

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

ELIEZER WILLIAMS, a minor, by ) CASE NO.  
Sweetie Williams, his guardian ) 312 236  
ad litem; et al., each individually ) VOLUME TWO  
and on behalf of all others ) (PAGES 247-589)  
similarly situated, )

PLAINTIFFS, )

v. )

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

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DEPOSITION OF:

LUCIA ORTIZ

SATURDAY, JANUARY 12, 2002

9:45 A.M.

REPORTED BY:

XAVIER MIRELES

CSR NO. 5001

1 Deposition of LUCIA ORTIZ, a witness,  
2 taken on behalf of the Plaintiffs, on SATURDAY,  
3 JANUARY 12, 2002, 9:45 A.M., at 400 South Hope  
4 Street, Los Angeles, California 90071, before  
5 XAVIER MIRELES, CSR No. 5001.  
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7  
8  
9  
10  
11

12 APPEARANCES OF COUNSEL:

13  
14 FOR THE PLAINTIFFS:  
15 MORRISON & FOERSTER, LLP  
16 BY: JILL F. TEITELBAUM, ESQ.  
17 -and-  
18 SUMAKO J. McCALLUM, ESQ.  
19 (A.M. SESSION ONLY)  
20 555 West Fifth Street  
21 Los Angeles, California 90013  
22 (213) 892-5478  
23  
24  
25

1 APPEARANCES OF COUNSEL (CONTINUED):  
2  
3 FOR THE DEFENDANT LAUSD:  
4 STRUMWASSER & WOOCHEER, LLP  
5 BY: JOHANNA R. SHARGEL, ESQ.  
6 100 Wilshire Boulevard  
7 Suite 1900  
8 Santa Monica, California 90401  
9 (310) 576-1233  
10  
11 FOR THE DEFENDANT STATE OF CALIFORNIA:  
12 O'MELVENY & MYERS LLP  
13 BY: SABRINA H. STRONG, ESQ.  
14 400 South Hope Street  
15 15th Floor  
16 Los Angeles, California 90071  
17 (213) 430-6113  
18  
19  
20  
21  
22  
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1 LOS ANGELES, CALIFORNIA; SATURDAY, JANUARY 12, 2002  
2 9:45 A.M.  
3  
4 LUCIA ORTIZ,  
5 having been first duly sworn, was  
6 examined and testified as follows:  
7

8 EXAMINATION

9  
10 BY MS. STRONG:  
11 Q. Good morning.  
12 A. Good morning.  
13 Q. How are you doing today?  
14 A. I am good. How are you?  
15 Q. Fine.  
16 Do you remember all of the ground rules  
17 that we went over during the first day of your  
18 deposition?  
19 A. Yeah.  
20 Q. Do you have any questions regarding them or  
21 would you like me to repeat any of them?  
22 A. No.  
23 Q. You recall what they are?  
24 A. Yeah.  
25 Q. Okay. And I am just going to remind you of

1 a few things to make sure that we are -- that it's  
 2 fresh in your mind.  
 3 If at any time you need to take a break  
 4 today, just let me know and we will go ahead and take  
 5 a break.  
 6 If there is any question that I ask that  
 7 you do not understand, please tell me that you do not  
 8 understand the question, and I will either restate it  
 9 or try and rephrase it for you. If you do not do  
 10 that, I will assume that the answer that you have  
 11 given is based upon you having understood the  
 12 question as asked. Do you understand that?  
 13 A. Yes.  
 14 Q. Okay. Is there any reason why you may be  
 15 unable to testify or give your best testimony here  
 16 today?  
 17 A. No.  
 18 Q. Okay. And have you recently taken any  
 19 medication or any other substance that would cause  
 20 your mind or affect your ability to testify here  
 21 today?  
 22 A. No.  
 23 Q. Have you discussed this lawsuit with anyone  
 24 other than your attorneys since your deposition?  
 25 A. No.

1 Q. Okay. And have you done anything to  
 2 prepare for today's deposition?  
 3 A. Once again I looked at my declaration.  
 4 Q. Is there anything else that you have done  
 5 to prepare for today's deposition?  
 6 A. No. That's pretty much it.  
 7 Q. Okay. Are you back in school now?  
 8 A. Yeah. I thought it was on the 17th, but it  
 9 was the 7th.  
 10 Q. Okay. So you are back in school?  
 11 A. Yeah.  
 12 Q. And have you seen some of your friends that  
 13 you mentioned that you believe are involved in this  
 14 lawsuit?  
 15 A. I saw Patricia, Patty.  
 16 Q. And that's Patty Munoz?  
 17 A. Munoz, yeah.  
 18 Q. Is there anyone else who you have seen?  
 19 A. No.  
 20 Q. And did you discuss with Patty Munoz your  
 21 deposition or anything related to this lawsuit?  
 22 A. No.  
 23 Q. Okay. And did you discuss whether or not  
 24 she was going to have her deposition taken?  
 25 A. No.

1 Q. Okay. Do you know how many students attend  
 2 Locke High School?  
 3 A. I'd said about 2,500. I don't know the  
 4 number, the exact number.  
 5 Q. And is that for your senior year, this  
 6 current year?  
 7 A. Yes.  
 8 Q. Do you know how many students attended the  
 9 school last year?  
 10 MS. TEITELBAUM: I am going to object that  
 11 that calls for speculation.  
 12 THE WITNESS: About the same number.  
 13 BY MS. STRONG:  
 14 Q. Do you know if there has been a significant  
 15 increase or decrease in the number of students  
 16 attending Locke since you have been a student there  
 17 at any time?  
 18 MS. TEITELBAUM: Same objection.  
 19 THE WITNESS: Not that I know of.  
 20 BY MS. STRONG:  
 21 Q. Okay. Do you know what the capacity of  
 22 Locke High School is?  
 23 MS. TEITELBAUM: Same objection.  
 24 THE WITNESS: No, I don't.  
 25 MS. TEITELBAUM: Also, I think it's vague

1 and ambiguous as to capacity.  
 2 BY MS. STRONG:  
 3 Q. Okay. Out of your classes at Locke during  
 4 the past four years --  
 5 A. Right.  
 6 Q. -- which class had the largest number of  
 7 students in it?  
 8 MS. TEITELBAUM: Objection; calls for  
 9 speculation.  
 10 Also, are you asking just classes that she  
 11 attended?  
 12 MS. STRONG: I think that was how it was  
 13 prefaced.  
 14 Q. But just out of clarification: During the  
 15 classes that you have attended at Locke High School  
 16 in the past four years, which class had the most  
 17 number of students in it?  
 18 A. I would I would have to say my AP Spanish  
 19 class and my Algebra Two class that I dropped.  
 20 Q. AP Spanish, what year did you take that?  
 21 What grade were you in?  
 22 A. My freshman year.  
 23 Q. And who was the teacher?  
 24 A. [REDACTED]  
 25 Q. Okay. How many students would you say were

1 in that class?  
 2 MS. TEITELBAUM: Objection. That calls for  
 3 speculation.  
 4 THE WITNESS: Forty to 45.  
 5 BY MS. STRONG:  
 6 Q. Okay. And did the number of students in  
 7 that class change at any time?  
 8 A. It decreased as the semester went along.  
 9 Most of the students were in there, they weren't  
 10 supposed to be there.  
 11 Q. Okay. So when you say that you believe  
 12 there were 40 to 45 students in that class, was that  
 13 when you were first enrolled in the class in the  
 14 ninth grade?  
 15 A. Yes.  
 16 Q. And at what point do you remember there  
 17 being a decrease in the number of students in class?  
 18 A. About three weeks after school started.  
 19 Q. Okay. And what did the number of students  
 20 drop to at that point in time?  
 21 A. I don't know the exact number.  
 22 Q. Okay. But if you could give me your best  
 23 estimate, what would that be?  
 24 A. It was 35.  
 25 Q. And so is it -- did students drop out

1 during those first three weeks or did it all happen  
 2 at one time?  
 3 A. During those first three weeks.  
 4 Q. Okay. And then at that point in time, did  
 5 there remain to be 35 students in the class for the  
 6 remainder of the year?  
 7 A. As I recall, yes.  
 8 Q. Approximately 35?  
 9 A. Yeah.  
 10 Q. You also identified Algebra Two as one of  
 11 the largest classes that you were enrolled in while  
 12 at Locke.  
 13 A. Yeah.  
 14 Q. When were you enrolled in Algebra Two?  
 15 A. My senior year, twelfth grade.  
 16 Q. Who is the teacher in that class?  
 17 A. Mr. Mouneke, M-O-U-N-E-K-E.  
 18 Q. And how many students do you believe are in  
 19 that class?  
 20 A. Fifty.  
 21 Q. Okay. And when you say there are 50  
 22 students in the class, is that when you first entered  
 23 the class?  
 24 A. That's when I first entered.  
 25 Q. At some point did the number of students in

1 that class change?  
 2 A. Yes.  
 3 Q. When was that?  
 4 A. Late September, early October.  
 5 Q. Okay. So how far into the school year was  
 6 that?  
 7 A. It was like three, three weeks. Three or  
 8 four weeks.  
 9 Q. And what did the number of students in that  
 10 class drop to?  
 11 MS. TEITELBAUM: Objection. That calls for  
 12 speculation.  
 13 THE WITNESS: I don't know the number,  
 14 actually.  
 15 BY MS. STRONG:  
 16 Q. If you could give me your best estimate.  
 17 A. I can't. I got out of that classroom, out  
 18 of that class, I mean.  
 19 Q. When did you leave that class?  
 20 A. The third, fourth week.  
 21 Q. So were you one of the students that left  
 22 that class?  
 23 A. Yeah. I left.  
 24 Q. During the initial few weeks of school?  
 25 A. I left voluntarily.

1 Q. And what did you take instead of that  
 2 class?  
 3 A. Leadership.  
 4 Q. Okay. So you don't know one way or the  
 5 other the number of students that remained in that  
 6 class for the remaining period of the school year; is  
 7 that correct?  
 8 A. Yes.  
 9 Q. You have now identified two classes as the  
 10 two largest classes that you believe you attended  
 11 while at Locke. What would be the third largest  
 12 class?  
 13 A. I don't know. Those are just two of my  
 14 classes.  
 15 Q. So would you think of the remainder of your  
 16 classes as not necessarily being large classes? They  
 17 don't stand out in your mind as being large classes?  
 18 A. No. Not that I can think of.  
 19 Q. Okay. So is that correct?  
 20 A. Yes.  
 21 Q. All right.  
 22 MS. TEITELBAUM: I am going to make a very  
 23 late objection as to vague and ambiguous as to large.  
 24 BY MS. STRONG:  
 25 Q. Okay. And if you had to describe to me the

1 average number of students in your classes, the  
2 remainder of your classes at Locke, what would that  
3 be?

4 A. Thirty to 35.

5 Q. Okay. And so you had some classes with  
6 fewer students than that, as well; is that correct?

7 A. Yes.

8 Q. With respect to your AP Spanish class in  
9 ninth grade that you stayed enrolled in throughout  
10 the entire year, you said that the number of that --  
11 students in that class you believe dropped to about  
12 approximately 35; is that correct?

13 A. Yes.

14 Q. Do you believe that the number of students  
15 in that class at any time, either during the first  
16 few weeks of the class or thereafter, affected your  
17 ability to learn in that class?

18 MS. TEITELBAUM: Objection. That calls for  
19 expert testimony.

20 BY MS. STRONG:

21 Q. Go ahead.

22 A. Well, it was kind of shaky, so I guess it  
23 did affect my learning, because the teacher didn't  
24 want to go into the class, into the subject because  
25 of the fact that there was a lot of moving going,

1 BY MS. STRONG:

2 Q. And why is it that you do not believe you  
3 learned a lot in that class?

4 A. I don't think he was teaching. He wasn't  
5 doing that much teaching, actually.

6 Q. Why is it that you say that?

7 A. Out of the -- every week he only like  
8 assigned us or made us do homework once that I  
9 recall. It was hardly -- his teaching was hardly  
10 ever constant like where he taught every day.

11 Q. And this is in AP Spanish class, you said?

12 A. Yes.

13 Q. Had you taken Spanish classes in junior  
14 high school?

15 A. No.

16 Q. This was your first actual Spanish class in  
17 the school then; is that correct?

18 A. Yes.

19 Q. And had you studied Spanish elsewhere?

20 A. No. But that's my mother tongue.

21 Q. Okay. So do you speak Spanish at home?

22 A. Yes.

23 Q. Or did you prior to the ninth grade?

24 A. Yes.

25 Q. Did you practice reading and writing

1 around and he didn't want anyone to miss or, you  
2 know, be interrupted by those changes; so he didn't  
3 start until later on when everything was settled.

4 Q. How do you know that?

5 A. Because the first weeks of school he didn't  
6 really teach anything.

7 Q. What did you do in [REDACTED] class during  
8 the first few weeks of school?

9 A. We did basic things like introducing each  
10 other, that kind of stuff, but nothing major to do  
11 with the subject.

12 Q. Did [REDACTED] give any homework during the  
13 first few weeks of class?

14 A. No.

15 Q. Did [REDACTED] ever give homework in Spanish  
16 class?

17 A. Rarely.

18 Q. So that didn't change when the number of  
19 students reduced?

20 A. No.

21 Q. Okay. Do you believe that you learned a  
22 lot in that class?

23 A. No.

24 MS. TEITELBAUM: Objection. That calls for  
25 expert testimony.

1 Spanish at home?

2 A. No.

3 Q. So how is it that you learned to read and  
4 write in Spanish?

5 A. I started learning English actually when I  
6 was about seven years old, so I was practicing it for  
7 seven years of my life.

8 Q. Okay. And had you taken any courses prior  
9 to being seven years of age?

10 A. No.

11 Q. In Spanish?

12 A. No.

13 Q. So you believe that your ability to read  
14 and write in Spanish is based on what you learned  
15 prior to seven years of age and then again what you  
16 learned starting in ninth grade; is that correct?

17 A. Can you rephrase that.

18 MS. TEITELBAUM: Yeah. I was going to  
19 object. I think that mischaracterizes her testimony.  
20 BY MS. STRONG:

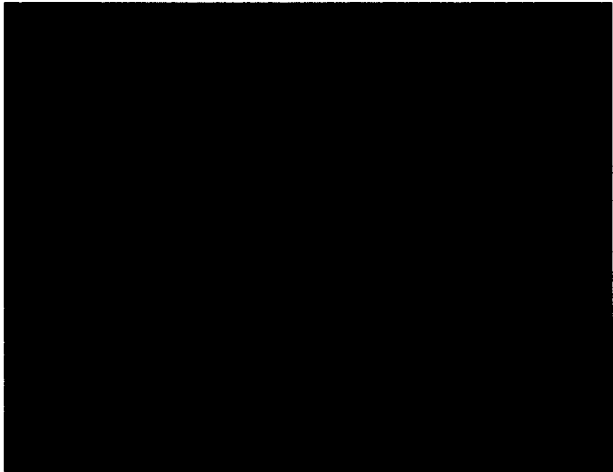
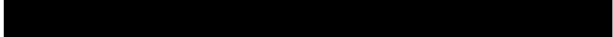
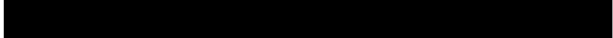
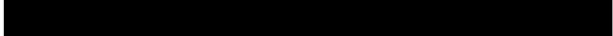
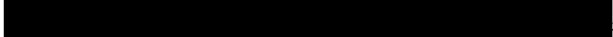
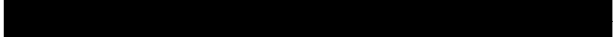
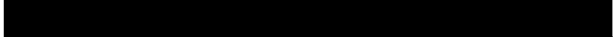
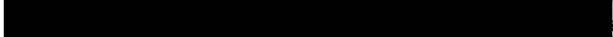
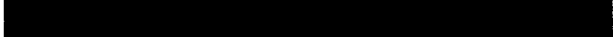
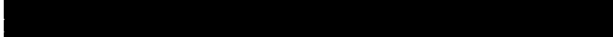
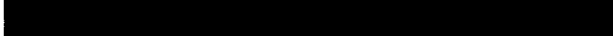
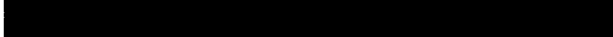
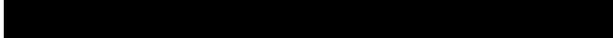

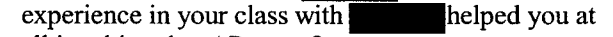


21 Q. I just want to know when you believe you  
22 started having reading and writing skills in Spanish.  
23 Go ahead.

24 MS. TEITELBAUM: And it also assumes the  
25 fact that she has the ability to read and write

1 Spanish skills.  
 2 THE WITNESS: In those seven years I  
 3 learned my reading and writing skills.  
 4 BY MS. STRONG:  
 5 Q. After those seven years?  
 6 A. No.  
 7 Q. This is the first seven years of your life  
 8 you are referring to?  
 9 A. Yes.  
 10 Q. Okay. Did you take another Spanish course  
 11 after your ninth grade Spanish?  
 12 A. Yes.  
 13 Q. What course did you take at Locke?  
 14 A. AP Spanish Literature.  
 15 Q. What grade was that?  
 16 A. Eleven.  
 17 Q. Did you take a Spanish course in the tenth  
 18 grade?  
 19 A. No.  
 20 Q. And did you ever take any other Spanish  
 21 course at Locke High School?  
 22 A. No.  
 23 Q. Who was your teacher in AP Spanish in  
 24 eleventh grade?  
 25 A. Miss Escobar.

1 A. Yes.  
 2 Q. When did you take that?  
 3 A. Ninth grade.  
 4 Q. So you hadn't yet even taken your AP  
 5 Spanish class in eleventh grade; is that correct?  
 6 A. What was this again?  
 7 Q. You took this AP exam in ninth grade after  
 8 your AP Spanish class in ninth grade; is that  
 9 correct?  
 10 A. AP exam after the class; right?  
 11 Q. Correct.  
 12 A. Yes.  
 13 Q. Okay. So whatever your experience was in  
 14 eleventh grade, it didn't impact the test that you  
 15 took after your ninth grade year; is that correct?  
 16 A. What do you mean? I took the test after  
 17 the class.  
 18 Q. After the class in ninth grade?  
 19 A. Yeah, in May.  
 20 Q. Okay.  
 21 A. And --  
 22 Q. And is that the only time you took the AP  
 23 exam?  
 24 A. Yeah. I wasn't able to take it in the  
 25 eleventh grade.

1 Q. Do you believe that you learned a lot in  
 2 her class?  
 3 A. Not the first semester.  
 4 Q. Why is that?  
 5 A. She didn't teach much the first semester.  
 6 Q. Why do you say that?  
 7 A. Because she didn't assign us anything, any  
 8 reading.  
 9 Q. She didn't give you homework in the class;  
 10 is that what you are testifying to?  
 11 A. Yes. Not -- I mean, she gave us from  
 12 time-to-time, but not on a daily basis.  
 13 Q. So what would that be, time-to-time?  
 14 A. I'd say about once a week that she gave us  
 15 homework.  
 16 Q. And then did that change for the second  
 17 semester?  
 18 A. Yes.  
 19 Q. And what happened in the second semester?  
 20 A. We started reading more books.  
 21 Q. Any other changes?  
 22 A. No. That was pretty much the reason why we  
 23 did more homework.  
 24 Q. Okay. When did you take -- or did you take  
 25 the AP Spanish exam?

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 16 Q. Do you think that  or your  
 17 experience in your class with  helped you at  
 18 all in taking that AP exam?  
 19 MS. TEITELBAUM: Objection. That calls for  
 20 expert testimony.  
 21 THE WITNESS: I'd have to say no.  
 22 BY MS. STRONG:  
 23 Q. Why is that?  
 24 A. Well, most of the homework that he gave us  
 25 was very simple, and I already knew that stuff.

1 Q. Uh-huh.  
 2 A. From prior knowledge. So what he was  
 3 teaching me was more like a review -- what he was  
 4 trying to teach me was more like a review, but it  
 5 didn't really help me. If I wouldn't have taken his  
 6 course, I think I still would have passed the AP  
 7 exam.  
 8 Q. And based on the reading and writing skills  
 9 that you developed prior to seven years of age?  
 10 A. Yes. During those seven years of age.  
 11 Q. When you said that you believe you didn't  
 12 learn too much in [REDACTED] class because he didn't  
 13 teach too much, do you think that that was based on  
 14 the number of students in the class?  
 15 A. No.  
 16 Q. So do you think the number of students in  
 17 the class had any effect on what was taught in  
 18 [REDACTED] class after the first few weeks?  
 19 MS. TEITELBAUM: Objection. That calls for  
 20 speculation.  
 21 THE WITNESS: Can you rephrase that.  
 22 BY MS. STRONG:  
 23 Q. Yeah. I just want to know if you think  
 24 that the number of students in [REDACTED] class  
 25 affected his ability to teach.

1 Q. You said you complained constantly to the  
 2 teacher. What do you mean by that?  
 3 A. I asked him if he was going to try to get  
 4 another class to divide up the students, the 50  
 5 students.  
 6 Q. How many conversations did you have with  
 7 the teacher regarding this?  
 8 A. I don't recall, but I did talk to him.  
 9 Q. Was it more than one conversation?  
 10 A. Yeah, it was more than one.  
 11 Q. Was it less than three conversations?  
 12 A. I don't know.  
 13 Q. Was it less than five conversations?  
 14 A. I don't know that, either.  
 15 Q. Okay. Well, would you say that it was more  
 16 than 10?  
 17 A. I don't recall, but I know that I talked to  
 18 him more than once about it.  
 19 Q. Uh-huh. And what did he say in response to  
 20 your question about getting another class?  
 21 A. Well, he told this to the whole class, not  
 22 just me, that he made a request to have another class  
 23 zero or seven period, but it was still in the  
 24 process.  
 25 Q. Do you remember at what point in the school

1 MS. TEITELBAUM: Objection. That also  
 2 calls for expert testimony.  
 3 THE WITNESS: I don't know. I don't know  
 4 if that affected him.  
 5 BY MS. STRONG:  
 6 Q. You can't tell if it was his inability to  
 7 teach from your perspective is something that's  
 8 innate to him; is that correct?  
 9 A. Yeah.  
 10 Q. As opposed to being influenced by a factor  
 11 such as the student -- number of students in the  
 12 class; is that correct?  
 13 A. Yeah. I have to say that wasn't the reason  
 14 why he was unable to teach.  
 15 Q. The number of students in the class was not  
 16 the reason why he was unable to teach from your  
 17 perspective; is that correct?  
 18 A. Yes. Though it was -- it was the first  
 19 three weeks that he didn't want to teach, but after  
 20 that it wasn't much of a problem and he could have  
 21 taught, but I guess he chose not to.  
 22 Q. Did you ever complain to anyone at Locke  
 23 about the number of students in any of your classes?  
 24 A. My -- well, for the Algebra Two, I did  
 25 complain constantly to the teacher.

1 year that was?  
 2 A. That was the first four weeks of school  
 3 where he was asking administration to have that  
 4 class.  
 5 Q. Do you know if that request was ever  
 6 fulfilled?  
 7 A. No. It was denied.  
 8 Q. And how do you know that?  
 9 A. Because he had to choose students to be out  
 10 of the class, so he had to kick out students to be  
 11 more straight-out about it.  
 12 Q. And how do you know that the request he  
 13 made for an additional class was denied?  
 14 A. He told the whole class that they didn't --  
 15 I don't know if he said that administration didn't  
 16 want to or couldn't, but they didn't.  
 17 Q. Okay. And did you ever complain to anyone  
 18 else other than your teacher in your algebra class  
 19 about the number of students in any of your classes?  
 20 A. To students, mostly.  
 21 Q. Okay. But did you ever complain to anyone  
 22 in the administration of the school regarding the  
 23 number of students in any of your classes?  
 24 A. No.  
 25 Q. Why is it that you didn't complain to

1 anyone in administration regarding this issue?  
 2 A. Because I felt that they were going to  
 3 listen to the teacher, and I wanted to make a  
 4 petition, but I wanted to see his outcome first.  
 5 Q. This was in 11th grade that you are  
 6 referring to; correct?  
 7 A. No. It's the twelfth grade.  
 8 Q. Twelfth grade?  
 9 A. Yes.  
 10 Q. Thank you for the clarification.  
 11 So did you ever think about complaining to  
 12 anyone prior to the twelfth grade? You said that you  
 13 were going to write a petition in twelfth grade. Did  
 14 you ever consider doing anything like that prior to  
 15 twelfth grade?  
 16 A. For what class?  
 17 Q. Regarding the number of students in any of  
 18 your classes at Locke High School?  
 19 A. No.  
 20 Q. And why is that that you never considered  
 21 doing that prior to twelfth grade?  
 22 A. I didn't think that it was my  
 23 responsibility to do that. It's my problem, but it  
 24 wasn't my responsibility to ensure that, you know,  
 25 there is -- that the classroom is -- that the number

1 of students is reasonable.  
 2 Q. Did you ever have any classes at Locke High  
 3 School where you believed that there were not enough  
 4 desks in the classrooms for the students?  
 5 A. In that same class, that Algebra Two class.  
 6 Q. Okay. And that was just during the  
 7 period -- initial first few weeks of school; is that  
 8 correct?  
 9 A. Yes.  
 10 Q. Do you know if after the initial first few  
 11 weeks of school passed, there were sufficient desks  
 12 for the students enrolled in that class?  
 13 A. No, I don't know.  
 14 Q. Because you were no longer in that class;  
 15 is that correct?  
 16 A. Yes.  
 17 Q. Do you know of any other classes at Locke  
 18 High School where there were insufficient desks for  
 19 the students in the class?  
 20 MS. TEITELBAUM: Objection; calls for  
 21 speculation.  
 22 THE WITNESS: I heard of other classes, but  
 23 I don't know, but I have never been in one myself.  
 24 BY MS. STRONG:  
 25 Q. So you never had another class that you

1 attended where that was a problem; correct?  
 2 A. Yes.  
 3 Q. And to the extent that you have any  
 4 knowledge of a situation like that, it would have  
 5 been based solely on what other people told you; is  
 6 that correct?  
 7 A. Yes.  
 8 Q. And this is kind of a companion question.  
 9 Are you aware of any classes at Locke where there are  
 10 insufficient chairs for the students in the class?  
 11 A. Not specifically; but like I said, I have  
 12 heard from other students that there isn't, you know,  
 13 chairs and desks.  
 14 Q. Okay. And so from your experience, have  
 15 you ever been in a class where there is insufficient  
 16 chairs for the students at Locke?  
 17 A. I'd have to say my first semester of AP  
 18 Chemistry, there wasn't enough.  
 19 Q. And what grade were you in when you took AP  
 20 Chemistry?  
 21 A. Eleventh.  
 22 Q. And who was your teacher?  
 23 A. Mr. Porter.  
 24 Q. Okay. And why is it that you believe there  
 25 were insufficient chairs in the AP Chemistry when you

1 first began that class?  
 2 A. Well, we had a lot of students enrolled in  
 3 that class, and they kept on coming into our class.  
 4 And it was a bungalow and, you know, there wasn't  
 5 that much room in that class, so there wasn't enough  
 6 furniture in the classroom.  
 7 MS. STRONG: Let's take a short break.  
 8 (Recess taken.)  
 9 BY MS. STRONG:  
 10 Q. So in the AP Chemistry class, was there  
 11 ever a time that there wasn't a chair for you to sit  
 12 in in that class?  
 13 A. No.  
 14 Q. So you always had a chair to sit in in that  
 15 class; is that correct?  
 16 A. Yes.  
 17 Q. Okay. And at some point did it change  
 18 where there were sufficient chairs for the students  
 19 in that class at some point?  
 20 A. It did during the second semester. We  
 21 moved into a regular classroom.  
 22 Q. Okay. And so during the first semester,  
 23 are you testifying that the entire first semester  
 24 there were not enough chairs for the students in the  
 25 class?



1 A. Not the entire first semester, but  
 2 throughout most of the first semester, there wasn't  
 3 enough chairs for everyone. But the situation did  
 4 get better, way better, when we moved into a  
 5 classroom.  
 6 Q. So at what point, though -- I am focusing  
 7 on the first semester.  
 8 At what point were there sufficient chairs  
 9 for each of the students in the class?  
 10 MS. TEITELBAUM: Objection. That lacks  
 11 foundation.  
 12 You can go on.  
 13 THE WITNESS: Well, the reason why there  
 14 was enough chairs from time-to-time during that first  
 15 semester was because students ditched the class.  
 16 Knowing that they weren't going to have chairs for  
 17 them, they ditched the class.  
 18 BY MS. STRONG:  
 19 Q. Do you know any students who ditched the  
 20 class?  
 21 A. I don't know the names right off the top of  
 22 my head.  
 23 Q. Do you know any of the students, though --  
 24 did you know them personally?  
 25 A. Yes.

1 Q. Did you ever talk with them and have  
 2 conversations with them?  
 3 A. No.  
 4 Q. You never had friendly conversations with  
 5 them of any kind?  
 6 A. Yeah. Friendly conversations, but not  
 7 about the whole school conditions.  
 8 Q. Okay. And did you ever talk to them about  
 9 having a chair to sit in in the class or not?  
 10 A. No. Like I said, nothing about the  
 11 conditions. We talked about, you know, teen stuff.  
 12 Q. So why is it that you believe that they  
 13 wouldn't come to class because they didn't have a  
 14 chair to sit in?  
 15 A. Well, they just wouldn't come to class, and  
 16 there wouldn't be enough chairs; so best guess is  
 17 that they didn't want to come to class because of  
 18 that, but the point is that students got to sit when  
 19 they didn't come to class.  
 20 Q. So you don't know one way or the other  
 21 whether they didn't come to class related to the  
 22 chairs in the class; is that correct?  
 23 A. No, I don't.  
 24 Q. Is that correct, though?  
 25 A. Yes.

1 Q. And do you know how many students were in  
 2 your AP Chemistry class that year?  
 3 A. No.  
 4 Q. Give me your best estimate as to how many  
 5 students were in your class that year.  
 6 A. I really don't know how many students were  
 7 in the class.  
 8 Q. Was it less than 30?  
 9 A. I am not sure. I am not sure as to what  
 10 number of students were in the class, but I know that  
 11 it was a big class.  
 12 Q. But not as big as your AP Spanish class?  
 13 A. Can you repeat that.  
 14 Q. I understand that you don't remember  
 15 exactly how many students were in the class. And I  
 16 just wanted to get your sense of how many students  
 17 were in the class, so I was trying to give as an  
 18 example your AP Spanish class that you felt was a  
 19 large class as a means of comparison.  
 20 So you believe -- you didn't mention AP  
 21 Chemistry as one of your largest classes in the  
 22 school, so I am wondering if it seemed accurate to  
 23 you that there were fewer students in the AP  
 24 Chemistry class than your AP Spanish class; is that  
 25 correct?

1 A. Yeah. I think there was probably more in  
 2 my AP Chemistry class. It's just coming to my head  
 3 now, but I couldn't remember back then off the top of  
 4 my head.  
 5 Q. So now you think there were more students  
 6 in your AP Chemistry class than your AP Spanish  
 7 class?  
 8 A. Uh-huh.  
 9 Q. And why is that that you believe that?  
 10 A. Why do I believe that there was more  
 11 students?  
 12 Q. Yes.  
 13 A. Well, I know that we exceeded the number of  
 14 students that we were supposed to have in the class.  
 15 Teacher gets a roster saying how many students were  
 16 in the class, and I know that we exceeded that. He  
 17 got a certain number -- in the first semester he got  
 18 a roster of the certain number of students in the  
 19 class, and I know that we exceeded that by more than  
 20 10. More students kept coming in, so he had to write  
 21 them in as opposed to the students that were on the  
 22 roster that were typed in.  
 23 Q. How do you know that?  
 24 A. Well, he kept writing in students and kept  
 25 shutting students down and said that he didn't have

1 enough room.  
 2 Q. How do you know that?  
 3 A. Because he said it out loud in the class  
 4 that he didn't have enough room.  
 5 Q. So when you say now that you believe your  
 6 AP Chemistry class was larger than your AP Spanish  
 7 class, are you referring to when your AP Spanish  
 8 class had 35 students in it for the entire year or  
 9 during the first part of the school year when there  
 10 were more than that?  
 11 A. Yes.  
 12 Q. Yes to what?  
 13 A. That my AP Chemistry class was larger;  
 14 right?  
 15 Q. Your AP Chemistry class was larger. And  
 16 are you saying that based on the time -- let me  
 17 rephrase this.  
 18 Do you believe there were more than 35  
 19 students in your AP Chemistry class?  
 20 A. Yes.  
 21 Q. And you don't know how many more than 35  
 22 were in that class; it could have been 35 at this  
 23 point?  
 24 A. What do you mean? Say that again.  
 25 Q. I just want to make sure that we have an

1 roster.  
 2 Q. And how do you know that?  
 3 A. Because they usually don't want us to have  
 4 more than 35 students. That's their goal for that  
 5 number to decrease instead of increase.  
 6 Q. Okay. And how do you know that you were  
 7 supposed to have 35 in your AP Chemistry class? Is  
 8 it based solely on that or something else?  
 9 A. It's based on the fact that I work with the  
 10 counselor, and their goal is to have less students in  
 11 the class, not more, so that the teacher can teach at  
 12 a comfortable rate.  
 13 Q. So it's your understanding that all classes  
 14 are supposed to have --  
 15 A. Not all classes. It's their goal, but not  
 16 all classes. You know. You know, stay within that  
 17 number.  
 18 Q. Okay.  
 19 A. It would be ideal to have that, but it  
 20 doesn't always happen. That's what I am saying.  
 21 Q. So it would be ideal to have 35 students or  
 22 less; is that correct?  
 23 A. Uh-huh. Uh-huh.  
 24 Q. When you testified earlier that you  
 25 believed that there were more students in the AP

1 understanding. You believe that there were more than  
 2 35 students in your AP Chemistry class; is that  
 3 correct?  
 4 A. Yes.  
 5 Q. Okay. But you don't remember exactly how  
 6 many students were in the class; is that correct?  
 7 A. Yes.  
 8 Q. So it could have been 35 for the best -- as  
 9 best you can recall right here; is that correct?  
 10 MS. TEITELBAUM: Objection. She's  
 11 testified that she doesn't know how many people were  
 12 in that class.  
 13 BY MS. STRONG:  
 14 Q. You can answer.  
 15 A. I think there was more than 35. I know  
 16 that that there was more than 35 students in my  
 17 class.  
 18 Q. Okay. But you don't remember how many more  
 19 than 35, if any more than 35; is that correct?  
 20 A. Yes.  
 21 Q. And when you say there was more in the  
 22 class than we were supposed to have, more than the  
 23 number that we were supposed to have, do you know  
 24 what number you were supposed to have in that class?  
 25 A. Yes. We had about 35 students typed in the

1 Chemistry class than you were supposed to have, you  
 2 are basing that on the assumption that 35 or fewer  
 3 students is what you are supposed to have in a  
 4 classroom based upon what your counselor told you; is  
 5 that correct?  
 6 A. Yes.  
 7 Q. And is it based on anything else other than  
 8 what your counselor told you?  
 9 A. No.  
 10 Q. Now you told me all of the classes that you  
 11 know of -- let me rephrase.  
 12 Have you now told me all of the classes  
 13 that you attended at Locke where there were either  
 14 insufficient desks or insufficient chairs for any  
 15 period of time at Locke?  
 16 A. I have told you the ones that I recall, you  
 17 know. The AP Chemistry just came to mind.  
 18 Q. Okay. And that's all you can recall right  
 19 now; is that correct?  
 20 A. Yeah, that's all I can recall.  
 21 Q. Okay. Did you ever complain to anyone at  
 22 your school, any teacher, any administrator,  
 23 regarding the number of desks or chairs in the  
 24 classroom?  
 25 A. No.

1 Q. Why is that?

2 A. I'd have to say the same thing that I said  
3 in the beginning. You know, it wasn't my  
4 responsibility to do that. The administrators were  
5 aware of the number of students that we had. My  
6 teachers complained.

7 Q. Okay. How do you know that the  
8 administrators were aware of the number of students  
9 that you had in the classroom?

10 A. The teachers told the administrators and  
11 counselors, too -- I am sorry, I didn't mention  
12 that -- that we had a certain number of students and  
13 that what we had -- what we didn't have in the class.

14 Q. Are you referring to any particular class  
15 right now in your answer here?

16 A. Yes.

17 Q. What class are you testifying to?

18 A. My AP Chemistry class.

19 Q. Okay. So you think with respect to your AP  
20 Chemistry class, administrators and counselors were  
21 aware of the number of students in the class, and you  
22 said that was based on teachers telling them about  
23 that; is that correct?

24 A. Yeah. My teacher told the counselor first  
25 that we -- that we had more than -- that we didn't

1 Q. Okay. And what counselor are you referring  
2 to?

3 A. Mr. Mandell.

4 Q. How do you know that?

5 A. A teacher told us that he talked to  
6 Mr. Mandell.

7 Q. About the number of chairs in the  
8 classroom?

9 A. Yeah, the number of chairs.

10 Q. Okay. So --

11 A. And books.

12 Q. Do you base that solely on what your  
13 teacher told you?

14 A. Yes.

15 Q. And your school is a multi-track school?

16 A. No.

17 Q. Okay. We talked about this briefly on the  
18 first day of your deposition in a different context,  
19 but what is it that you believe makes a good teacher?

20 MS. TEITELBAUM: Objection. That calls for  
21 expert testimony.

22 THE WITNESS: Experience, supplies and  
23 confidence. That's all I can think about right now.

24 BY MS. STRONG:

25 Q. Okay. What do you mean by experience?

1 have books and that we needed a zero period class to  
2 function well because our time wasn't enough.

3 Q. This is AP Chemistry?

4 A. This is AP Chemistry.

5 Q. Right now I am focusing on chairs and desks  
6 in the classrooms.

7 A. Yeah. That had to be with -- some  
8 students -- he wanted -- since there wasn't enough  
9 room in the class in the beginning of the year, he  
10 wanted to have a zero period so that he can  
11 accommodate those students that weren't able to get  
12 there, weren't able to get a chair.

13 So like if you were the type -- if you were  
14 an early bird, you would come to the zero class and  
15 get -- you know, learn; and then if you would wake up  
16 late, you would come to the 8:00 o'clock class.

17 That's what he wanted to do, and he let the  
18 counselor know about that, and he asked them if he  
19 could have a zero period.

20 Q. Do you know if at any time your teacher  
21 complained about the number of chairs in that  
22 classroom to the administration in your school or the  
23 counselor in your school?

24 A. I know that he complained to the counselor,  
25 but I don't know any further.

1 A. I think that a teacher has to have a  
2 good -- a good teacher, not all the time, but has to  
3 have a good amount of years in the teaching business  
4 so that he or she can, you know, use different  
5 techniques for -- you know, to fit the students'  
6 needs.

7 Q. You said not all the time. What do you  
8 mean by that?

9 A. Experience doesn't always make the teacher  
10 good, but, you know, it helps.

11 Q. And is it true based on your experience  
12 that some teachers without years of experience in the  
13 teaching field are still good teachers?

14 A. Yes.

15 Q. And is it also true based on your  
16 experience at Locke that teachers with years of  
17 experience aren't necessarily good teachers?

18 A. Yes.

19 Q. With respect to supplies, what did you mean  
20 by that?

21 A. If the teacher doesn't have a book to work  
22 with or, you know, if they are a science teacher and  
23 they don't have labs, then they won't be able to  
24 teach what they want to teach.

25 Q. So that impacts whether or not they are a

1 good teacher?

2 A. Not so much -- well, yeah, I guess you  
3 could say that, because if they don't have the  
4 supplies to teach, like physical supplies, you know,  
5 then they can't transmit the message to the students.  
6 Some students are visual learners, and some students,  
7 they hear, and some need to see; so if you don't have  
8 a book and you have a student that needs to see  
9 things, then, you know, you can't be a good teacher.

10 Q. Now with respect to books, in the context  
11 of defining a good teacher, do you think that a good  
12 teacher -- I am sorry. Let me rephrase.

13 Do you think that a teacher can be good if  
14 he or she has materials other than books to work  
15 with?

16 A. Yes. Materials like what?

17 Q. For example, handouts or worksheets, things  
18 of that nature?

19 A. Yeah, especially if they have experience.  
20 That helps a lot, because they can explain.

21 Q. So again, for someone to be a good teacher,  
22 they don't necessarily have to have books to teach if  
23 they have something else that would suffice such as  
24 worksheets or handouts; is that your testimony?

25 A. Well, can you clear that up again?

1 Q. Yeah. Sure. In terms of being a good  
2 teacher, do you think someone can be a good teacher  
3 even if they don't necessarily work out of a  
4 textbook, but they provide their students other  
5 materials to work from such as handouts and  
6 worksheets?

7 MS. TEITELBAUM: Objection; vague and  
8 ambiguous as to good.

9 BY MS. STRONG:

10 Q. Go ahead.

11 A. They could be good teachers, but like I  
12 said, you know, it doesn't -- like a worksheet is not  
13 going to explain everything that a book would  
14 explain.

