Did it ever come to a point where you stopped
11 seeing rat droppings on Mondays?
12 A Yeah, it was after a while I stopped seeing
13 them on Mondays.
14 Q What point do you remember when you stopped
15 seeing them on Mondays?
16 A It was probably, like, midpoint of the
17 semester. It would be -- it wouldn't be as constant as
18 the beginning.
19 Q From that midpoint on, was it then taken care
20 of where you didn't see the rat droppings anymore?
21 A I saw them once in a while. I didn't see them
22 as much as I did in the beginning.
23 Q What does "once in a while" mean? Give your
24 best estimate.
25 A Probably, like, twice every month or

1 something. When they would forget, I guess. I didn't
2 see them as much as I did in the beginning.

3 Q On the occasions when you would see the rat
4 droppings by the sink in your art class on those Mondays
5 when you did see them, would it affect the class?

6 A Well, we wouldn't -- like, when we used to
7 work with paint, and we had to wash the brushes, we
8 wouldn't do that because we didn't want to -- they
9 didn't -- they didn't want to clean it up. I mean, I
10 had no problem cleaning it up, but she wouldn't let us.
11 She said that wasn't our job.

12 Q Were there times when you were supposed to
13 wash paint brushes on Mondays, and you didn't because of
14 the rat droppings?

15 A Yes.

16 Q How many times did that happen?

17 A I just remember one occasion that happened.

18 Q Can you think of any other way that it
19 affected your class?

20 A It was disgusting. I mean, you wouldn't want
21 to be there.

22 Q Can you think of any other way that it
23 affected your class?

24 A I mean, I just see it as I don't think it was
25 appropriate for that to be there. That's the only

1 Q How many times?

2 A After I complained the first time, and she
3 told me that she had already complained to
4 administration, I didn't do it anymore.

5 Q Do you know what efforts Miss Montevelli took
6 to eradicate the problem in her classroom, if any?

7 A Actually, with her I did know that she
8 constantly was in their office telling them about the
9 problem.

10 Q How do you know that?

11 A Because a couple of times they did come in
12 there and check. Any time she would see an
13 administrator or something, she would call them in and
14 tell them. I did see that she tried hard on solving
15 that problem.

16 Q I want to know what it was -- you saw her talk
17 to an administrator in the class. Is that what you're
18 testifying to?

19 A Correct.

20 Q On how many occasions?

21 A I remember one occasion.

22 Q One occasion when she talked to an
23 administrator regarding the rat droppings in her class?

24 A Correct.

25 Q Do you know anything else about her efforts to

1 effect that it had on me.

2 Q But were you able to focus in class, or were
3 you constantly focusing on the rat droppings?

4 A After a while, I just got used to it.

5 MS. SPIOTTA: So sad.

6 BY MS. STRONG:

7 Q But for the most part then, you were able to
8 focus on class because this was in one area of the
9 class?

10 A Correct.

11 Q It wasn't where your desks were. Correct?

12 A Yeah.

13 Q It was over by the sinks?

14 A Correct.

15 Q So you could come in the same class and pay
16 attention to class and not pay attention to what was
17 happening over at the sink. Is that correct?

18 A Correct.

19 Q Did you ever complain about the rat droppings
20 in that class?

21 A To anyone other than my teacher? Not as far
22 as I remember.

23 Q Did you complain to Miss Montevelli about it?
24 You personally did?

25 A Yes.

1 eradicate that problem in her class other than that one
2 conversation that you witnessed?

3 A No.

4 (Brief recess taken)

5 BY MS. STRONG:

6 Q Have you had any construction on campus while
7 you've been at Locke?

8 A Yes.

9 Q Can you tell me about that.

10 A It was the beginning of my 11th grade year.

11 Q What was being renovated or constructed on
12 your campus?

13 A The buildings. They were -- everything was --
14 there was -- the whole main building was being
15 reconstructed.

16 Q What do you mean by that?

17 A Like, everything. The floor, the ceilings.
18 Everything was getting fixed.

19 Q So the entire -- the school building was being
20 completely renovated?

21 A Yeah.

22 Q And this was the beginning of your 11th grade
23 year?

24 A Yeah.

25 Q That covers the entire school?

- 1 A No. It was -- well, they did it floor by
2 floor because they couldn't close down the whole
3 building at once. So while one floor was fixed, the
4 classroom was in two bungalows in the back -- in the
5 back of the school.
- 6 Q And were the buildings painted inside and out?
7 A Out, it was in the summer. And inside, yeah.
8 It was during while we were there.
- 9 Q But during this renovation project, the
10 buildings were painted both inside and out?
11 A Yes.
- 12 Q And the classrooms were painted inside and
13 out?
14 A Yes.
15 (Discussion off the record.)
- 16 BY MS. STRONG:
- 17 Q And so anything that needed fixing in the
18 classrooms was repaired at that time as well. Is that
19 correct?
20 A Correct.
- 21 Q Did that make a big difference for your
22 school?
23 A It looks better, yes.
24 Q In terms of appearance?
25 A Yes.