15 Q. You have testified earlier about some of  
16 your teachers who used worksheets and handouts, and  
17 explained to me that you felt that was quite  
18 effective; is that correct?

19 A. Uh-huh.

20 Q. Who was that that you were testifying  
21 about?

22 A. It was only Math, because that was just  
23 problems, the worksheets that we got were just  
24 problems. They were more like questions.

25 Q. And didn't you have a class where you

1 learned how to write a screenplay?

2 A. Uh-huh. Yes. Sorry.

3 Q. Thank you. And what class was that?

4 A. Creative Writing.

5 Q. And in that class the teacher also used  
6 handouts and worksheets; is that right?

7 A. Yes.

8 Q. And the teacher didn't rely upon a textbook  
9 in order to teach you how to write a screenplay in  
10 any of the assignments?

11 A. No.

12 Q. Is that correct?

13 A. Yes, I mean. I am sorry.

14 Q. Is that correct?

15 A. Yes.

16 Q. Okay. And so I just want to make sure that  
17 your testimony is clear here. When you are defining  
18 what you believe to be a good teacher, and when you  
19 were referring to the notion that a teacher needs to  
20 have materials or supplies to work with, do you  
21 believe that you can have a good teacher where that  
22 teacher has access to supplies such as handouts and  
23 worksheets and not necessarily a textbook? Does that  
24 accurately reflect your testimony?

25 A. Well, let me clear this up.

1 Q. Okay.

2 A. Those two teachers that work on worksheets  
3 have experience. So I kind of see it at the same  
4 time that you can't do one without the other. Those  
5 two teachers had experience. The Math teacher had  
6 been teaching for about 20 years, and the Creative  
7 Writing teacher majored in creative writing, so  
8 that's why she had the experience, and that's why she  
9 was so effective with the worksheets.

10 Q. So in those circumstances, it was effective  
11 and the teacher was a good teacher with the materials  
12 that they used, being handouts and worksheets, not  
13 textbooks; is that correct?

14 A. Yes.

15 Q. And with respect to confidence, what do you  
16 mean by that?

17 A. Well, the teacher has to, you know, be  
18 positive and have confidence that what they are going  
19 to teach and what they have to teach is, you know,  
20 good. And they also have to have confidence to, you  
21 know, stand up to, like, administrators.

22 That's -- well, that's what defined a good  
23 teacher to me at Locke High School is having  
24 confidence and standing up to administrators and do  
25 anything in their power to get supplies and stuff

1 like that.

2 Q. And you believe that you had some teachers  
3 at Locke High School with those qualities; is that  
4 correct?

5 A. Yes.

6 Q. Would you say that most of your teachers  
7 had these qualities at Locke?

8 A. I'd have to say half and half.

9 Q. Okay. And of those teachers that had these  
10 qualities, do you know if any of them had full  
11 teaching credentials?

12 A. Out of all of those teachers?

13 Q. The ones that you felt had these qualities  
14 that you have identified as important to be a good  
15 teacher.

16 A. Like I said, half and half did. Half did  
17 have credentials. Half of my teachers were Teach for  
18 America, and a half of them had credentials.

19 Q. And so the teachers that were from Teach  
20 for America, did you believe any of those to be good  
21 teachers?

22 A. Yes.

23 Q. Can you identify for me the names of those  
24 teachers who you believe were Teach for America and  
25 who you believed to be good teachers?

1 A. My AP Chemistry teacher was.

2 Q. Who was that?

3 A. Mr. Porter.

4 Q. Anyone else?

5 A. Well, that's the only one that I can think  
6 of.

7 Q. Okay.

8 A. He was a good teacher, but had nothing to  
9 teach with.

10 Q. And Mr. Porter, who you found to be a good  
11 teacher, he had an emergency credential; is that  
12 correct?

13 A. I don't know what credential he had. I  
14 don't know the names.

15 Q. Okay. Do you know if any of your teachers  
16 had an emergency credential?

17 A. Not that I can think of.

18 Q. Okay. You don't know one way or the other?

19 A. No, I don't know.

20 Q. Okay. So do you think it's important that  
21 your teachers have full, non-emergency teaching  
22 credentials?

23 MS. TEITELBAUM: Objection, as to the word  
24 "important."

25 THE WITNESS: Yeah, I do think that it is

1 important.

2 BY MS. STRONG:

3 Q. And why is it that you think that's  
4 important?

5 A. Because like I have mentioned before, it  
6 makes a student feel more safe, you know. Like you  
7 think that your teachers or teacher knows what they  
8 are doing if they have the credential. It's not  
9 always the case, but, you know, there is some  
10 security with the teacher having a credential, and  
11 it's important to me.

12 Q. Any other reasons?

13 A. No. That's pretty much it.

14 Q. Okay. And you just testified that you  
15 don't know one way or the other whether any of your  
16 teachers have full credentials or not?

17 A. You said emergency credentials. I don't  
18 know of any teachers who do.

19 Q. You don't know of any teacher who has an  
20 emergency teaching credential that has taught you at  
21 Locke; is that correct?

22 A. No. No. Wait. Can you repeat that again.

23 Q. It's okay. I appreciate you asking me to  
24 restate the question.

25 A. Uh-huh.

1 Q. I want to make sure that you understand it.

2 You testified earlier that you don't know  
3 of any of your teachers at Locke as having an  
4 emergency credential; is that correct?

5 A. Uh-huh. Yes.

6 Q. Okay. So do you know if any of your  
7 teachers at Locke have full, non-emergency teaching  
8 credentials?

9 A. I know that half of my teachers don't have  
10 credentials and another half of them do. That's all  
11 I know. You are kind of confusing me when you talk  
12 about non-credentials and emergency credentials.

13 Q. Okay.

14 MS. TEITELBAUM: Maybe you want to lay a  
15 foundation as to whether she knows what an emergency  
16 credential is.

17 MS. STRONG: I will ask the questions.

18 That's okay.

19 Q. How do you know that half of your teachers  
20 have a credential and a half don't?

21 A. They're from Teach for America. Half of my  
22 teachers are Teach for America.

23 Q. And so what does that have to do with half  
24 of them have credentials and a half of them don't?

25 A. Most of the teachers from Teach for America

1 don't have credentials because that's not what they  
2 really went to college for. I know most of my  
3 teachers are honest enough to tell me that they don't  
4 have credentials and that they are Teach for America  
5 credentials.

6 Q. When you say that the Teach for America  
7 teachers don't have credentials, what do you base  
8 that on?

9 A. On what they tell me.

10 Q. Okay. Do you know whether a teacher who  
11 teaches in your school has to have some sort of  
12 credential before he or she can teach a class?

13 A. No.

14 Q. Okay. So now with respect to the half of  
15 the teachers that you believe do have credentials,  
16 what do you base that on?

17 A. On what they say, too. On what they say.

18 Q. On what who says?

19 A. The teachers. Most of our teachers -- all  
20 of my teachers have told me whether they are  
21 credentialed or not.

22 They don't come out and say, "Well, I do  
23 have credentials," but they tell us at one point or  
24 another.

25 They brag if they do. They tell us I went

1 credentialed. When they brag they tell us whether  
2 they are credentialed or not because of their  
3 background.

4 Q. Okay. So now what is it that is a  
5 credential? Is it the educational background? Is  
6 that what makes a credentialed teacher?

7 A. No. When they go to school for teaching,  
8 and they take that exam that they have to take to be  
9 credentialed.

10 Q. Okay. So can you think of one teacher that  
11 has told you that he or she is a credentialed  
12 teacher?

13 A. [REDACTED]

14 Q. Any other teachers that you can think of  
15 that have told you that they are credentialed  
16 teachers?

17 A. No, not that I can think of. That's all I  
18 can come up with right now.

19 Q. Okay. Who is [REDACTED]

20 A. [REDACTED] is my AP Government teacher,  
21 and she was also my AP History teacher.

22 Q. And when is it that you remember  
23 [REDACTED] telling you that she was credentialed?

24 A. Well, she brags to us all the time about  
25 her background, and she has been teaching for quite a

1 to this school and this and that. They don't come  
2 out straight and say, "I have credentials," for our  
3 knowledge, but they do at some point tell us that  
4 they are qualified.

5 Q. Okay. So when you say half of your  
6 teachers have credentials, that means to you that  
7 they are qualified; is that correct? In some way or  
8 another?

9 MS. TEITELBAUM: I am going to object as  
10 vague and ambiguous as to the word "qualified."

11 BY MS. STRONG:

12 Q. Go ahead.

13 A. Can you repeat that again? I didn't hear  
14 that.

15 Q. You said -- you testified just a minute ago  
16 that you understand that half of your teachers have  
17 credentials because they will brag about their  
18 credentials, whether that be their educational  
19 background or what have you.

20 So my question to you now is: You believe  
21 a teacher is credentialed if they have qualifications  
22 such as a certain educational background; is that  
23 correct?

24 A. No. I believe that a teacher is  
25 credentialed when they tell us that they are

1 long time. And I think she first told us this in my  
2 junior year, eleventh grade, last year.

3 Q. Did she ever use the term "credentialed"?  
4 Has she ever said to you I am a credentialed teacher  
5 or fully credentialed teacher or anything of that  
6 nature?

7 A. No. Not in those exact words.

8 Q. Has she ever used the term "credentialed"  
9 with you?

10 A. Not that I recall.

11 Q. So when you say that you recall [REDACTED]  
12 telling you that she is a credentialed teacher, you  
13 are referring to her description of her educational  
14 background and her teaching experience; is that  
15 correct?

16 A. Yes.

17 Q. She has never told you that she actually  
18 has any particular credential; is that correct?

19 A. No -- well, wait. She did tell us one time  
20 that she is -- I don't know if she said credentialed  
21 or qualified to teach at a college level and that  
22 she's taught in colleges before, but I am not going  
23 to tell you that that's exactly what she told me  
24 because I don't remember. That was a year ago.

25 Q. Okay. That's fair. Okay.

1 So is it fair to say that you don't ever  
 2 recall her telling you that she was credentialed to  
 3 teach your class?  
 4 A. Not in those words.  
 5 Q. Okay. Or credentialed to teach high school  
 6 students?  
 7 A. No, I don't recall.  
 8 Q. Okay. So when you said that you believed  
 9 half of your teachers are credentialed?  
 10 A. Uh-huh.  
 11 Q. That -- you said that that makes you feel  
 12 good about those teachers?  
 13 A. Yes.  
 14 Q. Okay. But do you know which teachers are  
 15 credentialed or not?  
 16 A. I have an idea, but I don't want to  
 17 compromise them or I don't want to compromise what I  
 18 say by telling you specifically which teachers do or  
 19 don't.  
 20 Q. And why is that? Is that because you don't  
 21 know one way or the other?  
 22 A. I have an idea, but I don't want to -- like  
 23 I said, I don't want to compromise what I am saying.  
 24 Q. Okay. Why do you think you would  
 25 compromise what you are saying?

1 A. Well, I don't want to say something and  
 2 then take it lack.  
 3 Q. Okay. Because you said that you have an  
 4 idea, but you don't know one way or the other; is  
 5 that correct?  
 6 A. I have an idea and I know, but I just don't  
 7 want to say it like that.  
 8 Q. Okay. What do you mean, you have an idea?  
 9 A. They have said it in different ways.  
 10 They don't say, "I am a credentialed  
 11 teacher," but they said it in ways where you can  
 12 understand that.  
 13 Q. Okay.  
 14 A. And I hold close relationships with those  
 15 teachers.  
 16 Q. Okay. Can you tell me, for example, one of  
 17 the teachers who has said it in a different way?  
 18 A. Well, I can just tell you that you know  
 19 when a teacher is credentialed because if they are  
 20 Teach for America teachers; and if they are Teach for  
 21 America teachers, you assume that they are not.  
 22 Q. I just want to make sure I understand.  
 23 So is it your understanding that every  
 24 teacher that is not from Teach for America is a  
 25 credentialed teacher?

1 A. That's my assumption.  
 2 Q. And so based on that assumption, you feel  
 3 good about those teachers that are not from Teach for  
 4 America because they have credentials; is that  
 5 correct?  
 6 A. Yes.  
 7 Q. Your counselor is Mr. Mandell; is that  
 8 correct?  
 9 A. Yes.  
 10 Q. Do you believe that there are sufficient  
 11 counselors at Locke High School for the students in  
 12 attendance there?  
 13 MS. TEITELBAUM: Objection as to the word  
 14 "sufficient," vague and ambiguous.  
 15 THE WITNESS: No.  
 16 BY MS. STRONG:  
 17 Q. What do you base that on?  
 18 A. I just don't think that, when I think of  
 19 how many counselors there are in my school and how  
 20 many students they have. There is about eight  
 21 counselors that I can think of at my school for 2,500  
 22 students, if not more. And all of them have  
 23 different needs, and I don't think eight counselors  
 24 is sufficient for 2,500 students.  
 25 Q. Aside from the numbers, is there any other

1 reason why you don't believe that there are a  
 2 sufficient number of counselors for the students at  
 3 your school?  
 4 A. Yes.  
 5 Q. Why is that?  
 6 A. Mr. Mandell has a lot of responsibilities.  
 7 He is in charge of a lot of programs and he does so  
 8 many things for my school. And at the same time he  
 9 has a lot of students to take care of, and so when  
 10 he's gone, there is no one else to take care of his  
 11 business.  
 12 Q. What do you mean -- any other reasons?  
 13 A. I'd have to say that's the main reason. I  
 14 don't know much about the other counselors.  
 15 Q. Why is it that you don't know much about  
 16 the other counselors?  
 17 A. Well, I worried more about what is going on  
 18 with me, you know, than what is going on with other  
 19 counselors, but it does concern me.  
 20 Q. Have you ever talked with any of the other  
 21 counselors other than your own?  
 22 A. Not about counseling stuff. Not about  
 23 their jobs. I talked to them about other things.  
 24 Q. But you never discussed their  
 25 responsibility as counselor with any other

1 counselor -- let me rephrase.  
 2 You have never discussed the counselor's  
 3 responsibilities with any of them; is that correct?  
 4 A. That's correct.  
 5 Q. Now when you said -- let me -- one  
 6 follow-up to that.  
 7 So is it fair to say that you don't know  
 8 the schedules of those other counselors? Is that  
 9 correct?  
 10 A. Yes.  
 11 Q. Okay. And whether they are able to handle  
 12 all the students's needs or not, you don't know one  
 13 way or the other; is that correct? At least as to  
 14 the students that they are assigned?  
 15 MS. TEITELBAUM: Objection; calls for  
 16 speculation.  
 17 THE WITNESS: Yes.  
 18 BY MS. STRONG:  
 19 Q. Is that correct?  
 20 A. Yes.  
 21 Q. You said a lot of -- there is no one there  
 22 when Mr. Mandell is gone. What do you mean by that?  
 23 A. He doesn't have an assistant or there is  
 24 things that he knows that no one else knows about the  
 25 programs that he's in charge of; so when he is gone,

1 it's like -- when he's gone, he's gone. There is no  
 2 one else to fulfill his duties.  
 3 Q. What do you base that on?  
 4 A. I work for him. And I know that when he is  
 5 gone, it gets all chaotic.  
 6 Q. Do you know if it possible to have a  
 7 substitute for him from the administration at Locke?  
 8 A. No, I don't.  
 9 Q. Okay. When you say when he's gone, when  
 10 has Mr. Mandell been gone?  
 11 A. When he has like doctors' appointments.  
 12 Where he has to go to conferences that have to do  
 13 with colleges.  
 14 Q. Okay.  
 15 MS. TEITELBAUM: Could we take a break for  
 16 a second. It's really hot in here and I need to get  
 17 some water.  
 18 MS. STRONG: Okay. Sure.  
 19 (Recess taken.)  
 20 MS. STRONG: Would you read the last  
 21 question and answer.  
 22 (The record was read.)  
 23 BY MS. STRONG:  
 24 Q. Okay. If you could give your best estimate  
 25 as to how many days Mr. Mandell has been out for

1 those reasons during your senior year, what would  
 2 that be?  
 3 MS. TEITELBAUM: Objection; calls for  
 4 speculation.  
 5 THE WITNESS: I can't give you like a  
 6 number. But I can give you a scenario, something  
 7 that happened, an example of something that happened  
 8 to me. I don't know exactly how many times he's been  
 9 absent my senior year.  
 10 BY MS. STRONG:  
 11 Q. And I don't want an exact number. I just  
 12 want your best estimate as to how many days or how  
 13 often you believe he's gone based on the reasons that  
 14 you have given.  
 15 A. Once a week every other week.  
 16 Q. Okay. And would that have been true for  
 17 your ninth, tenth and eleventh grade years as well,  
 18 or would the circumstances have been different during  
 19 those years?  
 20 A. I think about the same number, yeah.  
 21 Q. Okay. Now an incident -- you wanted to  
 22 tell me some incident about Mr. Mandell?  
 23 A. Yeah. My ninth grade, I was placed in the  
 24 wrong English class, and I tried to change it but he  
 25 was out [REDACTED]

1 so he was out because of that reason. And so since  
 2 he was unable to change my schedule, I had to stay  
 3 there for a whole semester with twelfth -- with  
 4 eleventh and twelfth grade students for a whole  
 5 semester. And I did try to get out of that class,  
 6 but the other counselor said they couldn't do that  
 7 nor they had the time for me since I wasn't -- I  
 8 wasn't their student.  
 9 Q. Okay. When was it that Mr. Mandell went  
 10 out [REDACTED] during your ninth grade  
 11 year?  
 12 A. It was the first week of school. And he  
 13 stayed out for the rest of the semester.  
 14 Q. Was he on campus at all during the first  
 15 week of school?  
 16 A. No.  
 17 Q. So he wasn't even there day one?  
 18 A. Huh-uh.  
 19 Q. And did Locke have anyone fill his place  
 20 during the first semester of your ninth grade year?  
 21 A. No.  
 22 Q. How do you know that?  
 23 A. There wasn't anyone who could do his work.  
 24 I tried many times to talk to him -- not talk to him,  
 25 but tried to talk to maybe his assistant, but he



1 didn't have one, because I was fairly new to that  
2 school and I was trying to look for someone who had  
3 his responsibilities, for his assistant, and he  
4 didn't have one.

5 Q. Could you tell me who you talked to when  
6 trying to locate somebody who was filling in for  
7 Mr. Mandell during your ninth grade year?

8 A. I talked to my English teacher who then  
9 tried to talk to some other counselors. I don't know  
10 who she talked to, who she tried to talk to. And  
11 then I spoke to Miss Davenport.

12 Q. Anyone else?

13 A. No. That was it.

14 Q. Who is Miss Davenport?

15 A. Miss Davenport is another counselor.

16 Q. When did you talk with Miss Davenport?

17 A. In the beginning of the year. I'd say  
18 about the first three weeks.

19 Q. Where did you talk to Miss Davenport?

20 A. In the hallway. And -- yeah, in the  
21 hallway.

22 Q. How did you know that she was a counselor?

23 A. They referred me to her.

24 Q. Who referred you to her?

25 A. Some student that had been at Locke for

1 Q. Okay. When was that?

2 A. It was my ninth grade year, going on -- not  
3 so much -- well, it was going on to the second  
4 semester. It was in the middle of the first semester  
5 when our Leadership advisor left.

6 Q. Can you think of any other time when you  
7 have had a substitute teacher at Locke High School  
8 for more than a week period of time?

9 A. No, not that I can remember.

10 Q. Okay. And can you tell me what happened  
11 with your Leadership class in the ninth grade.

12 A. With the class or with the teacher?

13 Q. You just explained to me there was one  
14 period of time that you had a substitute for more  
15 than a week period in your Leadership class. I was  
16 asking you to describe for me what happened at that  
17 time.

18 A. We had teachers who didn't have a  
19 conference period during fourth period for quite  
20 awhile.

21 Q. When was it that your Leadership counselor  
22 left in ninth grade?

23 A. During the middle of the first semester.

24 Q. And do you know why -- who was the  
25 leader -- what was the Leadership teacher's name?

1 four years.

2 Q. Okay.

3 A. A senior.

4 Q. But you didn't go to her office to try to  
5 speak with her?

6 A. No. She wasn't in her office. That's why  
7 I found her in the hallway.

8 Q. And did you ask her if there was anyone  
9 that was filling in for Mr. Mandell?

10 A. Yes.

11 Q. And what did she say?

12 A. She said there was no one who could change  
13 my schedule for me.

14 Q. Did you ever try and talk to the principal  
15 or an assistant principal regarding this issue?

16 A. No.

17 Q. Why is that?

18 A. I don't know. I didn't know anyone at  
19 school, so I didn't even know who the principal was.

20 Q. Okay.

21 A. And, like, it wasn't my mistake.

22 Q. Have you ever had a substitute teacher at  
23 Locke High School for more than a week period of  
24 time?

25 A. Yes.

1 A. Dr. Barrens.

2 Q. Do you know why Dr. Barrens left?

3 A. She got promoted.

4 Q. To?

5 A. An assistant principal at Fairfax High  
6 School.

7 Q. How do you know that?

8 A. She told us.

9 Q. And so she left in the middle of the  
10 semester to fulfill that new position; is that  
11 correct?

12 A. Yes.

13 Q. And who came into the class at that period  
14 of time?

15 A. Numerous substitutes.

16 Q. Okay. How many substitutes did you have in  
17 that class?

18 A. I'd say about three.

19 Q. Over what period of time?

20 A. I don't recall.

21 Q. Did you ever get a permanent counselor or  
22 teacher back in that classroom at any point during  
23 that year?

24 A. For about a week, we did get a principal --  
25 not a principal, a counselor to take care of us. And

1 finally we got a permanent teacher.  
 2 Q. Okay. When did you get a permanent  
 3 teacher?  
 4 A. I don't know. I don't remember the period  
 5 of time when that -- when we had -- when we got -- I  
 6 don't remember the period of time, actually.  
 7 Q. So at some point -- was it at some point  
 8 early in the second semester of that year; is that  
 9 what you recall?  
 10 A. Yeah. Second semester, you said?  
 11 Q. Yes.  
 12 A. Right.  
 13 Q. Who was that teacher?  
 14 A. Mr. Pras, P-A -- not P-A. P-R-A-S,  
 15 Mr. Pras.  
 16 Q. You said you had approximately three  
 17 substitutes during the time that Dr. Barrens left and  
 18 before Mr. Pras came to the class; is that correct?  
 19 A. Yes.  
 20 Q. Do you recall the names of those  
 21 substitutes?  
 22 A. No. But I do recall the one that stayed  
 23 for that one week, and that's Miss Metz.  
 24 Q. Who was the first substitute?  
 25 A. I don't remember.

1 Q. Do you know how long the first substitute  
 2 was there?  
 3 A. No.  
 4 Q. Was it more than a week?  
 5 A. I don't know. I don't know for how long  
 6 they were there.  
 7 Q. Do you know if it's a man or a woman?  
 8 A. No.  
 9 Q. And then the second substitute was  
 10 Miss Metz?  
 11 A. No. Miss Metz was the third.  
 12 Q. Who was the second substitute?  
 13 A. I don't know.  
 14 Q. Do you know if it was a man or a woman?  
 15 A. No. I don't remember.  
 16 Q. And then the third substitute was  
 17 Miss Metz?  
 18 A. Uh-huh.  
 19 Q. And that was the final substitute; is that  
 20 correct?  
 21 A. Yes.  
 22 Q. And you said that Miss Metz was there  
 23 approximately for one week?  
 24 A. Uh-huh. Yes.  
 25 Q. I am sorry?

1 A. No. I am just saying yes to him  
 2 (indicating).  
 3 Q. Okay. Was the class able to carry on with  
 4 its leadership activities during the period that --  
 5 when Dr. Barrens left and Mr. Pras came to the class?  
 6 A. During that gap when -- I mean, when  
 7 Dr. Barrens left, we weren't able to do anything with  
 8 those substitutes because they weren't our advisors.  
 9 They were just substitutes.  
 10 Q. What was it that you weren't able to do?  
 11 Can you identify something that you weren't able to  
 12 do because they were there?  
 13 A. School dances, forums, student forums.  
 14 What else? Anything that had to do with the student  
 15 body that we usually used to do. We weren't able to  
 16 do like pep rallies and stuff.  
 17 Q. Anything else that you can think of that  
 18 you weren't able to do?  
 19 A. No.  
 20 Q. School dances. How often do you ordinarily  
 21 have school dances?  
 22 A. We try to have the dances like twice a  
 23 month.  
 24 Q. And has that been the practice at your  
 25 school on all other occasions except for when you had

1 these three substitutes?  
 2 A. Yes.  
 3 Q. A dance every -- twice a month?  
 4 A. Yes.  
 5 Q. And so is it correct to say that you had no  
 6 dances during that period of time?  
 7 A. Yes.  
 8 Q. And what is a school forum?  
 9 A. A student forum is when students get a  
 10 chance to talk to administrators or ask questions  
 11 about, you know, what is going on in the school and  
 12 how can they address an issue.  
 13 Q. Okay. How often do you ordinarily hold  
 14 student forums?  
 15 A. We try to have them once every semester.  
 16 Q. And have you had them once a semester on  
 17 all other occasions other than that one period of  
 18 time?  
 19 A. Not every year, but we did try to have  
 20 them. We didn't have them in like the first semester  
 21 of my ninth grade year nor in my eleventh grade year.  
 22 Q. At all?  
 23 A. At all.  
 24 Q. Okay.  
 25 A. But we did during the second semester of

1 the ninth grade when Mr. Pras took over us.  
 2 Q. Okay. Why is it that you didn't have one  
 3 at all during your eleventh grade year?  
 4 A. Because we didn't have an advisor.  
 5 Q. Okay.  
 6 A. And the class can't function with a  
 7 substitute.  
 8 Q. You didn't have an advisor at all for your  
 9 eleventh grade year?  
 10 A. No, we did, but just the officer that was  
 11 in charge of doing the student forums didn't do it.  
 12 Q. So when you said an advisor, you did have  
 13 an advisor for your eleventh grade year?  
 14 A. Yeah. I didn't say that I didn't.  
 15 I just said that we didn't have student  
 16 forums.  
 17 Q. I am sorry. I misunderstood, because I  
 18 thought I asked why you didn't have a student forum  
 19 during your eleventh grade year, and I thought you  
 20 said that you didn't have an advisor. That isn't  
 21 correct?  
 22 A. Yes.  
 23 Q. You did have an advisor, but the student  
 24 officer that you had just didn't prepare for them; is  
 25 that correct?

1 A. Yes.  
 2 Q. And with respect to pep rallies, how often  
 3 do you have pep rallies?  
 4 A. Once every other week or sometimes once a  
 5 week we would have pep rallies.  
 6 Q. Okay. And is that throughout the entire  
 7 school year?  
 8 A. Yes.  
 9 Q. And has that always been the case other  
 10 than the time period that you had three substitutes  
 11 during your ninth grade year?  
 12 A. Not -- like I said, once again, not during  
 13 the first semester when Dr. Barrens left, but we did  
 14 have after Mr. Pras took over us, and this year we  
 15 haven't been constant with that flow.  
 16 Q. So you didn't have even when Dr. Barrens  
 17 was there during your --  
 18 A. No. We did when she was there, but after  
 19 she left, we didn't.  
 20 Q. Okay. That's fine.  
 21 Do you know of any other classes at Locke  
 22 High School where the students have had a substitute  
 23 teacher for more than one week period of time?  
 24 MS. TEITELBAUM: Objection; calls for  
 25 speculation.

1 THE WITNESS: I don't know exactly what  
 2 class it was or who the teacher was that was supposed  
 3 to be there, but I know that my -- that Dr. Barrens  
 4 had that classroom for only one period -- I mean for  
 5 two periods, had Leadership for two periods. She had  
 6 Student Council for fourth and Leadership for fifth.  
 7 So her classroom was given to another teacher, and  
 8 that teacher for some reason left the school, and  
 9 that classroom didn't have a substitute for the -- as  
 10 I recall, the first semester.  
 11 BY MS. STRONG:  
 12 Q. Of ninth grade?  
 13 A. Yeah. And they had substitutes day in and  
 14 day out until the second semester when they got a  
 15 permanent substitute.  
 16 Q. Okay. You weren't in that class; is that  
 17 correct?  
 18 A. I wasn't in that class.  
 19 Q. How is it that you know about this?  
 20 A. I did work before fourth period and after  
 21 fifth period when I would bring stuff from the pep  
 22 rallies to the sixth period. I would stay over.  
 23 See, the class -- lunch is after fourth, and so then  
 24 when we come back from lunch, it's fifth period. So  
 25 after lunch, I would bring in stuff and stay

1 throughout fifth period with our Leadership class,  
 2 and then I would see the outcome of the sixth period  
 3 when they didn't have a substitute.  
 4 Q. Fifth period was Leadership class, and  
 5 sixth period was Student Council?  
 6 A. No. Fourth period was Student Council and  
 7 fifth period was Leadership. So sixth period was the  
 8 other class that didn't have anything to do with  
 9 Dr. Barrens, and that's when I saw that they had a  
 10 substitute day in and day out, and that's how I saw  
 11 when they get got a permanent substitute.  
 12 Q. But you don't know the name of that class?  
 13 A. No.  
 14 Q. Or the subject matter taught?  
 15 A. No.  
 16 Q. And how often did you observe that class?  
 17 A. I'd have to say every day.  
 18 Q. For what period of time?  
 19 A. For that whole semester.  
 20 Q. Ninth grade semester, first semester?  
 21 A. Yes. Well, not every day, but when I  
 22 didn't have Basketball. Sometimes we would -- sixth  
 23 period was my Basketball, and I didn't work -- I  
 24 didn't have to like to go practice during sixth; I  
 25 would do it after school, and that's when I would

1 observe that.  
 2 Q. Do you know what grade the class was?  
 3 A. No.  
 4 Q. And how many substitutes would you say you  
 5 saw in the class?  
 6 A. I'd say more than five during that first  
 7 semester.  
 8 Q. During that first semester?  
 9 A. During that first semester.  
 10 Q. And how is it that you knew that they were  
 11 substitute teachers?  
 12 A. Well, they weren't regular teachers that I  
 13 saw every day, and -- that's pretty much it. They  
 14 weren't regular teachers that were around campus.  
 15 Q. Do you know one way or another whether it  
 16 was a class that was intended to be taught by five  
 17 different people?  
 18 A. No.  
 19 Q. You don't know?  
 20 A. No. I don't know, but I don't think that's  
 21 the case.  
 22 Q. What do you base that on?  
 23 A. Well, they didn't really do anything --  
 24 those substitutes didn't really assign the students  
 25 to do anything.

1 Q. How do you know that?  
 2 A. When I was there, I would observe that.  
 3 The students would talk the whole period.  
 4 Q. Okay. You have already identified some of  
 5 these classes, but I have never asked you this  
 6 question in terms of identifying all the classes of  
 7 this nature.  
 8 I'd like to know if you have any classes or  
 9 if you have had any classes at Locke where the  
 10 teacher did not use a textbook to teach the class.  
 11 A. My Algebra One teacher didn't use a  
 12 textbook. That's what I can think of in my ninth  
 13 grade.  
 14 My tenth grade Integrated Science Two  
 15 teacher didn't have a book, either. And that's it.  
 16 Q. Those are the only two classes that you had  
 17 at Locke where the teacher did not use a textbook to  
 18 teach the class?  
 19 A. That I can recall, yes.  
 20 Q. And the name of the teacher again was, for  
 21 Algebra?  
 22 A. Miss Sparks.  
 23 Q. You had Miss Sparks for only one semester?  
 24 A. Yes.  
 25 Q. Which semester?

1 A. First.  
 2 Q. So did the teacher use the textbooks in the  
 3 second semester?  
 4 A. No.  
 5 Q. I thought you testified that all of your  
 6 Math classes relied on worksheets and handouts; is  
 7 that correct?  
 8 A. Yes.  
 9 Q. Did some of your other teachers also use a  
 10 textbook?  
 11 A. Math? Are we talking about Math?  
 12 Q. Yeah, just Math.  
 13 A. My Algebra teacher kind of used the book,  
 14 but not really. He really used the worksheets.  
 15 Q. Is it true that all of your Math classes,  
 16 not just Algebra One, the teachers didn't use  
 17 textbooks to teach the class? Is that correct?  
 18 A. Yes.  
 19 Q. Okay. So you had Algebra One during ninth  
 20 grade, and you had Algebra Two during tenth grade?  
 21 A. No; Geometry during tenth grade.  
 22 Q. And during eleventh grade?  
 23 A. Algebra Two.  
 24 Q. Okay. And do you have Math during your  
 25 senior year now?

1 A. I am done with -- what is it called? Math  
 2 Analysis. But like I said, I dropped that class.  
 3 Q. For second semester?  
 4 A. No. I dropped that class.  
 5 Q. When you took Leadership?  
 6 A. Yes.  
 7 Q. So in each of those Math classes that you  
 8 have just identified, the teacher didn't use a  
 9 textbook; correct?  
 10 A. Yes.  
 11 Q. All right. So is it accurate to say that  
 12 you were never assigned a textbook in any of those  
 13 classes?  
 14 A. It's accurate to say during my ninth  
 15 through tenth, but not eleventh.  
 16 Eleventh we did have a book, but we didn't  
 17 use it as much.  
 18 Q. Okay. What do you mean by that? The  
 19 eleventh grade year?  
 20 A. The eleventh grade year we only used that  
 21 book for homework, and that's pretty much it.  
 22 Q. How often did you use that book for  
 23 homework?  
 24 A. About twice a week that we used that book,  
 25 because we did have homework, but with worksheets

1 that we did for homework, but we didn't really use  
 2 the book.  
 3 Q. Okay. And do you know if any of your Math  
 4 teachers wanted to use a textbook instead of the  
 5 worksheets that they were using?  
 6 A. No, I don't.  
 7 Q. Okay. Because I believe you already  
 8 testified that it was your understanding that the  
 9 Math program at your school all jointly decided to  
 10 use worksheets instead of textbooks; is that correct?  
 11 A. Yes.  
 12 Q. And do you have any complaints about that  
 13 approach to the Math classes?  
 14 A. I do, because sometimes -- like I said,  
 15 sometimes you didn't understand the teacher or the  
 16 teacher didn't explain it well or like you would  
 17 forget by the end of the day what the teacher  
 18 explained. And it would be more useful to have a  
 19 book that, you know, explained the steps, because you  
 20 couldn't have the teacher all the time; and the  
 21 teacher didn't always have time, so you couldn't ask.  
 22 If you were confused at home and if you had the book,  
 23 you could always refer to it.  
 24 Q. Do you know if all of the assignments that  
 25 were given on the worksheets had explanations for

1 about a week; but otherwise, I don't know whether he  
 2 chose or not to use the book.  
 3 Q. Okay.  
 4 A. But I know we never saw a book.  
 5 Q. Other than that one week?  
 6 A. Other than that one week.  
 7 Q. And for that one week, were you given books  
 8 to take home?  
 9 A. No. We used it in class.  
 10 Q. Okay. Do you know if the teachers wanted  
 11 to have books for the students to take home during  
 12 that one week?  
 13 A. No, I don't.  
 14 Q. Did you want to take home that book during  
 15 that one week?  
 16 A. It would have been helpful.  
 17 Q. Did you ask him if you could take a book  
 18 home?  
 19 A. No. Because they weren't his, so he  
 20 couldn't let us borrow that book.  
 21 Q. Did you ever ask him if an arrangement  
 22 could be made to borrow that book?  
 23 MS. TEITELBAUM: Objection; asked and  
 24 answered.  
 25 THE WITNESS: No.

1 those assignments in books?  
 2 A. No. Most of the problems that we had were  
 3 just problems. They didn't have explanations. They  
 4 didn't have examples.  
 5 Q. So you don't know if any book would  
 6 correlate with those problems that you were given?  
 7 A. No, I don't.  
 8 Q. With respect to your Integrated Science Two  
 9 class, who was the teacher?  
 10 A. Mr. Pras.  
 11 Q. And what did he use as materials to teach  
 12 the class, if anything?  
 13 A. Worksheets.  
 14 Q. Were you given homework with worksheets?  
 15 A. Sometimes.  
 16 Q. Did he -- what were you given the other  
 17 times?  
 18 A. We were supposed to like copy down what he  
 19 wrote or something to give us homework.  
 20 Q. Okay. Do you know if Mr. Pras chose to use  
 21 worksheets instead of a textbook?  
 22 A. No, I don't know. But he did use one book  
 23 that wasn't his. He borrowed it from the Physics  
 24 teacher and used it to explain a subject. But that's  
 25 the only time that we used that book, and it was for

1 BY MS. STRONG:  
 2 Q. Okay. And so the fact that you didn't have  
 3 a book in your Integrated Science class other than  
 4 during that one week, you don't know one way or the  
 5 other whether that was due to an insufficient number  
 6 of books available on the campus; is that correct?  
 7 MS. TEITELBAUM: Objection; calls for  
 8 speculation.  
 9 THE WITNESS: That's correct.  
 10 BY MS. STRONG:  
 11 Q. And is that also true for your -- all of  
 12 your Math classes, the fact that you didn't have a  
 13 textbook in those classes, you don't know one way or  
 14 the other whether it was due to an insufficient  
 15 number of textbooks on the campus? Is that correct?  
 16 MS. TEITELBAUM: Same objection.  
 17 THE WITNESS: I don't know, but I can tell  
 18 you that we did have a set -- not a set of books, not  
 19 a complete set of books. We did have -- like the  
 20 class was 40, we only had 10 or 20 books, and so it  
 21 was two to a book. And if she didn't have enough  
 22 classrooms, how could she have enough sets to take  
 23 home?  
 24 BY MS. STRONG:  
 25 Q. Are you referring to one particular class?

1 A. I am referring to my Algebra One class.  
 2 And for the tenth grade year, the teacher who made  
 3 the worksheets for the whole department was my  
 4 teacher.  
 5 Q. So what does that mean?  
 6 A. He had written his own book, and I am sure  
 7 she felt confident enough to give us work to what she  
 8 was giving to everybody else.  
 9 Q. Instead of using the book?  
 10 A. Instead of using the book.  
 11 Q. But except for the Algebra One class where  
 12 you said that you had 20 books in the class?  
 13 A. Yes.  
 14 Q. And you said that that wasn't enough for  
 15 all the students; is that correct?  
 16 A. Yes.  
 17 Q. Do you know if the teacher wanted to use  
 18 that set of books?  
 19 A. No, I don't.  
 20 Q. Okay. So you don't know one way or the  
 21 other, if the teacher wanted to use a set of  
 22 textbooks for that Algebra One class, she could have  
 23 obtained more textbooks if necessary?  
 24 A. I don't know.  
 25 Q. Okay. Did you have any classes at Locke

1 the students in the class at any time for in-class  
 2 use?  
 3 A. Not that I recall.  
 4 Q. He just used it as his own teaching guide  
 5 as far as you are aware?  
 6 A. Yes. I'd also like to mention that those  
 7 books were also two to a book.  
 8 Q. Which books?  
 9 A. The AP Spanish books, when we did use them.  
 10 Most of the time he did take stuff out of there and  
 11 put them on the board, but sometimes there was  
 12 occasions where he did let us use the book, but it  
 13 was two to a book.  
 14 Q. There were a couple of occasions where he  
 15 passed the books out to the students in the class?  
 16 A. Yes.  
 17 Q. And how many times would you say that  
 18 happened during your ninth grade year for your AP  
 19 Spanish class, that he passed out a set of books for  
 20 the students?  
 21 A. I don't know, but I don't think that it was  
 22 more than two.  
 23 Q. Not more than two times on the entire  
 24 occasion?  
 25 A. Yes.

1 where -- I should say have you had any classes at  
 2 Locke where a teacher has used a textbook to teach  
 3 the class but the students have not had a textbook to  
 4 take home?  
 5 A. Yes.  
 6 Q. What classes?  
 7 A. Both of my AP Spanish classes.  
 8 Q. Okay. Any other classes at Locke?  
 9 A. No. Not that I can think of.  
 10 Q. Okay. And with respect to your first AP  
 11 Spanish class, which was in ninth grade, what was the  
 12 textbook that was being used by the teacher?  
 13 A. I don't know what textbook it was, but he  
 14 did take problems -- not problems, but like sentences  
 15 out of there for when he taught.  
 16 Q. How often did the teacher use the textbook  
 17 in class?  
 18 A. It was rare instances. Maybe once every  
 19 three weeks or so.  
 20 Q. And he would use it to take sentences out  
 21 of the book; is that what you said?  
 22 A. Yes.  
 23 Q. How else would he use it? Any other way?  
 24 A. That's all I can think of right now.  
 25 Q. Okay. So did he pass out a set of books to

1 Q. And during those two times, you would have  
 2 to share the books?  
 3 A. Yes.  
 4 Q. So what did your ninth grade AP Spanish  
 5 teacher use to teach the class?  
 6 A. Like I said, the handbook that he had where  
 7 he used to, like, copy the sentences from the book  
 8 and put it onto the blackboard.  
 9 Q. I thought you said that he used that maybe  
 10 once every three weeks; is that correct?  
 11 A. Uh-huh.  
 12 Q. Did he ever use anything else to teach the  
 13 class other than that one book?  
 14 A. No. Not that I recall.  
 15 Q. So he used no other materials to teach the  
 16 class? Was the class conducted in the form of  
 17 discussions then?  
 18 A. Well, he hardly did any like discussion  
 19 with us. When he did give us work, he gave us that  
 20 work that he got from the book.  
 21 Q. So you are testifying that he would give  
 22 you work approximately once every three weeks in the  
 23 class?  
 24 A. Yes.  
 25 Q. And during the rest of the time, what would

1 you do?  
 2 A. Sit around and talk.  
 3 Q. The students would sit around and talk?  
 4 A. Yes.  
 5 Q. Do you know if your failure to have a  
 6 textbook in that class for assignments on a regular  
 7 basis had anything to do with an insufficient number  
 8 of textbooks on the school campus?  
 9 MS. TEITELBAUM: Objection; calls for  
 10 speculation.  
 11 THE WITNESS: Can you rephrase that.  
 12 BY MS. STRONG:  
 13 Q. Do you know whether the failure to have a  
 14 textbook for use on a regular basis in that class was  
 15 due to an insufficient number of books on the campus  
 16 or not?  
 17 MS. TEITELBAUM: Same objection.  
 18 THE WITNESS: No, I don't.  
 19 BY MS. STRONG:  
 20 Q. And do you know if the teacher ever  
 21 attempted to obtain a set of textbooks to teach that  
 22 class?  
 23 MS. TEITELBAUM: Calls for speculation.  
 24 THE WITNESS: No, I don't.  
 25 BY MS. STRONG:

1 Q. It was photocopies of the textbook?  
 2 A. Yes.  
 3 Q. And when did she use those worksheets?  
 4 A. When she really needed us to take the story  
 5 home and she didn't have books, so she gave us the  
 6 worksheets.  
 7 Q. Was that first semester?  
 8 A. Second.  
 9 Q. Only second semester?  
 10 A. Uh-huh.  
 11 Q. With respect to the first semester, you  
 12 said there was one week that she used this book that  
 13 had a set of stories?  
 14 A. Yes.  
 15 Q. Did she hand those books out to the class?  
 16 A. Yes.  
 17 Q. And did everyone in the class have a book  
 18 to use during that one-week period in class?  
 19 A. Yes.  
 20 Q. But she never assigned the students to take  
 21 the book home; is that correct?  
 22 A. No.  
 23 Q. Is that correct?  
 24 A. Yes.  
 25 Q. And do you know why it is that she didn't

1 Q. Okay. With respect to your AP Spanish  
 2 class in eleventh grade, you testified that that was  
 3 another class where the teacher used the textbook,  
 4 but there were no textbooks for the students to take  
 5 home. What was the name of that textbook?  
 6 A. Well, it was a set of stories, so I don't  
 7 know the name of that book.  
 8 Q. How often did your AP Spanish teacher in  
 9 eleventh grade use that book?  
 10 A. She used it once during the first semester  
 11 for about a whole week.  
 12 Q. Okay.  
 13 A. And she used another textbook that we were  
 14 able to use in the class, two to a book again, for  
 15 about three months.  
 16 Q. During the first semester?  
 17 A. No. Second semester.  
 18 Q. Okay. Are those the only textbooks that  
 19 she used in that class?  
 20 A. Yes.  
 21 Q. Okay.  
 22 A. She did use worksheets. Copying the  
 23 textbook.  
 24 Q. What do you mean, copying the textbook?  
 25 A. That copied the readings in the textbook.

1 assign the students to take the book home?  
 2 A. No, I don't know.  
 3 Q. Okay. Do you know whether her decision to  
 4 not assign the textbook to go home with the students  
 5 was based in any way on the number of textbooks  
 6 available to her?  
 7 MS. TEITELBAUM: Objection; calls for  
 8 speculation.  
 9 THE WITNESS: No, I don't know.  
 10 BY MS. STRONG:  
 11 Q. Okay. And do you know if your Spanish  
 12 teacher during eleventh grade wanted to have any  
 13 other textbook to teach the class during that first  
 14 semester?  
 15 MS. TEITELBAUM: Objection; calls for  
 16 speculation.  
 17 THE WITNESS: No, I don't know.  
 18 BY MS. STRONG:  
 19 Q. With respect to the second semester, you  
 20 said that there was another book that you used for  
 21 approximately a period of three months; is that  
 22 correct?  
 23 A. Yes.  
 24 Q. Do you remember the name of that book?  
 25 A. No, I don't.

- 1 Q. And you testified that it was handed out to  
2 class for use in class; is that correct?  
3 A. Yes.  
4 Q. How often would you use that book in class  
5 for that three-month period?  
6 A. Pretty much every day.  
7 Q. And you said that you had to share, two  
8 students to each book?  
9 A. Yes.  
10 Q. Was that every day?  
11 A. Yes.  
12 Q. Do you know if the teacher ever tried to  
13 get additional books for the class?  
14 A. No, I don't. They were fairly old books,  
15 though.  
16 Q. They were old books?  
17 A. Yes, they were.  
18 Q. And why is it that you believe they were  
19 old books?  
20 A. They were deteriorating.  
21 Q. What do you mean by that?  
22 A. They were ripped. They were yellow.  
23 Q. Do you know the date of those books?  
24 A. No.  
25 Q. Did the age of the books affect your

- 1 a request for new books or for additional books at  
2 any time?  
3 A. No.  
4 Q. Now you said that you didn't take that book  
5 home. Did you ever want to take that book home in  
6 Spanish class?  
7 A. She only gave us the stuff when it was  
8 necessary. So like when a story was that important  
9 to take home, she made us worksheets. So there never  
10 was a time where I thought I wanted to take that book  
11 home.  
12 Q. Okay. Other than what you have already  
13 identified for me, do you have any other concerns  
14 regarding the textbooks at Locke?  
15 A. Yes.  
16 Q. What would that be?  
17 A. I don't think --  
18 MS. STRONG: Can we go off the record for a  
19 second.  
20 MS. TEITELBAUM: Yes.  
21 (Recess taken.)  
22 BY MS. STRONG:  
23 Q. I just asked a question -- what would that  
24 be?  
25 A. I don't know if my school doesn't buy the

- 1 ability to actually use the books?  
2 A. Certain pages did affect.  
3 Q. What do you mean by that?  
4 A. Certain pages were torn and they were hard  
5 to read, the ink was off or something.  
6 Q. How often did you come across that  
7 situation in the classroom?  
8 A. I did once, but that's the only instance.  
9 Q. So one time you found it difficult to use  
10 the book because of the condition of the book; is  
11 that correct?  
12 A. Yes.  
13 Q. And what happened on that one occasion?  
14 A. What do you mean, what happened?  
15 Q. Well, what was the problem? Why was it  
16 difficult to use the book on that one occasion?  
17 A. Because the ink was coming off.  
18 Q. And what did you do at that time?  
19 A. I read someone else's book and I asked the  
20 teacher to clarify what the book was saying.  
21 Q. Okay. Do you know if there were newer  
22 textbooks available for the teacher to use that she  
23 chose not to use?  
24 A. No, I don't.  
25 Q. Do you know whether the teacher ever put in

- 1 books or we are not given any money to buy the books,  
2 but sometimes I feel that we don't have like  
3 sufficient books and they are not dispersed right.  
4 Q. Any other concerns that you have?  
5 A. Yeah. I would like to know why we  
6 sometimes get books that say other high schools'  
7 name, property of another high school that's not  
8 ours.  
9 Q. Any other concerns that you have regarding  
10 the textbooks at Locke?  
11 A. No. That's it.  
12 Q. Okay. Why is it that you believe that you  
13 don't have sufficient books at Locke?  
14 A. Because like in my Math class, I didn't  
15 have a book to take home. Like I didn't have a set  
16 for class and I didn't have a set to take home.  
17 And that wasn't the only instance where  
18 like I didn't have a set, two sets, to take home and  
19 to have in class. And sometimes we had to share  
20 books, and I don't think that was right.  
21 Q. Any other reason why you feel that you  
22 don't have sufficient books at Locke?  
23 A. No. That's it.  
24 Q. When you said that you didn't have two  
25 sets, are you saying in your classes you would like



1 to have a set for an in-class use and then an  
 2 additional set to take home? Is that what you are  
 3 saying?  
 4 A. Yes.  
 5 Q. Did you have that situation for any of your  
 6 classes at school?  
 7 A. Where I did have a book at home and in  
 8 class?  
 9 Q. Yes.  
 10 A. Yes.  
 11 Q. What classes did you have that for?  
 12 A. My Algebra Two class.  
 13 Q. And any other classes?  
 14 A. That's all I can think of right now.  
 15 Q. You went to public school for junior high  
 16 school and elementary school?  
 17 A. Correct.  
 18 Q. Did you at any time in junior high school  
 19 and elementary school ever have a set of books for  
 20 in-class use and then a separate set of books to take  
 21 home?  
 22 A. I don't recall.  
 23 Q. You don't recall that situation; is that  
 24 correct?  
 25 A. No. I don't recall hardly anything in

1 MS. STRONG: Sure.  
 2 (Recess taken.)  
 3 THE WITNESS: Are we back on?  
 4 MS. STRONG: Yes, we are back on the  
 5 record.  
 6 Q. Is there anything that you'd like to say to  
 7 me after talking to your attorney to change your  
 8 answer?  
 9 A. What I wanted to clarify is that I wanted  
 10 to have a set in the classroom to have on their own  
 11 to take home, not two separate sets.  
 12 Q. Okay.  
 13 A. That was my mistake.  
 14 Q. Okay. But it was accurate to say that you  
 15 did have one class where you actually had a set of  
 16 books for in-classwork and then a separate set to  
 17 take home; is that correct?  
 18 A. Yes.  
 19 Q. And what class was that?  
 20 A. Algebra Two, and then my World History  
 21 class.  
 22 Q. And when you say that you had an in-class  
 23 set of books in your World History class and then a  
 24 separate set to keep at home; is that correct?  
 25 A. Yes.

1 middle school or elementary.  
 2 Q. So for you to feel as though there are  
 3 sufficient books at your school, you would only feel  
 4 that way if there were books for in-class use and a  
 5 separate set of books for you to take home; is that  
 6 correct?  
 7 MS. TEITELBAUM: Objection. That misstates  
 8 her testimony.  
 9 THE WITNESS: Not just that. Not just  
 10 having books at home and in class, but having a book  
 11 for every individual. We don't always have a book  
 12 for every individual. There has been times where I  
 13 have to -- in class where I have to share books.  
 14 BY MS. STRONG:  
 15 Q. I didn't mean to mischaracterize your  
 16 testimony.  
 17 What I want to know is: Then would you  
 18 feel that there is sufficient textbooks at Locke only  
 19 if there were sufficient books to have one for every  
 20 student in class and then a separate set for every  
 21 student to have one at home at all times? Is that  
 22 correct?  
 23 A. Yes.  
 24 MS. TEITELBAUM: Can we take a break for a  
 25 second.

1 Q. And what grade was that?  
 2 A. World History was tenth grade, and Algebra  
 3 Two was eleventh grade.  
 4 Q. Now to go back and clarify your testimony,  
 5 based on what you just said to me, the only classes  
 6 where you don't have an in-class set of books that  
 7 you can only take home would be the Math classes that  
 8 you described earlier and also your AP Chemistry  
 9 class; is that correct?  
 10 A. Repeat that again.  
 11 Q. The only classes that you had at Locke  
 12 where you did not have a book for use in class that  
 13 you were also able to take home would have been your  
 14 Math classes and your AP Chemistry class; is that  
 15 correct?  
 16 A. Math class again, but not Chemistry.  
 17 Q. Not Chemistry?  
 18 A. No.  
 19 Q. I am sorry. I am getting that confused.  
 20 Your Integrated Science?  
 21 A. Yes.  
 22 Q. Those were the only classes; is that  
 23 correct?  
 24 A. Yes. That I can recall.  
 25 Q. Okay. And with respect to those classes,

1 your Math classes and your one Integrated Science  
 2 class, you have already testified that the fact that  
 3 you didn't have a textbook in that class to also take  
 4 home may or may not have been the result of  
 5 insufficient textbooks. You don't know one way or  
 6 the other; is that correct?  
 7 A. Repeat that again.  
 8 Q. Sure. With respect to those Math classes.  
 9 A. Yes.  
 10 Q. And your Integrated Science class.  
 11 A. Yes.  
 12 Q. You don't know whether your inability to  
 13 take a book home was due to an insufficient number of  
 14 books on campus or whether the teacher chose to  
 15 conduct the class that way; is that correct?  
 16 MS. TEITELBAUM: Objection; calls for  
 17 speculation.  
 18 THE WITNESS: That's right.  
 19 BY MS. STRONG:  
 20 Q. So is there any other reason why you feel  
 21 that there aren't sufficient books?  
 22 A. No. I think I have mentioned all of them.  
 23 Q. Okay. One of the other items that you  
 24 mentioned is that -- or concerns that you mentioned  
 25 as to textbooks was that you don't know if they are

1 don't know, 25, 30 feet?  
 2 A. Yes. If that's what it is.  
 3 Q. I am just wondering if that seems to equate  
 4 to your understanding of the room that you saw at  
 5 Locke.  
 6 A. Yes.  
 7 Q. So about 20 to 30 feet long and maybe 15 --  
 8 A. Not wide. Not -- it's not that wide.  
 9 Q. How wide would it be?  
 10 A. The space where they have it?  
 11 Q. Yes.  
 12 A. I don't know, but it's not this wide.  
 13 Q. So maybe five to 10 feet wide?  
 14 A. Yes.  
 15 Q. Is that book room full?  
 16 A. Where they have the books, yeah, it's full.  
 17 Q. And so your testimony is that you see those  
 18 books there, and you don't understand why they are  
 19 not with the students; is that your concern?  
 20 A. Yes.  
 21 Q. But you don't know one way or the other  
 22 whether other students actually needed -- let me  
 23 rephrase.  
 24 You don't know one way or the other whether  
 25 the teachers actually need textbooks in the classes

1 dispersed?  
 2 A. Yes.  
 3 Q. I don't know if you said dispersed promptly  
 4 or what was your testimony.  
 5 A. I don't know what was my exact phrasing,  
 6 but I don't know if, like, there is books in the book  
 7 room and are dispersed to the classes, because I have  
 8 seen many books in the book room that aren't given to  
 9 classes. But I might be mistaken. Maybe they are  
 10 given and I don't know, but I have seen plenty of  
 11 books that classes don't have.  
 12 Q. So I just want to make sure I understand.  
 13 You have seen the book room and a large number of  
 14 books in the book room; is that correct?  
 15 A. Uh-huh. Yes.  
 16 Q. And if you had to give an estimate, could  
 17 you give an estimate of how many books are in this  
 18 book room?  
 19 A. No, I couldn't.  
 20 Q. Is it a big room?  
 21 A. No, it's not that big. It only has like --  
 22 it's about this long --  
 23 Q. The length of this room?  
 24 A. Yes.  
 25 Q. So would you say that's approximately, I

1 based upon how they like to teach the class; is that  
 2 correct?  
 3 A. That's correct.  
 4 Q. And the third concern that you have  
 5 regarding textbooks is that some of your textbooks  
 6 have names of other high schools on them?  
 7 A. Yes.  
 8 Q. What do you mean by that?  
 9 A. I don't remember what book, but I had a  
 10 book that said property of I think it was Roosevelt  
 11 High School. And I was puzzled as to why we had used  
 12 books from another high school. One thing is to have  
 13 used books from years before in my own high school,  
 14 but another thing is to have them from another high  
 15 school.  
 16 Q. And this happened in one class that you  
 17 had?  
 18 A. Yes.  
 19 Q. And you don't remember the name of the  
 20 class?  
 21 A. No. Nor do I remember the name of the  
 22 book.  
 23 Q. Or the subject matter?  
 24 A. Or the subject.  
 25 Q. And do you remember what year it was?

1 A. No, I don't.  
 2 Q. Was it your ninth grade year or tenth grade  
 3 year?  
 4 A. I don't remember exactly.  
 5 Q. Okay. It wasn't your senior year?  
 6 A. No, it wasn't my senior year.  
 7 Q. And was it last year?  
 8 A. I don't know.  
 9 Q. It could have been any time between your  
 10 ninth and eleventh grade years at Locke; is that  
 11 correct?  
 12 A. Yes.  
 13 Q. And do you remember anything else about  
 14 that book?  
 15 A. No.  
 16 Q. Do you remember if the name being printed  
 17 on that book, Roosevelt High School, affected your  
 18 ability to use the book in any way?  
 19 A. It didn't affect me, but it made me feel  
 20 offended that we were given money from the State to  
 21 buy books, yet, we had used books from another high  
 22 school. That is what pretty much -- it didn't affect  
 23 my learning, but it offended me.  
 24 Q. And do you know when the book received the  
 25 Roosevelt stamp?

1 A. No.  
 2 Q. Do you know if the book ever had been at  
 3 Roosevelt High School?  
 4 A. No, I don't.  
 5 Q. So it's possible that the book could have  
 6 come brand-new to Locke for all you know; is that  
 7 correct?  
 8 MS. TEITELBAUM: Objection; calls for  
 9 speculation.  
 10 THE WITNESS: Well, I know when I received  
 11 that book, it wasn't new. So --  
 12 BY MS. STRONG:  
 13 Q. But as far as -- I mean, based on your  
 14 knowledge, you don't know one way or the other  
 15 whether it came to the school if it was used by  
 16 Roosevelt students or not; is that correct?  
 17 A. That's correct.  
 18 Q. Now we have gone through all of your  
 19 concerns regarding textbooks at Locke; is that  
 20 correct?  
 21 A. Yes.  
 22 Q. Do you have any concern regarding supplies  
 23 at Locke High School?  
 24 A. Yes.  
 25 Q. What would those be?

1 A. Why we don't get them.  
 2 Q. Any other concerns?  
 3 A. No. That's basically it.  
 4 Q. Okay. Why is it that you believe that you  
 5 don't get -- well, let me back up.  
 6 What supplies are you referring to?  
 7 A. Like labs. I know that my teachers have  
 8 asked for labs, like I told you before, prior to the  
 9 beginning of a year, and they don't get them until  
 10 the end.  
 11 It happened in my Integrated Science One  
 12 where the teacher requested cow eyes and he didn't  
 13 get them until like the end, towards the end of the  
 14 semester, and that's the only lab that we did.  
 15 Q. Are there any other supplies that you are  
 16 referring to other than lab supplies?  
 17 A. Books, too. We don't get any books.  
 18 Q. You already testified to me, correct, all  
 19 of your concerns regarding textbooks?  
 20 A. Yeah, I did.  
 21 Q. Okay. So other than with respect to  
 22 supplies --  
 23 A. Labs.  
 24 Q. Wait until I finish my question. Sorry.  
 25 With respect to supplies, separate from

1 textbooks, is there anything else that you are  
 2 referring to other than lab supplies when you say  
 3 that we don't get them?  
 4 A. Art supplies.  
 5 Q. Anything else?  
 6 A. Would -- well, okay. That's all I can  
 7 think of.  
 8 Q. Okay. And with respect to labs, you are  
 9 referring to your Integrated Science One class. Did  
 10 you have any other concerns regarding any other lab  
 11 supplies with respect to any other classes other than  
 12 your Integrated Science One class?  
 13 A. Yes. My AP Chemistry class. We never  
 14 received anything that the teacher asked for.  
 15 Q. Any other classes where you had concerns  
 16 regarding lab supplies other than those two classes?  
 17 A. No. That's it. We used old chemicals from  
 18 years past that were in the storage room, but that's  
 19 it. I just wanted to tell you that.  
 20 Q. Okay. Okay. I am going to ask you in  
 21 detail about any of these classes.  
 22 Were there any other classes where you had  
 23 concerns about lab supplies?  
 24 A. No. That's it.  
 25 Q. So with respect to your Integrated Science

- 1 One class, what year was that class?  
 2 A. Ninth grade.  
 3 Q. And who was the teacher?  
 4 A. Mr. Guldseth, G-U-L-D-S-E-T-H.  
 5 Q. Okay. What supplies do you believe you did  
 6 not get in that class?  
 7 A. That cow's eyes -- it wasn't one, but it  
 8 was a set of cow's eyes that he requested in the  
 9 summer or towards the end of the year and he didn't  
 10 receive until toward the end of my ninth grade year.  
 11 Q. Other than the cow's eyes, were there any  
 12 other supplies in that classroom that you felt that  
 13 you didn't get?  
 14 A. Not any other supplies that the teacher  
 15 told us about.  
 16 Q. So you don't know of any other supplies  
 17 that you felt were missing in that lab class other  
 18 than the cow's eyes; is that correct?  
 19 A. That's right.  
 20 Q. And now with respect to the cow's eyes, you  
 21 said that your teacher requested them during the  
 22 summer prior to your class beginning; is that  
 23 correct?  
 24 A. The summer or the end of that year.  
 25 Q. The prior year?

- 1 A. Yes.  
 2 Q. And how is it that you know that?  
 3 A. He told us that he had requested the cow's  
 4 eyes and that we were waiting for it.  
 5 Q. When did he first tell you that? Do you  
 6 remember?  
 7 A. No, I don't remember.  
 8 Q. Was it sometime during the first semester?  
 9 A. I don't remember.  
 10 Q. So -- the first time that he told you that  
 11 could have been in the second semester?  
 12 A. Could have been the first or second. I  
 13 don't remember.  
 14 Q. And did he tell you when he made the  
 15 request?  
 16 A. Yes. But I am not sure if he told us the  
 17 prior year or the summer, but it was in between the  
 18 time that he ordered it.  
 19 Q. And do you know who he ordered it from?  
 20 A. No.  
 21 Q. Okay. Do you know how long he anticipated  
 22 it would take to arrive?  
 23 A. No.  
 24 Q. So you don't know if he was told that it  
 25 would take six months or so to get the cow's eyes; is

- 1 that correct?  
 2 A. No, I don't. But he complained that the  
 3 stuff wasn't there yet.  
 4 Q. Okay. And do you know if he ever took any  
 5 action to follow up on his request for cow's eyes?  
 6 A. No, I don't.  
 7 Q. And you said the cow's eyes eventually  
 8 arrived?  
 9 A. Yes.  
 10 Q. And when did they come to your class? Do  
 11 you know?  
 12 A. Towards the end of my ninth grade school  
 13 year.  
 14 Q. In the second semester?  
 15 A. Yes.  
 16 Q. In your ninth grade year?  
 17 A. Yes.  
 18 Q. Okay. And were you able to do the lab  
 19 using the cow's eyes?  
 20 A. Yes.  
 21 Q. So even though you didn't have them  
 22 initially, you did get them and were able to use them  
 23 for class; is that correct?  
 24 A. Yes.  
 25 Q. Did that then resolve the problem in your

- 1 mind in terms of not having had the cow's eyes  
 2 previously?  
 3 A. Can you rephrase that.  
 4 Q. Well, I mean, you had a concern regarding  
 5 getting supplies?  
 6 A. Yes.  
 7 Q. And one concern was with respect to the  
 8 cow's eyes in your ninth grade Integrated Science  
 9 class?  
 10 A. It wasn't so much toward the cow's eyes.  
 11 It was not getting the supplies when we were talking  
 12 about the subject, when we were doing that lab. We  
 13 got it like when we were doing something else. We  
 14 didn't get it during that time line.  
 15 Q. What was the lab that you were doing when  
 16 you hoped to have had the cow's eyes?  
 17 A. Well, it was the cow's eyes that we were  
 18 going to dissect, but I don't remember the subject  
 19 that we were covering, but I do remember that we got  
 20 it way after we were talking about that. We were  
 21 already onto another subject and towards our finals,  
 22 and that's when we finally got the cow's eyes, so we  
 23 decided not to waste the cow's eye.  
 24 Q. And you were able to go back and actually  
 25 complete that lab at that time even though it was

1 out-of-sequence; is that correct?  
 2 A. Yes.  
 3 Q. Any other concerns regarding your supplies  
 4 in your Integrated Science One class?  
 5 A. No. That's all I can remember.  
 6 Q. And with respect to your AP Chemistry  
 7 class, what was your concern regarding lab supplies  
 8 in that class?  
 9 A. We never received any new chemicals, any  
 10 new materials that were still in over the summer  
 11 because of renovations.  
 12 Q. Okay. Do you have any other concerns  
 13 regarding lab supplies in your AP Chemistry class  
 14 other than the chemicals?  
 15 A. No.  
 16 Q. Okay. So you took AP Chemistry in eleventh  
 17 grade; is that correct?  
 18 A. Yes.  
 19 Q. Did you have chemicals to use in the class?  
 20 A. We had chemicals. Old chemicals.  
 21 Q. And did they work for the labs that you  
 22 were doing?  
 23 A. The teacher chose not to use those  
 24 chemicals, because some bases I think mess up after a  
 25 certain amount of time if they are not kept right.

1 So he didn't want to jeopardize our health and our  
 2 lives in using those chemicals.  
 3 Q. Do you know one way or another whether  
 4 those chemicals had already expired?  
 5 A. No, I don't, but he did say that he didn't  
 6 want to take a chance with those chemicals. And he  
 7 did separate out the ones that he thought would still  
 8 work and the ones that he thought were kind of  
 9 dangerous.  
 10 Q. So after he separated the chemicals, there  
 11 were sufficient chemicals for you to use in class; is  
 12 that correct?  
 13 A. Not to have anything to do with what we  
 14 were doing. We had chemicals, but they didn't  
 15 pertain to anything that he wanted to teach us, like  
 16 any reactions that he wanted to teach us.  
 17 Q. Did you use any of the chemicals in the  
 18 class?  
 19 A. No.  
 20 Q. Okay. And you said some of the supplies  
 21 had been -- the new chemicals were stolen during the  
 22 summer prior to you attending the class; is that  
 23 correct?  
 24 A. Not new chemicals. They were old supplies  
 25 that we had, like a scale, scales -- what are they

1 called, containers where you put the chemicals in.  
 2 Tools, you know. They were stolen during the summer.  
 3 Q. So chemicals were not stolen?  
 4 A. No, not chemicals. Chemicals were locked  
 5 in one of the classrooms.  
 6 Q. So I want to make sure. You have two  
 7 concerns: Chemicals and the physical supplies such  
 8 as scales and containers for chemicals?  
 9 A. Yes.  
 10 Q. Any other concerns regarding the supplies  
 11 in that AP Chemistry class?  
 12 A. No.  
 13 Q. Do you know if the teacher ever requested  
 14 new chemicals for the class?  
 15 A. No. I don't remember if he did or not.  
 16 Q. Do you know if the teacher could have  
 17 purchased chemicals for the class and then been  
 18 reimbursed by the school for purchasing those  
 19 chemicals?  
 20 MS. TEITELBAUM: Objection; calls for  
 21 speculation.  
 22 THE WITNESS: No, I don't know.  
 23 BY MS. STRONG:  
 24 Q. And do you know if the teacher wanted to  
 25 use any chemicals in that class?

1 MS. TEITELBAUM: Same objection.  
 2 THE WITNESS: Yes.  
 3 BY MS. STRONG:  
 4 Q. How do you know that?  
 5 A. He told us that he wanted to use certain  
 6 things, but he was afraid to use them because of --  
 7 that he didn't know if they were going to work or  
 8 not.  
 9 Q. Okay. But you don't know if he took any  
 10 efforts to find chemicals that he knew would work; is  
 11 that correct?  
 12 MS. TEITELBAUM: Objection; calls for  
 13 speculation.  
 14 THE WITNESS: That's right.  
 15 BY MS. STRONG:  
 16 Q. Okay. And with respect to the scales and  
 17 the containers, are those containers called beakers?  
 18 A. Yeah. Beakers. That's the word that I was  
 19 looking for.  
 20 Q. With respect to the scales and beakers that  
 21 you said were stolen during the summer prior to you  
 22 attending the class, was there ever a need to use  
 23 those in your class?  
 24 A. Yes.  
 25 Q. That you are aware of?

1 A. Yes.  
 2 Q. When was that?  
 3 A. He wanted to use them for labs, but yet he  
 4 couldn't use them. Like we were going over -- I  
 5 forget what subject we were going over; I think it  
 6 might have been buoyancy, and he wanted to use the  
 7 scales. And he also wanted to use the beakers for  
 8 other labs that he wanted to do in the class, but he  
 9 was unable to do because he wasn't for some reason  
 10 able to buy the stuff or --  
 11 Q. Were there any scales in the class to use?  
 12 A. I think he brought one from home. We did  
 13 have one.  
 14 Q. And did you ever use that one scale in  
 15 class?  
 16 A. Yes.  
 17 Q. How often did you use it?  
 18 A. We used it once when we were going over the  
 19 buoyancy or I think we were going over acids and  
 20 bases, but we did use it.  
 21 Q. It was used for one lab in the class?  
 22 A. Yes.  
 23 Q. For the entire year?  
 24 A. Yes.  
 25 Q. And did it suffice to allow the students to

1 know if there was ever a time that he wanted to use  
 2 beakers in the class but wasn't able to because they  
 3 weren't there?  
 4 A. Yes.  
 5 Q. When was that?  
 6 A. I don't remember what chemicals we  
 7 combined, but we were trying to make an alloy. And  
 8 when you touch that -- I think it was copper. When  
 9 you touch copper, it stains your fingers and it makes  
 10 black spots on your hands, so he wanted the beakers  
 11 so that we could put the chemicals in there. And we  
 12 didn't, so we had to place it on a napkin, and we did  
 13 stain our fingers.  
 14 Q. Okay. Other than that one experiment, was  
 15 there any other time that you knew that the teacher  
 16 wanted to use a beaker?  
 17 A. I think he gave up after that first  
 18 semester when he tried to do labs, because he didn't  
 19 get the chemicals and he didn't get the supplies to  
 20 do labs.  
 21 Q. Why do you believe that?  
 22 A. Because after that semester we no longer  
 23 did any labs. We did mostly book stuff and like  
 24 notes.  
 25 Q. And did the teacher ever tell you that you

1 conduct the lab experiments?  
 2 A. What do you mean by that?  
 3 Q. That's fair. I will rephrase it.  
 4 Did it allow the students -- having that  
 5 one scale in the class, did it allow the students to  
 6 complete the experiment in the class?  
 7 A. It did, but it took longer than expected,  
 8 and we were behind because there was only one scale,  
 9 and there was about -- I don't remember how many  
 10 students were in class after we did that lab.  
 11 Q. How long did each group of students need to  
 12 use the scale?  
 13 A. What do you mean, how long?  
 14 Q. I mean, in terms of using the scale for an  
 15 experiment, how much time did you need to spend using  
 16 the scale to complete that experiment in class?  
 17 A. Well, you needed to wait for the result,  
 18 and that took awhile. So I can't really say the  
 19 time, but I would say a day that it took a student  
 20 to --  
 21 Q. Using the scale?  
 22 A. Yes. Because you couldn't interrupt  
 23 another student who was using the scale after your  
 24 result came in.  
 25 Q. Okay. With respect to the beakers, do you

1 stopped doing labs because he couldn't obtain  
 2 materials?  
 3 A. No.  
 4 Q. Okay. So is this a guess on your part?  
 5 A. Yes.  
 6 Q. Okay. And did you have any beakers in the  
 7 classroom?  
 8 A. No.  
 9 Q. Okay. Again, do you know whether your  
 10 teacher ever made any efforts to purchase any scales  
 11 or beakers on his own and seek reimbursement from the  
 12 school?  
 13 MS. TEITELBAUM: Objection; calls for  
 14 speculation.  
 15 THE WITNESS: No, I don't know if he tried.  
 16 BY MS. STRONG:  
 17 Q. Do you know whether your teacher made any  
 18 efforts to obtain scales and beakers from the school  
 19 at any time?  
 20 MS. TEITELBAUM: Same objection.  
 21 THE WITNESS: He tried, but he was told  
 22 that they weren't there anymore where they were  
 23 stored at.  
 24 BY MS. STRONG:  
 25 Q. How do you know that?

1 A. He told us that he thought that they were  
 2 stolen over the summer because of renovations.  
 3 Q. When you said he tried, what is it that he  
 4 tried to do?  
 5 A. He tried to get supplies for us, but he was  
 6 told that they were no longer there where they were  
 7 stored.  
 8 Q. Do you know if he ever tried to have any  
 9 new supplies ordered through school?  
 10 A. I don't know.  
 11 Q. With respect to art supplies?  
 12 A. Yes.  
 13 Q. Well, let me back up.  
 14 Have you now told me all of the supplies --  
 15 all of your concerns regarding supplies relating to  
 16 labs?  
 17 A. Yes.  
 18 Q. And you mentioned that you also had  
 19 concerns regarding supplies such as art supplies?  
 20 A. Yes.  
 21 Q. What are your concerns regarding art  
 22 supplies at Locke?  
 23 A. Well, we didn't have any art supplies to  
 24 work with. Our teacher bought the supplies and got  
 25 museums to donate supplies for the certain art that

1 A. No. That's about it. I think we were  
 2 given colored pencils.  
 3 Q. Do you know if Miss Motevalli ever  
 4 requested the school to provide those supplies for  
 5 her, those four supplies that you mentioned?  
 6 A. Yes.  
 7 Q. And how do you know that?  
 8 A. I was very close to her. And her knowing  
 9 that I was also close to the principal, told me that.  
 10 Q. What did she tell you?  
 11 A. She told me that she tried to get some  
 12 supplies and that she never got them.  
 13 Q. And did she explain to you how she tried to  
 14 get supplies?  
 15 A. Yes.  
 16 Q. What did she explain to you she did?  
 17 A. Filled out a request form.  
 18 Q. Do you know when she did that?  
 19 A. No, I don't.  
 20 Q. And why is it that you believe that she  
 21 never received supplies in response to that request  
 22 form?  
 23 A. Because she always complained about how she  
 24 had to buy the stuff for us and so we had to be very  
 25 careful with what we had.

1 we were doing.  
 2 Q. Is there one particular class that you are  
 3 thinking about?  
 4 A. There was only one art class that I had  
 5 where she had to get museums to donate stuff for us.  
 6 Q. So with respect to your concerns of art  
 7 supplies, is it based solely on this one art class  
 8 that you had at Locke?  
 9 A. Yes.  
 10 Q. And the art class was during what year?  
 11 A. It was my eleventh grade year.  
 12 Q. And who was the teacher?  
 13 A. Miss Motevalli, M-O-T-E-V-A-L-L-I.  
 14 Q. So your two concerns with respect to art  
 15 supplies and Miss Motevalli's class was that she  
 16 bought some of the supplies and that she had to get  
 17 donations for some supplies; is that correct?  
 18 A. Yes.  
 19 Q. Okay. What supplies do you believe she  
 20 purchased for the class?  
 21 A. She purchased paints and paper.  
 22 Q. Anything else?  
 23 A. She purchased paint brushes as well, and  
 24 charcoal.  
 25 Q. Anything else?

1 Q. Do you know if she ever did receive any  
 2 supplies in response to that request form that she  
 3 told you she filled out?  
 4 A. She did receive some supplies, but for the  
 5 following year.  
 6 Q. Okay. And you don't know when she filled  
 7 out that form; correct?  
 8 A. She filled it out in May. In May or March.  
 9 Q. And then she would have received the  
 10 supplies for the following school year; is that  
 11 correct?  
 12 A. Yes, but her supplies were wrong, though.  
 13 She got what she didn't order.  
 14 Q. How do you know that?  
 15 A. She complained about the stuff that she got  
 16 was cheap stuff, because that was not what she  
 17 ordered.  
 18 Q. Was it the correct material but a different  
 19 brand than what she wanted?  
 20 A. No. It was just some generic stuff that  
 21 she didn't ask for.  
 22 Q. Was the problem was that it was cheap  
 23 material or wrong material?  
 24 A. It was both cheap and wrong. She said that  
 25 she didn't order those things. Some instances she

1 didn't order -- most of the material she got, she  
2 didn't order.

3 Q. Okay. And with respect to the supplies  
4 that you have told me that you believe she purchased,  
5 the four types of items, do you know if she ever  
6 sought reimbursement from the school or anybody else  
7 for those supplies?

8 MS. TEITELBAUM: Calls for speculation.

9 THE WITNESS: No, I don't know.

10 BY MS. STRONG:

11 Q. You don't know?

12 A. No.

13 Q. Okay. And with respect to your second  
14 concern regarding supplies, that Miss Motevalli  
15 received donations, why was that a concern to you?

16 A. It was a concern from the fact that we had  
17 to get donations from other organizations, that she  
18 had to on her weekend and weekdays waste money on  
19 calling places so that she can get these supplies,  
20 when our school or the State had to give us money to  
21 buy these supplies.

22 Q. Do you know what supplies she had donated  
23 to the class? Do you know what supplies she caused  
24 to be donated to the class?

25 A. No, I don't know what supplies. It wasn't

1 MS. TEITELBAUM: Calls for speculation.

2 THE WITNESS: That's correct.

3 BY MS. STRONG:

4 Q. Have we now covered all of your concerns  
5 regarding art supplies in your school?

6 A. Yes.

7 Q. You also identified wood as a concern  
8 regarding supplies at your school; is that correct?

9 A. Yes.

10 Q. Have you already told me all of your  
11 concerns regarding wood at the school or is there  
12 something else that you were thinking of when you  
13 mentioned wood as a concern?

14 A. That's it.

15 Q. It was in reference to the art supplies; is  
16 that correct?

17 A. Yes.

18 Q. So have we now covered all of your concerns  
19 regarding supplies at Locke High School?

20 A. All that I can think of, yes.

21 Q. All that you can think of right now?

22 A. Yes.

23 Q. All right.

24 Do you know if any supplies are stored on  
25 campus?

1 so much supplies that she asked for, but we were  
2 doing different forms of art and we didn't have those  
3 things and we couldn't get them.

4 And like we were working with wood, and she  
5 wanted us to work with wood, and she didn't know  
6 where to get these things, so she contacted MOCA, and  
7 what is that other?

8 Q. Another museum?

9 A. Yeah, another museum in the area that  
10 donated those items.

11 Q. Do you know if she ever asked the school  
12 for those items?

13 A. No, I don't.

14 Q. And do you know if she could have purchased  
15 those items on her own and then sought reimbursement  
16 from the school?

17 MS. TEITELBAUM: Calls for speculation.

18 THE WITNESS: I don't know.

19 BY MS. STRONG:

20 Q. Okay. And so is it fair to say that you  
21 don't know if the reason why Miss Motevalli got  
22 donations of those supplies was because the school  
23 lacked money for those supplies?

24 You don't know one way or the other; is  
25 that correct?

1 MS. TEITELBAUM: Calls for speculation.

2 THE WITNESS: I have seen a storage room.

3 BY MS. STRONG:

4 Q. For supplies at your school?

5 A. Yes.

6 Q. And when did you see the storage room for  
7 supplies?

8 A. The whole year of my eleventh grade year.

9 Q. Why is that?

10 A. I needed to get a certain lighting, and the  
11 teacher told me I had enough space and I had enough  
12 darkness do the work there.