- 1 Q It looks better or it looks really good?
2 A Well, compared to how it was, yes, it looks
3 really good.
- 4 Q Was there anything more that they could have
5 done in the renovation to make it look even better?
6 A I mean, I just don't like the bars we have
7 there. It looks like jail. I don't like that. That
8 makes it look really like a juvenile hall or something.
- 9 Q So you would have liked them to take off the
10 bars?
11 A Yes.
- 12 Q Where are the bars?
13 A They're -- like, when you walk in, they're in
14 the hallway. Like, they're just there. As soon as you
15 walk in, there's doors that are bars, and then you open
16 them to go in there.
- 17 Q So it's, like, a front entrance gate that has
18 bars. Is that correct?
19 A Not when you go in. As you go in, there's a
20 hallway, and there's doors around -- like, as soon as
21 you walk in, there's doors that are bars.
- 22 Q How many doors are with bars?
23 A In that -- in the --
24 Q Front entry.
25 A In the front entry there's two doors.

- 1 Q That's what you would like to have removed?
2 A Yes.
- 3 Q Anything else with respect to the bars?
4 A No.
- 5 Q Do you know why the bars are there in the
6 front entry?
7 A I don't know. I mean, I don't see no -- it
8 could just be simple doors.
- 9 Q It's not for safety?
10 A I don't know about that.
- 11 Q But other than that, there's nothing more that
12 they could have done that you can think of with respect
13 to renovating the school because they did pretty much
14 everything else. Is that correct?
15 A Correct.
- 16 Q At the beginning of your 11th grade year, you
17 remember the construction taking place. Did it affect
18 any of your classes?
19 A The ones that were, like, right next to it.
- 20 Q Which classes do you remember being affected
21 by construction?
22 A Like in -- I remember one case that we were --
23 I was in my English class. It was second period. We
24 would hear the drilling because it was downstairs. They
25 were fixing -- upstairs or downstairs? Yeah, it was

- 1 upstairs. They were fixing the third floor, and we were
2 in the second.
- 3 Q Before I ask you more about that, can you
4 think of any other classes that were affected by
5 construction on the campus at Locke?
6 A As from my personal experience, it was that
7 one. I don't know about the other ones.
- 8 Q Okay. Was the renovation complete by your
9 senior year?
10 A Yes. Actually, yeah, they worked all summer,
11 and then a couple of weeks into the semester, but not a
12 lot.
- 13 Q No classes were affected during your senior
14 year for the construction. Correct?
15 A Correct.
- 16 Q Your English class during your second period
17 of 11th grade was affected, and you said it was affected
18 by noise from drilling. Is that correct?
19 A Correct.
- 20 Q Was it affected in any other way by the
21 construction?
22 A They would, like, constantly walk down the
23 halls. That was kind of disturbing.
- 24 Q By your English class?
25 A Yes.

- 1 Q Any other way?
 2 A Not as far as I remember.
 3 Q On how many occasions do you remember hearing
 4 drilling taking place during your English class?
 5 A Specifically that occasion that I explained
 6 before.
 7 Q One day?
 8 A Yeah.
 9 Q Okay. What happened on that one day?
 10 A She went up -- up there. She went up there
 11 and told them to stop. They stopped for a little while.
 12 And they started again because they said they had to
 13 have it done or something. They had, like, a deadline
 14 or something.
 15 Q So they stopped for a portion of your class,
 16 but continued before your class ended. Is that correct?
 17 A Correct.
 18 Q But you can't think of any other time when
 19 drilling was during the class. Is that correct?
 20 A Not at this point, correct. Correct.
 21 Q The other issue that you identified as
 22 disturbing you with respect to the construction was that
 23 construction workers would walk up and down the halls
 24 during the English class. Is that correct?
 25 A Correct.

- 1 Q On how many occasions do you remember being
 2 disrupted by construction workers walking up and down
 3 the halls?
 4 A I remember two occasions when the door was
 5 open.
 6 Q Can you tell me about the first occasion.
 7 A Well, we're reading, and the door was open,
 8 and they kept on passing, but then eventually she closed
 9 the door.
 10 Q Once the door was closed, did that problem go
 11 away?
 12 A It was less distracting, yeah.
 13 Q Could you tell at all that they were walking
 14 up and down the halls once the door was closed?
 15 A You could hear, like, they would carrying
 16 stuff, like -- they were taking stuff. But not really.
 17 Not a lot.
 18 Q So it didn't really distract the class once
 19 the door was closed?
 20 A Correct.
 21 Q On the second occasion what happened?
 22 A It was something similar. She just closed the
 23 door and that's it.
 24 Q Okay. Have you now told me everything that
 25 concerned you regarding the construction at your school?

- 1 A As far as I recall.
 2 Q Are there computers at Locke that are
 3 available to students?
 4 A Correct.
 5 Q Where are the computers located that are
 6 available to students at Locke?
 7 A When you're asking me, you're asking as in
 8 present or in the lab?
 9 Q I appreciate the clarification. Why don't we
 10 start with your 10th grade year. Were there computers
 11 available to the students when you first arrived at the
 12 school at Locke during your 10th grade year?
 13 A There was -- there's a computer lab.
 14 Q How many computers were in the computer lab in
 15 10th grade?
 16 A Approximately, like, 15 computers.
 17 Q Who can use the computers in the computer lab?
 18 A We have -- TCA academy members have special
 19 privileges, but anyone can use them. Just make an
 20 appointment.
 21 Q Anyone can use them in the school with an
 22 appointment. Is that correct?
 23 A Correct.
 24 Q Are they available throughout the day?
 25 A No, only after school.

- 1 Q Do you know how late after school they're
 2 available?
 3 A 4:30.
 4 Q From 3:00 to 4:30? Do you know that or are
 5 you guessing?
 6 A It depends on the teacher. Like, if he's
 7 willing to stay longer, he'll stay longer, but usually
 8 to 4:30.
 9 Q But if you request to stay longer, the teacher
 10 can stay with you longer if the teacher is available?
 11 A If the teacher is available.
 12 Q You said students in the TCA academy have
 13 special privileges. What do you mean by that?
 14 A You have to take a required class. You have
 15 to take a year of computer lab.
 16 Q In the TCA academy? Yes?
 17 A Yes. That kind of helped them all because you
 18 needed to use a computer. You would ask the teacher
 19 right there, and you would be on the list, first on the
 20 list to use them.
 21 Q Were there any other computers available to
 22 the students at Locke during your 10th grade year?
 23 A A couple of teachers had one in their class,
 24 and if you knew the teacher, you would ask permission to
 25 use the computer.

1 Q Do you know if there were any computers in the
2 library at that time?

3 A There were no computers.

4 Q Do you know if there were computers in the
5 career center at that time?

6 A Career center? No.

7 Q Is there a career center at your school?

8 A Yes.

9 Q Do you know one way or the other whether
10 computers were there during your 10th grade year?

11 A There was no computers.

12 Q How do you know that?

13 A Because I constantly go there -- used to go
14 there.

15 Q Now, did -- at any time since your 10th grade
16 year, did Locke receive more computers on their campus
17 that were made available to the students?

18 A Not during my 10th grade year.

19 Q I'm sorry. At any time since your 10th grade
20 year, has Locke received more computers on campus that
21 have been made available to students?

22 A This year every class is receiving one
23 computer.

24 Q When you say "is receiving," do you mean they
25 already have one computer, or they're going to get one?

1 A Yes.

2 Q How often have you used the computers at
3 school?

4 A I use them often because I don't have a
5 computer at home. So whenever I have papers or
6 anything, I use the ones in the career center and the --
7 yeah, career office.

8 Q What did you use prior to your senior year?

9 A I used to -- I used to go to the library, the
10 public library.

11 Q Which public library?

12 A Willowbrook.

13 Q They have computers available for the public
14 to use?

15 A Yes.

16 Q How many computers do they have there?

17 A They have around five computers.

18 Q Any other place that you would go to use a
19 computer since you've been at Locke?

20 A My friend's house. Yeah, I would go to a
21 friend's house to use their computer.

22 Q Has there ever been a time that you've tried
23 to use a computer on campus and been unable to?

24 A Well, when the computer lab was closed down
25 for a period of time, I was unable to use those. So

1 A They're going to get one. My government class
2 just got one. And the other classes are waiting for
3 theirs.

4 Q As far as you're aware, there's a program
5 that's being implemented this year, 2001/2002 school
6 year to place a computer in every classroom. Is that
7 correct?

8 A Correct.

9 Q Do you know if there are computers now in the
10 career center that are available to students?

11 A Yes, now we have, like, three -- three, four
12 computers.

13 Q When did those arrive at the career center?
14 Do you know?

15 A This year.

16 Q Your senior year?

17 A Yes.

18 Q Do you know if there's any computer in the
19 library available to students?

20 A No computers there.

21 Q Are there computers anywhere else on the
22 campus that are available to students other than what
23 you've already now explained to me?

24 A That's it.

25 Q Have you ever used the computers at school?

1 that's when I started just going to libraries.

2 Q When did you use a computer -- the computer
3 lab at school?

4 A When I had to do research, like Internet
5 research.

6 Q I just want to make sure it's clear. I think
7 I asked you if you had ever used the computers on
8 campus, and you said, yes, during your senior year at
9 the career center. I asked if you used computers prior
10 to that, and you answered, yes, at public libraries?