13 Q. In the supply room?

14 A. In the supply room.

15 So I took my materials there and I did  
16 the -- what I had to do.

17 Q. Do you know if that was the only supply  
18 room on campus or if there was others?

19 A. I know that there is others, but I can't  
20 tell you how many others.

21 Q. Okay. Were there actually supplies  
22 maintained in that room and kept in that room?

23 A. Yes.

24 Q. What kind of supplies were there that you  
25 saw?



1 A. They were old art supplies, dried paints,  
 2 broken pencils, chalk, yellow paper -- not colored,  
 3 but I mean that it's been there for awhile, that it's  
 4 turned yellow.  
 5 Q. But these were all art supplies as opposed  
 6 to supplies for a Math class or any of the other  
 7 classes at the school?  
 8 A. That's right.  
 9 Q. Did you see any new supplies in there?  
 10 A. I did see some computers in there for  
 11 the -- some visual art. And -- that's pretty much  
 12 it.  
 13 Q. Were they set up for use in that room?  
 14 A. No.  
 15 Q. They were just in their boxes, the  
 16 computers?  
 17 A. Yes.  
 18 Q. Any other new supplies that you noticed in  
 19 that room?  
 20 A. No.  
 21 MS. STRONG: It's already 12:40, so let's  
 22 go off the record.  
 23 (Discussion had off the record.)  
 24 MS. STRONG: Let's take a quick lunch.  
 25 MS. TEITELBAUM: All right. Let's come

1 APPEARANCES OF COUNSEL:  
 2  
 3 FOR THE PLAINTIFFS:  
 4 MORRISON & FOERSTER, LLP  
 5 BY: JILL F. TEITELBAUM, ESQ.  
 6 555 West Fifth Street  
 7 Los Angeles, California 90013  
 8 (213) 892-5478  
 9  
 10 FOR THE DEFENDANT LAUSD:  
 11 STRUMWASSER & WOOCHEER, LLP  
 12 BY: JOHANNA R. SHARGEL, ESQ.  
 13 100 Wilshire Boulevard  
 14 Suite 1900  
 15 Santa Monica, California 90401  
 16 (310) 576-1233  
 17  
 18 FOR THE DEFENDANT STATE OF CALIFORNIA:  
 19 O'MELVENY & MYERS LLP  
 20 BY: SABRINA H. STRONG, ESQ.  
 21 400 South Hope Street  
 22 15th Floor  
 23 Los Angeles, California 90071  
 24 (213) 430-6113  
 25

1 back at 1:30.  
 2 MS. STRONG: All right. Perfect.  
 3 (Lunch recess had from 12:40 p.m. to 1:38 p.m.)  
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1 LOS ANGELES, CALIFORNIA; SATURDAY, JANUARY 12, 2002  
 2 1:38 P.M.  
 3  
 4 EXAMINATION (CONTINUED)  
 5  
 6 BY MS. STRONG:  
 7 Q. Good afternoon.  
 8 A. Good afternoon.  
 9 Q. Do you recall the admonitions that we went  
 10 over during the first day of your deposition?  
 11 A. Yes.  
 12 Q. And do you have any questions regarding any  
 13 of those before we proceed this afternoon?  
 14 A. No.  
 15 Q. Did you have any substance or any  
 16 medication over the lunch period that would affect  
 17 your ability to testify or give your best testimony  
 18 here today?  
 19 A. No.  
 20 Q. Okay. And you understand that you are  
 21 still under oath?  
 22 A. Yes.  
 23 Q. A quick follow-up on something that you  
 24 talked about earlier this morning.  
 25 With respect to substitute teachers, have

1 you now told me all of your concerns regarding  
 2 substitutes at Locke?  
 3 A. Yes.  
 4 Q. Okay. With respect to bathrooms, are you  
 5 familiar with the bathrooms at Locke High School?  
 6 A. Yes.  
 7 Q. And how many bathrooms are there on the  
 8 campus?  
 9 A. Open to us, there is about two.  
 10 Q. Okay. And --  
 11 A. Two girls' and two guys', I mean.  
 12 Q. And when you said about two, why did you  
 13 qualify it with "about"?  
 14 A. Well, there is other restrooms on campus  
 15 that aren't available to us. Those are the most  
 16 constant restrooms that are open on campus.  
 17 Q. So there are some bathrooms that are open,  
 18 but not on all occasions?  
 19 A. Yes.  
 20 Q. And how many other restrooms are opened to  
 21 you on some occasions?  
 22 A. About two other ones.  
 23 Q. And when are those two other ones opened?  
 24 A. Rare, rare occasions. I can't even tell  
 25 you when. Just random times when they are opened.

1 Q. Okay. What are your concerns regarding the  
 2 restrooms at Locke High School?  
 3 A. They are still dirty.  
 4 Q. Any other concerns?  
 5 A. Well, what I mean by dirty is not just, you  
 6 know, this girl, girl stuff on there, and there is  
 7 graffiti.  
 8 Q. Well, let's explore what you mean by dirty  
 9 in a minute. But do you have any other concerns  
 10 other than that they are dirty?  
 11 A. There is hardly ever any time where there  
 12 is toilet paper, and what else. Soap. No soap,  
 13 and -- hardly any soap. And up until the beginning  
 14 of this year, we didn't have seats, safety seats.  
 15 Q. Paper safety protector?  
 16 A. Yes, safety protector.  
 17 And some of our doors are broken. The  
 18 locks are broken so you can't lock your door.  
 19 Q. Any other concerns regarding the restrooms  
 20 at Locke High School?  
 21 A. No, that's it.  
 22 Q. Just to make sure that I have it correctly:  
 23 Your concerns with respect to the restrooms are that  
 24 they are dirty, insufficient toilet paper, soap,  
 25 paper safety protectors for the toilet seats, and

1 that the locks are sometimes broken on the doors; is  
 2 that correct?  
 3 A. Yes.  
 4 Q. With respect to restrooms being dirty, what  
 5 is it that you mean by that?  
 6 A. Meaning that there is toilet paper on the  
 7 floor, dirty toilet paper, tampons, pads. Sometimes  
 8 they are clogged up and there is toilet paper in  
 9 there or, you know, feces.  
 10 Q. And when you are referring or describing  
 11 the bathrooms as dirty in this regard, which  
 12 restrooms are you referring to on the campus?  
 13 A. Mainly the one in the main building.  
 14 Q. Okay. You mentioned that there are two  
 15 that are primarily opened and accessible to the  
 16 students for girls on the campus on a regular basis.  
 17 Where are those two bathrooms located?  
 18 A. There is one near the band room, and it's  
 19 opened for guys and girls.  
 20 Q. Where is the other one?  
 21 A. No. I just mentioned the one in the main  
 22 building and the one by the band room.  
 23 Q. Okay. So when you say or described the  
 24 bathrooms at Locke as being dirty, you were referring  
 25 to the one near the main building?

1 A. Yes.  
 2 Q. Not band room?  
 3 A. Not band room, because it's only opened  
 4 twice for us.  
 5 Q. What do you mean by that?  
 6 A. It's open during Nutrition and lunch  
 7 mainly.  
 8 Q. And is it also open at some other times on  
 9 occasion?  
 10 A. No.  
 11 Q. Why did you say mainly?  
 12 A. Because it's during those times that it's  
 13 open. And I am just leaving mainly for a chance that  
 14 it might be opened sometime, but not that I have seen  
 15 in my four years.  
 16 Q. So no concerns regarding the bathroom being  
 17 dirty with respect to the band room, but only with  
 18 respect to the main building?  
 19 A. Yes.  
 20 Q. Now focusing on the main building, how  
 21 often do you go into that restroom?  
 22 A. I don't use the restroom that much anymore  
 23 because I got used to holding it in because there is  
 24 no toilet paper and stuff like that. So I'd have to  
 25 say maybe about once every three weeks that I use the

1 restroom.

2 Q. Okay. And how often have you seen dirty  
3 toilet paper on the floor of the restrooms?

4 A. It's not that bad this year, but last year  
5 and all throughout my years at Locke, I saw it dirty  
6 each and every time I passed by, because it's opened  
7 and you can see how dirty it is by walking by there.

8 Q. Okay. Focusing on the years prior to your  
9 senior year then, did you ever see the bathroom  
10 clean?

11 A. No.

12 Q. Okay. Did you ever -- you never saw it  
13 clean?

14 A. No.

15 Q. Prior to your twelfth grade year?

16 A. No.

17 Q. Did you ever see the bathrooms being  
18 cleaned?

19 A. I saw people coming -- not people, but  
20 janitors coming out of the restrooms after school  
21 from time to time when I passed by the main building.

22 Q. And did you ever go into a restroom shortly  
23 after a janitor had cleaned it?

24 A. No. It was always after school, so as they  
25 get done cleaning they closed off the building.

1 complained to anyone outside the group as to the  
2 bathrooms being dirty as far as you know?

3 A. I don't know.

4 Q. Why is it that you didn't complain to  
5 anyone in the school administration regarding the  
6 cleanliness of the restrooms?

7 A. You were kind of used to seeing that. And  
8 it just grows on you and, you know, there comes a  
9 certain point where you just don't want to deal with  
10 it. And I personally didn't want that to be my list  
11 of doing. I went to school for an education, not to  
12 worry about the restrooms or anything.

13 Q. Well, do you know if -- do you have any  
14 reason to believe that if you made a complaint  
15 regarding a bathroom being dirty, that someone might  
16 be called to actually clean the bathroom at that  
17 time? Do you know one way or the other whether if  
18 you made a complaint of that nature that someone  
19 would respond to it?

20 A. I don't know this, but we did hold a forum,  
21 the Student Council, ninth or tenth grade, and there  
22 was many complaints on that bathroom situation. And  
23 I didn't say it directly, but other students said it,  
24 and we did address those to the principal. We did  
25 submit all the concerns to the principal, and no

1 Q. And did you ever enter the restrooms early  
2 in the morning on a school day?

3 A. No.

4 Q. Okay. So do you know how often the  
5 restrooms are cleaned by the janitors?

6 A. No, I don't.

7 Q. Have you ever seen the janitors in the  
8 restrooms at any other time other than after school  
9 hours?

10 A. No.

11 Q. Did you ever complain -- prior to your  
12 twelfth grade year, did you ever complain about the  
13 restrooms being dirty to anyone at Locke?

14 A. No.

15 Q. Why did you not ever complain about that?

16 A. Well, I never approached, let's say, the  
17 principal or any janitors.

18 But we did form a group, like I mentioned  
19 before, where we talked about that, and we complained  
20 to each other about that.

21 Q. But you never complained to anyone outside  
22 of that group about the restrooms being dirty on the  
23 campus; is that correct?

24 A. That's correct.

25 Q. Do you know if anyone from your group

1 action was done.

2 Q. Okay. When was this?

3 A. Ninth or tenth. I don't remember.

4 Q. What group submitted it?

5 A. Leadership.

6 Q. I am speaking more on a daily basis. If  
7 you walked in one day and saw the restrooms in an  
8 unclean manner, do you know if you went ahead and  
9 informed an administrator at the school that someone  
10 could come and clean up the bathroom?

11 A. No.

12 Q. Do you know one way or the other?

13 A. That if someone did that?

14 Q. If you went and made complaint to someone  
15 in the administration, that a janitor would respond  
16 to that complaint?

17 A. No, I don't.

18 Q. With respect to clogged toilets?

19 A. Yes.

20 Q. How often would you see a clogged toilet  
21 during your ninth or eleventh grade years?

22 A. I would see at least one every day, one  
23 stall that was clogged every day.

24 Q. And that's every day that you actually went  
25 into the restroom?

1 A. Yes.  
 2 Q. So that was once every three weeks that you  
 3 went into the restroom?  
 4 A. Yeah.  
 5 Q. And it would just ordinarily be one stall  
 6 that was clogged; is that correct?  
 7 A. That I can remember, only one stall.  
 8 Q. And how many stalls are in that main  
 9 building restroom?  
 10 A. Four or five.  
 11 Q. Okay.  
 12 MS. TEITELBAUM: I just want to clarify.  
 13 She has testified -- I think she just testified, and  
 14 you can tell me if I am wrong, that she currently  
 15 goes in there once every three weeks.  
 16 Is that correct?  
 17 THE WITNESS: Yes.  
 18 MS. TEITELBAUM: And prior to now --  
 19 MS. STRONG: I will clarify. Thanks.  
 20 MS. TEITELBAUM: Okay.  
 21 BY MS. STRONG:  
 22 Q. With respect to how often you used the  
 23 restroom, it was my understanding that you used the  
 24 restroom once every three weeks approximately since  
 25 your ninth grade year; is that incorrect?

1 A. Since my ninth grade year.  
 2 Q. I asked you how often you would go into the  
 3 restrooms.  
 4 A. Uh-huh.  
 5 Q. At Locke High School.  
 6 A. I have to say about the same time during my  
 7 ninth and tenth grade year.  
 8 Q. So once every three weeks?  
 9 A. Yes.  
 10 Q. And that would have continued on from your  
 11 ninth grade year to your twelfth grade year; is that  
 12 correct?  
 13 A. Yes.  
 14 Q. And have you noticed the clogged toilets  
 15 getting fixed at any time?  
 16 A. They are sort of getting fixed now, twelfth  
 17 grade year, but they weren't before.  
 18 Q. Let me rephrase it.  
 19 When you used to go into the restrooms  
 20 during the ninth or eleventh grade year and you saw a  
 21 clogged toilet in the three weeks that you would go  
 22 into the restroom, was it the same toilet that was  
 23 clogged?  
 24 A. No, it wasn't the same.  
 25 Q. So one would get fixed and another one was

1 clogged?  
 2 A. Yes, but ordinarily it was always that one.  
 3 Q. It was always one toilet?  
 4 A. Yes. When I would go into the restroom,  
 5 there was always something clogged. Probably that  
 6 same one each and every time, because our plumbing  
 7 problems wouldn't really get fixed, so --  
 8 Q. You don't remember one way or the other  
 9 whether it was the same actual toilet every time?  
 10 A. No, I don't.  
 11 Q. Did you ever complain about a toilet being  
 12 clogged at your school to anyone at your school or a  
 13 janitor?  
 14 A. No.  
 15 Q. Why is that?  
 16 A. Like I said, it wasn't my thing to do.  
 17 Q. Okay. And a toilet being clogged, did that  
 18 ever prevent you from using the restroom?  
 19 A. No.  
 20 Q. Because there was always another stall  
 21 available for you to use?  
 22 A. Yeah. Or sometimes I would just leave  
 23 because the restrooms were always full, and I would  
 24 just leave.  
 25 Q. You said that with respect to the restrooms

1 being dirty, it's not so bad this year; is that  
 2 correct?  
 3 A. Yes.  
 4 Q. And what has been changed?  
 5 A. After this like lawsuit and attention with  
 6 this group on my school, I think they felt pressured  
 7 to take action.  
 8 Q. When do you think you noticed a change?  
 9 A. At the beginning of this year.  
 10 Q. So this is after you had already gone to  
 11 the LAUSD Board to raise your concerns with the LAUSD  
 12 Board regarding Locke High School; is that correct?  
 13 A. Yes.  
 14 Q. And did you raise with the LAUSD Board the  
 15 conditions of your bathrooms at school?  
 16 A. No.  
 17 Q. You never discussed the bathrooms at the  
 18 Board meeting?  
 19 A. No.  
 20 Q. Did you ever raise that issue with any  
 21 other representative with the District at any time?  
 22 A. No.  
 23 Q. When District representatives came to the  
 24 school, you never raised that issue?  
 25 A. I didn't. I didn't get a chance to talk to

1 District representatives because I was just running  
 2 around all the time doing other errands.  
 3 Q. Did anyone else ever raise those issues to  
 4 the Board, as far as you are aware?  
 5 A. Yes.  
 6 Q. Who?  
 7 A. Several students in my Leadership class  
 8 that had a chance to speak to the representatives.  
 9 Q. And when did they have a chance to speak to  
 10 the representatives?  
 11 A. Well, they were there from November -- I'm  
 12 probably mistaken. I don't know when they got there,  
 13 but I know many of those students did talk to the  
 14 representatives.  
 15 Q. And did the changes that you noticed with  
 16 respect to the restrooms happen after those students  
 17 talked to those District representatives?  
 18 A. No. They had started to take effect before  
 19 like the beginning of the school year, they tried to  
 20 keep the restrooms clean and keep stuff up to par.  
 21 Q. And who was it that was making the effort?  
 22 Do you know?  
 23 A. No.  
 24 Q. And did it seem to be working?  
 25 A. Yeah.

1 Q. The restrooms now seem to be cleaner on a  
 2 regular basis?  
 3 A. Yes.  
 4 Q. Do you have any complaints regarding the  
 5 restrooms now during your senior year?  
 6 A. Well, there still isn't that much soap.  
 7 Hardly ever when I go in there there is soap. There  
 8 is like -- it seems like there was soap, but they run  
 9 out of it, because I still see like droppings of that  
 10 pink soap or powdered soap, but that's about it. I  
 11 never actually get a chance to wash my hands with  
 12 soap.  
 13 Q. That's your only complaint regarding the  
 14 restrooms this year at Locke?  
 15 A. The sinks are kind of clogged. They have  
 16 paper in them and like they are filled up with water.  
 17 Q. Are those your only complaints regarding  
 18 restrooms at Locke during your twelfth grade year,  
 19 that there is problems with the soap and sinks being  
 20 clogged?  
 21 A. They are also lacking locks on doors or the  
 22 doors are like almost about to fall off.  
 23 Q. Okay. Any other complaints regarding the  
 24 restrooms during your senior year?  
 25 MS. TEITELBAUM: Objection. Are you just

1 referring to conditions?  
 2 MS. STRONG: Correct.  
 3 Q. Well, any complaints. This has never been  
 4 focused on conditions. Your complaints regarding the  
 5 restrooms.  
 6 A. Still toilet paper. There is always --  
 7 there isn't always a good amount of toilet paper.  
 8 Q. Okay. Any other complaints this year?  
 9 A. That's it.  
 10 Q. So what's gotten better this year with  
 11 respect to the restrooms?  
 12 A. It's been cleaner.  
 13 Q. Anything else?  
 14 A. It looks like they make an attempt to fill  
 15 up paper.  
 16 Q. What do you base that on?  
 17 A. Well, I have used -- I usually use the  
 18 restrooms during third period, and that's like the --  
 19 that's early. And by the time I get there, there is  
 20 hardly any tissue. And so usually by sixth period  
 21 there is no tissue, but there was an instance where I  
 22 did go to the restroom sixth period, and there was a  
 23 little bit of toilet paper.  
 24 Q. So when you say there usually is no toilet  
 25 paper in sixth period, you are referring to your

1 experience from the ninth through eleventh grade; is  
 2 that correct?  
 3 A. Yes.  
 4 Q. Now in the twelfth grade, you have noticed  
 5 that there is toilet paper throughout the whole day?  
 6 A. Yes. Enough for me to use.  
 7 Q. There has been enough when you go to the  
 8 restroom?  
 9 A. Yes.  
 10 Q. Okay. Anything else that's changed and  
 11 gotten better with respect to the restrooms this  
 12 year?  
 13 A. There are seat covers.  
 14 Q. Anything else that's changed or better with  
 15 the restrooms this year?  
 16 A. The plumbing is not that bad this year.  
 17 Q. So have you seen any clogged toilets this  
 18 year?  
 19 A. Yes, but they have gotten fixed.  
 20 Q. Okay. Anything else that's changed or  
 21 better this year?  
 22 A. That's it.  
 23 Q. With respect to your ongoing complaints  
 24 that there is still not enough soap this year, have  
 25 you -- let me rephrase.

1 With respect to your ongoing complaint that  
2 there still isn't enough soap, that the sinks are  
3 clogged at times, that some of the locks do not latch  
4 and that there is still not enough toilet paper at  
5 all times, have you made any complaints regarding any  
6 of that to anyone?

7 A. No.

8 Q. And I just -- do you ever recall a time  
9 this year when you went in there and there wasn't  
10 enough toilet paper in there for you to use?

11 A. No. I don't recall it.

12 Q. So that's not really an ongoing complaint  
13 of yours with respect to the restrooms this year; is  
14 that correct?

15 A. What is?

16 Q. That there is not enough toilet paper. You  
17 haven't noticed that that is a problem this year; is  
18 that correct?

19 A. No. That's correct, it's not that bad this  
20 year.

21 Q. And with respect to the locks not latching,  
22 when was the last time you noticed a lock that didn't  
23 latch in the restroom?

24 A. This year. I don't recall the last time  
25 that I used the restroom, but there is still some

1 Q. And do you believe that those at least this  
2 year get fixed even though they will clog up at  
3 times?

4 A. I think it's just that people throw in  
5 tissues, and I think all they have to do is make sure  
6 they keep it up, like they constantly clean the  
7 restrooms so they stay clean.

8 Q. So is it your understanding that in the  
9 afternoon when the restrooms are cleaned by the  
10 janitors, the problem with the sinks being clogged is  
11 correct? Is that your understanding?

12 A. Yes.

13 Q. Okay. Were any of the bathrooms at Locke  
14 recently renovated?

15 A. Not that I know of.

16 Q. Have any been renovated since you have been  
17 at Locke High School?

18 MS. TEITELBAUM: Objection; vague and  
19 ambiguous as to renovated.

20 Do you know what that means?

21 THE WITNESS: Yeah.

22 BY MS. STRONG:

23 Q. Go ahead.

24 A. No. Not that I know of.

25 Q. Okay. But you noticed that this year

1 locks that don't have -- there is still some doors  
2 that don't have locks.

3 Q. And do you believe that that's a condition  
4 in the restroom in the main building right now?

5 A. Yes.

6 Q. And all of these complaints in the restroom  
7 has been focused on the restroom in the main  
8 building; is that correct?

9 A. Yes.

10 Q. And with respect to the sinks being  
11 clogged, when was the last time that you saw a sink  
12 clogged in the main building restroom this year?

13 A. I don't remember when was the last time I  
14 used the restroom, but I did see sinks clogged.

15 Q. How many times would you say a sink has  
16 been clogged in the main building restroom this year?

17 MS. TEITELBAUM: Objection. That she has  
18 seen?

19 MS. STRONG: Yeah.

20 THE WITNESS: How many sinks or how many  
21 times?

22 BY MS. STRONG:

23 Q. How many times have you seen a sink clogged  
24 in the restroom in the main building this year?

25 A. I feel like every time that I go there.

1 things are tending to get fixed with the restrooms  
2 quicker than in previous years; is that correct?

3 A. Yeah. I think all it is, that they don't  
4 keep up with the restrooms. They don't clean the  
5 restrooms. That's the reason why like the bathrooms  
6 get clogged and the sinks and everything.

7 Q. And but you are referring to ninth through  
8 eleventh grade; is that correct?

9 A. No. I am referring to all the time.  
10 That's the reason why those problems elevate, is  
11 because they don't keep up -- there isn't -- well,  
12 from what I have seen, there isn't a janitor that  
13 goes in there each and every time.

14 Q. What do you mean, each and every time?

15 A. Like after a period, a janitor goes in and  
16 makes sure that that nothing -- there is enough  
17 toilet paper and that the floor is clean and that the  
18 sinks aren't clogged.

19 Q. But you don't know how often a janitor goes  
20 in the restroom; is that correct?

21 A. That's correct.

22 Q. And whatever the case may be, however often  
23 a janitor is going in, this year you think that the  
24 bathrooms look much better; is that correct?

25 A. That's correct.

1 Q. So whatever they are doing this year is  
2 sufficient to keep the bathrooms clean; correct?

3 A. Not sufficient, but it's better than it  
4 used to be.

5 Q. So it still is insufficient this year, the  
6 cleanliness of the bathrooms?

7 A. Yes.

8 Q. All right.

9 (Recess taken.)

10 BY MS. STRONG:

11 Q. Are you ready to proceed?

12 A. Yes.

13 Q. Just so that I have a clear record, you  
14 said that you still believe that the bathrooms are  
15 not cleaned enough this year to be cleaned  
16 sufficiently; is that correct?

17 A. Uh-huh.

18 Q. Can you tell me why you believe that.

19 A. Well, like I said, they are not kept up,  
20 like they don't constantly check if there is toilet  
21 paper in there or if there is safety seat covers  
22 there.

23 Q. Okay. What I'd like to know is what is it  
24 that you see that makes you believe that the  
25 restrooms aren't kept up enough.

1 into the restroom there was no soap.

2 Q. So there was never any soap in your senior  
3 year in the bathroom; is that what you are testifying  
4 to?

5 A. Correct.

6 Q. With respect to toilet seat covers, is  
7 there ever a time that you went into the restroom  
8 where there was not a seat cover for you to use?

9 A. Yes.

10 Q. How many times has that occurred to you at  
11 Locke?

12 A. Twice.

13 Q. During your entire year?

14 A. Yes.

15 Q. On each of these occasions, you have never  
16 complained to a teacher or any administrator  
17 regarding a lack of supplies in the restroom or the  
18 restrooms being dirty; is that correct?

19 A. That's correct.

20 Are we moving on to another --

21 Q. Is there something that you would like --  
22 after having had an opportunity to speak to your  
23 attorney, is there something that you would like to  
24 add to your testimony?

25 A. Yes. I also mentioned in my declaration,

1 A. In the beginning -- let's say that I go to  
2 class third -- I mean that I go to the restroom third  
3 period, and the sink on the far right is clogged, and  
4 I go in there again sixth period and it's still  
5 clogged. That makes me believe that nothing has been  
6 done about it. And if there is still the same amount  
7 of tissue paper or there is none, that leads me to  
8 believe that no one has gone in there to check if  
9 there is enough toilet paper in the restrooms.

10 Q. When was the last time that you remember  
11 not having enough toilet paper in the restroom during  
12 your last year at Locke?

13 A. There hasn't been a time. I haven't really  
14 visited the restroom.

15 Q. So this year lack of toilet paper has not  
16 been an issue in Locke High School in the main  
17 building as far as you are concerned; is that  
18 correct?

19 A. Correct.

20 Q. And with respect to soap, when was the last  
21 time that you were in the restroom where there wasn't  
22 enough soap in the restroom in your senior year at  
23 Locke?

24 A. I don't remember which time I went to the  
25 restroom, but I remember each, every time that I went

1 and I forgot about this, and that is my biggest  
2 complaint, is there is two sides of the school.  
3 There is where the main buildings are and then the  
4 bungalows. The main buildings are on San Pedro and  
5 the bungalows are on Avalon. And that serves as a  
6 big problem, because if you are by the bungalows you  
7 have to travel to the main building to check if the  
8 bathrooms are open, because sometimes on -- there is  
9 times where they close off those restrooms, and it's  
10 like a waste of time to walk and for the restrooms  
11 not to be opened.

12 Same goes if you are in the main building  
13 and you go to the band room and it's closed. So you  
14 have to pretty much guess to see which bathrooms are  
15 open because they are not always open, but those are  
16 the restrooms that are mostly opened to the student  
17 body.

18 Q. Okay. How many times have you tried to go  
19 to the main building restroom when it's been closed?

20 A. From when to when?

21 Q. From ninth grade year to your senior year.

22 A. There has been about four occasions where  
23 the restrooms have been closed.

24 Q. Where the main building restroom has been  
25 closed when you have attempted to go use the

1 restroom?

2 A. Well, two times there and approximately two  
3 times in the band hall when I wanted to go during  
4 Nutrition or lunch and it's been closed.

5 Q. Okay. With respect to the two times  
6 relating to the main building, can you identify for  
7 me when the first occasion took place.

8 A. I can identify when it was closed off by  
9 the band hall.

10 Q. With respect to the main building, you have  
11 identified --

12 A. I don't remember.

13 Q. Let me finish my question, please.

14 With respect to the main building, you have  
15 testified that there were approximately two occasions  
16 during your four years at Locke that you went to that  
17 restroom and it was closed?

18 A. Uh-huh.

19 Q. And I'd like to know if you remember when  
20 either of those two occasions took place.

21 A. No. I don't remember.

22 Q. Was it during your senior year?

23 A. I don't remember.

24 Q. It could have been during your senior year?

25 A. No.

1 A. There was no one.

2 Q. You remember that about the incident?

3 A. Yes.

4 Q. The two times that you believed the  
5 restrooms were closed in the band room location --

6 MS. TEITELBAUM: Objection. I think she  
7 testified approximately two times.

8 BY MS. STRONG:

9 Q. With respect to the approximately two times  
10 that you attempted to use the restrooms near the band  
11 room, do you remember when those incidents took  
12 place?

13 A. I remember one of the incidents took place  
14 this year.

15 Q. Okay. And can you tell me when that was.

16 A. During Nutrition.

17 Q. And do you know why the restroom was  
18 closed?

19 A. No.

20 Q. And was there another restroom available  
21 for you to use at that time?

22 A. No.

23 MS. TEITELBAUM: Objection; calls for  
24 speculation.

25 BY MS. STRONG:

1 Q. Was it during your eleventh grade year?

2 A. I don't remember.

3 Q. So it could have been during your eleventh  
4 grade year?

5 A. Yes.

6 Q. It could have been any time between your  
7 ninth and eleventh grade years at Locke, but you  
8 don't recall?

9 A. Yes.

10 Q. Do you recall anything more about the  
11 incident other than you went to the restroom and  
12 noticed that it was closed?

13 A. No.

14 Q. Do you know what period of time or time of  
15 day it was?

16 A. No.

17 Q. Do you know if there were any signs up  
18 indicating how long the restrooms would be closed for  
19 or any other restrooms that were then available for  
20 the students to be used?

21 A. There were no signs ever when the restrooms  
22 are closed.

23 Q. Do you know if there was anyone that was  
24 around that you could ask if there is another  
25 restroom available that you could use?

1 Q. Did you attempt to use the restroom in the  
2 main building at that time?

3 A. You can't use the main building restrooms  
4 because they are closed off.

5 Q. During Nutrition?

6 A. During Nutrition. Everything is closed off  
7 from the main building classrooms as well during  
8 Nutrition.

9 Q. Okay. As far as you are aware, only the  
10 band room restrooms were made available for the  
11 restrooms for the students?

12 A. Yes.

13 Q. And that day that you believed the restroom  
14 was closed near the band room, did you ask anyone if  
15 there was another restroom available for the students  
16 to use?

17 A. No.

18 Q. And the second time that you believe you  
19 went to the band room location to use the restroom,  
20 do you remember when that was?

21 A. No.

22 Q. Do you know if there are any restrooms  
23 closer to the bungalow area on your campus that exist  
24 that are simply not made available to the students?

25 A. Near the what?



1 Q. Bungalow area?  
 2 A. No. The closest restroom is the one by the  
 3 band hall.  
 4 Q. And that one is usually opened during  
 5 Nutrition and lunch?  
 6 A. Yes.  
 7 Q. Is it also opened during class time?  
 8 A. No.  
 9 Q. Do you know if you can ask a teacher to  
 10 open a restroom for you during class time?  
 11 A. No.  
 12 Q. So it's your concern with regard to the  
 13 distance between the bungalows and the bathroom in  
 14 the main building relating to when a student needs to  
 15 use a restroom during class time?  
 16 A. What was this again?  
 17 Q. You said -- you explained to me earlier  
 18 that you have a concern about the distance that one  
 19 has to travel from the bungalows to the main building  
 20 to use the restroom. Is that a concern that you have  
 21 solely during the time that students are in class?  
 22 A. That's a concern that is there all the  
 23 time.  
 24 Q. Well, let me make sure that we are on the  
 25 same page.

1 to the bungalow area to accommodate the students  
 2 there?  
 3 A. What do you mean?  
 4 Q. You told me you have a concern about how  
 5 far students must go to use the restroom in the  
 6 bungalow area; correct?  
 7 A. Yes.  
 8 Q. If the band room location -- band room  
 9 restroom was opened during class time, would that be  
 10 sufficient to accommodate or to correct the problem  
 11 relating to the distance between the bungalows and  
 12 the closest bathroom?  
 13 A. Yes.  
 14 Q. It would be?  
 15 A. Yes.  
 16 Q. So have you ever asked anyone in the  
 17 administration that the band room restroom be opened  
 18 during class time to accommodate students in the  
 19 bungalow area?  
 20 A. No.  
 21 Q. Do you know of anyone who has made that  
 22 request of your administration or anyone at the  
 23 school?  
 24 A. No.  
 25 Q. Do you know why the restroom close -- near

1 You testified that the closest bathrooms to  
 2 the bungalows are located in the band room. So  
 3 during Nutrition and lunch, is that sufficient to  
 4 accommodate any of the students that are in the  
 5 bungalow area?  
 6 A. Well, it's hardly ever open. From when I  
 7 have been wanting to go to that restroom, it's  
 8 usually closed.  
 9 Q. Which restroom?  
 10 A. The one by the band hall.  
 11 Q. Okay. I thought that one was opened during  
 12 Nutrition and lunch.  
 13 A. During Nutrition and lunch. I thought you  
 14 just said during class time.  
 15 Q. I am sorry. During Nutrition and lunch,  
 16 are the restrooms by the band room sufficient to  
 17 accommodate any of the students that are near the  
 18 bungalow area?  
 19 A. During Nutrition and lunch they close off  
 20 everything.  
 21 Q. So there are no students in the bungalow  
 22 area; is that your testimony?  
 23 A. Yes.  
 24 Q. And if the band room restroom was opened  
 25 during class time, would that be sufficiently close

1 the band room is not opened during class time?  
 2 A. No.  
 3 Q. Do you know of any other restrooms on  
 4 campus that exist that are locked during the day?  
 5 A. Yes.  
 6 Q. Which restrooms?  
 7 A. The restroom in the second and third floor  
 8 as well as -- yeah, that's it.  
 9 Q. Second, third floor of the main building?  
 10 A. Yeah. Of both of the buildings, both of  
 11 the main buildings.  
 12 Q. There is two main buildings?  
 13 A. Yes.  
 14 Q. So there is one bathroom in one main  
 15 building?  
 16 A. Yes.  
 17 Q. How do you distinguish the two main  
 18 buildings?  
 19 A. I think one of them is called south and the  
 20 other one is called north. I think they named them,  
 21 but they painted over them, so it's hard to tell  
 22 which is which.  
 23 Q. Well, the one with the bathroom, is there  
 24 anything that distinguishes it from the other main  
 25 building?

1 A. Yes. That the restrooms are on the first  
2 floor, because there is -- on the first building  
3 there is a restroom for boys and girls on the right  
4 side.  
5 Q. Okay.  
6 A. And the second one has also restrooms on  
7 the right side, but the third one, the third building  
8 has the boys' and girls' restroom on the other side.  
9 So that's what distinguish the restrooms -- or let me  
10 give you something that distinguish. It's closer to  
11 the main office.  
12 Q. Okay. The one with the restrooms -- it  
13 seems like you just identified three main buildings.  
14 A. Yes. No. It's floors. It's a main  
15 building, but floor.  
16 Q. So there is one main building?  
17 A. Yes.  
18 Q. Is that correct?  
19 A. No. There is two. It's a whole -- they  
20 are separate, and they are linked up, but they are  
21 called the main building. We refer to them as the  
22 main building. The other buildings are called band  
23 hall, ROTC and bungalows.  
24 Q. Okay. So in the main buildings, that has  
25 two buildings connected?

1 A. Yes.  
2 Q. Close to the office is a restroom that's  
3 opened most of the day?  
4 A. Yes.  
5 Q. And you have already testified about that  
6 one restroom, and you referred to it as the main  
7 building restroom; is that correct?  
8 A. Yes.  
9 Q. There are other restrooms in the two main  
10 buildings that are attached?  
11 A. Yes.  
12 Q. That exist but are not opened; is that  
13 correct?  
14 A. That's correct.  
15 Q. How many other restrooms are in the main  
16 buildings that exist but are not opened to the  
17 students on a regular basis?  
18 A. Two other ones for both boys and girls.  
19 Q. So in total there is three sets of  
20 bathrooms in the main buildings; is that correct?  
21 A. Yeah, there is.  
22 Q. Is that correct?  
23 A. You also have to take that there is -- they  
24 are not co-ed, but there is one for boys and one for  
25 girls.

1 Q. So I said three sets; six restrooms in  
2 total?  
3 A. Yes.  
4 Q. Okay. Now do you know why the two other  
5 sets of restrooms in the main building are not opened  
6 on a regular basis to the students?  
7 A. No.  
8 Q. Have you ever asked anyone about that at  
9 your campus?  
10 A. No.  
11 Q. If all of those restrooms were opened and  
12 made available to the students, do you think that  
13 would accommodate any concerns that you have  
14 regarding the sufficiency of the numbers of restrooms  
15 available to the students at school?  
16 A. Yes.  
17 Q. Yes?  
18 A. Yes.  
19 Q. Okay. Have you ever had to wait in a line  
20 to use a restroom?  
21 A. Yes.  
22 Q. And when was the last time that you had to  
23 wait in line to use the restroom at Locke?  
24 A. I don't know.  
25 Q. Have you ever had to wait in line to use

1 the restroom in your senior year at Locke?  
2 A. Yes.  
3 Q. If you had to give an estimate of how often  
4 you had to wait in line, what would that be?  
5 A. I only had to wait in line once this year.  
6 Q. Only once?  
7 A. No.  
8 Q. Had you ever had to wait in line prior to  
9 your senior year?  
10 A. I can't remember.  
11 Q. So you can't remember a particular time  
12 that you to wait in line other than your senior year;  
13 is that correct?  
14 A. That's correct.  
15 Q. What happened? Do you know why you had to  
16 wait in line that one time?  
17 A. It was overcrowded. There were too many  
18 people in the restroom.  
19 Q. Was there something significant of that  
20 day?  
21 A. No.  
22 Q. You don't know why it was overcrowded?  
23 A. No.  
24 Q. What time of day was it?  
25 A. It was during third period. That's when

1 pretty much everyone uses the bathroom, because it's  
2 after Nutrition, and after Nutrition you eat and you  
3 have to use the bathroom.

4 Q. At the beginning or the end of the third  
5 period?

6 A. At the beginning. Pretty much during the  
7 passing period.

8 Q. Can you use the bathroom during Nutrition?

9 A. Yeah, the band hall restroom.

10 Q. Do you have any concerns regarding the air  
11 conditioning at your school?

12 A. Yes.

13 Q. And what would those be?

14 A. Well, my main concern this year -- well,  
15 let me begin with my ninth through eleventh grade  
16 complaints.

17 We didn't have any until the beginning  
18 of -- not the beginning, the end of tenth grade,  
19 where they were just installing them, but they still  
20 weren't working. And I think they got them to work  
21 towards the end of our eleventh grade year.

22 My complaint was that it was real hot.

23 Q. This is your complaints during the ninth  
24 and eleventh grade years; is that correct?

25 A. Yes.

1 Not counting summer school; right.

2 Q. Did you attend summer school?

3 A. I did my -- the end of my ninth grade year  
4 and the end of my tenth grade year.

5 Q. So you said September, October, April, May,  
6 June. And that was six months; correct?

7 A. Yes.

8 Q. And you felt that it was too hot during  
9 those six months of your senior year?

10 A. Not all six months. We were sometimes able  
11 to stay cool for one reason or another, but not every  
12 single day. So it was pretty much every single day.

13 Q. So how many days -- let me put it in the  
14 alternative.

15 How many days would you -- do you believe  
16 that you felt the temperature was reasonable during  
17 those six months of your ninth grade year?

18 A. Reasonably hot or fine?

19 Q. No. Reasonable being -- I am doing the  
20 alternative since you seem to believe that most of  
21 the time it was too hot.

22 A. Maybe like twice a week.

23 Q. So two times a week for a period of six  
24 months during your ninth grade year you felt that the  
25 temperature was reasonable in the class, and all

1 Q. Do you have any other complaints other than  
2 that it was hot?

3 A. During the winter it was also cold. We  
4 were talking about the air conditioning.

5 Q. Do you have concerns about the heating at  
6 the school, as well?

7 A. Yeah. It was cold.

8 Q. Okay. Then your complaint changes for your  
9 senior year?

10 A. I still have the same complaint, even  
11 though these air conditioning have been fixed, it's  
12 still cold -- it's still warm in our classrooms.  
13 It's still warm and stuffy. The heating is also bad.  
14 They can never get the temperature right. It's  
15 either too hot or too warm or they broke the  
16 thermometer.

17 Q. Any other complaints regarding this?

18 A. That's it. All I can think of.

19 Q. Okay. So how many days during your ninth  
20 grade year do you think that it was too hot?

21 A. Let's see. About five months out of the  
22 year. First and second semester.

23 Q. Can you tell me what months you are  
24 referring to.

25 A. September, October, March through June.

1 other times it was too hot in the class; is that your  
2 testimony?

3 A. Yes.

4 Q. Now would you describe that as being the  
5 same during your tenth grade year?

6 A. Yes. Estimated six months. I am not sure  
7 if it's all six months.

8 Q. Uh-huh. And do you believe that you --  
9 your testimony would be the same as to your eleventh  
10 grade year, as well?

11 A. Yes.

12 Q. And with respect to your senior year, would  
13 your testimony be the same or would it change?

14 A. It would change.

15 Q. And how -- how many days do you think were  
16 too hot -- have been too hot in your classrooms at  
17 Locke High School during your senior year?

18 A. Twice a week it's been too hot where we  
19 can't get the air conditioning to work.

20 Q. And for what period of time has it been too  
21 hot twice a week during your senior year?

22 A. From what month to what month, you mean?

23 Q. Correct.

24 A. The beginning of the school year.

25 Q. So September?

1 A. Yes. And recently it's been real hot, and  
2 our classes, and we haven't gotten heat because our  
3 air conditioning is broken.

4 Q. So just in September? Not October?

5 A. I don't remember the other months, but I  
6 know that it was real hot in the beginning of the  
7 semester.

8 Q. Okay. And now you said recently. What  
9 defines recently? Starting when?

10 A. Beginning of January, it's been real hot in  
11 our classes.

12 Q. And you said that the air conditioning was  
13 installed at the end of your tenth grade year; is  
14 that correct?

15 A. At the end of my tenth grade, beginning of  
16 the eleventh.

17 Q. And was it installed throughout the entire  
18 school?

19 MS. TEITELBAUM: Objection; calls for  
20 speculation.

21 THE WITNESS: I saw it in the classes that  
22 I was in. I don't know if it was the whole school.

23 BY MS. STRONG:

24 Q. But prior to the end of your tenth grade  
25 year, there was no air conditioning in any of your

1 A. Well, let's see. I told you that the air  
2 conditioning was installed the end of tenth grade,  
3 beginning of eleventh. They were -- most of the  
4 temperature was the same from my ninth to eleventh  
5 grade year. And they did make attempts to change it,  
6 and from time to time it was fine, but I have to say  
7 that most of the time it was the same thing.

8 Q. Even once the air conditioning had been  
9 installed?

10 A. Yes.

11 Q. Okay. Do you know if -- well, did you ever  
12 make any complaints during the eleventh and twelfth  
13 grade year about the air conditioning not functioning  
14 in any of your classrooms?

15 A. No.

16 Q. Do you know of anyone who did make a  
17 complaint about that to anyone in your  
18 administration?

19 A. No.

20 Q. Do you know if any of the teachers made any  
21 complaints about the air conditioning not functioning  
22 during your eleventh and twelfth grade years to  
23 anyone in your administration?