11 A I did some research in the computer lab.

12 Q When would you have done that in your school?

13 A When? It was during my -- I used them more,
14 like, during my junior year.

15 Q Did you ever use a computer during the 10th
16 grade year?

17 A On campus?

18 Q Correct.

19 A No, not as far as I recall.

20 Q Do you remember ever trying to go and use a
21 computer during your 10th grade year?

22 A I didn't -- I didn't have to.

23 Q You never had a need to use a computer during
24 your 10th grade year. Is that correct?

25 A Correct.

- 1 Q During your 11th grade year, you would use the
2 computer lab at times?
3 A Correct.
4 Q Was there ever a time when you went to the
5 computer lab, and you were unable to use the computers
6 there?
7 A No.
8 Q You mentioned a time when the computer lab was
9 closed. When was that?
10 A After they were -- they did the third floor.
11 They reconstructed. They had to -- remember, I told you
12 there was reconstruction going on. Well, they moved
13 everything around, and it took them a while to get
14 things reorganized again.
15 Q When was it that the computer lab was closed
16 on campus? Tell me what school year it was for you.
17 A 11th.
18 Q Was it a particular semester?
19 A I think it was the first semester.
20 Q Do you know how long during the first semester
21 the computer lab was closed?
22 A I'm not sure, but it was around two months.
23 Q Did you ever need to use a computer during
24 those two months for any reason?
25 A Yes.

- 1 Q What did you do to use a computer during those
2 two months?
3 A I either went to the library or my friend's
4 house.
5 Q So every time that you've needed to use a
6 computer since you've attended Locke, have you been able
7 to do that?
8 A Correct, yeah.
9 Q Whether that means going to the computer lab
10 or the teacher's classroom or the career center or
11 library, you've been able to do that. Is that correct?
12 A Correct.
13 Q Do you have any other concerns regarding the
14 computers at your school?
15 A Just that they need to get updated. The
16 programs are really old. And more printers.
17 Q When you say the programs are old, what do you
18 mean by that?
19 A Like, we have Microsoft Word -- I don't even
20 know what year it is, but it doesn't even have spell
21 check. The ones in Miss Talley's room.
22 Q Those are just the computers in Miss Talley's
23 room?
24 A In the career center they're a little bit more
25 newer, but they're still -- they need to get updated.

- 1 Q So when you said the program is old on the
2 computers, you're referring only to Miss Talley's
3 computers?
4 A Those are the old -- like, her programs are
5 the ones that are the oldest, but the career office,
6 they're also old. In the technology lab they're the
7 ones that are updated the most.
8 Q The technology lab -- is that the same as the
9 computer lab?
10 A Yes.
11 Q So in the computer lab are there current
12 up-to-date computers there?
13 A Yeah, those are current.
14 Q If you wanted to use a current up-to-date
15 computer, you could go there and use that. Is that
16 correct?
17 A Correct.
18 Q Has there been a time during your senior year
19 that you've -- let me rephrase that.
20 Has there ever been a time, other than the
21 approximately two months when the computer lab was
22 closed, that you tried to go to the computer lab to use
23 a computer, but were unable to for some reason?
24 A No.
25 Q How many computers are in Miss Talley's room?

- 1 A She has four that work. I just remember that
2 we do have two other rooms where we have computers, but
3 I just never had those classes where they teach you how
4 to use a computer. But I don't know how many computers
5 they have.
6 Q Do you know if they're available for students
7 to use after school or use for their homework at any
8 time?
9 A I'm not aware of that, but the ones that I
10 know that they are available are the technology lab
11 ones.
12 Q The ones that you've already told me about.
13 So the idea that some of the programs are old,
14 that's not really a concern to you, given that you can
15 go and find some computers that are updated on the
16 campus at all times. Is that correct?
17 A Correct, but that is the problem because
18 whenever they're filled over there, you have another
19 option. Then the ones that are in the career office,
20 the printer doesn't work. So you eventually have to go
21 up there and print. Sometimes the programs aren't the
22 same.
23 Q I don't know what you're referring to when you
24 say "there."
25 A When you save something --

1 Q When you said "up there."
 2 A Oh, I mean the technology lab.
 3 Q Has there been a time when you tried to go to
 4 the technology lab, but the computers were full, and you
 5 couldn't use them?
 6 A Just one time.
 7 Q When was that?
 8 A That was when we were assigned the -- a
 9 project, and everybody was doing research up there.
 10 Q That was one time in the three years that
 11 you've been there?
 12 A That I remember, yeah.
 13 Q What did you do on that occasion?
 14 A I just went home, and then went to the library
 15 or something. Yeah, went to the library and used the
 16 computer.
 17 Q You were able to print out the work that you
 18 need --
 19 A Yeah.
 20 Q -- or complete the work that you needed to get
 21 done?
 22 A Correct. Just in one case. The program that
 23 I had saved in school -- they didn't open in those
 24 computers. That's what I'm talking about updating. It
 25 was Wordpad and Microsoft Word, and they didn't open.

1 Q So you had created a document on a computer
 2 using an older program?
 3 A Correct.
 4 Q And what computer were you using for that?
 5 A I was using the one in the career center.
 6 Q What happened?
 7 A I just had to find the computer in school that
 8 had the same program and print it out.
 9 Q Were you able to do that?
 10 A I did at the end find one. It was hard, but I
 11 found one.
 12 Q With respect to the printers, your concern
 13 with the printers are those in the career center. Is
 14 that correct?
 15 A Correct. And Miss Talley -- she only has one.
 16 Q Are there enough printers for you to use in
 17 the computer lab?
 18 A Yes, we have two. Two to three printers.
 19 Q So if at any time you needed to print
 20 something, you can go to the computer lab to print it.
 21 Is that correct?
 22 A Correct.
 23 MS. STRONG: I'd like to mark as Exhibit 1 a
 24 document entitled Declaration of Patricia Munoz. It's a
 25 four-page document Bates-stamped plaintiff's 02344

1 through 02347.
 2 (The document referred to was marked by
 3 the CSR as Defendants' Exhibit 1 for
 4 identification and attached to and made a part
 5 of this deposition.)
 6 BY MS. STRONG:
 7 Q Do you recognize this document?
 8 A Yes.
 9 Q Can you tell me what it is?
 10 A It's my declaration.
 11 Q This is what you told me about you created
 12 during your third meeting with your attorneys. Is that
 13 correct?
 14 A Correct.
 15 Q When you received the document, the first
 16 draft of your declaration, did you review it before
 17 signing it?
 18 A Yes.
 19 Q You didn't type it up. Correct?
 20 A Correct.
 21 Q Someone else typed it up for you?
 22 A Correct.
 23 Q When you reviewed it, did you have any changes
 24 to make to it?
 25 A Yes.

1 Q Can you tell me what changes you made to your
 2 declaration.
 3 A It was minor changes. Like, I remember
 4 changing -- I had the books confused from years. It was
 5 previous years. I changed that in my first draft.
 6 That's the only change I remember right now.
 7 Q Okay. How did -- if -- you marked up your
 8 first draft, and then you received a second draft. Is
 9 that correct?
 10 A Correct.
 11 Q Was the second draft accurate?
 12 A Actually, whenever -- when I signed my
 13 declaration, and then I write it, there was just one
 14 mistake I had, and I wanted to clarify here.
 15 Q You'll have an opportunity to do that. I
 16 appreciate that.
 17 Did you review it that second time before you
 18 signed it?
 19 A Yes.
 20 Q At the time did you think it was accurate when
 21 you were signing it?
 22 A Yes. Yes.
 23 Q Okay. You've told me that you've read this
 24 many times recently. Is that correct?
 25 A Correct.

1 Q Given that you've read it many times, do you
2 still believe this document to be accurate?

3 A Yes.

4 Q Except for this one change that you've just
5 mentioned?

6 A Correct.

7 Q Do you want to identify for me what it is that
8 you'd like to change regarding your declaration?

9 A It's on the second page in the second
10 paragraph.

11 Q Is that paragraph 5 or paragraph 6?

12 A Paragraph 5. Where it says that.

13 Q What line?

14 A 6. It says we did not have any books. What I
15 meant, any AP-related books.

16 Q Is that the only change that you'd like to
17 make to your declaration at this time?

18 A Yes.

19 MS. SPIOTTA: For the record she testified as
20 to that change earlier in the testimony today. We just
21 wanted to be clear with everyone. Her testimony
22 reflects in her mind that this is what really had
23 happened regarding the AP books.

24 MS. STRONG: The change. Of course it does.

25 MS. SPIOTTA: Correct.

1 A Correct.

2 Q Okay. I'd also like to direct your attention
3 to line 10 and 11 of your declaration where it says, "I
4 bought the books, but several students could not afford
5 to buy them, and so the teacher paid half."

6 What are you referring to when you say "the
7 teacher paid half"?

8 A I was referring to Great Expectations because
9 that was the one that was -- that was more than a
10 dollar. She offered to pay half of the money.

11 Q Was that a fourth option that the teacher gave
12 to you?

13 A Yeah --

14 Q It's okay. I just want to make sure we have
15 the record clear. We're just going through to make sure
16 it's clear. That's all that this is about. Okay?

17 A All right.

18 Q To the extent that we can clarify it now, it's
19 best that we do so today. All right?

20 A All right.

21 Q Just to make sure we have it clear with
22 respect to Great Expectations, the students could either
23 buy the books, they could borrow the books from the
24 teacher or a library, they could photocopy a book, or
25 the teacher would pay half the price of the book for

1 BY MS. STRONG:

2 Q I'd like to direct your attention to the first
3 page of your declaration, line 7, where it says, "I have
4 had to buy books for two of my classes at Locke during
5 my two years at the school, because the school did not
6 have books for us."

7 And when you made that statement, were you
8 referring to the two -- to the classes you've already
9 testified to here today?

10 A Correct.

11 Q And during your testimony today, you explained
12 to me that you weren't required to purchase the books.
13 Correct?