24 A. No.

25 Q. Did you ever complain to any of your

1 classes -- is that your testimony -- no air  
2 conditioning in any of the school; is that your  
3 testimony?

4 A. Any of the classes that I was in. I don't  
5 know about the whole school. I know that the classes  
6 that I was in didn't have air conditioning.

7 Q. Until after the end of the tenth grade?

8 A. Yes.

9 Q. Okay.

10 A. But that doesn't mean that the air  
11 conditioning have been working. I just mean that  
12 they have just been installed.

13 Q. Okay. Because during the eleventh grade  
14 year, once the air conditioning was in your classes  
15 that you were attending, nothing changed in terms of  
16 the temperature of the classes as compared to your  
17 tenth grade year; is that correct?

18 A. They made an attempt to fix them and they  
19 were working sometimes; so yeah, there was some sort  
20 of changes. Is that what you meant?

21 Q. Yeah. I just thought earlier that you  
22 testified that your testimony in terms of the  
23 temperature in the classrooms was the same for ninth,  
24 tenth and eleventh grade. And now I understand you  
25 to be changing that testimony; is that correct?

1 teachers about it?

2 A. Yes.

3 Q. Who did you complain to?

4 A. [REDACTED]

5 Q. What grade was that?

6 A. Twelfth grade.

7 Q. What class?

8 A. AP Government.

9 Q. When did you complain to [REDACTED] about  
10 the air conditioning?

11 A. This past Friday.

12 Q. What did you say to her?

13 A. That it was hot.

14 Q. And what did she say? She had no response?

15 A. Well, she tried to fix the thermometer, but  
16 it was broken. And a repairman came in and told her  
17 not to touch it.

18 Q. Okay. While you were in class?

19 A. Yes.

20 Q. And did the repairman come in that same  
21 class the day that you complained, on Friday?

22 A. He was in there already and she tried to  
23 fix it.

24 Q. She tried to fix it?

25 A. Yeah. Well, she tried to move some stuff

1 around.

2 Q. Is this the repair person?

3 A. No. [REDACTED] did. And then the  
4 repairman told her not touch anything, but a student  
5 touched it anyway.

6 Q. I am sorry. I am a little confused as to  
7 what happened.

8 You were in class last Friday and you made  
9 a complaint to the teacher about it being too hot in  
10 the class; is that correct?

11 A. Yes.

12 Q. At the time that you made the complaint,  
13 was there already an air conditioning person in the  
14 classroom?

15 A. No.

16 Q. So you made your complaint. And what did  
17 she do about that?

18 A. She tried to do something about it, and  
19 then the repairman came and he told her not to touch  
20 anything. And a student touched it afterwards  
21 because she said she could have fixed it.

22 Q. So when you made your complaint, you said  
23 she tried to do something to fix it, the teacher.  
24 What did the teacher try to do?

25 A. She checked the thermostat.

1 Q. And about the heat at your school, how  
2 often have you said -- how often did you believe it  
3 was ever too cold in the classroom?

4 A. I can recall this year in December before  
5 we went on vacation, it was cold. And I think our  
6 heater had been broken or, because it's two things in  
7 one, our air conditioning has heat and cold, so when  
8 they break, it's both of them. You can't be hot or  
9 cold. You can't heat it up or you can't cool it off.

10 Q. Okay. So you remember a time in December  
11 when you felt it was too cold?

12 A. Yes.

13 Q. This year; is that correct?

14 A. Yes.

15 Q. So that would be 2001; correct?

16 A. Yes.

17 Q. How many days do you believe that it was  
18 too cold in December 2001?

19 A. I don't know how many days.

20 Q. If you could give your best estimate as to  
21 how many days were you thinking of.

22 A. In December or in a week?

23 Q. In December of 2001.

24 A. Twice.

25 Q. Two days?

1 Q. And do you know why the repair person came  
2 to your classroom?

3 A. She had made complaints about how it wasn't  
4 working.

5 Q. Do you know when your teacher made a  
6 complaint about the air conditioning not working in  
7 her classroom?

8 A. No.

9 Q. Do you know if it was made that day?

10 A. No.

11 Q. You don't know?

12 A. No. It was the first period, so I doubt  
13 that it was that day.

14 Q. But you don't know one way or the other?

15 A. That's right.

16 Q. Okay. But it's your understanding that the  
17 repair person was responding to a complaint of your  
18 teacher?

19 A. Yes.

20 Q. Other than that one time last Friday that  
21 you complained to [REDACTED] about the temperature  
22 in that classroom, have you ever made any other  
23 complaints to any teachers in your school regarding  
24 the temperature in your classroom?

25 A. No.

1 A. Yes.

2 Q. Okay. Do you ever remember a time during  
3 any -- at any time between your ninth and eleventh  
4 grade years that you felt that it was too cold in the  
5 classroom?

6 A. No, I don't.

7 Q. Okay. And with respect to these two days  
8 in December of 2001, did you make any complaints  
9 about the temperature in the classrooms?

10 A. Yes.

11 Q. To whom?

12 A. To the teacher.

13 Q. What teacher is this?

14 A. The same teacher, [REDACTED]

15 Q. On both occasions?

16 A. Yes.

17 Q. And do you know what was [REDACTED]  
18 response?

19 A. Well, she once again tried to warm it up.

20 Q. And was that effective?

21 A. It was one time, but the second time, I  
22 don't recall.

23 Q. You don't recall one way or the other  
24 whether it got better or not?

25 A. That's right.

1 Q. And the one time, you can recall it did get  
2 better; is that correct?

3 A. Yes.

4 Q. With respect to your testimony regarding  
5 the classrooms being too hot --

6 A. Yes.

7 Q. -- how hot do you believe -- how hot is too  
8 hot?

9 A. Well, like you start sweating, you can't  
10 concentrate in classwork.

11 Q. Do you know what temperature is too hot?

12 A. For me?

13 Q. Uh-huh.

14 A. No. Sometimes when other people are hot, I  
15 am not hot; so I can't tell you when too hot is hot  
16 for me.

17 Q. Okay.

18 A. But I know those are my signs of when it is  
19 too hot.

20 Q. Okay. So when you have described the  
21 classrooms as being too hot during the six months  
22 in -- I should say for the two times a week during  
23 the first -- during the first six months of your  
24 ninth, tenth and eleventh grade years, do you have  
25 any idea what the temperature was in any of those

1 were times when I was sort of.

2 Q. How often would you say that you would have  
3 sweat in class during your ninth grade year?

4 A. Probably once after lunch.

5 Q. So probably one day during your ninth grade  
6 year?

7 A. During the whole year?

8 Q. Yes.

9 A. I don't know. That's too much to estimate.

10 MS. TEITELBAUM: If you can give an  
11 estimate, then I'd like you to. If you can't, say  
12 you don't know.

13 THE WITNESS: I can't really.

14 BY MS. STRONG:

15 Q. So you have identified approximately three  
16 days a week for approximately six months during your  
17 ninth grade as being too hot. And you have told me  
18 the way you know it is too hot is because you sweat  
19 and you can't concentrate.

20 And I'd like to know if on each of those  
21 occasions when you found it to be too hot in the  
22 classroom, if you came to that conclusion based on  
23 indicators such as sweating or failure to  
24 concentrate. That's what I am trying to get at right  
25 now.

1 classrooms on any of those occasions?

2 A. No.

3 Q. And on each of those occasions, were you  
4 sweating?

5 A. Yeah.

6 MS. TEITELBAUM: I'd like to interrupt for  
7 a minute that I think she testified twice a week  
8 during that period it was actually reasonable.

9 MS. STRONG: Okay. I didn't recall that  
10 exactly.

11 Q. Was that your testimony, that twice a week  
12 during six months in your ninth grade, six months  
13 during your tenth grade and six months during your  
14 eleventh grade it was reasonable in the classroom?

15 A. Yes.

16 Q. And the rest of the time it was too hot?

17 A. Yes.

18 Q. And so for that remainder, the three days a  
19 week for six months during your tenth grade, eleventh  
20 grade and twelfth grade years, you found it to be too  
21 hot?

22 A. Yes.

23 Q. And on each of those days, each of those  
24 occasions, were you sweating in class?

25 A. Not on each of those occasions, but there

1 So can you tell me if on each of those  
2 occasions you were sweating? I believe that you  
3 testified that you were not; is that correct?

4 A. Not on each of those occasions.

5 Q. Okay. And you actually recall only one  
6 specific time when you were sweating after lunch?

7 MS. TEITELBAUM: Objection. I think that  
8 misstates her testimony.

9 THE WITNESS: No. Like I said, I can't  
10 tell you how many times I have been sweating.

11 BY MS. STRONG:

12 Q. But you remembered one that you just  
13 testified about; is that correct?

14 A. One I remember, but that's not like how  
15 many times I actually was sweating.

16 Q. Okay. But it's the only one that comes to  
17 mind right now?

18 A. That's right.

19 Q. And that was right after lunch; is that  
20 correct?

21 A. Yes.

22 Q. What class were you in?

23 A. I was in my -- probably my English class.

24 Q. Do you have any other specific  
25 recollections of any time when you were sweating in

- 1 class during your four years at Locke High School?  
 2 A. Due to the heat?  
 3 Q. Correct.  
 4 A. No, I can't remember anything.  
 5 Q. Okay. In terms of being unable to  
 6 concentrate, can you recall a specific time when you  
 7 believe you were unable to concentrate because it was  
 8 too hot in your classes?  
 9 A. Yes.  
 10 Q. At any time during the four years that you  
 11 have been in attendance there?  
 12 A. Yes.  
 13 Q. And can you describe for me the time that  
 14 you recall or the times that you recall.  
 15 A. Last Friday in my third period.  
 16 Q. Is that [REDACTED] class?  
 17 A. No. That's Miss Ogden's class.  
 18 Q. You were unable to concentrate in that  
 19 class due to the heat?  
 20 A. Yes.  
 21 Q. Did you say anything to Miss Ogden about  
 22 that?  
 23 A. Yes.  
 24 Q. What did you tell Miss Ogden?  
 25 A. I told her that it was too hot in the

- 1 class. And I wasn't the only one who complained  
 2 about the heat.  
 3 Q. So in addition to [REDACTED] you have  
 4 made a complaint to Miss Ogden about the heat in your  
 5 class?  
 6 A. Yes.  
 7 Q. So to the extent that this is inconsistent  
 8 with your prior testimony, you would like to change  
 9 your testimony at this point; is that correct?  
 10 A. Yes. Well, I only tell you what I remember  
 11 at the time.  
 12 Q. Okay. But now you remembered a complaint  
 13 to Miss Ogden last Friday?  
 14 A. Yes.  
 15 Q. Can you remember any other complaints that  
 16 you made to any other teachers regarding the heat?  
 17 A. Not at the moment.  
 18 Q. Okay. And other than that last Friday  
 19 third period when you recall being unable to  
 20 concentrate due to the heat in the classroom, can you  
 21 remember any other time specifically where you were  
 22 unable to concentrate in the class due to the heat?  
 23 A. No. I can't remember right now.  
 24 Q. Okay. And what happened last Friday in  
 25 Miss Ogden's class? Why is it that you are unable to

- 1 concentrate?  
 2 A. Because it was too hot.  
 3 Q. But what did you do in the class?  
 4 A. Well, I was trying to write some poems, and  
 5 it was too hot to concentrate. What else can I say?  
 6 It was just hot in there.  
 7 Q. And so what did you do instead?  
 8 A. I put my head down.  
 9 Q. Okay. Was anyone else too hot? You said  
 10 other students were too hot in the classroom as well;  
 11 correct?  
 12 A. Yes.  
 13 Q. And you said you complained to Miss Ogden.  
 14 What did she do in response to your complaint?  
 15 A. Nothing.  
 16 Q. Do you know if she made an attempt to  
 17 adjust the thermostat in her classroom?  
 18 A. She couldn't, because I believe it was  
 19 broken as well.  
 20 Q. How do you know that?  
 21 A. She told us that it was broken.  
 22 Q. Do you know if she made a complaint to the  
 23 administration about it being broken?  
 24 A. No.  
 25 Q. Have you now testified regarding all of

- 1 your complaints regarding air conditioning and  
 2 heating at Locke High School?  
 3 A. From what I can remember, yes.  
 4 Q. Okay. Have you ever seen any pests or  
 5 rodents on the campus at Locke?  
 6 A. Yes.  
 7 Q. What have you seen on the campus of that  
 8 nature?  
 9 A. I have seen -- I don't know the difference  
 10 between mice or rats, but I have seen them at school.  
 11 Q. Any other rodents, insects or pests that  
 12 you have seen on campus?  
 13 A. Roaches.  
 14 Q. Any others that you have seen?  
 15 A. Not that I remember.  
 16 Q. Okay. With respect to mice and rats, when  
 17 was the last time that you saw a mouse or a rat on  
 18 the campus at Locke?  
 19 A. Well, there has been two occasions. The  
 20 first time that I saw mice or rats was during my  
 21 second period AP Studio Art class.  
 22 Q. What grade were you in?  
 23 A. Eleventh grade year.  
 24 Q. Okay. Okay. And on that one occasion in  
 25 the eleventh grade, what happened?

- 1 A. We were going into class, and the teacher  
2 was complaining about rat droppings in her classroom.  
3 So I didn't actually see mice or rats at that time,  
4 but there was rat droppings.  
5 Q. Who was the teacher?  
6 A. Miss Motevalli.  
7 Q. So on that one occasion, you saw either rat  
8 or mouse droppings in her classroom; is that correct?  
9 A. Yes.  
10 Q. Where were they located?  
11 A. They were all over the sink and the floor.  
12 Q. The floor by the sink?  
13 A. Yes.  
14 Q. Were they on any student desks?  
15 A. No. Not that I recall.  
16 Q. Or on the floor underneath student desks?  
17 A. Not that I recall.  
18 Q. And do you know what was done with respect  
19 to the rat or mouse droppings that were there?  
20 A. She had some students clean it up.  
21 Q. Miss Motevalli did?  
22 A. Yes. Sweeping it up.  
23 Q. Okay. And at that point was the problem  
24 taken care of?  
25 A. Yes.

- 1 Leadership advisor.  
2 Q. Who was that at that time?  
3 A. Miss Burke, with an E at the end.  
4 Q. And what was done at that time when you saw  
5 the mouse or rat tail in the trap?  
6 A. I kind of kicked it off to the side,  
7 because there was a lot of students in there and I  
8 didn't want to spoil their -- it was potluck, and I  
9 didn't want to spoil their appetite by telling  
10 everyone there is a rat tail or mouse tail, so I  
11 kicked it off to the side.  
12 Q. Did you ever say anything to anybody about  
13 it?  
14 A. No. I didn't have a chance to do that.  
15 Q. So are those the only two occasions where  
16 you have ever seen anything related to a mouse or a  
17 rat at Locke High School?  
18 A. No. That same day, I did tell the people  
19 at Title One right across from the parent room about  
20 that incident.  
21 And they told me about an incident that  
22 happened where an administrator killed a rat or a  
23 mouse in that room.  
24 Q. Okay. Did you -- everything that you know  
25 about that incident, is that only from what people in

- 1 Q. As far as you were concerned?  
2 A. As far as I was concerned, yes.  
3 Q. Do you know if Miss Motevalli made a  
4 complaint to anyone in the administration regarding  
5 that?  
6 A. No, I don't.  
7 Q. And this second occasion that you  
8 identified, can you tell me about that.  
9 A. Same year, I was setting up a meeting in  
10 the parent room and I saw a mouse trap with a rat's  
11 tail, and there was blood all over the trap; so the  
12 body wasn't there, but there was -- the tail was  
13 there.  
14 Q. What room were you in?  
15 A. I was in the parent room.  
16 Q. What does that mean?  
17 A. It's just a -- like a conference room for  
18 parents or like for school management council  
19 meetings.  
20 Q. No classes are held in that room?  
21 A. No. Sometimes testing.  
22 Q. Okay. But that day you weren't there for  
23 testing?  
24 A. No. I was setting up a meeting -- it  
25 wasn't a meeting. It was surprise party for my

- 1 the Title One told you?  
2 A. That's right.  
3 Q. And who was that speaking to you at that  
4 time?  
5 A. I don't remember who it was. I am not sure  
6 if it was a parent or a secretary.  
7 Q. Okay.  
8 A. But I did talk to one of them.  
9 And the last incident that I had with a rat  
10 was when I was in my Leadership class, I think it was  
11 a Monday where I was looking at this box of Fritos,  
12 and it had a hot dog buns in there, but they were all  
13 sealed, and I wanted to get some Fritos. I opened  
14 the box and a mouse or rat jumped out of the box and  
15 started running around the class.  
16 Q. When was this?  
17 A. This was my senior year. I am not sure  
18 what month it was.  
19 Q. First semester or second semester?  
20 A. First semester.  
21 Q. And this is in your Leadership class?  
22 A. Yes.  
23 Q. What did you do at that time?  
24 A. Got scared.  
25 Q. Did you tell anyone about it?



1 A. Everyone in the class saw the mouse.  
 2 Q. The mouse -- it was a single animal;  
 3 correct?  
 4 A. Yes.  
 5 Q. Did the advisor see it?  
 6 A. Yes.  
 7 Q. And who was the advisor?  
 8 A. Mr. Porter.  
 9 Q. And do you know -- what happened to the  
 10 mouse or the rat?  
 11 A. It ran away in the same classroom, so it  
 12 hid somewhere.  
 13 Q. And have you seen the mouse again after  
 14 that?  
 15 A. No.  
 16 Q. And do you know if Mr. Porter made a  
 17 complaint to anyone about that?  
 18 A. No.  
 19 MS. TEITELBAUM: No, you don't know or --  
 20 THE WITNESS: No, I don't know.  
 21 BY MS. STRONG:  
 22 Q. Does that now cover all of your experiences  
 23 with either a rat or a mouse at Locke High School?  
 24 A. Yes.  
 25 Q. Okay. And just to make sure I have it

1 me?  
 2 A. No, I couldn't.  
 3 Q. But regardless, you can't remember any one  
 4 particular incident; is that correct?  
 5 A. That's correct.  
 6 Q. Okay. And have you ever made any  
 7 complaints regarding any roaches at Locke?  
 8 A. No.  
 9 Q. Do you know if there is anyone at the  
 10 school that's responsible for pest control on the  
 11 campus?  
 12 A. No.  
 13 Q. Do you know if there is anyone at the  
 14 District who is responsible for pest control in the  
 15 District?  
 16 A. No.  
 17 Q. Do you know who placed the trap in the  
 18 parent room?  
 19 A. No.  
 20 Q. Do you believe that any of these instances  
 21 affected your education at Locke?  
 22 MS. TEITELBAUM: Objection; calls for  
 23 expert testimony and speculation.  
 24 BY MS. STRONG:  
 25 Q. Go ahead.

1 clear: You have seen a mouse or rat on one occasion.  
 2 On one other occasion you saw mouse droppings, and on  
 3 one other occasion you saw a mouse tail in a trap?  
 4 A. Uh-huh.  
 5 Q. Is that correct?  
 6 A. Yes, that's correct.  
 7 Q. And on a fourth occasion you heard about an  
 8 incident regarding a mouse or a rat, but that was  
 9 only -- you only know what was told to you by  
 10 somebody in the Title One room; is that correct?  
 11 A. That's correct.  
 12 Q. Do you know if there is any -- well, let me  
 13 back up.  
 14 With respect to roaches -- let's change to  
 15 that topic. How many roaches -- how many occasions  
 16 have you seen a roach on campus at Locke?  
 17 A. I don't remember a particular incident nor  
 18 a specific time, but I have run across some roaches  
 19 at Locke, but I don't remember at all.  
 20 Q. You can't remember a single incident  
 21 specifically; is that what you testified to?  
 22 A. That's right.  
 23 Q. Okay. If you had to give your best  
 24 estimate as to how many occasions you came across a  
 25 rodent -- I am sorry, a roach, could you do that for

1 A. It's affected my learning?  
 2 Q. Your learning or education?  
 3 A. Not directly, but kind of makes you not  
 4 want to go there knowing that, like, you know, things  
 5 that you touch and everywhere where you are at, you  
 6 know, something could touch you, you know, a rat or a  
 7 roach could have touched it or it's been killed on  
 8 there and you don't know, and you touch it. Like  
 9 when you are holding onto a rail, and then, you know,  
 10 somehow you put it in your mouth and you could be  
 11 touching that thing. It makes you feel disgusted.  
 12 Makes me feel disgusted.  
 13 Q. Do you think there is any school in Los  
 14 Angeles that has never had a rat or a roach on  
 15 campus?  
 16 MS. TEITELBAUM: Objection. That calls for  
 17 speculation. There is no way she could know that.  
 18 THE WITNESS: I don't know any schools that  
 19 do or don't.  
 20 BY MS. STRONG:  
 21 Q. Do you think that would be unusual to find  
 22 a school in Los Angeles that had never had a rat or a  
 23 rodent or a cockroach on the campus?  
 24 A. No, but that doesn't make it better. It  
 25 doesn't make it good. It doesn't make you feel any

1 more safe -- not safe, but, you know, doesn't make  
 2 you feel any better.  
 3 Q. Okay. And have you now told me about all  
 4 of your concerns regarding pests or rodents on the  
 5 campus at Locke?  
 6 A. Do ants count?  
 7 Q. Do you have concerns regarding ants on the  
 8 campus?  
 9 A. Yes.  
 10 Q. What are your concerns regarding ants?  
 11 A. I remember an instance where my teacher  
 12 didn't allow us to bring in drinks in class because  
 13 her trash cans were always full of ants.  
 14 Q. When was this?  
 15 A. This was my tenth grade year.  
 16 Q. What teacher?  
 17 A. Miss Maroni.  
 18 Q. Did you ever see any ants in that  
 19 classroom?  
 20 A. Yes.  
 21 Q. And on how many occasions?  
 22 A. I can't say how many occasions.  
 23 Q. Less than five?  
 24 A. I don't know. I don't know if it's more or  
 25 less.

1 Q. Less than 10?  
 2 A. I don't know.  
 3 Q. And by not bringing drinks in the  
 4 classroom, do you know if that had any effect on the  
 5 situation?  
 6 A. I guess it did, because there wasn't any  
 7 sweets that the ants could drink.  
 8 Q. So after the teacher told students to stop  
 9 bringing drinks into the classroom, the problem  
 10 stopped; is that correct?  
 11 A. It got better, but we still had ants  
 12 roaming around the classroom.  
 13 Q. Did students still bring drinks into the  
 14 classroom?  
 15 A. They brought drinks, but they weren't  
 16 allowed to drink it or open it in the class.  
 17 Q. Did you ever make any complaints about the  
 18 ants in the classroom to anyone at the campus?  
 19 A. No.  
 20 Q. Did Miss Maroni -- do you know if  
 21 Miss Maroni made any complaints about the ants in her  
 22 classroom to any administrator or janitor on the  
 23 campus?  
 24 A. No.  
 25 MS. TEITELBAUM: No, you don't know?

1 THE WITNESS: No, I don't.  
 2 BY MS. STRONG:  
 3 Q. Have you now told me all of your concerns  
 4 concerning pests, rodents or any insects on the  
 5 campus at Locke?  
 6 A. That's all I believe.  
 7 Q. Okay. And with respect to the physical  
 8 condition of the school, other than what you have  
 9 already testified to, do you have any concerns that  
 10 stand out in your mind with respect to the physical  
 11 condition of the school?  
 12 MS. TEITELBAUM: Objection; vague and  
 13 ambiguous as to physical condition.  
 14 BY MS. STRONG:  
 15 Q. Go ahead.  
 16 A. Yeah. What do you mean by physical? What  
 17 about it? Like old buildings or just the way it  
 18 looks?  
 19 Q. Do you have any concerns about the  
 20 facilities at your campus, the buildings, the  
 21 physical conditions of the buildings?  
 22 MS. TEITELBAUM: Same objection.  
 23 BY MS. STRONG:  
 24 Q. Go ahead.  
 25 A. Well, all I can say is that it looks like a

1 jail.  
 2 Q. Any other concerns?  
 3 A. They have old fences.  
 4 Q. Any other concerns?  
 5 A. That's all I can remember.  
 6 Q. What do you mean that it looks like a jail?  
 7 A. The school looks like a jail. It has a  
 8 main gate, like in the entrance of the school has  
 9 this big bar gate, and just like the way it's  
 10 structured it feels like a jail.  
 11 Q. And the old fences, what are you referring  
 12 to?  
 13 A. The fences around the school seem old to  
 14 me. They never just replace the whole fence; they  
 15 just put new wires and fix it up a little.  
 16 Q. Okay. Any other complaints about the  
 17 physical condition of the school other than what you  
 18 have already testified to?  
 19 A. None that I can think of.  
 20 Q. Okay. Do you have any complaints about the  
 21 windows at the school?  
 22 A. Yes.  
 23 Q. Would that be a physical condition of the  
 24 school?  
 25 A. Yes.

- 1 Q. What is that complaint about?  
 2 A. My tenth grade -- I am just going by my  
 3 experience. My tenth grade English class had a  
 4 broken window for the whole year, and so we had to  
 5 stay away from that side of the classroom -- not that  
 6 side of the classroom, but from about five feet away  
 7 from it because the teacher was scared that it might  
 8 shatter with the rest of the remaining glass might  
 9 fall.  
 10 Q. Did you have any other complaints about any  
 11 of the windows on the campus?  
 12 A. I don't know about the other windows on  
 13 campus, but I know that I can tell you about that  
 14 instance.  
 15 Q. Okay. And what did the teacher do other  
 16 than have -- if anything, other than have students  
 17 stay at least five feet away from the window?  
 18 A. No.  
 19 Q. Do you know if she ever made a complaint to  
 20 anyone at the school regarding the broken window?  
 21 A. No, I don't.  
 22 Q. And did you ever complain to anyone at the  
 23 school regarding the broken window?  
 24 A. No.  
 25 Q. Has there been any construction on the

- 1 campus since you have been in attendance?  
 2 A. Yes.  
 3 Q. What kind of construction has been on  
 4 campus?  
 5 A. I guess you can say remodeling of the  
 6 school. They painted our walls. They painted our  
 7 lockers and the classrooms. They reroofed the roof  
 8 and the floors. And that's pretty much all.  
 9 Q. Okay. When were the walls painted?  
 10 A. Some were painted during the summer and  
 11 some were painted during school.  
 12 Q. What summer?  
 13 A. I am going to give you my approximate.  
 14 During tenth grade summer.  
 15 Q. After your tenth grade?  
 16 A. After my tenth grade.  
 17 Q. And during the school year, was that during  
 18 your tenth grade school year that it con- -- was it  
 19 during your eleventh grade school year that it  
 20 continued?  
 21 A. Yes.  
 22 Q. So during the tenth grade summer and  
 23 eleventh grade school year there was painting going  
 24 on?  
 25 A. Yes.

- 1 Q. Did the entire school get painted?  
 2 A. Yes.  
 3 Q. Inside and out?  
 4 A. Yes. They did it at separate times,  
 5 though. They did it by floors.  
 6 Q. But one after the next?  
 7 A. Yes.  
 8 Q. Okay. Did that improve the appearance of  
 9 the school?  
 10 A. Somewhat.  
 11 Q. Not really?  
 12 A. Yeah, it did.  
 13 Q. Okay. With respect to the lockers, when  
 14 did they paint the lockers at the school?  
 15 A. At the same time that they painted the  
 16 walls, I guess.  
 17 Q. Okay. And who has lockers at the school?  
 18 A. Who has lockers? No one has lockers at the  
 19 school.  
 20 Q. But lockers exist?  
 21 A. Yes.  
 22 Q. But the students aren't able to use them;  
 23 is that your testimony?  
 24 A. Yes.  
 25 Q. Do you know if any students can use lockers

- 1 at the school?  
 2 A. The only lockers that are accessible to the  
 3 students are the ones in the PE, in the boys' and  
 4 girls' locker room.  
 5 Q. In the gym?  
 6 A. Yes. Not gym, but, you know.  
 7 Q. The gym area?  
 8 A. Yes, sort of.  
 9 Q. Don't let me put words into your mouth. If  
 10 that's not correct, tell me what's correct.  
 11 A. The girls' locker room is where the girls  
 12 can dress.  
 13 Q. And that's where the lockers are?  
 14 A. Yes. And there is also one in the boys'.  
 15 Q. Okay. Have you ever been able to use a  
 16 locker at any time since you have been at Locke other  
 17 than your PE lockers?  
 18 A. Other than PE lockers? Yes.  
 19 Q. When did you use the locker other than a PE  
 20 locker?  
 21 A. Just my ninth grade.  
 22 Q. They were accessible to students during  
 23 your ninth grade year?  
 24 A. Yes.  
 25 Q. And then did the policy change?

- 1 A. The policy was off-and-on throughout my  
2 four years at Locke. My ninth grade, everyone had a  
3 locker from what I know, in the hallways. Tenth  
4 grade, everyone should have had a locker. I didn't  
5 have a locker. And eleventh, I don't recall anyone  
6 having a locker.  
7 Q. And twelfth?  
8 A. Twelfth grade no one has a locker.  
9 Q. Tenth grade, you said everyone should have  
10 had a locker, but you didn't. Why?  
11 A. I didn't have an English class, and I think  
12 they went "B" English.  
13 Q. Did you ever attempt to get a locker in  
14 your tenth grade year?  
15 A. I don't recall making an attempt.  
16 I might have and I might have not. I don't  
17 recall.  
18 Q. Okay. Do you know why the policy changed  
19 from your tenth to eleventh grade where students were  
20 no longer allowed to use lockers in the eleventh  
21 grade?  
22 A. No, I haven't.  
23 Q. Have you ever complained about that change  
24 in policy?  
25 A. No, not me.

- 1 Q. Okay. Do you know of others who have?  
2 A. Yes.  
3 Q. And you only know about that because of  
4 what they told you; is that correct?  
5 A. Yes. What I heard.  
6 Q. Okay. The classrooms were also renovated,  
7 you said, or remodeled?  
8 A. Yes.  
9 Q. What do you mean by that?  
10 A. It's the same thing they did all over in  
11 the halls. They changed the tiles in the ceiling and  
12 on the floors. And I also would like to add that  
13 they did fix the lights. They added new lights.  
14 Q. In classrooms?  
15 A. Yeah.  
16 Q. When did the classrooms get remodeled?  
17 A. Like I said, tenth, end of tenth grade,  
18 eleventh grade.  
19 Q. As far as you are aware, is this -- were  
20 all of the classrooms on the campus remodeled?  
21 A. Yes.  
22 Q. So all of the classrooms got new tile  
23 floors, new ceiling and new lights; is that correct?  
24 A. That's correct.  
25 Q. Anything else that was done to the

- 1 classrooms?  
2 A. The walls were painted.  
3 Q. Anything else?  
4 A. That's all I can think of.  
5 Q. Okay. Did that make any difference for you  
6 at the school?  
7 A. Made me feel a little better about the  
8 school knowing that, you know, it looked pretty and,  
9 you know, when other schools would be there to take  
10 their SATs, I would be proud of Locke, because we get  
11 bad publicity. But that's pretty much it.  
12 Q. Okay. And you also said that the roof was  
13 retiled and the floors throughout the school and the  
14 hallways were retiled; is that correct?  
15 A. That's correct.  
16 Q. And when did that take place?  
17 A. Same time.  
18 Q. After your tenth grade year?  
19 A. Yes.  
20 Q. So were you pleased with the appearance of  
21 the school after your tenth grade year?  
22 A. I was pleased with the appearance of my  
23 school after -- in the beginning of the twelfth grade  
24 year, because all the floors were fixed and they all  
25 looked the same.

- 1 Q. Beginning of your twelfth grade year. So  
2 not after tenth?  
3 A. No. Because like I said, it was constantly  
4 like one floor got fixed first and then one got  
5 fixed. So one was nice, but we weren't able to  
6 access that floor, and the others were bad-looking.  
7 So I started feeling good until now.  
8 Q. So the remodeling continued through your  
9 eleventh grade year; is that correct?  
10 A. Yes.  
11 Q. And by your twelfth grade year, the  
12 remodeling was complete; is that correct?  
13 A. Yes.  
14 Q. And were you pleased with the way your  
15 school looked for your twelfth grade year? I should  
16 say have you been pleased with the way your school  
17 has looked during your twelfth grade year?  
18 A. Just inside. Don't like the way it looks  
19 outside.  
20 Q. Okay. So you don't have complaints about  
21 the way it looks inside during your twelfth grade  
22 year; is that correct?  
23 A. That's correct.  
24 Q. And for outside, what is it that you have a  
25 problem with other than the gate and the fences that

1 you already described? Anything else?  
 2 A. Just simple stuff like how the color of the  
 3 school is. Nothing major.  
 4 Q. Okay. And do you think that the remodeling  
 5 had a negative impact on your education?  
 6 MS. TEITELBAUM: Objection; calls for  
 7 expert testimony and it's an incomplete hypothetical.  
 8 BY MS. STRONG:  
 9 Q. Go ahead.  
 10 A. Yeah, it did.  
 11 Q. How is that?  
 12 A. Like I said, they fixed the school during  
 13 the school year, meaning that we were there. So on  
 14 the side of the school that I was at during fifth  
 15 period, I constantly heard like drilling. Sounded  
 16 like drilling or whatever it was that they were  
 17 doing, but it was very noisy. And it triggered onto  
 18 the second floor and possibly triggered onto the  
 19 first floor, but it was very disturbing.  
 20 Q. What class was this?  
 21 A. This was my English class.  
 22 Q. What period?  
 23 A. Period five.  
 24 Q. And this is during your eleventh grade  
 25 year?

1 BY MS. STRONG:  
 2 Q. Of course.  
 3 A. I can't think of any other class that it  
 4 affected because they did it by section, and during  
 5 fifth period I happened to be on that side where they  
 6 were fixing. So that's all I can say for it right  
 7 now.  
 8 Q. And how long during your -- the end of your  
 9 tenth grade year do you believe your class was  
 10 interfered with by the construction?  
 11 A. How long?  
 12 Q. Yes. Time period.  
 13 A. Second semester towards the end, for about  
 14 three months.  
 15 Q. That's almost the entire second semester?  
 16 A. Yes. Not the entire. The second semester  
 17 is from February through June. Not three months, is  
 18 it?  
 19 Q. So April, May and June you felt  
 20 construction was going on during your fifth period  
 21 class?  
 22 A. That's correct.  
 23 Q. And I am sorry. Who was the teacher?  
 24 A. Miss Maroni.  
 25 Q. Did you consider her to be a good teacher?

1 A. No. Tenth grade. Did I say eleven?  
 2 Q. Well, I thought the remodeling started  
 3 after the summer of your tenth grade year.  
 4 A. No. End of tenth grade year and proceeded  
 5 on to eleven. And they did remodeling in the summer,  
 6 too.  
 7 Q. So other than your fifth period English  
 8 class at the end of your tenth grade year, do you  
 9 think that the remodeling had any impact on your  
 10 schooling other than that?  
 11 A. No. That's pretty much it. That's the  
 12 major reason.  
 13 Q. It was your fifth grade English class?  
 14 A. Fifth period.  
 15 Q. Fifth period English class during the end  
 16 of your tenth grade year where you felt that the  
 17 remodeling or construction impacted your education;  
 18 is that correct?  
 19 A. That's correct.  
 20 Q. And no other class did it affect; is that  
 21 correct?  
 22 MS. TEITELBAUM: Objection. That calls for  
 23 expert testimony.  
 24 THE WITNESS: Well, let's see. Can I have  
 25 a second?

1 MS. TEITELBAUM: Objection; vague and  
 2 ambiguous as to good.  
 3 THE WITNESS: Yes.  
 4 BY MS. STRONG:  
 5 Q. And did you learn a lot in that class?  
 6 A. Not too much learning a lot, but I enjoyed  
 7 the course.  
 8 Q. Why is that?  
 9 A. Because that's my -- English is my favorite  
 10 subject.  
 11 Q. So you were still able to enjoy the course  
 12 notwithstanding the construction; is that correct?  
 13 A. Was I still able to enjoy the course  
 14 despite of the construction?  
 15 Q. Yes.  
 16 A. It made it hard to do anything because  
 17 that's the time when she was lecturing, and she  
 18 wasn't able to get to us.  
 19 Q. But --  
 20 A. And you want to know if I enjoyed it?  
 21 Q. Yes. You had testified that you enjoyed  
 22 the class, so my follow-up to you is: So you enjoyed  
 23 the class even though there was some construction  
 24 that was going on during the class; is that correct?  
 25 A. Not during that time I didn't enjoy the

1 class. I didn't enjoy being there.  
 2 Q. So you only liked the class during February  
 3 and March. You didn't like it at all in April, May  
 4 and June?  
 5 A. That's correct. I liked it since September  
 6 through March.  
 7 Q. Okay. I am sorry. Then you stopped liking  
 8 the class?  
 9 A. Uh-huh.  
 10 Q. Did you ever make a complaint to  
 11 Miss Maroni about the noise?  
 12 A. No.  
 13 Q. Why is that?  
 14 A. Because I figured that she can't do  
 15 anything about construction. She couldn't do  
 16 anything about it.  
 17 Q. Did you make a complaint to anyone else at  
 18 the school about the noise affecting that class?  
 19 A. No.  
 20 Q. Have you now told me about all of your  
 21 concerns regarding construction at Locke High School?  
 22 A. That's all I -- from what I recall, yeah.  
 23 Q. Okay.  
 24 Can we go off the record for a second.  
 25 (Discussion had off the record.)

1 Q. Well, is everything in your Declaration  
 2 correct?  
 3 A. Yes.  
 4 Q. So there is no changes that you would like  
 5 to actually make to your Declaration at this time; is  
 6 that correct?  
 7 A. Well, let me look over this one part.  
 8 Q. Okay.  
 9 A. Where it says my ninth grade English class  
 10 did not have any books, either, we had a book that  
 11 she was able to gather that she was like having to  
 12 hustle from another teacher or God knows where she  
 13 got it from, and we did use it, but it was two to one  
 14 student. And that's the only book that we had for  
 15 that year.  
 16 Q. Okay.  
 17 A. For that semester.  
 18 Q. Okay. You said -- the Declaration reads  
 19 "My ninth grade English class," which is on the first  
 20 page of your Declaration at lines 20 and 21. Is it  
 21 only one semester that you were referring to there?  
 22 A. Well, that class was only one semester.  
 23 Q. What, first or second?  
 24 A. First semester. That was the eleventh and  
 25 twelfth grade class that I was placed in [REDACTED]

1 MS. STRONG: All right. Let's go back on.  
 2 I'd like to mark as Exhibit Nine a  
 3 Declaration of Lucia Ortiz, which appears to be dated  
 4 July 2001 or July 3rd, 2001, and it's Bates-stamped  
 5 Plaintiff 02348 through 02352.  
 6 (Deposition Exhibit No. 9 was marked for  
 7 identification and is attached hereto.)  
 8 BY MS. STRONG:  
 9 Q. Do you recognize this?  
 10 A. Yes.  
 11 Q. Can you describe to me what it is.  
 12 A. It's my Declaration. That's it.  
 13 Q. And you testified about this during your  
 14 first day of your deposition; is that correct?  
 15 A. Yes.  
 16 Q. In terms of how it was created?  
 17 A. Yes.  
 18 Q. You have recently reviewed the Declaration;  
 19 is that correct?  
 20 A. That's correct.  
 21 Q. Do you still believe -- do you believe that  
 22 everything in the Declaration is accurate?  
 23 A. There is some corrections that -- well,  
 24 some things that I recall now that I didn't place on  
 25 my Declaration.

1 [REDACTED]  
 2 Q. So when you are referring to a ninth grade  
 3 English class, it was actually the eleventh and  
 4 twelfth grade class that you took during your ninth  
 5 grade year; is that correct?  
 6 A. Yes, that's correct.  
 7 Q. Are there any other changes that you would  
 8 like to make to your Declaration at this time?  
 9 A. Can I have another second?  
 10 Q. Sure.  
 11 A. Line 26 where it says my Integrated Science  
 12 Two class in tenth grade didn't have any books, we  
 13 did have that one book that I told you about that he  
 14 borrowed from the Physics instructor, but it was only  
 15 for that one topic that we covered.  
 16 Q. Okay. Any other changes you'd like to  
 17 make?  
 18 A. Let me see. Well, I have a question about  
 19 I wrote on -- well, I declared that we had two  
 20 different substitutes for Leadership, and I said I  
 21 told you that we had about three. I was just  
 22 estimating the number, and I was just wondering could  
 23 that be corrected or is it fine that I did that. I  
 24 did make an estimate.  
 25 Q. You are referring to line 14 of page three

1 of your Declaration? Where are you referring to?  
2 Line 13?

3 A. Yeah, line 13.

4 Q. It says four. Where do you see two  
5 substitutes?

6 A. Yeah, I am sorry. It was two weeks. That  
7 was my question. Because the numbers differ from  
8 this page to whatever the transcript is that he is  
9 writing.

10 Q. What I'd like to know from you is which is  
11 accurate: Your testimony that you gave to me earlier  
12 or what is stated in your Declaration?

13 A. Well, I don't remember how many substitutes  
14 we had. At that time I estimated four substitutes.

15 Q. So it could have been either three or four?

16 A. Three or four, because I gave you three.

17 Q. Okay. Okay. I appreciate that?

18 A. That's good.

19 Q. Okay. So --

20 A. Can I address her?

21 Q. If you'd like to take a break to talk to  
22 your attorney, you may before we proceed with the  
23 next set of questions.

24 A. Okay.

25 (Recess taken.)

1 study from?

2 A. We just -- well, we had our schedules  
3 planned out for the whole week. On Mondays we did  
4 vocabulary words where we used the dictionaries --  
5 they were her dictionaries and she locked them up, so  
6 we were only able to use them for that one hour.

7 Throughout the rest of the week, we had to  
8 do our sentences for homework or classwork, and we  
9 read a story that she had worksheets, class  
10 worksheets for.

11 That's pretty much it for what we did the  
12 whole week.

13 And on Fridays we had a test on whatever  
14 vocabulary she gave us on that Monday.

15 Q. Do you know if Miss Maroni wanted to use a  
16 textbook to teach that English class?

17 MS. TEITELBAUM: Calls for speculation.

18 THE WITNESS: I don't know.

19 BY MS. STRONG:

20 Q. And do you know if the decision not to use  
21 textbooks in that class was in any way related to the  
22 number of textbooks available at the school?

23 MS. TEITELBAUM: Same objection.

24 THE WITNESS: I don't know.

25 BY MS. STRONG:

1 BY MS. STRONG:

2 Q. Was there something that you wanted to tell  
3 me before we took a break? You said you wanted to  
4 talk to your counsel about something. Was there  
5 something that you wanted to share with me?

6 A. No. It was just a question that I had. It  
7 was a small question.

8 Q. Okay. I'd like to direct your attention to  
9 lines eight and nine of the first page of your  
10 Declaration, paragraph three.

11 You said "One year ago I did not have any  
12 books in my tenth grade English class"?

13 A. Yes.

14 Q. What class are you referring to there?

15 A. That was Miss Alhowik, A-L-H-O-W-I-K. She  
16 got married, so do I have to give her new last name?

17 Q. What is her new last name?

18 A. Engler, E-N-G-L-E-R.

19 Q. Okay. What did you use in that class in  
20 terms of materials to study from?

21 A. That was tenth grade. That is Miss Maroni,  
22 not Miss Engler.

23 Q. Your tenth grade was Miss Maroni?

24 A. Yes, that was Miss Maroni.

25 Q. What did you use in Miss Maroni's class to

1 Q. Okay. Do you have any basis to believe  
2 that the lack of textbooks in that class was due to  
3 an insufficient number of textbooks on the campus?

4 A. I wouldn't know.

5 Q. Okay. So is the answer no, you don't have  
6 any basis to believe that? Is that correct?

7 A. That's correct.

8 Q. Do you have a dictionary at your home?

9 A. In my computer, yes.

10 Q. Do you know if there is a dictionary  
11 available in the library at your school?

12 A. I am sure there is, but I don't know for a  
13 fact. I never really used anything in that library.

14 Q. Do you know if there is a dictionary in the  
15 career center at your school, at the college  
16 placement center?

17 A. I haven't seen any.

18 Q. Did you ever look for a dictionary there?

19 A. No.

20 Q. Now with respect to lines 20 and 21 on  
21 paragraph three of your declaration, where you say  
22 "My ninth grade English class did not have any books  
23 either," you clarified that just a moment ago to  
24 state that you did have books in your ninth grade  
25 English class to use in class, but they were smeared;

1 is that correct?

2 A. Not books. We had -- well, we did have  
3 books that were two to a student -- two to one to a  
4 student, and it was only the time that we read  
5 Malcolm X. That was the only time that we had a  
6 book.

7 Q. How long of a period of time was that?

8 A. When we read the book?

9 Q. Uh-huh.

10 A. I'd say two to three weeks.

11 Q. And it was the Malcolm X book that you were  
12 reading?

13 A. That's correct.

14 Q. It wasn't a textbook?

15 A. No. It was a regular paperback book.

16 Q. Do you know if -- who was the teacher in  
17 ninth grade? That was Miss Alhowik?

18 A. Yes, that was Miss Alhowik.

19 Q. Do you know if the reason for not having a  
20 textbook in that ninth grade English class had  
21 anything to do with an insufficient number of  
22 textbooks on the campus?

23 MS. TEITELBAUM: Calls for speculation.

24 THE WITNESS: No, I don't know.

25 BY MS. STRONG:

1 not have enough books for all the students.

2 Did you have any textbooks to use in your  
3 ninth grade Math class?

4 A. I also forgot to correct that to that we  
5 did have those books. I don't know why she chose not  
6 to use them. She did have -- you know, how the Math  
7 teachers gave worksheets. She just chose not to use  
8 that book. But there was a few instances where we  
9 did use the book in class.

10 Q. Okay.

11 A. And it was shared.

12 Q. Okay. And how many -- a few instances. So  
13 on three occasions or less she used a book in class;  
14 is that correct?

15 A. That's correct.

16 Q. And do you know if she could have gotten  
17 more books for the class if she wanted to?

18 A. No, I don't.

19 Q. But regardless, the class materials for  
20 your ninth grade Math class were the handouts that  
21 you described earlier in your testimony; is that  
22 correct?

23 A. That's correct.

24 Q. And so on line one and two on page two of  
25 your Declaration when it says "When we didn't have

1 Q. So you don't know if the teacher had access  
2 to textbooks but chose not to use them; is that  
3 correct?

4 MS. TEITELBAUM: Same objection.

5 THE WITNESS: That's correct.

6 BY MS. STRONG:

7 Q. With respect to lines 26 and 27 of  
8 paragraph three of your Declaration, you state that  
9 your Integrated Science Two class in tenth grade did  
10 not have any books either, and you corrected that a  
11 short time ago to explain that you did have a  
12 textbook for a one-week period of class; is that  
13 correct?

14 A. That's correct.

15 Q. And I believe you testified to this  
16 earlier, but I want to make sure that it's clear that  
17 you don't know one way or the other if the teacher  
18 had access to textbooks and chose not to use them or  
19 not for that class; is that correct?

20 MS. TEITELBAUM: Calls for speculation.

21 THE WITNESS: That's correct.

22 BY MS. STRONG:

23 Q. And with respect to lines 27 and lines 28  
24 on the first page of your Declaration at paragraph  
25 three, you state that your ninth grade Math class did

1 worksheets, we had to work from the books which meant  
2 that every two students shared one book"?

3 A. Yeah. I did do that right; right? It  
4 still has to do with my ninth grade class.

5 Q. Yes. And when you said you didn't have  
6 worksheets, we had to work in the books, you are  
7 referring to those three or fewer times when she used  
8 books in class; is that correct?

9 A. That's correct.

10 Q. And do you know if you used a book at that  
11 time because she didn't have worksheets?

12 A. No, I don't.

13 Q. So she may have had worksheets available,  
14 yet wanted to teach you something out of that book;  
15 is that correct?

16 A. May have. That's correct.

17 Q. Okay. With respect to lines four and five  
18 of your Declaration, you say, "It's not fair that we  
19 don't have our own books because then we are not able  
20 to read and learn beyond what the teacher tells us in  
21 class." Do you see that?

22 A. Yes.

23 Q. Do you think it's okay for a teacher to  
24 choose not to use a textbook in a class if that  
25 teacher thinks that's the best way to teach the



1 class?  
 2 A. Yeah.  
 3 Q. So is it fair if a teacher chooses to use  
 4 handouts to teach a class instead of a textbook?  
 5 MS. TEITELBAUM: Objection; incomplete  
 6 hypothetical.  
 7 BY MS. STRONG:  
 8 Q. Go ahead.  
 9 A. Can you rephrase that again.  
 10 Q. I just want to know if you think that it is  
 11 fair to you as a student for a teacher to choose to  
 12 use other materials as opposed to a textbook to teach  
 13 the class if that teacher believes the handouts are a  
 14 better way of teaching the class.  
 15 MS. TEITELBAUM: Objection; incomplete  
 16 hypothetical.  
 17 THE WITNESS: It's fair for a teacher to  
 18 choose whatever it is that -- choose whatever  
 19 materials they want to teach with, but they should  
 20 also be the option of having the book just in case  
 21 you don't understand your teacher. Like I mentioned  
 22 that these books would go far beyond what the teacher  
 23 knows or what the teacher is teaching in that class.  
 24 There might have been a thing that the teacher left  
 25 out that the book has there. It just serves as a

1 am an AP student.  
 2 Q. But in terms of your particular experience,  
 3 the far majority of your classes you have had books  
 4 to take home; is that correct?  
 5 A. That's correct.  
 6 MS. TEITELBAUM: I am going to object to  
 7 mischaracterizing the testimony as far as far  
 8 majority.  
 9 BY MS. STRONG:  
 10 Q. You have identified for me the classes  
 11 where you have not had a book to take home; is that  
 12 correct?  
 13 A. That's correct.  
 14 Q. And we can run down them quickly to make  
 15 sure the record is clear.  
 16 You identified your Math book at the  
 17 school?  
 18 A. Correct.  
 19 Q. And you identified Integrated Science  
 20 class; is that correct?  
 21 A. I identified them as what?  
 22 Q. As a class where you did not have a book to  
 23 take home.  
 24 A. That's correct.  
 25 Q. Okay. And you have identified two English

1 resource; and when you don't have the teacher at  
 2 home, you have your book.  
 3 BY MS. STRONG:  
 4 Q. Okay. Do you know whether there are  
 5 students at other schools that also have the same  
 6 conditions that you have, where a teacher chooses not  
 7 to use a textbook in a class and the students don't  
 8 have access to a textbook to take home?  
 9 MS. TEITELBAUM: Objection; vague and  
 10 ambiguous as to same conditions.  
 11 BY MS. STRONG:  
 12 Q. Go ahead.  
 13 A. I usually don't talk to any of my friends  
 14 about school conditions.  
 15 Q. So when you say students at other schools  
 16 have books to take home, what do you base that on?  
 17 A. I base it on what I see. I see other  
 18 students -- I am in the career-based program, and I  
 19 see other students and I hear other students talking  
 20 about what they have, and I always keep my mouth shut  
 21 because of what I don't have in my school.  
 22 Q. You do have books to take home from many of  
 23 your classes; is that correct?  
 24 A. That's correct. But that's because I am in  
 25 the Transportation of Careers Academy and because I

1 classes, your ninth grade and tenth grade English  
 2 class; is that correct?  
 3 A. That's correct.  
 4 Q. Are there any other classes that you took  
 5 where you did not have a book to take home where you  
 6 felt you should have?  
 7 A. Not that I can think of.  
 8 Q. That's during the four years that you were  
 9 at Locke High School; is that correct?  
 10 A. That's correct.  
 11 Q. And on each of those occasions -- let me  
 12 rephrase.  
 13 With respect to each of those classes that  
 14 you just identified, you have no reason to believe  
 15 that the reason why you didn't have a book to take  
 16 home was because there were no books available for  
 17 you to take home; is that correct?  
 18 MS. TEITELBAUM: Again, calls for  
 19 speculation.  
 20 THE WITNESS: Can you rephrase that or can  
 21 you repeat it again.  
 22 BY MS. STRONG:  
 23 Q. Sure. With respect to each of those  
 24 classes that you identified where you did not have a  
 25 book to take home, you have no reason to believe that

1 you did not have a book to take home because there  
 2 were no books available on campus; is that correct?  
 3 A. I don't know why I didn't get those books.  
 4 So if that's what you are asking, then I still don't  
 5 understand your question.  
 6 Q. Okay. Well, do you know if the reason why  
 7 you did not have a book to take home in any of those  
 8 classes was because there was no books available to  
 9 give to the students to take home?  
 10 A. I don't know.  
 11 Q. I'd like to direct your attention to  
 12 lines 10 and 11 of your Declaration on page two,  
 13 paragraph five.  
 14 You state that the books in your Integrated  
 15 Science class during ninth grade were extremely old.  
 16 Is that the Integrated Science class that you are  
 17 speaking of just a moment ago?  
 18 A. With the Physics?  
 19 Q. Yes.  
 20 A. No. That's another class. That was in my  
 21 ninth grade, and the other class that I was talking  
 22 about was tenth.  
 23 Q. Okay. Earlier in your testimony I believe  
 24 I asked you if you had any other concerns regarding  
 25 the textbooks at Locke. And I don't believe that you

1 teacher didn't assign homework out of that textbook?  
 2 Is that correct?  
 3 A. I don't recall why I never took the book  
 4 home, but I never took the book home.  
 5 Q. Do you know if you could have taken it home  
 6 if you would have asked?  
 7 A. I don't know.  
 8 Q. And did the teacher give you homework in  
 9 that class?  
 10 A. Yes, he did.  
 11 Q. What did he use for homework assignments?  
 12 A. I believe that he mostly gave us our  
 13 homework off of what he wrote on the blackboard.  
 14 Q. Okay. Do you believe that any of the  
 15 material in those books that you used were outdated?  
 16 A. Yes.  
 17 Q. And why do you believe that?  
 18 A. I am sure that with the technological  
 19 advances since the 1960s or fifties, a lot has  
 20 changed and has improved or, you know, something has  
 21 been found to be cured or treated that wasn't treated  
 22 or treatable back then. That's why I believe that  
 23 something -- I am sure that something has had to  
 24 change.  
 25 Q. Well, do you think that the subjects

1 mentioned anything about your Integrated Science  
 2 class during your ninth grade; is that correct?  
 3 A. That's correct.  
 4 Q. Okay. Notwithstanding that you didn't  
 5 identify that as a concern, was there a problem with  
 6 your textbooks in your ninth grade Integrated Science  
 7 class?  
 8 A. Well, yeah. Like they were extremely old,  
 9 they were old books, and that was a concern that I  
 10 didn't address.  
 11 Q. And what was the name of the book that you  
 12 used in that ninth grade class?  
 13 A. I don't recall what it was called.  
 14 Q. And how often did you use the book in the  
 15 class?  
 16 A. From time to time. Mostly took notes from  
 17 the teacher.  
 18 Q. Okay. So if you had to give your best  
 19 estimate as to how many times you used a textbook in  
 20 that class, what would that be?  
 21 A. Twice a week.  
 22 Q. Okay. And that textbook, were you able to  
 23 take it home?  
 24 A. No.  
 25 Q. Did the teacher -- is that because the

1 covered in the book during your class, the teacher  
 2 chose to use -- let me rephrase.  
 3 Do you think that the materials the  
 4 teachers used out of the book were outdated?  
 5 MS. TEITELBAUM: Objection; calls for  
 6 speculation.  
 7 THE WITNESS: I wouldn't know. I was there  
 8 to learn. I didn't question what he was doing.  
 9 BY MS. STRONG:  
 10 Q. Okay. So can you identify any particular  
 11 issue or particular item in one of the books in your  
 12 Integrated Science class in ninth grade that you know  
 13 was outdated?  
 14 A. All I said about the Declaration was that  
 15 the books might have been outdated. I didn't say  
 16 that he taught anything that was outdated.  
 17 Q. Okay. That's what I am asking you now. I  
 18 want to know if you believe that anything that he  
 19 taught you from the book was outdated.  
 20 A. I wouldn't know. I don't know anything  
 21 that I learned from that class.  
 22 Q. Okay. And do you know if -- well, did the  
 23 age of the books affect your ability to use the book?  
 24 MS. TEITELBAUM: Objection; calls for  
 25 expert testimony.

1 THE WITNESS: We didn't use the books that  
2 much. There were certain times that we did use the  
3 book, and I can't identify what was -- if there was  
4 anything outdated.

5 BY MS. STRONG:

6 Q. And I was just wondering if anything about  
7 the age of the books made it difficult for you to use  
8 the books in any way.

9 MS. TEITELBAUM: Objection; calls for  
10 expert testimony.

11 THE WITNESS: It wasn't -- it didn't so  
12 much affect my learning.

13 BY MS. STRONG:

14 Q. Okay. And you said we rarely used those  
15 books. Did you use them less than two times a week?

16 MS. TEITELBAUM: Objection. I think she  
17 already testified that she used them approximately  
18 twice a week.

19 THE WITNESS: That's correct.

20 BY MS. STRONG:

21 Q. And you also testified that you didn't use  
22 them very often, so I was trying to see if you  
23 changed your testimony. What is accurate to the best  
24 of your recollection? You feel that you used them  
25 twice a week or less?

1 A. To my best recollection, about twice a  
2 week.

3 Q. And that was during the entire year?

4 A. That's correct.

5 Q. Okay. And do you know if there were any  
6 more recent books available on the campus that the  
7 teacher chose not to use?

8 A. No, I don't know.

9 Q. And did you ever complain to the teacher  
10 about the books that were used in that class?

11 A. No.

12 Q. Did you ever complain to anyone else on the  
13 campus about the books that were used in that class?

14 A. No.

15 Q. And why not?

16 A. It was my freshman year and I wasn't really  
17 too concerned about the school. As I went on to  
18 being at Locke, my concerns did grow, but I wasn't  
19 too fond of Locke when I first got there.

20 Q. Okay. And regardless, you don't know if  
21 there was anything improper about using these  
22 materials in the class the way your teacher chose to  
23 use them; is that correct?

24 MS. TEITELBAUM: Objection. That has been  
25 asked and answered.

1 BY MS. STRONG:

2 Q. Go ahead.

3 A. That's correct.

4 Q. With respect to line 16 through 18 of your  
5 Declaration, on page two at paragraph six, you state  
6 that in your ninth grade Integrated Science class "we  
7 only did one lab for the whole year. We're supposed  
8 to do labs in this class because it consists of  
9 chemistry, biology and other sciences." Do you see  
10 that?

11 A. Yes.

12 Q. What was the one lab that you did all year?

13 A. The cow's eye.

14 Q. Okay. You never did any other lab during  
15 first semester?

16 A. That's correct.

17 Q. I thought -- so if you had testified  
18 previously that you had some labs during the first  
19 semester and then stopped --

20 A. That was AP Chemistry.

21 Q. Thank you. I was wondering if that was the  
22 same class.

23 So the cow's eye was the only lab that you  
24 did?

25 A. Yes, in my ninth grade in Integrated

1 Science One.

2 Q. Okay. Do you know if the teacher ordered  
3 any other supplies for labs other than the cow's eye?

4 A. No. I was just telling you what I knew.

5 Q. So the only supply that you know that he  
6 ordered was the cow's eye, which you eventually did  
7 receive by the end of your tenth year; is that  
8 correct?

9 A. Yes, that's correct.

10 Q. So when you declared in your Declaration  
11 that My science teacher told me that the science  
12 teachers ordered materials and supplies for the labs  
13 during the summer before we started the semester,"  
14 you are referring to his having ordered the cow's  
15 eye; is that correct?

16 A. That's correct.

17 Q. And no other supplies?

18 A. That's correct.

19 Q. Now also a little bit later in that  
20 paragraph, at lines 21 through 23, you state that  
21 essentially even when you got the cow's eye, you had  
22 to share one cow eye with five students; is that  
23 correct?

24 A. That's correct.

25 Q. Do you know if the teacher ordered

1 sufficient cows' eyes for each student to work on?  
 2 A. No, I don't know.  
 3 Q. Do you know if the teacher wanted you to  
 4 work in a group for any particular reason other than  
 5 the number of cows' eyes that were available?  
 6 A. I don't know.  
 7 Q. So it could be that he wanted you to work  
 8 in five groups, and that's how he set up the lab; is  
 9 that correct?  
 10 A. That's correct, but it could be that the  
 11 school didn't have enough money for more.  
 12 Q. You don't know one way or the other; is  
 13 that correct?  
 14 A. I don't know.  
 15 Q. Okay. So in fact your teacher chose to  
 16 have the class split up into groups of five students,  
 17 would you then still believe the last sentence of  
 18 that class paragraph to be correct, that it shows how  
 19 little importance the administrators place on the  
 20 students at Locke?  
 21 A. Can I answer now.  
 22 Q. Yes.  
 23 A. Okay. Now I said this statement about not  
 24 getting the supplies in time, having the  
 25 administrators not push for whatever company to bring

1 the supplies as soon as possible. That's what I was  
 2 referring to.  
 3 Q. And again, you don't know when the supplies  
 4 were actually supposed to arrive at your class; is  
 5 that correct?  
 6 A. That's correct.  
 7 Q. And you don't know if your teacher ever  
 8 made any efforts with the administration to try and  
 9 get the supplies there any faster than it did; is  
 10 that correct?  
 11 MS. TEITELBAUM: Objection; calls for  
 12 speculation. She has no way of knowing.  
 13 THE WITNESS: That's correct. I don't  
 14 know.  
 15 BY MS. STRONG:  
 16 Q. Okay. Your teacher never said anything to  
 17 that nature; is that correct?  
 18 A. That's correct.  
 19 Q. I'd like to direct your attention to  
 20 paragraph seven of your Declaration. Lines 24 and  
 21 25, you say "There are too many teachers at Locke  
 22 without teaching credentials."  
 23 And just so that the record is clear, I  
 24 believe your testimony earlier is that you are not  
 25 sure which of your teachers have teaching credentials

1 and which do not; is that correct?  
 2 MS. TEITELBAUM: I am going to object. I  
 3 think we spent over an hour this afternoon about --  
 4 talking about credentials and what she knows about  
 5 who had credentials and who didn't. And it's already  
 6 4:00, and I think you have indicated we are probably  
 7 going to be here until 6:00. I'd like to move this  
 8 along as quickly as possible.  
 9 MS. STRONG: I am going through a  
 10 Declaration. To the extent that there is  
 11 inconsistency with the Declaration, we will explore  
 12 those, and speaking objections will not make it any  
 13 faster.  
 14 MS. TEITELBAUM: She has not had any  
 15 inconsistencies, and you are just going over the  
 16 topic ad nauseam.  
 17 THE WITNESS: What was the question?  
 18 MS. STRONG: Just read it back.  
 19 You don't have to read it back. It will be  
 20 faster.  
 21 Q. I believe you testified earlier that you  
 22 don't know one way or the other which of your  
 23 teachers have teaching credentials and which do not;  
 24 is that correct?  
 25 A. That's correct.

1 Q. So when you say there are too many teachers  
 2 at Locke without teaching credentials, what is it  
 3 that you base that on?  
 4 A. I base that on stuff that I hear, and also  
 5 on -- I forgot to mention there was a news article in  
 6 my school newspaper, I think, or in the LAUSD web  
 7 site -- yes, it was the LAUSD web site that said  
 8 about 60 percent of my teachers at my school are  
 9 credentialed and 40 percent aren't.  
 10 That's too many teachers without  
 11 credentials at school.  
 12 Q. But you have no idea which of your teachers  
 13 have credentials and which don't; correct?  
 14 MS. TEITELBAUM: Objection. She testified  
 15 for hours this morning about her Teach for America  
 16 teachers.  
 17 BY MS. STRONG:  
 18 Q. Go ahead.  
 19 A. That's correct.  
 20 Q. Okay. With respect to your Chemistry  
 21 teacher from the eleventh grade that you reference at  
 22 paragraph seven of your Declaration, was that  
 23 Mr. Porter?  
 24 A. That's correct.  
 25 Q. And even though you testified here that he

1 did not have credentials, you believed that he was a  
 2 good teacher; is that correct?  
 3 A. That's correct.  
 4 Q. Okay. Who was the teacher referenced at  
 5 line 28 of your Declaration, your teacher for  
 6 Integrated Science Two for your tenth year?  
 7 A. That was Mr. Pras.  
 8 Q. Did you believe that Mr. Pras was a good  
 9 teacher?  
 10 A. Not so much. I thought he was a good  
 11 person, but not a good teacher. He didn't get  
 12 through to me.  
 13 Q. What do you mean, he didn't get through to  
 14 you?  
 15 A. I didn't learn what he was teaching. And  
 16 even though he tried different methods or he tried  
 17 like his own methods, it wasn't doing me any good. I  
 18 learned more from another teacher.  
 19 Q. That subject?  
 20 A. Yes -- well, it wasn't that subject. He  
 21 didn't teach that subject, but he knew about that  
 22 subject.  
 23 Q. What teacher are you referring to?  
 24 A. It was Mr. Hamraj.  
 25 Q. Was he a tutor during that time?

1 A. No.  
 2 Q. How did you learn more from him about  
 3 Integrated Science in tenth grade?  
 4 A. He was supposed to be my AP Chemistry  
 5 teacher in tenth grade, but I chose not to take AP  
 6 Chemistry in the tenth grade and I took the  
 7 Integrated Science Two.  
 8 Q. But you still worked with your AP Chemistry  
 9 teacher?  
 10 A. I didn't work with him so much, but I asked  
 11 him a few questions. When Mr. Pras's approach wasn't  
 12 clear to me, I asked someone else.  
 13 Q. Do you know if Mr. Pras's approach worked  
 14 with other students in class?  
 15 A. No, I don't.  
 16 Q. You don't know one way or the other;  
 17 correct?  
 18 A. That's correct.  
 19 Q. Okay. And your ninth grade English  
 20 teacher, that's Miss Burke?  
 21 A. No.  
 22 Q. Who was your ninth grade English teacher?  
 23 A. That is Miss Alhowik.  
 24 Q. Okay. And how did you know that she didn't  
 25 have a teaching credential as stated in paragraph

1 seven of your Declaration?  
 2 A. Page seven?  
 3 Q. I am sorry. Paragraph seven.  
 4 A. Same page. Okay. She told us in the  
 5 beginning of the school year when she introduced  
 6 herself and told us where she was coming from and  
 7 that she was a Teach for America teacher and didn't  
 8 have her teaching credentials, but she liked teaching  
 9 and she wanted to get her teaching credentials.  
 10 Q. And did you think she was a good teacher?  
 11 A. I thought she was a good teacher because of  
 12 the fact that I liked English and it's my favorite  
 13 subject and it's not that hard to master.  
 14 Q. Okay. With respect to your AP Spanish  
 15 class which you referenced at lines eight and nine at  
 16 page three of your Declaration, you testified to that  
 17 earlier today; correct?  
 18 A. Yes.  
 19 Q. And when you testified -- let me rephrase.  
 20 When you declared that that class was so  
 21 crowded that the teacher could not get around to  
 22 everyone, are you referencing the first few weeks of  
 23 that class? Is that what you are referring to?  
 24 A. That's correct.  
 25 Q. Because once it dropped to 35 students

1 approximately, that was no longer a problem; is that  
 2 correct?  
 3 A. That's correct.  
 4 Q. And that happened approximately three weeks  
 5 into the school year; correct?  
 6 A. Correct.  
 7 Q. So at paragraph eight you are only  
 8 referring to what took place in the first three weeks  
 9 of the school year; is that correct?  
 10 A. Correct.  
 11 Q. With respect to lines 13 and 14 at  
 12 paragraph nine on page three, you state that "We had  
 13 about four substitutes in the two weeks after the  
 14 advisor left."  
 15 And you are referring to your Student  
 16 Council class; correct?  
 17 A. Yes.  
 18 Q. And that was during your tenth grade year?  
 19 A. No, that was during my ninth grade year.  
 20 Q. Okay. You -- we discussed this earlier  
 21 today as well; correct?  
 22 A. Yes.  
 23 Q. And you mentioned that Dr. Barrens left and  
 24 was replaced during the second semester with another  
 25 teacher; is that correct?

1 A. That's correct.

2 Q. Earlier you testified that you didn't know  
3 how long a period you were without a permanent  
4 teacher in that class. Does this now refresh your  
5 recollection as to how long you were without a  
6 permanent teacher in that class?

7 A. No, because it still doesn't say when it  
8 was that we had the final permanent advisor.

9 Q. Okay. Well, you state that you had  
10 approximately four substitutes in two weeks after the  
11 advisor left. Did you continue to have more  
12 substitutes after those two weeks?

13 A. I don't recall.

14 Q. So is it possible that it was only two  
15 weeks between the period of time that your first  
16 teacher left the class and was replaced by another  
17 permanent teacher?

18 A. Could be possible, but I don't know how  
19 much --

20 Q. I am just trying to understand what your  
21 Declaration is referring to with respect to these two  
22 weeks.

23 A. My Declaration is talking about certain  
24 things that I remembered at that time. I remember  
25 that we had four substitutes in those two weeks after

1 the end of the first semester or the beginning they  
2 finally got a new -- well, not a new, but it was a  
3 permanent substitute teacher.

4 Q. And that was approximately a semester that  
5 you testified to; is that correct?

6 A. That's correct.

7 Q. Do you have anything else to support the  
8 statement here in your Declaration?

9 A. Just the things that I remember around  
10 school. I don't remember exactly the incident, like  
11 it's been so long ago and it wasn't so much my  
12 problem or my case, so I can't remember. And it's  
13 another time where I saw substitutes day in and day  
14 out throughout the whole school year.

15 Q. And just to make sure that it is clear:  
16 You actually didn't even see a substitute in that  
17 class for an entire year? It was a one semester  
18 class?

19 A. What class?

20 Q. The class that you just identified for me  
21 right now.

22 A. The class that was in that Leadership room?

23 Q. Yes.

24 A. For the whole semester.

25 Q. One semester?

1 the advisor left. I never said anything about that  
2 time after, so --

3 Q. So you don't know if you had another  
4 substitute or not or if you had a permanent teacher  
5 come in; is that what you are testifying to?

6 A. That's correct.

7 Q. But it could be that it was just two weeks  
8 of a substitute; is that correct?

9 A. Could be.

10 Q. Okay. And I'd like to direct your  
11 attention to lines 18 and 19 of your Declaration at  
12 page three when you say "There have been classes  
13 where there were substitutes throughout the whole  
14 school year so that the students never get a  
15 permanent teacher."

16 That was never the circumstance for you;  
17 correct?

18 A. Not for me.

19 Q. Okay. What do you base that statement on?

20 A. I base that on what I saw. Like I told you  
21 this morning, that in that same class, in the  
22 Leadership class where my advisor shared, there was a  
23 teacher -- there was a teacher who didn't come back  
24 for some reason or wasn't there at all and had  
25 substitutes day in and day out; and finally towards

1 A. Correct.

2 Q. Not one whole year?

3 A. No. My Declaration is referring to other  
4 incidents, to like different incidents at one time.

5 Q. So you don't know of a single class that  
6 had a substitute for an entire year; is that correct?

7 A. I can't tell you exactly which classes did  
8 or didn't have a substitute throughout the whole  
9 year.

10 Q. I know. And I don't want you to tell me  
11 the exact class. I am wondering if you can recall  
12 any class where there was a substitute for the entire  
13 year in that class that you have a specific  
14 recollection of.

15 A. I don't remember the rest of the year for  
16 this one class, and it was a science class where my  
17 middle school teacher became a substitute after I  
18 graduated and came over to substitute at Locke. And  
19 when we talked, he told me that there had been  
20 previously a lot of substitutes, a lot of substitute  
21 teachers. He didn't tell me the exact number, nor do  
22 I recall, but I know that after he left, there was  
23 more substitutes. I am not sure how the rest of the  
24 year went.

25 MS. STRONG: Okay. I'd like to strike as

1 nonresponsive.

2 Q. Do you know of a single class that you have  
3 a specific recollection of where there was a  
4 substitute in that classroom for the entire year?

5 A. No.

6 Q. Okay. And you have already testified --  
7 well, hold on.

8 At lines 19 through 22 of your Declaration  
9 on page three, you state that you have also seen  
10 classes where neither the teacher nor the substitute  
11 show up for the class?

12 A. That's correct.

13 Q. Can you identify for me a class where  
14 neither the teacher nor a substitute showed up for  
15 the class?

16 A. No.

17 Q. You can't recall any particular instance  
18 where you remember that happening?

19 A. No.

20 Q. Is that correct?

21 A. Yes, that's correct.

22 Q. Okay. What did you base this statement in  
23 your Declaration on?

24 A. Things that I saw during the time that I  
25 was walking around performing Leadership errands.

1 Is that correct?

2 A. I am basing that on the fact that in the  
3 beginning of the period when the bell had just rung,  
4 I saw students waiting in line for their teacher or  
5 substitute teacher. And at the time that I came out  
6 and did the errands, I saw the students -- the number  
7 of students in line decreasing. And towards the end,  
8 I saw no one there.

9 Q. Is this one particular instance that you  
10 are remembering?

11 A. It's just -- yeah, I guess you could say  
12 that. But I can't tell you the teacher nor the  
13 subject nor classroom.

14 Q. Do you remember what year this was that you  
15 saw a class waiting outside of the room?

16 A. No.

17 Q. And can you remember anything other than  
18 this one instance that you remember now?

19 A. No.

20 Q. With respect to lines four and five of your  
21 Declaration at page four, you state, "I had to go to  
22 summer school to take English 9A." And I believe you  
23 testified on your first day of your deposition that  
24 you could have actually waited to take English 9A  
25 during your tenth year if you had chosen to, but you

1 Q. But you don't remember what those things  
2 were as you sit here today?

3 A. What things?

4 Q. You said you based --

5 A. I based this statement that I saw students  
6 walking around -- I mean students waiting for their  
7 teacher and getting restless and walking around the  
8 school; correct.

9 Q. Is that what you testified to?

10 A. Yes.

11 Q. That's fine. What I am asking about is the  
12 statement where "I have seen some classes where  
13 neither the teacher nor the substitute show up for  
14 class." And you told me you don't remember any  
15 specific time when this occurred, so I am wondering  
16 what did you base that statement on in your  
17 Declaration.

18 A. Like I said, when I run errands for Student  
19 Council you still get to see students waiting for  
20 teachers and stuff like that, but I don't recall a  
21 specific instance.

22 Q. So is it accurate to say that you are  
23 basing that on the fact that you saw students in the  
24 hallway, not necessarily on the fact that you know a  
25 teacher and a substitute didn't show up for class?

1 decided to take it during summer school; is that  
2 correct?

3 A. That's correct.

4 Q. I'd like to direct your attention to  
5 lines nine and 10 of your Declaration at page four.  
6 You state that "I have a lot of friends who have been  
7 placed in the wrong classes, and then they have to  
8 wait until the counselor is available to change their  
9 schedules." Do you see that?

10 A. Yes.

11 Q. Can you tell me who you were thinking of in  
12 writing this sentence or declaring it?

13 A. I was thinking of my friend Stephanie.

14 Q. And what happened with Stephanie?

15 A. Stephanie had already taken Algebra Two,  
16 and I don't remember what year it was that she had  
17 taken that class, and was placed -- was a senior and  
18 I was a junior, and she was placed in that class  
19 again even though she had already passed that class.

20 Q. What is Stephanie's last name?

21 A. I don't remember her last name.

22 Q. She was a year above you?

23 A. Yes.

24 Q. So she is graduated?

25 A. I am not sure if she graduated.

1 Q. She is no longer at the school?  
 2 A. That's correct.  
 3 Q. Okay. And do you know if Stephanie ever  
 4 went to talk to her counselor about that problem?  
 5 A. No, I don't know.  
 6 Q. When did Stephanie tell you about that  
 7 incident?  
 8 A. I think she told me towards the end of the  
 9 first semester when he failed her for not doing the  
 10 work. She told me she didn't need that class anyway  
 11 because she had already taken it.  
 12 Q. And that was during your junior year?  
 13 A. That's correct.  
 14 Q. But you don't know if she ever made any  
 15 efforts to get that class changed with one of her  
 16 counselors?  
 17 A. That's correct.  
 18 Q. Were you thinking of any of your other  
 19 friends when making this Declaration?  
 20 A. This is the only one that I can think of.  
 21 Stephanie is the only person that I can think of.  
 22 She is not the only one.  
 23 Q. So when you say "I have a lot of friends  
 24 who have been placed in the wrong classes," you are  
 25 referring to Stephanie; is that correct?

1 A. I am thinking of Stephanie and other  
 2 students that I can't recall, but I am telling you  
 3 the only person that I do recall.  
 4 MS. SHARGEL: Could we go off the record  
 5 for a minute.  
 6 MS. STRONG: Sure.  
 7 (Recess taken.)  
 8 BY MS. STRONG:  
 9 Q. I'd like to direct your attention to  
 10 line 17 and 18 of your Declaration at page four. It  
 11 says "There is rarely toilet paper, the soap  
 12 dispensers don't work, and there is never any soap."  
 13 Do you see that?  
 14 A. Yes.  
 15 Q. And at that point you are referring to the  
 16 bathrooms at the school?  
 17 A. That's correct.  
 18 Q. Were you referring to the bathroom in the  
 19 main building that is open regularly that you  
 20 testified to earlier today?  
 21 A. Yes.  
 22 Q. Okay. And you are referring to the  
 23 condition of the bathroom prior to eleventh grade or  
 24 eleventh grade and before; is that correct?  
 25 A. That's correct.

1 Q. Because in twelfth grade this statement no  
 2 longer holds true; is that correct?  
 3 A. Some of the statement is still true about  
 4 the soap and there is rarely toilet paper. It's  
 5 still true. There is paper, but rarely.  
 6 Q. Okay. I will follow up on that.  
 7 I thought earlier today you testified that  
 8 you couldn't remember a time when you used the  
 9 restroom this year where there wasn't toilet paper;  
 10 is that correct?  
 11 A. Yeah, but having one sheet of, like, paper  
 12 is not so much, you know. You said if there has been  
 13 an instance where there is no toilet paper.  
 14 Q. And there hasn't been an instance where  
 15 there has been no toilet paper during your twelfth  
 16 grade year, but there is a time that you can recall  
 17 during your twelfth grade year where there was only  
 18 one piece of paper left?  
 19 A. I am exaggerating when I say one, but  
 20 rarely toilet paper to me means not enough toilet  
 21 paper for 2,500 girls. That's all I am saying.  
 22 Q. I just want to make sure that it is clear.  
 23 Was there ever a time during your senior year where  
 24 there wasn't sufficient toilet paper for you to use  
 25 the restroom when you were in the restroom?

1 A. That's correct.  
 2 Q. Is that correct?  
 3 A. That's correct.  
 4 Q. That there was never a time when that took  
 5 place?  
 6 A. That's correct. And I made this statement  
 7 before my senior year.  
 8 Q. That's what I want to clarify. That's the  
 9 whole point of going over this, is to make sure the  
 10 record is clear. And to the extent that you want to  
 11 give an explanation of what it is in your  
 12 Declaration, I want to hear that now so that we know  
 13 what the truth is from you.  
 14 So when you made the statement "There is  
 15 rarely toilet paper," you were referring to the  
 16 bathroom in the main building prior to your senior  
 17 year; correct?  
 18 A. That's correct.  
 19 Q. And when you said "the soap dispensers  
 20 don't work," is the problem that the soap dispensers  
 21 don't work or there isn't soap in the soap  
 22 dispensers?  
 23 A. It's both. Sometimes -- we have two types  
 24 of soap dispensers: The one that you press in and  
 25 soap comes out, and there is another one where you



1 push a lever up and it comes out. I have been -- I  
 2 have seen instances where neither of them work.  
 3 Q. During your twelfth grade year?  
 4 A. During my ninth through eleven.  
 5 Q. Okay. So during your twelfth grade year,  
 6 you have not seen that; is that correct?  
 7 A. I haven't gotten toilet paper -- I mean --  
 8 toilet paper, I mean soap. I just am used to washing  
 9 my hands with water.  
 10 Q. And not looking to see if there is soap; is  
 11 that correct?  
 12 A. That's correct. But I do see traces that  
 13 there has been soap before.  
 14 Q. During your twelfth grade year?  
 15 A. That's correct.  
 16 Q. Okay. And the hand driers; do the hand  
 17 driers work during your twelfth grade year?  
 18 A. There is only hand driers in the one by the  
 19 band hall, by the band room. And those work now.  
 20 They didn't before.  
 21 Q. Okay. With respect to paragraph 12, have  
 22 you now told me everything regarding your allegations  
 23 in that paragraph?  
 24 A. About what?  
 25 Q. Paragraph 12 relates to air conditioning.

1 I want to make sure that what you testified earlier  
 2 today is all you know with respect to the allegations  
 3 in paragraph 12.  
 4 A. That's correct.  
 5 Q. Okay. I'd like to direct your attention to  
 6 line 28 of page four and line one of page five of  
 7 your Declaration.  
 8 A. Uh-huh.  
 9 Q. You state, "In my art class from my junior  
 10 year there was always rat poop." Do you see that?  
 11 A. Yes.  
 12 Q. And who was the teacher in that art class?  
 13 A. Miss Motevalli.  
 14 Q. And I believe you testified earlier that  
 15 there was one day when you attended that class when  
 16 there was either mouse droppings or rat droppings in  
 17 that class; is that correct?  
 18 A. No. I said -- I might have been confused,  
 19 but you told me of an instance so I was assuming one  
 20 day, one time, and what the teacher had done that day  
 21 in that time. I don't know what you have down on the  
 22 record.  
 23 Q. I will just -- I don't have the record in  
 24 front of me, but what I recall from your testimony  
 25 today is that I asked you about all of the times that

1 you had seen a rat or had any experiences with pests  
 2 on the campus.  
 3 And you identified in that class rat  
 4 droppings that you saw on one occasion that were  
 5 cleaned up by a student in class, and that the  
 6 problem was then taken care of.  
 7 And I asked you if you had ever seen them  
 8 in class, and your answer was no.  
 9 And what I am asking you now: Is there  
 10 more than one time where you described earlier where  
 11 you saw rat droppings in that class?  
 12 A. Yes.  
 13 Q. And if you testified differently before,  
 14 you would like to change your testimony now; is that  
 15 correct?  
 16 A. That's if I --  
 17 Q. Only if you testified differently before.  
 18 The record will speak for itself.  
 19 A. That's correct.  
 20 Q. None of us have perfect memories.  
 21 What other times did you see rat droppings  
 22 in that class?  
 23 A. Almost every single day in that class where  
 24 she had to clean up.  
 25 Q. Okay. Starting from in September?