14 A We were required because it was a class. It
15 was -- it was the teacher told us to buy the books
16 because it was an assignment.

17 Q But were you told that you had to buy the
18 books, or could you borrow the books if you wanted to?

19 A Yeah, she gave us an option.

20 Q Okay. So that's what I want to make sure it's
21 clear. When you said, I had to buy the books for the
22 two classes, today you've explained to me that you could
23 have borrowed those books that you're referring to at
24 line 7 and 8 of your declaration if you wanted to borrow
25 them. Is that correct?

1 those students that wanted to purchase it, but didn't
2 have enough money. Is that correct?

3 A Well, that was just the case of Great
4 Expectations.

5 Q Yes?

6 A Correct.

7 Q When you said at line 11 of your declaration
8 on page 1, "I don't believe that she was ever
9 reimbursed," do you know one way or the other whether
10 the teacher tried to -- first of all, do you know of any
11 students that took up your teacher on the offer to have
12 her pay for half of the book?

13 A Yes.

14 Q Who took her up on that offer?

15 A I don't remember the names, but there were
16 students that did do that.

17 Q How do you know that?

18 A Because I was present on one occasion when a
19 student was paying her half, and he said, okay, then
20 that's going to be fine.

21 Q So you saw one student doing this?

22 A I saw one student, but I know it was more than
23 one because she had two separate lists of who would pay
24 in full, and who would pay in half. That's how it is.

25 Q You saw other names on the list of students

1 who paid half?
 2 A Correct.
 3 Q Do you know how many names were on that list?
 4 A I don't remember, but it was -- it was
 5 probably, like, four -- four students.
 6 Q Okay. Do you know one way or the other
 7 whether she sought reimbursement for the money that she
 8 paid for those students' books?
 9 A She never told us if she got reimbursed. So I
 10 wouldn't know.
 11 Q I just want to make sure -- I think we already
 12 covered it in reference to lines 7 and 8, but to make
 13 sure the record is clear, I'd like to direct your
 14 attention to lines 11 and below on the first page of
 15 your declaration where you say, "In my AP English class
 16 during my 11th grade year, we had to buy the book To
 17 Kill a Mockingbird, because, again, the school did not
 18 have books for us."
 19 I want to clarify that, again, in that
 20 circumstance you had the option of borrowing the book if
 21 you wanted to. Is that correct?
 22 A Correct.
 23 Q And at line 13 and 14 where you state, "A
 24 couple of the students couldn't buy the book, and so the
 25 teacher allowed those students to rent the books or to

1 to make extra copies for us, but the administration only
 2 allows her to make a limited number of copies each year.
 3 If she goes over the allotted number of copies then she
 4 has to pay for the copies herself, and so sometimes she
 5 would not make extra copies, and then more students had
 6 to share."
 7 Do you ever remember a time when [REDACTED]
 8 was unable to make copies for your class because of a
 9 limit that was placed on the number of copies she could
 10 make?
 11 A That never happened when I was there. I mean,
 12 she never said that when I was there.
 13 Q Okay. So why is this in your declaration?
 14 A Because I remember asking one of the students
 15 why we didn't receive a copy, and then she told me that.
 16 And since I had heard Miss Ramirez, her story, I assumed
 17 that it was true. I mean, it was for the same reasons.
 18 Q So you said you talked to one student about
 19 why we didn't have copies. What are you referring to?
 20 A Enough copies for the whole class.
 21 Q In your French class?
 22 A In my French class.
 23 Q You were talking to another student about
 24 that?
 25 A Correct.

1 purchase them used for a dollar."
 2 When you are using the word "rent" in that
 3 sentence, you mean that the teacher allowed those
 4 students to borrow those books free of cost. Is that
 5 correct?
 6 A From her or from the library. Correct.
 7 Q And with respect to the final sentences of
 8 your declaration at paragraph 3, lines 15 and 16, where
 9 you say, "It makes me upset that the school does not
 10 provide books for us. These are requires texts, and we
 11 shouldn't have to pay for them," I want to make sure
 12 it's clear. You don't believe that the school should
 13 provide books that you should be allowed to write in.
 14 Is that correct?
 15 A Correct.
 16 Q Also, I want to make sure it's clear that you
 17 didn't mean by saying that that the students didn't have
 18 the option of borrowing the books. Is that correct?
 19 A Correct.
 20 Q Who is your French teacher?
 21 A [REDACTED]
 22 Q I'd like to direct your attention to lines 21
 23 through 24 of paragraph 4 of your declaration, where it
 24 says, "My teacher tried" -- my teacher, and you're
 25 referring to your French teacher in 10th grade -- "tried