1 A. Yes -- no. No. Not in September.  
 2 Q. When did you see rat droppings in that  
 3 classroom?  
 4 A. I actually don't remember, so -- I do.  
 5 First semester we were in the bungalows because of  
 6 renovation, and second semester we got moved there.  
 7 So it was second semester.  
 8 Q. And where was the class located in the  
 9 second semester?  
 10 A. It was on the third floor. I don't  
 11 remember what classroom number it was.  
 12 Q. In the main building?  
 13 A. Yes.  
 14 Q. And every single day in that class during  
 15 the second semester you saw rat droppings on the  
 16 floor; is that correct?  
 17 A. Almost every single day.  
 18 Q. And what did your teacher do about it?  
 19 A. She had students clean it up or she cleaned  
 20 it up herself.  
 21 Q. What period did you have that class?  
 22 A. Second period.  
 23 Q. Okay. Did she have a class in that room  
 24 first period?  
 25 A. Yes.

1 Q. So she would wait until second period to  
2 clean it up?

3 A. No. Sometimes she would be late to class  
4 and didn't have a chance to clean it up. And her  
5 first period class was Art History. They didn't play  
6 around with paint or anything, and the rat droppings  
7 were on the sink, and she didn't use that first  
8 period. So when it came to -- and she had mostly  
9 girls in the first class.

10 And so when we got there, we used the sink,  
11 we used the supplies, and we used the place where the  
12 rat droppings were. And so that's the reason why she  
13 cleaned it up. That's the reason why I believe she  
14 cleaned it up during her second period.

15 Q. Okay. And did you ever make a complaint to  
16 her at all about the rat droppings?

17 A. No.

18 Q. Did you complain to anyone else about --  
19 the administration about them?

20 A. No.

21 Q. Do you know if your teacher ever made any  
22 complaints about the rat droppings?

23 A. No.

24 Q. So you don't know what efforts she took to  
25 go about to eliminate the problem; is that correct?

1 taken the floor off and the tiles off; they just left  
2 it there, sitting there. And to my belief, rats and  
3 roaches are attracted to dirt and, you know, to old  
4 stuff. And maybe the rats came from the ceiling,  
5 from the floor, and that's the reason why they were  
6 roaming around.

7 Q. Okay. So I was focusing on there has been  
8 an increase in the infestation of rodents this year  
9 at Locke.

10 A. Uh-huh.

11 Q. Why did you think this was an increase? Is  
12 it just based on what you testified right now?

13 A. That there has been more debris.

14 Q. But did you see more rodents?

15 A. Yes. I didn't see any my ninth and tenth  
16 grade year. I only saw them in the eleventh, and I  
17 have seen some in my twelfth grade year.

18 Q. You described four instances earlier in  
19 your testimony --

20 A. Yes.

21 Q. -- that you had experiences with rats.

22 I may be able to recall them off the top of  
23 my head or if not, they are in my notes.

24 A. There was three eleventh grade and one in  
25 twelfth grade.

1 If any?

2 A. That's correct.

3 Q. Okay. And now I'd like to direct your  
4 attention to line three of page five of your  
5 Declaration, where it says "There has been an  
6 increase in the infestation of rodents this year at  
7 Locke." Is this your senior year or junior year that  
8 you are referring to?

9 A. That's correct. Junior.

10 Q. Junior year?

11 A. Yes.

12 Q. And what did you notice in terms of an  
13 increase -- I should say what did you mean by that.

14 A. I am not so sure what -- it was the second  
15 floor that was getting renovated when I was in my  
16 eleventh grade year, and they had the entrances  
17 blocked off to go into the second building.

18 And some students managed to open that,  
19 that entrance, because they did have a lock on. They  
20 had a door so that the construction workers could go  
21 in and out, and they were locked. And some students  
22 or student managed to open that lock.

23 And there was a lot of debris in that spot.  
24 I was able to see. I was able to see that. And I  
25 was able to see rats running around after they had

1 Q. Okay.

2 A. I can repeat them to you.

3 Q. Just what I want to make clear is I don't  
4 recall you testifying as to those four instances of a  
5 time where you saw rats running through construction  
6 debris. Are you now adding another instance that you  
7 recall?

8 A. I am not adding another instance. I am  
9 just saying that that's the reason why I believe rats  
10 started to come around at my school more than from my  
11 ninth through tenth. If you want --

12 Q. So is it still your testimony that you have  
13 only seen one live rat at the school; is that  
14 correct? The one that came out of the box. That's  
15 what you testified to earlier.

16 A. Okay. Live rat? If we want to add this,  
17 yeah, I guess I have seen more than one.

18 Q. Have you or have you not? I don't want you  
19 to guess. I want you to testify to what you  
20 remember.

21 So earlier you testified about four  
22 instances. One was rat droppings in Miss Motevalli's  
23 class?

24 A. That's correct.

25 Q. One was the rat tail?

- 1 A. Uh-huh.  
 2 Q. One was an incident described to you in the  
 3 Title One room, and one was the rat jumping out of  
 4 the box?  
 5 A. Uh-huh.  
 6 Q. Is there some other experience that you had  
 7 where you were exposed to rats or rodents at the  
 8 school that you haven't previously testified too?  
 9 A. Yes.  
 10 Q. And what would that be?  
 11 A. That would be the rats that I saw running  
 12 around where the construction was.  
 13 Q. And on how many occasions did you see a rat  
 14 running around by the construction?  
 15 A. I just saw it once. I didn't want to mess  
 16 with it anymore.  
 17 Q. So that was once during your eleventh grade  
 18 year?  
 19 A. Yes.  
 20 Q. And have you seen anything during your  
 21 twelfth grade year?  
 22 A. I saw that live rat.  
 23 Q. That was the one coming out of the box  
 24 during your twelfth grade year?  
 25 A. Yes.

- 1 Q. Other than that, have you seen anything  
 2 else related to rats or rodents?  
 3 A. Not yet.  
 4 Q. So would you say you think the situation  
 5 has declined since your eleventh grade year?  
 6 A. In what I have seen, yes.  
 7 Q. Did you tell anyone about seeing a rat  
 8 during your eleventh grade year at the construction  
 9 site or where you saw the construction materials?  
 10 A. No.  
 11 Q. You never complained about that to anyone?  
 12 A. No.  
 13 Q. With respect to paragraph 14 of your  
 14 Declaration, you are testifying to construction noise  
 15 at that portion of your Declaration. Do you see  
 16 that?  
 17 A. Yes.  
 18 Q. And I just want to make sure the record is  
 19 clear.  
 20 I believe earlier that you testified that  
 21 the only time the construction noise disturbed your  
 22 class was during the end of your tenth grade year in  
 23 your fifth period English class; is that correct?  
 24 A. Uh-huh. Yes.  
 25 Q. And so when you stated in your Declaration

- 1 that for my junior and sophomore year there was  
 2 constant noise from construction during school hours,  
 3 is it still correct that the only time that you heard  
 4 it in class was during tenth grade year, fifth  
 5 period?  
 6 A. Yes. I forgot to correct that, too.  
 7 Q. So when you frequently heard drilling in  
 8 that class, which is what you testified to at  
 9 paragraph 14 of your Declaration, you were referring  
 10 to that one class; is that correct?  
 11 A. That's correct.  
 12 Q. And so when you referred to teachers at  
 13 paragraph 14 of your Declaration, you were referring  
 14 to that one teacher; is that correct?  
 15 A. Yes. Could I add another thing, is that  
 16 the drilling was going on during my sophomore year.  
 17 The construction was going to through my junior and  
 18 sophomore year, but the drilling was going on during  
 19 that time, during -- wait. Let me make myself clear.  
 20 The drilling was going on during my  
 21 sophomore year. And it says that there was constant  
 22 noise from construction during school. That still  
 23 applied to my junior year. I guess that when my  
 24 Declaration was written, that's what they got.  
 25 Q. So construction was still going on during

- 1 your junior year, but what I wanted to make clear is  
 2 that you didn't hear it in any of your classes during  
 3 junior year. You only heard during fifth period  
 4 during the end of your tenth grade year; is that  
 5 correct?  
 6 A. The drilling. But noise was -- I still  
 7 heard noise during my junior year.  
 8 Q. In your classes?  
 9 A. Yes. But it wasn't drilling.  
 10 Q. So I believe earlier in your deposition I  
 11 was asking you about noise from construction. Are  
 12 you changing your testimony now to tell me that you  
 13 heard noise from construction in class during your  
 14 eleventh grade year?  
 15 A. That's correct.  
 16 Q. Can you tell me what classes you remember  
 17 being distracted by noise from construction during  
 18 your eleventh grade year that you didn't testify  
 19 earlier when we covered this topic.  
 20 A. No, I can't remember any classes right now.  
 21 Q. Okay. I am going to leave this topic.  
 22 So what you are referring to in  
 23 paragraph 14 is solely in reference to your fifth  
 24 period class during your tenth grade year in terms of  
 25 the effect it was having on your classroom

1 experience; is that correct?

2 A. Yes.

3 Q. And with respect to your paragraph 15 of  
4 your Declaration, you say there are many windows at  
5 your school that are jammed or broken.

6 I asked you earlier in your deposition and  
7 you identified one window in your classroom. Is that  
8 the only window that you can think of that's jammed  
9 would or broken?

10 A. That is the only one that I can think of  
11 right now.

12 Q. Okay. You don't know of any other windows  
13 that are jammed or broken in your school; is that  
14 correct?

15 A. I don't recall of any others. I don't  
16 recall of any others.

17 Q. I have one last question for you. What do  
18 you think is good about Locke High School?

19 MS. TEITELBAUM: Objection; vague and  
20 ambiguous as to the word "good."

21 THE WITNESS: What do you mean, good?

22 BY MS. STRONG:

23 Q. You have used good throughout your  
24 testimony today. What do you think comes to mind  
25 when I ask you what is good about Locke?

1 MS. TEITELBAUM: Same objection.

2 THE WITNESS: In my definition of good or  
3 what I think is good about my school is the fact that  
4 there is some teachers that do care and that are  
5 willing to put their job on the line to help us out.  
6 And there is also good students that are willing to  
7 put their -- themselves like in a position where they  
8 can be harassed for speaking out.

9 That's the only good thing that I have seen  
10 at my school.

11 BY MS. STRONG:

12 Q. Okay. Is there anything else that you like  
13 about your school?

14 A. Not so much my school, but the situation, I  
15 have gotten a lot of -- I have gotten a lot of perks  
16 from being there because of where it's located. Like  
17 I have gotten into programs where it's like outreach  
18 programs that wouldn't be given to other high  
19 schools. Get my SATs for free. I am more respected  
20 by administration and teachers.

21 Q. Well respected, you said?

22 A. Yes. And that's about it. That's all I  
23 can think about that's good at my school.

24 Q. And with respect to outreach programs that  
25 you identified that you have access to, what would

1 those be?

2 A. That would be the career-based outreach  
3 program and EOP, which are pretty much the same  
4 programs.

5 MS. STRONG: Okay. I am going to pass it  
6 over to Johanna right now to continue with the  
7 questioning.

8 MS. SHARGEL: Okay. Can we go off the  
9 record for a second.

10 MS. STRONG: Sure.

11 (Recess taken.)

12 MS. SHARGEL: Back on the record.

13  
14 EXAMINATION

15  
16 BY MS. SHARGEL:

17 Q. Miss Ortiz, my name is Johanna Shargel, and  
18 I am an attorney for the Los Angeles Unified School  
19 District. And I know this has been a very long day,  
20 so I am going to try to keep this as short as  
21 possible.

22 You testified that you were a member of the  
23 Locke Student Union?

24 A. That's correct.

25 Q. I'd like to ask you some questions about

1 that.

2 Now you joined Locke Student Union in March  
3 2001; is that correct?

4 A. That's correct.

5 Q. Do you know when the Locke Student -- I am  
6 going to call it LSU.

7 A. That's what we called it, too.

8 Q. Do you know when it was started?

9 A. No, I don't.

10 Q. Do you know who started it?

11 A. I know that it was a group of students who  
12 started this group due to problems at Locke.

13 Q. What specific problems?

14 A. Well, they don't pertain to the suit, but  
15 it was about two fights -- not -- well, one fight  
16 that had broken out where an outsider came into the  
17 school grounds and beat up a student at Locke and no  
18 one did anything about it.

19 Q. Were any teachers responsible for starting  
20 the LSU?

21 A. We were responsible. The students were  
22 responsible for starting that group, although they  
23 did advise us.

24 Q. Okay. How many students were in LSU while  
25 you were a member?

1 MS. TEITELBAUM: Objection. Do you mean at  
2 one time or throughout the years?

3 BY MS. SHARGEL:

4 Q. How many students would show up at meetings  
5 during the four months that you said that you were  
6 part of the LSU?

7 A. Well, the numbers changed, but there was  
8 constant students there, and they were -- I'd say  
9 about 10 that were in there most of the time.

10 Q. Okay. Was there a leader of the LSU while  
11 you were there?

12 A. We were all leaders. There wasn't just one  
13 person.

14 Q. There weren't elected officers like there  
15 were for Student Council?

16 A. We tried to do that, but we just wanted to  
17 leave certain things for people who were interested.  
18 We didn't want to force anyone to do what they didn't  
19 want to do. We want everything to be voluntary.

20 Q. Okay. You said that you had meetings twice  
21 a week.

22 A. That's correct.

23 Q. What was discussed at those meetings, if  
24 you could list issues.

25 A. Like I said, like school conditions, what

1 I joined the group behind the principal's  
2 back because this group approached me to help them.

3 Q. So is it fair to say that they approached  
4 you because you had special access to [REDACTED]

5 A. No. They approached me because I knew --

6 MS. TEITELBAUM: I am going to say  
7 objection; calls for speculation as to why she was  
8 approached.

9 If you know.

10 THE WITNESS: Yeah. I was approached  
11 because I knew things -- I had experiences with  
12 Student Council and I knew what was the right thing,  
13 like what were the right ways to move around, like  
14 how to get -- you know, how to get a club going on  
15 and this and that.

16 BY MS. SHARGEL:

17 Q. Just going back for a minute. You say that  
18 you had to pay for your own uniforms. Did you have  
19 to pay for your own uniforms as a student athlete?

20 A. We were lucky enough to have a coach that  
21 gave his -- all of his day to selling sodas, and  
22 that's how he made the money for our team. So I  
23 didn't have to do any work.

24 Q. Sounds like a good coach.

25 A. Yeah, he was.

1 was going on at other schools, and pretty much like,  
2 you know, the problems that we were having in our  
3 school and how our principal wasn't doing anything  
4 about it, nor was she willing to listen to us.

5 Q. What do you mean, she wasn't willing to  
6 listen to you?

7 A. We set up -- well, most of the students  
8 that were in the group were students who were -- who  
9 had raised questions to the principal and didn't get  
10 any response, were denied from speaking to her.

11 Or there were students who were in athletic  
12 groups that had problems in the team and these  
13 problems weren't fixed. Like we had to make our own  
14 money to buy uniforms and such things like that.

15 And it was just students that were fed up  
16 with the conditions that were going on at the school.

17 Q. Didn't you testify at the first day of your  
18 deposition that you had a close relationship with  
19 Miss Webb and that she was available to you?

20 A. That's correct.

21 I didn't, but the reason why I was selected  
22 to be in the group was because I knew how everything  
23 worked.

24 And I did this -- you can say -- behind the  
25 principal's back.

1 Q. What is his name?

2 A. Coach Engler.

3 Q. That was your coach for which sport?

4 A. Volleyball.

5 Q. What about the other sports? Did you have  
6 to pay for uniforms?

7 A. My ninth grade year of softball, we had to  
8 use old uniforms. They were really old uniforms.

9 And tenth grade, I made really good friends  
10 with an organization called Colors United and I was  
11 able to -- I knew the head of that program, and so I  
12 got him to donate 400 or \$500 to the softball team,  
13 and that's how we were able to get new uniforms.

14 Now basketball freshman year, I had to make  
15 money by having a shoe-a-thon at school.

16 Q. Did you complain about the fact that you  
17 didn't have adequate uniforms without your own  
18 efforts to [REDACTED] or any of the other  
19 administrators?

20 A. My first years of being at Locke, I kind of  
21 respected what was going on. And they told me that  
22 the reason why they couldn't buy things for us was  
23 because they were using it for other things. They  
24 were using it to pay off old debts from other  
25 classes. And I swallowed that information that I was

1 given and I accepted it because I respected  
2 administration at school.

3 Q. At what point did that change?

4 A. I knew all along that there was something  
5 bad going on. So as to me finally standing up, it  
6 began last year, my junior year, when I was  
7 approached, and I started to hear other students'  
8 testimony like what was going with them. And I  
9 realized that I wasn't the only person concerned  
10 about this, and I finally said that I am fed up with  
11 these conditions and I am going to do something about  
12 it. And that's the reason why I joined the Locke  
13 Student Union.

14 Q. Were you approached by teacher or a  
15 student?

16 A. I was approached by a teacher.

17 Q. Which teacher?

18 A. Miss Motevalli.

19 Q. How did she approach you?

20 A. She just told me about the group, and she  
21 told me if I was willing to give it a chance and to,  
22 you know, go to the meetings and see how I liked it,  
23 because she knew I was an outspoken person.

24 Q. You said that you went to meetings and  
25 joined the Locke Student Union behind the principal's

1 Q. What kind of student forum was she talking  
2 about?

3 A. She was just talking about having -- if --  
4 she was just talking about having a forum for  
5 everyone to voice their concern if there was any.

6 Q. When did she tell you that she was  
7 disappointed?

8 A. The day of the meeting, of the large  
9 meeting that we had with the -- at WLCAC.

10 Q. Who is we?

11 A. The Student Union.

12 Q. Do you remember approximately what the date  
13 was of this meeting?

14 A. March 21.

15 Q. So shortly after you joined the group?

16 A. Yes. She approached me that same day and  
17 she told me that she was disappointed in me.

18 Q. Do you know how she found out that the LSU  
19 existed?

20 A. Prior to that meeting, we sent her a letter  
21 and we asked her to meet with us, with all the  
22 members of the Student Union to try to arrange  
23 something and get something working.

24 She didn't answer to us until March 21,  
25 until the date of the meeting. She sent us out to

1 back; is that correct?

2 A. That's correct.

3 Q. What do you mean by that?

4 A. What I mean by that is having a close  
5 relationship with a principal, I didn't tell her,  
6 [REDACTED] there is an organization that is  
7 complaining about the conditions at school. I didn't  
8 tell her what was going on. That's what I mean by I  
9 went behind her back.

10 And I also didn't tell my members of  
11 Leadership that I was joining that group.

12 Q. No other members of the Locke Student Union  
13 were also members of the Student Council to your  
14 knowledge?

15 A. I was the only member who was involved with  
16 Locke Student Union, LSU and Leadership.

17 Q. Was it your understanding that [REDACTED]  
18 would be upset if you had joined the LSU?

19 A. Yes.

20 Q. Why?

21 A. Because as she said to me that she was  
22 disappointed because I knew the ways of making a  
23 group and I knew how to voice my concerns to her by  
24 making a student forum, and so I thought I knew that  
25 she would disapprove of that.

1 talk about it, to answer our concerns.

2 Q. Why does March 21 stick in your mind? I am  
3 just wondering.

4 A. I looked at a flier the first day that I  
5 was looking for my report cards and such, and I  
6 remember that flier.

7 Q. Did you give that flier to your attorney?

8 A. No.

9 Did I?

10 MS. TEITELBAUM: I can't testify here  
11 today.

12 BY MS. SHARGEL:

13 Q. I am just asking to the best of your  
14 knowledge.

15 A. I don't think I gave it to her.

16 Q. You didn't think that it was responsive to  
17 the document request in this case?

18 A. Yeah, I think it does.

19 Q. You didn't think that it was relevant to  
20 the issues here?

21 A. No, not really.

22 It only had a few that had to do with the  
23 lawsuit.

24 Q. It had a few things on it that had to do  
25 with the lawsuit. Would it be fair to say that it

1 was responsive to the document request?  
 2 MS. TEITELBAUM: Objection. That calls for  
 3 a legal conclusion.  
 4 THE WITNESS: I guess, but I just didn't --  
 5 at the time when I was gathering those things up, I  
 6 didn't think that it was important.  
 7 BY MS. SHARGEL:  
 8 Q. All right. I'd like to ask you to produce  
 9 that flier. It's something that you have brought up  
 10 the first day of your deposition, and it sounds  
 11 like --  
 12 MS. TEITELBAUM: Do you have that flier?  
 13 You will give it to me. Okay?  
 14 THE WITNESS: Okay.  
 15 MS. SHARGEL: Okay. Great.  
 16 Q. Do you know how [REDACTED] found out about  
 17 the fact that -- sorry.  
 18 A. Just answered it. I told you that we asked  
 19 her to have a meeting with our group, and she pretty  
 20 much refused to.  
 21 Q. That's right. My apologies.  
 22 So did she call a meeting with the members  
 23 of the LSU?  
 24 MS. TEITELBAUM: Objection; calls for  
 25 speculation.

1 THE WITNESS: She did summon us, but she  
 2 didn't ask for a meeting with us.  
 3 BY MS. STRONG:  
 4 Q. She summoned you out of the March 21  
 5 meeting?  
 6 A. No. She summoned out of our fifth and  
 7 sixth period classes.  
 8 Q. Did she summon you to her office?  
 9 A. Yes.  
 10 Q. How many students did she summon to her  
 11 office?  
 12 A. About six or seven. It was less than 10.  
 13 Q. What happened in that meeting?  
 14 A. She went over the demands that we had and  
 15 she told us that all of those demands could be  
 16 answered, and she started answering us why things  
 17 hadn't changed and, you know, stuff like that.  
 18 Q. Well, what did you say during your meeting  
 19 with [REDACTED]?  
 20 A. I don't recall what I said to her,  
 21 actually. I don't remember anything that she said.  
 22 Q. In your opinion, were her answers  
 23 responsive to your concerns?  
 24 A. They were just a way to get out of dealing  
 25 with the problems. I didn't -- that's all I can say

1 about her answers.  
 2 Q. What do you mean by that?  
 3 A. Like when she told us about the -- when we  
 4 asked her about -- when she went over the item that  
 5 said why we -- that we wanted uniforms and coaches,  
 6 she said that we didn't have uniforms because we  
 7 didn't have money in our account, when me being in  
 8 Student Council and making all that money for the  
 9 student body. And I said how come you are saying  
 10 that we didn't make any money, that there is no money  
 11 in our account when month in and month out we make  
 12 money for you?  
 13 And, you know, it was just ways for her to  
 14 shut us up and make us think that what we were doing  
 15 was wrong.  
 16 MS. SHARGEL: I'd like to introduce as  
 17 Exhibit 10 a document that has been Bates-stamped  
 18 Plaintiff 62308.  
 19 (Deposition Exhibit No. 10 was marked for  
 20 identification and is attached hereto.)  
 21 BY MS. SHARGEL:  
 22 Q. Miss Ortiz, do you recognize this document?  
 23 A. Yes.  
 24 Q. What is it?  
 25 A. It's the paper that she gave us afterwards,

1 after the meeting.  
 2 Q. She gave this paper to you after the  
 3 meeting that you had in her office that you just  
 4 described?  
 5 A. Yes.  
 6 Q. Did she also give a similar paper to the  
 7 other students that were present at the meeting?  
 8 A. That's correct.  
 9 Q. She is [REDACTED]?  
 10 A. Yes.  
 11 Q. Now it states in this memorandum that you,  
 12 the students, have an established forum to address  
 13 your concerns, it is your Student Council?  
 14 A. That's correct. And your question is do I  
 15 agree with that?  
 16 Q. Yes.  
 17 MS. TEITELBAUM: Objection. Which part of  
 18 that question are you asking -- which part of that  
 19 statement are you asking if she agrees or doesn't  
 20 agree?  
 21 BY MS. SHARGEL:  
 22 Q. Do you agree that the Student Council is a  
 23 forum in which you can address the concerns that you  
 24 raised as part of the LSU?  
 25 A. What she was trying to say there is that

1 our Student Council has the ability to make a forum  
2 where I can address these concerns. And I do believe  
3 that I can address those concerns as much as I want  
4 to in that forum, but nothing will be done about it.  
5 We have done these forums and I haven't seen anything  
6 done about it, so I don't believe --

7 Q. Can you just describe what these forums  
8 are. I am confused.

9 A. These forums are a session where students  
10 can complain pretty much to administration and tell  
11 them about their situations at large with many other  
12 students. And to my understanding, it's a forum  
13 where action takes place, but in my four years --  
14 well, not my four years, but ninth and tenth grade,  
15 we held forums, but I didn't see any changes coming  
16 from these forums.

17 Q. Why did you think that the LSU would be a  
18 more effective means of addressing your concerns?

19 MS. TEITELBAUM: Objection. I think that  
20 misstates her testimony.

21 THE WITNESS: I thought the LSU would be a  
22 good group. Well, it would be a more effective group  
23 because we were formed and we were like a student  
24 council outside of Student Council, and we did  
25 paperwork, like, we did paperwork and stuff like

1 Locke Student Union, we sent her letters trying to  
2 negotiate with her.

3 Q. What in your mind was the difference  
4 between the two in terms of how they could help make  
5 changes at Locke?

6 A. The Student Council was more of a liaison,  
7 and LSU was more of demanding because nothing was  
8 made out of Student Council and [REDACTED]  
9 communicating.

10 Q. Now did you continue to participate in the  
11 LSU after receiving this memorandum on March 21?

12 A. Yes.

13 Q. Were you ever disciplined for participating  
14 in the LSU?

15 A. No.

16 Q. To your knowledge, were any other members  
17 of the LSU disciplined for participating in the LSU?

18 A. They weren't disciplined, but they were  
19 harassed.

20 Q. What do you mean by harassed?

21 A. I can't think of any students that were  
22 harassed, but I can think of the teachers. They  
23 received constant surveillance from the principal.

24 Q. How do you know that?

25 A. I had Miss Motevalli for second period, and

1 that, unlike other students who brought their mothers  
2 to school and yelled at the principal.

3 So she had no reason to shut us up because  
4 we asked her in paperwork. And if she wasn't  
5 listening to us, we could have always brought it up  
6 to the District and complained about it. We did  
7 everything formally and had everything in paper, so  
8 if she denied something we could say, you know what,  
9 this is what we sent you and, you know, she couldn't  
10 defend herself from that.

11 BY MS. SHARGEL:

12 Q. Okay. Was paperwork used in Student  
13 Council meetings?

14 A. Yes.

15 Q. Was it the same type of paperwork that was  
16 used in the LSU?

17 A. No.

18 Q. What kind of paperwork was used in Student  
19 Council meetings?

20 A. Well, we requested to have certain  
21 fund-raisers and we proposed that to the principal.  
22 And the principal would then answer to the proposals.

23 With LSU, we did propose her, but we  
24 proposed her in a different matter. In Student  
25 Council we sent her memorandums as proposals. In

1 [REDACTED] was constantly harassing her. She was  
2 often coming in the classroom and complaining about  
3 how [REDACTED] wrote her up each and every time she a  
4 was late or each and every time that something  
5 happened in her class.

6 Q. Did [REDACTED] ever come into your classroom  
7 when you were being taught by Motevalli to observe  
8 Miss Motevalli?

9 A. Yes.

10 Q. When?

11 A. I don't remember when it was that she came  
12 in.

13 Q. How many times?

14 A. That I remember? Twice. She observed us  
15 once, and the second time she came and pulled  
16 Miss Motevalli out for refusing to have a search, a  
17 classroom search.

18 Q. What happened on that occasion when she  
19 pulled Miss Motevalli out?

20 A. The search -- do you mean like what led to  
21 that?

22 Q. Yeah. Tell me about what happened that  
23 day.

24 MS. TEITELBAUM: I am going to object. I  
25 don't want to get into the whole thing about the



1 classroom searches, but we are not going to go too  
2 deep on this.

3 THE WITNESS: Just tension was rising over  
4 the searches, and students were getting defensive  
5 about it.

6 And so Miss Motevalli talked to us and just  
7 told us that we had rights, and she just said --  
8 well, that is pretty much it.

9 She just told us that we had rights, and we  
10 knew what it was. We researched like sites and got  
11 pamphlets that said what our rights are.

12 MS. TEITELBAUM: I am going to cut you off  
13 at this point. This is going far afield of  
14 conditions, so we are going to leave that testimony  
15 to the other case.

16 So I am going to instruct you not to  
17 respond any further to that question; okay.

18 BY MS. SHARGEL:

19 Q. Aside from those two occasions you  
20 mentioned, were there any other times [REDACTED]  
21 supervised Miss Motevalli's classroom to your  
22 knowledge?

23 A. Not [REDACTED] but her administrators were  
24 often watching her and coming in the classroom and  
25 observing her.

1 A. No.

2 Q. Were those teachers present at all of your  
3 meetings as far as you know?

4 A. Yes.

5 Q. And what are their roles in the LSU?

6 A. They answered your questions. Like  
7 sometimes we thought something, and since they were  
8 the teachers they knew what was going on from their  
9 side; and so when we got -- we started talking and  
10 ranting about certain things, they told us, well, you  
11 know what, this is the reason why this happens. They  
12 knew what was going on, and that was their role is to  
13 lead us in the right direction.

14 Q. Did they prepare any of the paperwork that  
15 was done in connection with the LSU?

16 A. No.

17 Q. How did the idea arise to speak at the  
18 July 2001 Board meeting?

19 MS. TEITELBAUM: Objection; calls for  
20 speculation.

21 THE WITNESS: By one of the members of the  
22 group.

23 BY MS. SHARGEL:

24 Q. Do you know which member?

25 A. Rosa Cuevas.

1 Q. Did she say why?

2 A. Did [REDACTED] say why?

3 Q. Did Miss Motevalli say why?

4 A. Miss Motevalli believed that the reason why  
5 she was being, you know, looked at all the time was  
6 her involvement with the Locke Student Union.

7 Q. Now you mentioned that Miss Motevalli and  
8 Mr. Cubias and Miss Shah, S-H-A-H, are three of the  
9 teachers who advised the LSU?

10 A. That's correct.

11 Q. There are any other teachers?

12 A. Not any that I can think of.

13 Q. By the way, do you know whether all three  
14 of those teachers are credentialed?

15 A. I know that Miss Motevalli isn't.

16 Q. How do you know that?

17 A. She told our class that she wasn't  
18 credentialed, or she told me.

19 I know that -- I know for a fact that  
20 Mr. Cubias is credentialed because that's what he  
21 wanted to do. He graduated from Locke, and that was  
22 his whole focus during his college career.

23 I don't know about Miss Shah.

24 Q. Were any of those teachers Teachers from  
25 America?

1 Q. So it was a student's idea to speak at the  
2 board meeting?

3 A. Yes.

4 Q. I remember you testified at the first day  
5 of your deposition that you met with Mr. Lansing's  
6 representative?

7 A. Yes.

8 Q. And other LSU members?

9 A. Yes.

10 Q. And then you said that you didn't go to the  
11 follow-up meeting with Mr. Lansing's representative?

12 A. No. With Mr. Lansing. The follow-up  
13 meeting was with Mr. Lansing.

14 Q. You said that Mr. Cubias and another  
15 student went to that meeting?

16 A. Yes.

17 Q. Why didn't you decide to go?

18 A. I wasn't told and I wasn't around enough  
19 for them to access me. I was at volleyball practice  
20 or my friend's house. I was hardly ever there after  
21 school.

22 Q. Are you still participating in the LSU this  
23 year?

24 A. Yes and no. We sort of have been off and  
25 on, but mostly off.

1 Q. Why is that?

2 A. Yeah. We are just waiting to see what the  
3 fruits of what we did over the summer and our  
4 eleventh grade year and the eleventh grade year.

5 Q. Okay. Was that March 21 meeting that you  
6 had with [REDACTED] was that the only time that you  
7 and [REDACTED] discussed the concerns of the LSU?

8 A. Yeah.

9 Q. Did you ever try to go to Miss Webb again  
10 to discuss LSU concerns?

11 A. No.

12 Q. Now you mentioned last time that as a  
13 member of the LSU you and other students put out  
14 fliers?

15 A. Yes.

16 Q. And I believe you testified that those  
17 fliers were taken down?

18 A. Yes.

19 Q. Do you know who took those fliers down?

20 A. No, I don't.

21 Q. Is the LSU recognized by the administration  
22 at Locke in a formal way?

23 MS. TEITELBAUM: Objection; calls for  
24 speculation.

25 BY MS. SHARGEL:

1 Student Council on what your group consists of, who  
2 are its members, when and where do you hold meetings.  
3 And then it gets approved by the advisor. Or I never  
4 seen it approved by the principal, but most of the  
5 time Student Council approves it.

6 Q. Did you attempt to go through that process  
7 for the LSU?

8 A. No.

9 Q. Why not?

10 A. I didn't organize the group. I wasn't the  
11 original member who formed the group, so I didn't  
12 want to come in the group and tell them what to do.  
13 And that's the reason why I didn't say, hey, you know  
14 what, we have to go through these channels.

15 Q. Did [REDACTED] try to get the group to go  
16 through the proper channels?

17 A. No. Not until -- well, she didn't so much  
18 try to get us to go through proper channels. She  
19 just told us that there were proper channels to go  
20 through in order to have a group on March 21, but  
21 that was the only time where she addressed us with  
22 that.

23 Q. Did the other students follow up on what  
24 she said?

25 A. No. We were enraged with her answers from

1 Q. To your knowledge, in a formal way?

2 A. They know who we are. That's all I can  
3 tell you.

4 Q. Do they approve the LSU as a formal student  
5 group?

6 MS. TEITELBAUM: Same objection.

7 THE WITNESS: Some teachers do approve of  
8 what we are doing, and some teachers don't.

9 BY MS. SHARGEL:

10 Q. And I am talking about the administration  
11 now.

12 A. Administration? Most -- I can't think --  
13 actually, I can't think of any administration or  
14 administrator who approved of what we were doing.  
15 Not that none of them have told me.

16 Q. Is there a process by which student groups  
17 can become formally recognized and approved by the  
18 administration?

19 A. Yes.

20 Q. To your knowledge?

21 A. Yes.

22 Q. What is that process?

23 A. You have to go through Student Council.  
24 You have to have a constitution and you have to  
25 describe to Student Council, write a letter to

1 that meeting and how she ignored us for all that time  
2 until March 21 to try to stop us.

3 Q. When was she ignoring you?

4 A. I don't know exactly when the first letter  
5 was sent out to ask for this meeting -- well, to ask  
6 for a private meeting with her. And she didn't  
7 respond to it. She saw these fliers and she heard of  
8 teachers talking about it and decided -- we sent her  
9 another letter, and until March 21 that's when she  
10 decided to acknowledge us.

11 Q. I am a little confused, because if the LSU  
12 was sending her these letters, why did you think that  
13 you were going behind her back?

14 A. I thought -- no, I am saying that I thought  
15 that I was going behind her back by not telling her  
16 why I was in this group and what was going on. I  
17 thought.

18 Q. She knew about the group?

19 A. Yeah.

20 Q. She just didn't know --

21 A. I didn't know if she knew about the group  
22 at first until they told me, and that's when I got  
23 enraged.

24 Q. You got enraged that she wasn't responding  
25 to LSU's concerns?

1 A. Yes.

2 Q. Aside from what happened at this meeting,  
3 did you think that [REDACTED] was a good principal?

4 A. No.

5 Q. Why not?

6 A. She wasn't there all the time nor made an  
7 attempt to be there for us like I believe a principal  
8 should. I think a principal should walk around and  
9 not know every single student in their school, but  
10 make an attempt to at least know their faces. And  
11 she didn't know anyone at Locke. She only knew  
12 students who were in the honor roll or who were in  
13 the TCA Academy, but otherwise she didn't know. She  
14 didn't know you.

15 Q. She knew you; right?

16 A. She knew me. I made sure she knew me.

17 MS. SHARGEL: I'd like to introduce as  
18 Exhibit 11 what -- documents Plaintiff's 62311 and  
19 62312.

20 THE WITNESS: Can I speak to my attorney.

21 MS. SHARGEL: Of course.

22 (Recess taken.)

23 BY MS. SHARGEL:

24 Q. Before turning to this exhibit, I just have  
25 a couple of follow-up questions about something that

1 team?

2 A. Yeah.

3 Q. Which you were not a part of?

4 A. That's right.

5 Q. This is when you were not in tenth grade?

6 A. This is in tenth grade, and I was part of  
7 this basketball team.

8 Q. You were on the team?

9 A. No, I was not a part.

10 Q. Were you playing a different sport or in a  
11 different grade?

12 A. I was playing a different sport. I  
13 actually didn't want to play basketball. I was  
14 waiting for the softball season to come around.

15 Q. Do you know whether any of those students  
16 asked the administration whether the administration  
17 could purchase new uniforms for them?

18 A. I don't know.

19 Q. Do you know whether any student was unable  
20 to play basketball that was part of that team because  
21 they were unable to afford the uniforms?

22 A. I don't know.

23 Q. Aside from that tenth grade basketball  
24 girls team, do you know of any other students who had  
25 to pay for their own uniforms?

1 you raised about student uniforms.

2 A. Yes.

3 Q. Did you ever pay your own money to get a  
4 student uniform while you were at Locke?

5 A. No. I refused to pay, so I always found  
6 means of getting money.

7 Q. Do you know of any other fellow students at  
8 Locke who had to pay for uniforms?

9 A. A tenth grade basketball team had to pay  
10 for their uniforms. And yeah, just tenth grade that  
11 I know, basketball.

12 Q. Were there older uniforms available that  
13 the tenth grade could have used instead of buying new  
14 uniforms?

15 MS. TEITELBAUM: Objection; calls for  
16 speculation.

17 THE WITNESS: There was, but they were old.  
18 And they were boys' uniforms that were handed to the  
19 girls.

20 BY MS. SHARGEL:

21 Q. Okay. So these old uniforms were handed to  
22 the girls, and the girls decided instead to buy their  
23 own uniforms?

24 A. Yeah.

25 Q. This is the tenth grade girls basketball

1 A. No.

2 Q. Okay. I'd like to turn to Exhibit 11,  
3 which is Bates-stamped Plaintiff 62311 and 62312.  
4 (Deposition Exhibit No. 11 was marked for  
5 identification and is attached hereto.)

6 MS. TEITELBAUM: Are you going to give a  
7 copy to the witness?

8 THE WITNESS: I have one.

9 MS. TEITELBAUM: I got one. You don't.

10 BY MS. SHARGEL:

11 Q. Can you tell me what this is, the first  
12 page.

13 MS. TEITELBAUM: First page are you  
14 referring to?

15 BY MS. STRONG:

16 Q. 62311.

17 A. Okay. These are the 10 demands that we  
18 came up with, that the Student Union came up with.

19 Q. When did you come up with these demands?

20 A. During the meeting.

21 Q. Do you remember approximately what month  
22 these demands were printed?

23 A. They were printed in March.

24 Q. 2001?

25 A. Yes.

1 Q. Do you remember who wrote these demands?

2 A. I don't remember who typed them, but we all  
3 sat around and phrased these questions.

4 Q. The teachers helped you phrase them?

5 A. No. The teachers revised it like when we  
6 were done with them, but that's all they did.

7 Q. Did you distribute these demands anywhere?

8 A. Yes.

9 Q. Where did you distribute them?

10 A. First we had these demands and we showed  
11 them to students and we told them about the group,  
12 and we asked for them to sign a petition for these  
13 demands to --

14 Q. Come into effect?

15 A. Well, you know, to try to get their support  
16 so that the principal could see that we were an  
17 organized group.

18 Q. Was that petition ever circulated?

19 A. Yes.

20 Q. How many students signed the petition?

21 MS. TEITELBAUM: Objection; calls for  
22 speculation.

23 THE WITNESS: We never put them all  
24 together, but every member of the Locke Student Union  
25 had a set of demands and they also had a set of

1 MS. TEITELBAUM: Objection; calls for  
2 speculation.

3 THE WITNESS: She knew what they were, and  
4 she was on [REDACTED] side. And so that's pretty  
5 much all I can tell you is that she was on  
6 [REDACTED] side and I guess she didn't want to see  
7 these.

8 BY MS. SHARGEL:

9 Q. Did you have other copies of that petition?

10 A. No. I only had one sheet with numbers and  
11 everything.

12 Q. And other members of the LSU, they also  
13 gathered signatures like you did?

14 A. Yes.

15 Q. But they didn't do anything with their  
16 petitions as far as you know?

17 A. What is they?

18 Q. Submitted them to the administration as far  
19 as you know?

20 A. They did not. They didn't.

21 Q. Okay. I'd like to turn your attention to  
22 demand number five, which says, "We demand more  
23 books, supplies and materials for all classes,  
24 particularly classes that are not AP or part of an  
25 academy."

1 signatures. So we never actually brought them  
2 together to count up how many petitions -- how many  
3 signatures we had.

4 BY MS. SHARGEL:

5 Q. Did you ever submit those petitions to the  
6 administration?

7 A. No.

8 Q. Did you ever do anything with the petitions  
9 to try to change things?

10 A. No, we didn't, because the petition -- the  
11 petitions were confiscated from me by [REDACTED] and  
12 she threw them away.

13 Q. When did that happen?

14 A. That happened last year.

15 Q. In the spring of last year?

16 A. In the spring of last year.

17 Q. [REDACTED] confiscated all the petitions?

18 A. No. She confiscated my copy of the  
19 petitions.

20 Q. The petitions that had been gathered by you  
21 and other members --

22 A. No, by me.

23 Q. You alone?

24 A. Yes.

25 Q. Do you know why [REDACTED] did that?

1 Is it your understanding that AP classes  
2 and academy classes had better books, supplies and  
3 materials?

4 A. Yes.

5 Q. On what basis do you form that belief?

6 A. I always had books -- not always, but, you  
7 know, I always had books compared to my other  
8 classmates who were not part of an academy or who did  
9 not have AP classes. That's pretty much how I can  
10 tell you that other classes that were not part of an  
11 academy or were not AP did not have books.

12 Q. You talked about several classes in which  
13 you didn't have enough books and you didn't have  
14 enough supplies; is that right?

15 A. Yes.

16 Q. And you are saying that non-AP and  
17 non-academy classes had fewer books and fewer  
18 supplies?

19 A. We get first. We get priority, and so  
20 whatever is left from us is given to them, is given  
21 to a person who is in a regular class.

22 Q. Do the AP classes and the academy classes  
23 use the same books as the non-AP and non-academy  
24 classes?

25 MS. TEITELBAUM: Objection; calls for

1 speculation.

2 THE WITNESS: Most of the members of the  
3 TCA academy are supposed to be elite students, so  
4 they are supposed to be smarter; and so therefor the  
5 counselor places us in AP classes and we all get the  
6 same books. Academy or non-academy students, we all  
7 get the same books.

8 BY MS. SHARGEL:

9 Q. And AP students and non-AP students use the  
10 same books, as well?

11 A. Yes.

12 Q. There aren't special AP books?

13 A. They do give us the newer version of the  
14 book. If there was a 2000 version of AP Chemistry,  
15 they would give us that version as opposed to the  
16 1996 version of AP Chemistry.

17 Q. But do non-AP Chemistry students use non-AP  
18 Chemistry books?

19 MS. TEITELBAUM: Objection; calls for  
20 speculation.

21 THE WITNESS: No. I am just putting as an  
22 example. Let me put it like this. Let's say there  
23 is a version of Biology, 2001 version. AP students  
24 or academy students, which pretty much are the same,  
25 get that book, get the 2001 version as opposed to

1 phone, and that's the reason why this demand was  
2 formed, was not because of Lucia's experience but  
3 because of everyone else who was in the Student  
4 Union's experience.

5 Q. Do you know of other students who have or  
6 have had teachers who sleep in class?

7 A. No. I don't know of any students.

8 Q. Okay. Have you had a teacher while at  
9 Locke who has talked on his or her cell phone during  
10 class?

11 A. No.

12 Q. But you testified that you know of other  
13 students?

14 A. I do.

15 Q. Do you have or have you had any teachers  
16 who have not played an active role in engaging the  
17 students?

18 A. Yes.

19 Q. Which teachers?

20 A. [REDACTED] Pretty much all I can think  
21 of right now, but [REDACTED] is one of those  
22 teachers who is not very engaging with what she is  
23 teaching with her students.

24 Q. Can you describe that a little more for me.

25 A. She gives us worksheets and gives us

1 students who are not in an academy, they get the 1996  
2 version of Biology.

3 BY MS. SHARGEL:

4 Q. What I am trying to understand is: Aside  
5 from being different versions or different years,  
6 it's the same book?

7 MS. TEITELBAUM: Objection; calls for  
8 speculation.

9 If you know, you can answer. But if you  
10 don't know, don't.

11 THE WITNESS: Not all the time.

12 BY MS. SHARGEL:

13 Q. Sometimes AP students use advanced books?

14 A. I can't say whether they are advanced or  
15 not.

16 Q. Demand number eight says that "We demand  
17 that teachers stay awake in class, not talk on cell  
18 phones, and play an active role in engaging with  
19 students."

20 While you are at Locke, do you have any  
21 teachers -- have you had any teachers who have not  
22 stayed awake in class?

23 A. No. I have gotten the better teachers at  
24 Locke and I haven't been in this scenario, but there  
25 are many students who have teachers who talk on the

1 assignments and doesn't try to explain the subjects,  
2 though she always talks a lot about how some -- she  
3 always talks but never does anything. She says that  
4 some students are -- this is what I got from her is  
5 some students are visual learners and some students  
6 here and some students, that kind of stuff; that's  
7 what she says all the time, but she doesn't actually  
8 do these things with us.

9 She shoots us down when we have a question  
10 and we don't understand because she is very unclear  
11 and vague when she explains or tries to explain  
12 something to us. That's pretty much the whole class  
13 time when we are doing work.

14 Q. She pretty much --

15 A. Sits in her desk.

16 Q. Did you learn anything in her class?

17 A. No.

18 Q. Not at all?

19 A. Not from her. I learned it from the book.

20 Q. Is she available to you after class if you  
21 have questions?

22 MS. TEITELBAUM: Objection; calls for  
23 speculation.

24 THE WITNESS: Yes.

25 BY MS. SHARGEL:

1 Q. You have asked her questions after class  
2 when you have wanted?

3 A. I don't want to bother her because I don't  
4 want to be insulted by her. She has insulted me in  
5 class, and I don't want to bother her where I could  
6 get something from the book, and the book doesn't  
7 make me feel stupid like she does.

8 Q. So you never asked her after class to  
9 clarify something that she taught in class?

10 A. No. She didn't teach me anything in class.

11 Q. Do you know if other students talked to her  
12 after class?

13 A. Yes, there were many students that tried to  
14 approach her, and the same response; she shoots them  
15 down, so no one really bothers with her anymore.

16 Q. I just want to follow up on something that  
17 you talked about last time. You said that [REDACTED]  
18 didn't want to have an election because students  
19 weren't qualified to run?

20 A. I didn't say that she didn't want to. She  
21 said that --

22 Q. Let's start again. Let me quote your  
23 testimony. You said, quote, we weren't prepared to  
24 have an election because she said that our students  
25 weren't qualified to run?

1 A. Well, only if you are running -- you have  
2 to have a 2.0 to be in Student Council and you have  
3 to remain in that 2.0. Only if you are running for  
4 student body president or first vice-president do you  
5 have -- I mean, you have to have a 3.0. It's  
6 strictly applied to student body president. It's not  
7 so much on the first vice-president, but it's ideal  
8 for them to have the same requirement as the  
9 president.

10 Q. Are there any more qualifications for being  
11 an officer of the Student Council?

12 A. No.

13 Q. And you said that you saw the applications  
14 of the students who wanted to run for office?

15 A. Yes.

16 Q. How did you come about seeing those  
17 applications?

18 A. They were in a folder, and when I placed my  
19 application I saw them, the other applications.

20 Q. Were you supposed to have access to those  
21 other applications?

22 MS. TEITELBAUM: Objection; calls for  
23 speculation.

24 THE WITNESS: I was going to go over them  
25 because I was running for student body president, and

1 A. That's correct.

2 Q. Okay. What did you mean by that?

3 A. What did she mean or what did I mean? I  
4 was just saying what she was saying.

5 Q. Did [REDACTED] say that to you?

6 A. She told that to my advisor.

7 Q. And your advisor told that to you?

8 A. Yes.

9 Q. Which advisor was this?

10 A. Miss Burke.

11 Q. [REDACTED] told Miss Burke that students  
12 weren't qualified to run?

13 A. That's correct.

14 Q. And she said that students didn't have  
15 adequate GPA?

16 A. Yes.

17 Q. Was she referring, if you know, to all the  
18 students?

19 A. I don't know who she was referring to, but  
20 like I said before, from the applications that I saw,  
21 everyone was pretty much decent.

22 Q. You have to fill out an application to run  
23 for an office in the Student Council?

24 A. Yes.

25 Q. And you have to state your GPA?

1 I was going to go over them to see which students  
2 should be and shouldn't be in the class because they  
3 also have to write an essay, and I was also selecting  
4 members to be in Student Council.

5 BY MS. SHARGEL:

6 Q. Do you know whether there were enough  
7 students with GPAs over the minimums that you have  
8 described?

9 A. Yes. I know there was.

10 Q. Were there any students who didn't have the  
11 minimum grades that you have described?

12 A. Yes. There was, but they had a chance to  
13 get a 2.0 GPA by their final report card in order to  
14 be in Student Council, so they had time to improve.

15 Q. When did the final report card come out?

16 A. June -- well, we got it in July.

17 Q. Weren't the elections supposed to be in  
18 May?

19 A. Yes.

20 Q. So how did they have a chance to get the  
21 final report card to improve their grades?

22 A. They were basing things on the 15-week  
23 report card.

24 Q. Fifteen-week report card comes out in the  
25 middle of the second semester?

1 A. Towards the end of the semester, but not  
2 before the final report card. There is 20 weeks in  
3 every semester.  
4 Q. Okay. So it's your opinion that Miss Webb  
5 was wrong in not holding the elections on account of  
6 students' GPA, which she thought was the students'  
7 GPA?  
8 A. Yes.  
9 Q. Okay. Just back to Exhibit 11.  
10 Can you tell me what document number  
11 Plaintiff's 62312 is?  
12 A. That's the second version of this, the  
13 revised. I don't know when it was revised, but it's  
14 the second version.  
15 Q. Was it shortly after the first version came  
16 out?  
17 A. I am not sure. It was about -- it was way,  
18 way after the first one. Almost towards the  
19 beginning of the school year.  
20 Q. Toward the beginning of this school year?  
21 A. Yes.  
22 Q. This came out in approximately September of  
23 2001?  
24 A. I don't know. Probably in the summer.  
25 Q. The LSU operates over the summer?

1 Q. Is it because you are no longer going to  
2 LSU meetings?  
3 A. No. It's because I was inaccessible. They  
4 couldn't contact me for quite awhile in this year.  
5 Q. Is that because you were so busy with  
6 sports?  
7 A. No. It's because -- well, half and a half.  
8 I was busy with sports. I was busy having a social  
9 life.  
10 Q. You are no longer as interested in LSU?  
11 A. No. I am interested, but I was more  
12 towards having fun outside of school and doing what I  
13 had to do in school.  
14 Q. The LSU still continues; they have meetings  
15 as far as you know?  
16 A. No, they don't. They haven't had meetings  
17 this year.  
18 Q. Why not?  
19 MS. TEITELBAUM: Objection; asked and  
20 answered.  
21 THE WITNESS: Yeah, I already answered  
22 that.  
23 BY MS. SHARGEL:  
24 Q. Can you remind me what your answer is, just  
25 briefly.

1 A. We did separate work over the summer.  
2 Q. What do you mean, separate works?  
3 A. Like some -- not all of us participated as  
4 a whole for these demands, but there were some  
5 students who carried out these demands and actually  
6 demanded attention.  
7 Q. Who did these students demand attention  
8 from?  
9 A. Board members. We just wanted to be known,  
10 and we contacted or I believe the media contacted us  
11 and we spoke on these issues.  
12 Q. Did you give these demands to the District  
13 Board of Education?  
14 A. No.  
15 Q. Did you give these demands to anyone from  
16 the media?  
17 A. I didn't, but I think Rose Cuevas did.  
18 Q. So this second document, 62312, that's the  
19 final version of the LSU demands?  
20 A. No. There is another version.  
21 Q. Do you have that?  
22 A. No. I don't think I ever got a copy of it.  
23 Q. Why not?  
24 A. Because I don't have it. I usually keep  
25 these things.

1 A. Yeah. We are just waiting to see what is  
2 going to be the outcome.  
3 Q. Okay. And I apologize. It's been a long  
4 day.  
5 The only difference between 62311 and 62312  
6 is demand number 11; right?  
7 A. Yes.  
8 Q. Did you participate in adding demand  
9 number 11?  
10 A. No, but I did speak on that. I did speak  
11 to Rosa about that issue.  
12 Q. Was there a reason that you added demand  
13 number 11 specifically?  
14 A. Yes.  
15 MS. TEITELBAUM: Objection. By you, do you  
16 mean her specifically or the Locke Student Union?  
17 MS. SHARGEL: Let me rephrase the question.  
18 Q. Was there a specific reason that demand  
19 number 11 was added to the LSU's demands?  
20 MS. TEITELBAUM: Objection; calls for  
21 speculation.  
22 If you know, answer it.  
23 THE WITNESS: The reason why -- well, I  
24 didn't place it, but the reason why this demand was  
25 placed on this list was because Miss Motevalli and

1 Miss Shah were getting harassed, and as well as other  
2 students who participated in Locke Student Union who  
3 had records in school who had been suspended  
4 previously were also being threatened for being part  
5 of this group.

6 BY MS. SHARGEL:

7 Q. Threatened by whom?

8 A. I am going to say that it came from -- not  
9 directly from [REDACTED] but it might have been her  
10 action. She didn't, you know, go up to the student  
11 and retaliate them there, but she did find other  
12 means of getting to that student.

13 Q. What were they being threatened with, the  
14 students?

15 MS. TEITELBAUM: Objection; calls for  
16 speculation.

17 THE WITNESS: I don't know exactly what  
18 they were being threatened with, but I know that they  
19 threatened them about their records, about getting  
20 kicked out and stuff like that.

21 BY MS. SHARGEL:

22 Q. How do you know that?

23 A. One of our students was constantly harassed  
24 by the principal, [REDACTED] because she knew him  
25 from basketball, and she knew he had a record.

1 retaliated against because of his participation in  
2 the LSU?

3 MS. TEITELBAUM: Objection. I think that  
4 misstates her testimony.

5 THE WITNESS: No. He told me that he felt  
6 that he was being retaliated because of his  
7 membership in this Locke Student Union.

8 BY MS. SHARGEL:

9 Q. And why do you think that Miss Shah and  
10 Miss Motevalli were being retaliated against because  
11 of their participation in the LSU?

12 MS. TEITELBAUM: Objection; calls for  
13 speculation.

14 THE WITNESS: They were also observed by  
15 [REDACTED] and constantly -- what is the word?

16 They were constantly looking at what  
17 Miss Motevalli and Miss Shah were doing.

18 BY MS. SHARGEL:

19 Q. Could they have been observed for other  
20 reasons?

21 MS. TEITELBAUM: Objection; calls for  
22 speculation.

23 THE WITNESS: I wouldn't know, but I have  
24 to tell you that they were the only teachers who were  
25 being observed at that time.

1 It was [REDACTED] and that's how I based  
2 that on.

3 Q. [REDACTED] is a member of the LSU?

4 A. Yes.

5 Q. How do you know that he was being harassed  
6 because of his participation in the LSU?

7 A. You know what? I don't know exactly, but I  
8 know that he felt that he was being retaliated and  
9 being watched constantly because of that.

10 Q. Did any administrator to your knowledge  
11 mention the LSU to [REDACTED]

12 A. No. He wasn't -- the students who were  
13 harassed weren't harassed by [REDACTED] They were --  
14 found something about them. Something was found  
15 about them and they were triggered -- like the  
16 retaliation was triggered on that.

17 Q. Did any administrator approach [REDACTED]  
18 and say: You are being disciplined or you are going  
19 to get a record for participating in the LSU?

20 MS. TEITELBAUM: Objection; calls for  
21 speculation and asked and answered.

22 THE WITNESS: I don't know. I don't know  
23 what was said to him.

24 BY MS. SHARGEL:

25 Q. So you are just assuming that he was being

1 BY MS. SHARGEL:

2 Q. That instance that you were talking about  
3 earlier where Miss Motevalli refused to allow weapon  
4 searches, did she tell you and other students to  
5 refuse to allow weapons searches?

6 MS. TEITELBAUM: I am going to instruct you  
7 not to answer questions about searches.

8 BY MS. SHARGEL:

9 Q. Are you following your lawyer's  
10 instructions?

11 A. Yes.

12 Q. Okay. Then I just have a few more  
13 questions, and then we will be done.

14 The LSU met in classrooms at Locke; right?

15 A. Yes.

16 Q. So the administration allowed you to meet  
17 on school property?

18 MS. TEITELBAUM: Objection; calls for  
19 speculation.

20 THE WITNESS: No.

21 BY MS. SHARGEL:

22 Q. They didn't?

23 A. They didn't know we were meeting on school  
24 grounds.

25 Q. Didn't the LSU meetings take place during



1 the day?

2 A. It took place sometimes during lunch and  
3 sometimes after school.

4 And it wasn't like administration was  
5 watching over those teachers, because they didn't  
6 know at that time what we were doing. It was after  
7 when they retaliated.

8 They didn't know that we were a group or  
9 they didn't acknowledge us to be a group, so they  
10 weren't worried about us and they didn't care about  
11 when we met.

12 Q. But after March 21, [REDACTED] knew that you  
13 were a group; right?

14 A. Yes. After March 21 we started meeting in  
15 someone's house.

16 Q. So after March 21 you no longer met on  
17 school property?

18 A. Yeah. We felt unsafe, because a janitor  
19 told on us. They told [REDACTED] that we were meeting  
20 in the classroom.

21 Q. Whose house did you meet at?

22 A. I don't remember where the first house that  
23 we met at, but we met at a house right next to me.  
24 This boy named Rafael. Rafael's house.

25 Q. Now you said that Dr. Rousseau since

1 arrested him and he was in jail.

2 He got out and he was going to talk to  
3 Miss Rousseau about it.

4 Q. When you say "they," you mean the  
5 administration or the police?

6 A. The police.

7 But Miss Motevalli and members of the Locke  
8 Student Union believed that he was retaliated because  
9 of his involvement with the Locke Student Union and  
10 because he was a student of Miss Motevalli.

11 Q. Do you think that he should have been  
12 allowed to carry a gun in school?

13 A. No.

14 Q. So why do you think that's retaliation?

15 A. They were --

16 MS. TEITELBAUM: I am going to object.

17 I think you are mischaracterizing her  
18 testimony that she believes that it was retaliation.

19 I believe she said that other people said  
20 it was retaliation.

21 Maybe I am wrong. Maybe you think that it  
22 was retaliation, too, but I just want to make sure it  
23 comes out as her testimony.

24 BY MS. SHARGEL:

25 Q. You can explain what you mean.

1 November 2001 has been interactive a lot with the  
2 students at Locke?

3 A. Yes.

4 Q. You said that you approached her on one  
5 occasion?

6 A. Yes.

7 Q. What did you say to Dr. Rousseau?

8 A. Dr. Rousseau, first time I contacted her,  
9 she knew who we were and she knew what we were  
10 fighting for.

11 And all we did is that we just met and we  
12 walked around that park, but we didn't talk -- we  
13 didn't go so much into the demands.

14 Q. When you say "we," you mean the LSU?

15 A. No. I meant myself and Rosa,  
16 Miss Motevalli and this boy named Willie.

17 He was part of the Student Union, but he  
18 was the one who was also retaliated and got sent to  
19 jail.

20 I forgot to mention that they knew that he  
21 had a weapon.

22 They knew that he was being followed by  
23 another gang, and so therefor he carried a weapon.

24 And they knew who he was and they went  
25 after him and they caught him with a weapon, so they

1 A. We believed that it was retaliation because  
2 he wasn't pursued before his involvement with the  
3 Locke Student Union.

4 He was triggered after [REDACTED] learned  
5 that he was a member of the Locke Student Union and  
6 that he was a student of Miss Motevalli, but before  
7 that the police didn't care whether he had a gun or  
8 not.

9 Q. Do you know how the police found out he was  
10 carrying a gun?

11 MS. TEITELBAUM: Objection; calls for  
12 speculation.

13 THE WITNESS: They had a search in  
14 Motevalli's class and they found that he had a gun.

15 They thought he had a gun and they found he  
16 had a gun, so they arrested him.

17 MS. TEITELBAUM: I am only allowing this  
18 because I think she obviously opened the door about  
19 this and tying it into the Student Union.


20 But I'd like you to be testifying about the  
21 conditions as much as possible and not go into  
22 anything further about the searches unless it relates  
23 to the school conditions or any complaints about the  
24 school conditions.

25 BY MS. SHARGEL:

1 Q. When you talked to Dr. Rousseau, you told  
 2 her that you believed that students were being  
 3 retaliated against for being members of the Locke  
 4 Student Union?  
 5 A. No. I didn't tell her. Willie was there  
 6 to talk to her about that, his case.  
 7 Q. At the same time?  
 8 A. Yeah. But we didn't talk about anything  
 9 else.  
 10 We just met her and we walked around the  
 11 park, and she said she would meet with us and would  
 12 ensure that Locke was taken care of.  
 13 Q. What did you raise to her?  
 14 A. We didn't raise any concerns with her that  
 15 day we met her.  
 16 It was a social event, and we didn't want  
 17 to ruin her day or take up her time by talking to her  
 18 about that.  
 19 She said she would meet -- she told us that  
 20 she would meet with us on another day to talk about  
 21 these things.  
 22 Q. Have you tried to arrange for a follow-up  
 23 meeting with Dr. Rousseau?  
 24 MS. TEITELBAUM: Why don't I repeat the  
 25 question, and she will just answer the question.

1 THE WITNESS: I didn't ask her for a  
 2 follow-up meeting.  
 3 I just asked to talk to her about Student  
 4 Council, about things going on at Locke, but I didn't  
 5 ask for a follow-up meeting with her.  
 6 BY MS. SHARGEL:  
 7 Q. You are now talking about the one time that  
 8 you approached her?  
 9 A. No. The second time I approached her on  
 10 the school grounds where I asked her to meet with me.  
 11 Q. And did she meet with you?  
 12 A. She was unable to meet with us because I  
 13 approached her during a very busy time in school.  
 14 Q. Sounds like she is around a lot and  
 15 available.  
 16 A. She was around a lot.  
 17 Q. Since she has been around, have there been  
 18 less fights at Locke?  
 19 A. Yeah.  
 20 MS. TEITELBAUM: Objection; calls for  
 21 speculation first of all, and isn't related to the  
 22 school conditions in this case.  
 23 So I am going to instruct you not to answer  
 24 that question.  
 25 MS. SHARGEL: She testified on the first

1 day that Dr. Rousseau has been monitoring the bus  
 2 area and that less fights have broken out.  
 3 MS. TEITELBAUM: That testimony will speak  
 4 for itself, and we will leave it at that.  
 5 BY MS. SHARGEL:  
 6 Q. Do you feel safer since Dr. Rousseau has  
 7 been monitoring the school?  
 8 MS. TEITELBAUM: I am going to instruct you  
 9 not to answer the question. That's not related to  
 10 the case.  
 11 BY MS. SHARGEL:  
 12 Q. Are you following your attorney's  
 13 instruction?  
 14 A. Yes.  
 15 Q. Have conditions at Locke all around  
 16 improved since Dr. Rousseau has been around Locke?  
 17 MS. TEITELBAUM: Objection; vague and  
 18 ambiguous as to conditions all around.  
 19 THE WITNESS: By conditions, I have to say  
 20 that, no, I haven't seen anything change yet.  
 21 BY MS. SHARGEL:  
 22 Q. Wasn't it your testimony that bathrooms  
 23 have improved since last year?  
 24 A. Yes, but it has nothing to do with  
 25 Dr. Rousseau. It had to do with the renovations at

1 school and with the attention on Locke.  
 2 Q. Do you think that Dr. Rousseau's presence  
 3 at Locke is part of the attention that's being paid  
 4 to Locke?  
 5 A. Yes.  
 6 Q. Is it possible that that attention could  
 7 result from your speaking and a student speaking at  
 8 the July 2000 board meeting?  
 9 A. I believe so.  
 10 Q. Now you testified that you switched --  
 11 MS. TEITELBAUM: I'd just like to state for  
 12 the record it's 6:00 o'clock. I have five minutes,  
 13 but I don't think much further.  
 14 BY MS. SHARGEL:  
 15   
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]

5 Q. Did you ever switch out of a class because  
6 it was overcrowded?

7 A. No.

8 Q. Were you ever unable to take a class that  
9 you wanted to take because it was too crowded and  
10 there wasn't enough room in it?

11 MS. TEITELBAUM: Objection; calls for  
12 speculation.

13 THE WITNESS: Well, in the beginning of the  
14 school year when I heard there wasn't going to be a  
15 Student Council, I really wanted to be in that  
16 Algebra Two class to try it out.

17 But when I learned that they were going to  
18 try to get a Leadership class going, I thought about  
19 the outcome of taking that class over Student  
20 Council, and I also thought about I really wanted to  
21 do it and I really didn't want to do Math.

22 BY MS. SHARGEL:

23 Q. You testified today about three classes  
24 that were too crowded.

25 Your AP Spanish class, I believe that you

1 A. Well, yeah. When I was -- when we were  
2 actually doing work and they were noisy or worried  
3 about places to sit, it was distracting because the  
4 teacher was distracted and the rest of the class was  
5 distracted by that.

6 Q. Were there any other classes that you have  
7 taken at Locke in which there were not enough seats  
8 for the students?

9 A. My AP Chemistry class.

10 Q. You said that that class was overcrowded  
11 most of the first semester?

12 A. Yes.

13 Q. Were there not enough seats for all the  
14 students in the class for most of the first semester?

15 A. Yes.

16 Q. And did the students without seats sit on  
17 the floor or on tables?

18 A. They sat on -- I don't recall where they  
19 sat, actually.

20 Q. But there were students without seats?

21 A. Yes.

22 Q. Do you remember how many?

23 A. No.

24 Q. Did you ever have to share a seat with a  
25 student?

1 said that there weren't enough chairs in your AP  
2 Spanish class?

3 A. In the first three years, there weren't.

4 Q. There wasn't enough chairs?

5 A. Not in the first three years.

6 Q. Did you ever not have a seat?

7 A. No.

8 Q. Did other students not have a seat?

9 A. Yes.

10 Q. How many other students?

11 A. I don't recall a number.

12 Q. Approximately, your best estimate.

13 A. No. I don't know.

14 I just went on and did my thing.

15 Q. What did those students do who didn't have  
16 a seat?

17 MS. TEITELBAUM: Objection; calls for  
18 speculation.

19 THE WITNESS: They sat in the back with  
20 those two chairs -- not chairs, but tables. And they  
21 sat on the table or on the floor.

22 BY MS. SHARGEL:

23 Q. Did the fact that students were sitting on  
24 the table and the floor make it more difficult for  
25 you to concentrate in class?

1 A. No.

2 Q. Did the fact that not all students have  
3 seats in your AP Chemistry class make the class more  
4 distracting?

5 MS. TEITELBAUM: Objection; calls for  
6 expert testimony.

7 THE WITNESS: No, I don't think so.  
8 BY MS. SHARGEL:

9 Q. You weren't distracted in that class  
10 because of too many students?

11 A. No. Once again, I was doing my own thing.

12 Q. Okay. But you said that you were  
13 distracted in your AP Spanish class?

14 A. Yes. Because there were Spanish-speaking  
15 students, and they were loud. Not all of them were  
16 Latinos. Some of them were Latin American, and they  
17 talk very loud.

18 Q. Okay. You testified that in your AP Art  
19 class Miss Motevalli thought that the administration  
20 provided cheap and wrong materials for her use; is  
21 that right?

22 A. Yes. Well, that was on pertaining to the  
23 order that she sent for the following year, that  
24 those materials that she ordered were cheap and  
25 wrong. Not the materials that -- the lack of

1 materials that she was given for my class. They were  
2 the materials that she ordered for this year, that  
3 she had to order for this year.

4 Q. For this year, you mean 2001, 2002?

5 A. Yes. She was expecting to be a teacher at  
6 Locke for the following year, so she ordered certain  
7 supplies that she thought she needed for class for  
8 this year's year, and they felt those materials were  
9 cheap and wrong.

10 Q. Were the materials that she was provided  
11 while she was your teacher last year, were those  
12 problematic?

13 MS. TEITELBAUM: Objection, as to  
14 problematic.

15 And I am not sure that I understand the  
16 question, but if you do, then you can answer it.

17 THE WITNESS: Like I said before, she  
18 wasn't really provided materials; so that was the  
19 problem is that we weren't provided materials.

20 BY MS. SHARGEL:

21 Q. And she arranged to get her materials;  
22 right?

23 A. Yes.

24 Q. Did the fact that she was not provided with  
25 materials make it harder for you to learn in her Art

1 MS. SHARGEL: Okay. I have no further  
2 questions.

3 MS. TEITELBAUM: I just have a few things  
4 I'd like to make sure we are completely clear on,  
5 because I know we have had two very long days of  
6 testimony.

7 And I know we all want to get out of here,  
8 but there are some things that I want to make sure  
9 the record is clear on because I think some points I  
10 was confused anyway.

11  
12 EXAMINATION

13  
14 BY MS. TEITELBAUM:

15 Q. You were asked today about whether or not  
16 you have -- had seen any broken windows at the  
17 school. And I know you testified about the one  
18 broken window in your class that you were asked not  
19 to go near; I guess you said about to stay five feet  
20 away.

21 Going back as far as your ninth grade year,  
22 did you observe, whether or not it was in a classroom  
23 that you were in or not, any other broken windows at  
24 the school?

25 A. Yes.

1 class?

2 MS. TEITELBAUM: Objection; calls for  
3 experts testimony.

4 THE WITNESS: Yes

5 BY MS. SHARGEL:

6 Q. Why is that?

7 A. Half of the class we were worried about  
8 where we were going to get our materials from,  
9 because art materials are very costly. And that's  
10 what we were mainly worried about.

11 Q. Okay. Did the fact that you didn't have  
12 adequate materials in your AP Chemistry class make it  
13 harder for you to learn chemistry?

14 MS. TEITELBAUM: Objection; calls for  
15 expert testimony.

16 BY MS. SHARGEL:

17 Q. You can answer.

18 A. Yes, I believe that it did contribute.

19 Q. In what way?

20 A. Well, it didn't allow us to have labs that  
21 the teacher wanted to have so that he could show us  
22 what he meant by the reactions. There wasn't  
23 anything that we could see, and that made it really  
24 hard for us to understand by what the book was  
25 saying.

1 MS. STRONG: Objection; asked and answered.

2 BY MS. TEITELBAUM:

3 Q. And where were those windows?

4 A. I don't recall where they were.

5 Q. And were they in your ninth grade year?

6 A. I actually don't recall a certain instance.

7 The only scenario that I recall for a fact is that  
8 one where I was in that classroom and I was asked to  
9 stay -- like our class was asked to stay five feet  
10 away from it. But I can't tell you exactly what year  
11 or when it was that I saw that window shattered.

12 Q. I am not asking about that window. I am  
13 asking about other windows.

14 A. I mean when I saw other windows. What I  
15 meant was when I saw other windows shattered.

16 Q. You don't know where they were?

17 A. No.

18 Q. Or when?

19 A. No.

20 Q. Do you have any ballpark estimate about how  
21 many other windows you had seen broken?

22 A. No.

23 Q. You were also asked today about the fact  
24 that you took English 9A during the summer but that  
25 you could have taken it in tenth grade. Do you

1 recall that testimony?

2 A. Yes.

3 Q. And if you had taken English 9A during your  
4 tenth grade year, would you have been behind on the  
5 English that you were supposed to take during your  
6 tenth grade year?

7 A. Yes.

8 Q. Lucy, you were also asked about whether or  
9 not you ever had to stand in line for a restroom, and  
10 I think you testified that you did at one time.

11 Can you tell me if you ever witnessed lines  
12 in restrooms that you didn't necessarily stand in,  
13 but you just happened to see other people standing in  
14 line to get into the restroom?

15 A. Yes.

16 Q. Did that happen frequently or can you  
17 estimate for me how many times, for instance a week  
18 or a month, you saw lines at the restrooms?

19 MS. STRONG: Objection; vague and ambiguous  
20 and compound.

21 THE WITNESS: Well, throughout my years at  
22 Locke, starting from my ninth grade to twelfth grade,  
23 I have seen this incident occur maybe five times.

24 BY MS. TEITELBAUM:

25 Q. And --

1 Q. Do you think that the size of the class  
2 during those first few weeks could have been a factor  
3 in whether or not you learned anything in that class  
4 during those few weeks?

5 MS. STRONG: Objection; asked and answered.

6 THE WITNESS: No. I don't think it was the  
7 class size so much that contributed to him not  
8 teaching. I don't think that it was the class size  
9 that affected his teaching.

10 BY MS. TEITELBAUM:

11 Q. Do you think that could have had anything  
12 to do with it?

13 A. No.

14 Q. Okay. The last question I have for you is  
15 about the soap dispensers.

16 I am confused regarding your testimony for  
17 the twelfth grade, which is what you testified to  
18 after you said I think conditions had improved  
19 somewhat in the bathrooms. And I am not clear on  
20 whether or not if you -- when you have gone into the  
21 bathroom during your twelfth grade year if there has  
22 ever been soap available to you.

23 MS. STRONG: Objection; asked and answered.

24 THE WITNESS: You mean soap that I can use?

25 BY MS. TEITELBAUM:

1 A. From what I can recall.

2 Q. Can you estimate from those five times how  
3 many people were in line?

4 MS. STRONG: Objection; compound.

5 THE WITNESS: No. No. As far as you mean,  
6 too many people, that I probably didn't see from  
7 where I was walking that were in line or probably  
8 weren't in line, they were just waiting for their  
9 friend to get out of the restroom.

10 BY MS. TEITELBAUM:

11 Q. Okay. You testified that in your ninth  
12 grade AP Spanish class, the first few weeks there  
13 were approximately 10 or 15 students, I think was  
14 your testimony, that were there that ultimately in  
15 those first few weeks of class ended up dropping out  
16 of that class. Do you remember that testimony?

17 A. Yes.

18 Q. And I think you also testified that the  
19 teacher didn't do any instruction or you didn't learn  
20 very much during those first few weeks. Do you  
21 recall that testimony?

22 A. Yes.

23 Q. And I think you also testified that he  
24 wasn't a very good teacher; is that right?

25 A. That's right.

1 Q. Yes. Soap to wash your hands.

2 A. Not soap that I can use. I saw remains of  
3 soap.

4 The soap is pink, so when you see pink on  
5 the faucet, you know there was soap.

6 But I never have been able to use that  
7 soap, so I usually just wash my hands with water.

8 Q. So it's your testimony that never during  
9 your twelfth grade year have you been able to use  
10 soap to wash your hands when you have been to the  
11 restrooms at school?

12 MS. STRONG: Objection; misstates her prior  
13 testimony when she stated that she didn't look to see  
14 if there was soap every time she was in the bathroom  
15 in her twelfth grade year.

16 BY MS. TEITELBAUM:

17 Q. You can answer the question.

18 A. Well, yeah. I answered that I wasn't able  
19 to use it for my twelfth grade year, to use the soap.

20 Q. I am sorry. I told you that that was going  
21 to be my last question, but I do have one more.

22 The other testimony that I was a little  
23 confused about was when you were talking about your  
24 distractions from the construction workers during  
25 your tenth and eleventh grades.

1 Can you just clarify?  
 2 I am just going to ask -- I am sure that it  
 3 was asked and answered, but I am not clear on what  
 4 your answer was.  
 5 Were you distracted by construction during  
 6 your eleventh grade due to construction noise?  
 7 MS. STRONG: Objection; asked and answered.  
 8 THE WITNESS: Yeah.  
 9 BY MS. TEITELBAUM:  
 10 Q. And what was the construction noise during  
 11 your eleventh grade that you heard, if you remember?  
 12 MS. STRONG: Objection. Just a point of  
 13 clarification: During class or outside of class?  
 14 Because she already testified that it didn't bother  
 15 her during class.  
 16 BY MS. TEITELBAUM:  
 17 Q. I am asking you during school hours.  
 18 MS. STRONG: Including out-of-class time?  
 19 Just for clarification, you said school  
 20 hours.  
 21 MS. TEITELBAUM: Whatever the school hours  
 22 are, from the first bell rings to the one -- the last  
 23 bell rings.  
 24 MS. STRONG: So including Nutrition and  
 25 lunch?

1 BY MS. TEITELBAUM:  
 2 Q. Including Nutrition and lunch -- were  
 3 you -- I am going to exclude Nutrition and lunch because  
 4 that wouldn't disturb her.  
 5 MS. STRONG: That was my point. Not  
 6 classes.  
 7 MS. TEITELBAUM: I am not talking about  
 8 drilling during tenth grade, which is why I am  
 9 confused and I think she was confused.  
 10 MS. STRONG: So during the eleventh grade,  
 11 I believe she previously testified that there was no  
 12 noise during class that affected her during class.  
 13 MS. TEITELBAUM: And that's the problem.  
 14 We are both testifying about what we  
 15 thought she testified about, and that's why we are  
 16 unclear.  
 17 Q. Was there any noise from construction that  
 18 distracted you during your classes in eleventh grade?  
 19 A. Yes.  
 20 Q. What construction noise was that that  
 21 distracted you from your classes during eleventh  
 22 grade?  
 23 A. It was mostly the noise that was made as  
 24 the construction workers were coming in and out and  
 25 were throwing debris onto the floor. That distracted

1 me.  
 2 Q. Do you remember what particular periods  
 3 this distraction occurred during?  
 4 A. No, I don't remember.  
 5 Q. Do you remember on how many occasions that  
 6 the noise distraction occurred?  
 7 A. No.  
 8 Q. During your eleventh grade year?  
 9 A. No.  
 10 Q. Can you estimate if it was more than 10?  
 11 A. It wasn't more than 10. I would estimate  
 12 it was five times. No more than five times.  
 13 MS. TEITELBAUM: Okay. I don't have any  
 14 more questions.  
 15 I think we are done.  
 16 MS. STRONG: I think we are done.  
 17 We just need to put in the stipulation.  
 18 May we stipulate copies of documents  
 19 attached to the deposition may be used as originals?  
 20 MS. TEITELBAUM: Yes.  
 21 MS. STRONG: May we stipulate that the  
 22 original of this deposition be signed under penalty  
 23 of perjury; that the original be delivered to the  
 24 office of plaintiff's counsel; that the reporter is  
 25 relieved of liability for the original of the

1 deposition; that the witness will have 30 days from  
 2 the date of the court reporter's transmittal letter  
 3 to plaintiff's counsel to sign and correct the  
 4 deposition; that plaintiff's counsel shall notify all  
 5 parties in writing of any changes in the deposition;  
 6 and that if there are no such changes communicated or  
 7 signature within that time, that any unsigned and  
 8 uncorrected copy may be used for all purposes as if  
 9 signed and corrected?  
 10 MS. TEITELBAUM: So stipulated.  
 11 MS. SHARGEL: So stipulated.  
 12 MS. STRONG: Thank you.  
 13 DEPOSITION OFFICER: Would you like a copy?  
 14 MS. TEITELBAUM: I'd like a copy of the  
 15 deposition.  
 16 MS. SHARGEL: I definitely would like a  
 17 copy as well.  
 18 DEPOSITION OFFICER: Thank you very much.  
 19 (Deposition session concluded at 6:31 p.m.)  
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 24  
 25

1 STATE OF CALIFORNIA )  
2 ) ss.  
3 COUNTY OF LOS ANGELES )  
4  
5

6 I, LUCIA ORTIZ, hereby declare under  
7 the penalties of perjury of the State of California  
8 that the foregoing is my deposition under oath; that  
9 these are the questions asked of me and my answers  
10 thereto; that I have read my deposition and have made  
11 the corrections, additions or changes to my answers  
12 that I deem necessary.

13 IN WITNESS THEREOF, I hereby subscribe  
14 my name this \_\_\_\_\_ day of \_\_\_\_\_,  
15 20\_\_\_\_.

16  
17  
18 \_\_\_\_\_  
19 LUCIA ORTIZ  
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1 STATE OF CALIFORNIA )  
2 ) ss.  
3 COUNTY OF LOS ANGELES )  
4

5 I, Xavier Mireles, Certified Shorthand  
6 Reporter, Certificate No. 5001, for the State of  
7 California, hereby certify:

8 I am the deposition officer that  
9 stenographically recorded the testimony in the  
10 foregoing deposition;

11 Prior to being examined the deponent was by  
12 me first duly sworn;

13 The foregoing transcript is a true record  
14 of the testimony given.

15 Dated \_\_\_\_\_.

16  
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18 \_\_\_\_\_  
19 XAVIER MIRELES, CSR NO. 5001  
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