1 Q The student told you it was because the
 2 teacher couldn't make enough copies. Is that correct?
 3 A Correct.
 4 Q So do you know of a time specifically when
 5 [REDACTED] couldn't hand out copies because she was
 6 unable to make copies due to a limit placed on the
 7 number of copies she could make?
 8 A Like the day that I asked was the day after it
 9 happened. Then I went to ask for a copy. She said she
 10 didn't have any more. I went to sit down and share it.
 11 That's when I had the conversation with the student.
 12 Q So you wanted a copy of something that was
 13 handed out the day before?
 14 A Correct.
 15 Q She didn't have any copies left?
 16 A Correct.
 17 Q You don't know one way or the other if that
 18 was because there was some limit on the number of copies
 19 she could make. Is that correct?
 20 A Correct.
 21 Q You know of no other time -- I'm sorry.
 22 You know of no time when the teacher ever made
 23 -- gave an explanation of that nature to you. Is that
 24 correct?
 25 A Not to my -- correct.

1 Q Do you know if that teacher ever had to pay
2 for any copies if she were to surpass her allotted
3 number of copies?
4 A I never -- I wouldn't know. She never shared
5 that with us.
6 Q Line 21. "My teacher tried to make extra
7 copies for us."
8 You don't know whether she tried to make extra
9 copies for you or not. Is that correct?
10 A Not for a fact.
11 Q You're basing that on solely what some other
12 student told you about what happened the day before in
13 class. Is that correct?
14 A Correct.
15 Q I'd like to direct your attention to line 26
16 of your declaration. "Also, the books in this class
17 were old and torn up."
18 I believe you're referring to your French
19 class there. Correct?
20 A Correct.
21 Q Is that what you recall, the books in the
22 French class were old and torn up?
23 A The ones that I was talking about, tagged up,
24 yeah.
25 Q Were they tagged up or torn up?

1 A They were tagged up, torn up, and old.
2 Q Okay. Just want to make sure. You say at
3 lines 27 and 28, "Once or twice when the teacher told me
4 to turn to a page in order to complete an assignment,
5 the page was completely missing."
6 I know you testified with respect to that in,
7 I believe, one or two other classes. I don't believe
8 you previously testified to that happening in your
9 French class. Do you recall that happening in your
10 French class?
11 A Yes.
12 Q What do you recall about that?
13 A It was the same situation. I did explain it,
14 didn't I?
15 Q You might have, and the record will be clear.
16 You might have. My memory is not perfect.
17 So you believe that there was an incident -- I
18 believe the explanation you gave when we discussed this
19 was that you would then go to another student and share
20 with the other student.
21 A Correct.
22 Q And you only recalled it happening, I believe,
23 one time in each of the classes that you described to me
24 earlier. Is that correct?
25 A As far as I remember.

1 Q Okay. So if it happened in your French
2 class -- you do recall one incident where it happened in
3 your French class. Is that correct?
4 A Correct.
5 Q So at line 28 of your declaration, page 1,
6 says, "When this happened, my teacher would tell me to
7 share with someone else," you're thinking of one
8 incident at that point when you're making that statement
9 in your declaration?
10 A Correct.
11 Q With respect to paragraph 5 on page 2 of your
12 declaration, you're referring to your AP Spanish class
13 there. You testified previously that you did have
14 regular Spanish books to use in that class. Correct?
15 A Correct.
16 Q I believe you also testified that if you ever
17 wanted to take that book home -- well, I'll rephrase.
18 I believe you testified that you never wanted
19 to take the book home in that class. Is that correct?
20 A Correct.
21 Q With respect to photocopies, you testified
22 earlier that you remembered one occasion where you
23 couldn't read something in that class because it was too
24 dark. Is that correct?
25 A Correct.

1 Q So when -- if I can direct your attention to
2 lines 10 and 11 of your declaration where you say,
3 "Sometimes the photocopies were too dark or blurry, and
4 they were hard for us to read."
5 You were thinking of one incident. Is that
6 correct?
7 A No.
8 Q Can you explain to me what were you thinking?
9 A It happened more than once, but I just
10 explained that specific incident that time.
11 Q You have no other specific recollection of it
12 happening?
13 A Not at this moment.
14 Q If you had to give your best estimate as to
15 how many times that would have occurred in your Spanish
16 class, what would that be?
17 A Approximately four to five times.
18 Q Throughout the year?
19 A Correct.
20 Q And you explained to me that your teacher
21 would give you photocopies to take home where you would
22 write questions out of the book. Is that correct?
23 A Correct.
24 Q Do you recall times where you -- your teacher
25 did not allow you to take the photocopies home?

1 A He would number them. He had, like, a number,
2 and then he would collect them back and count to make
3 sure that he had all of them back.

4 Q Was there ever a time that you wanted to take
5 one of those copies home?

6 A Yeah. Whenever I didn't finish an assignment.

7 Q Do you remember a specific time when you
8 actually wanted to take a copy home?

9 A Yes, I remember one time.

10 Q Okay. What happened on that one time? Can
11 you tell me about it?

12 A Well, he just told us that he was going to
13 extend the time so we could work on it the next day.

14 Q At that point did you still want to take it
15 home?

16 A No, because he was going to give us time the
17 next day.

18 Q Other than that one incident, can you think of
19 any other time when you actually wanted to take a
20 photocopy home in that class?

21 A Not as far as I recall.

22 Q So at lines 8 and 9 of your declaration in
23 paragraph 5 you said, "He told us we could not keep them
24 because he had only one set for all of his classes."

25 A Correct.

1 A Correct.

2 Q -- that you didn't want to actually take it
3 home any longer?

4 A It's correct because he offered -- I mean, if
5 I would have still wanted to take it home if he didn't
6 offer the opportunity to finish the next day.

7 Q But he did offer that. So at that point you
8 no longer wanted to take it home?

9 A Correct.

10 Q Did you ever ask to take one home at any time?

11 A As far as I remember, just that occasion.

12 MS. SPIOTTA: Can we go off the record?
13 (Discussion off the record.)

14 MS. STRONG: I've just been informed by
15 plaintiff's counsel -- she actually informed me earlier
16 today that she -- her client needed to stop at 5:00
17 o'clock. She has now just stopped me because we are a
18 couple minutes past 5:00 and has informed me that she
19 needs to stop the deposition at this point.

20 We have agreed to continue this deposition on
21 January 27th, which is a Sunday. And unless I hear
22 otherwise from plaintiff's counsel, we will proceed at
23 9:30 A.M. Sunday morning, January 27th at the same
24 location here at the O'Melveny offices in LA.

25 Is that correct, Counsel?

1 Q There was never a time that you actually
2 wanted to take one home and couldn't. Is that correct?

3 A Photocopy or book?

4 Q I believe you're referring to photocopies
5 here. Is that correct?

6 A I'm sorry. You asked me what?

7 Q I was referring to lines 8 and 9 of your
8 declaration, and I believe there you're referring to
9 photocopies when you say, "He told us we could not keep
10 them because he had only one set for all of his
11 classes."

12 Is that correct?

13 A Correct.

14 Q You're referring to photocopies?

15 A Correct.

16 Q My follow-up question is you cannot think of a
17 time when you wanted to take a photocopy home, but
18 actually couldn't. Is that correct?

19 A Just the time I previously explained.

20 Q Yeah, but in that time you actually -- at the
21 end of the day, you didn't want to take the copy home.
22 Is that correct?

23 A Because they gave us the option of finishing
24 the assignment the next day.

25 Q So is that correct --

1 MS. SPIOTTA: That's correct.

2 MR. SHARFSTEIN: That's correct.

3 MS. STRONG: I'd like to make the stipulation
4 for today's deposition. May we stipulate that copies of
5 documents attached to the deposition may be used as
6 originals. May we stipulate that the original of this
7 deposition be signed under penalty of perjury; that the
8 original be delivered to the office of plaintiff's
9 counsel; that the reporter is relieved of liability for
10 the original of the deposition; that the witness will
11 have 30 days from the date of the court reporter's
12 transmittal letter to plaintiff's counsel to sign and
13 correct the deposition.

14 And, that plaintiff's counsel shall notify all
15 parties in writing of any changes in the deposition;
16 and, that if there are no such changes communicated or
17 signature within that time, that any unsigned and
18 uncorrected copy may be used for all purposes as if
19 signed and corrected.

20 MS. SPIOTTA: So stipulated.

21 MR. SHARFSTEIN: So stipulated.

22 (Discussion off the record.)

23 MS. SPIOTTA: I'll take a rough draft and copy
24 also.

25 MR. SHARFSTEIN: Same.

(Whereupon, at 5:00 P.M., the deposition of
PATRICIA MUNOZ was adjourned.)

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1 STATE OF CALIFORNIA)
2) ss
3 COUNTY OF LOS ANGELES)
4 I, LAURA J. MELLINI, Certified Shorthand
5 Reporter, number 8181, for the State of California, do
6 hereby certify;
7 That prior to being examined,
8 PATRICIA MUNOZ,
9 the witness named in the foregoing deposition, was by me
10 duly sworn to testify the truth, the whole truth and
11 nothing but the truth;
12 That the testimony of the witness and all
13 objections made at the time of the examination were
14 recorded stenographically by me;
15 That the foregoing transcript is a true
16 record of the testimony and all objections made at the
17 time of the examination.
18 I hereby certify that I am not interested
19 in the event of the action.
20 IN WITNESS WHEREOF, I have subscribed my
21 name this day of , 2002.
22
23 _____
24 Certified Shorthand Reporter
25 for the State of California

1 STATE OF CALIFORNIA)
2) ss
3 COUNTY OF LOS ANGELES)
4
5
6
7 I, PATRICIA MUNOZ,
8 hereby certify under penalty of perjury under the laws
9 of the State of California that the foregoing is true
10 and correct.
11 Executed this day of ,2002
12 at ,
13 California.

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PATRICIA MUNOZ