

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 FOR THE COUNTY OF SAN FRANCISCO

3

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

5 Plaintiffs, )

6 v. )

7 STATE OF CALIFORNIA; )

8 DELAINE EASTIN, State )

9 Superintendent of Public )

10 Instruction; STATE )

11 DEPARTMENT OF EDUCATION; )

12 STATE BOARD OF EDUCATION, ) VOLUME I

13 Defendants. ) Pages 1 - 228

14 )

15

16

17 DEPOSITION OF:

18 LIZETTE RUIZ

19 SUNDAY, MAY 20, 2001

20 9:30 A.M.

21

22 Reported by:

23 C. JANE HARMAN

24 CSR No. 5266

25

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1 Deposition of LIZETTE RUIZ, the witness,  
 2 taken on behalf of DEFENDANT STATE OF CALIFORNIA, at  
 3 9:30 A.M., Sunday, May 20, 2001, at 400 South Hope  
 4 Street, Fifteenth Floor, Los Angeles, California,  
 5 before c. jane harman, CSR No. 5266.  
 6  
 7 APPEARANCES OF COUNSEL  
 8  
 9 FOR PLAINTIFFS:  
 10 MORRISON & FOERSTER, LLP  
 11 BY: CHRISTINA L. CHECEL, ESQ.  
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 13 Los Angeles, California 90013-1024  
 14 213 892 5201  
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 16 FOR DEFENDANT STATE OF CALIFORNIA:  
 17 O'MELVENY & MYERS, LLP  
 18 BY: PETER L. CHOATE, ESQ.  
 19 400 South Hope Street  
 20 Fifteenth Floor  
 21 Los Angeles, California 90071-2899  
 22 213 430 6000  
 23  
 24  
 25

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1 APPEARANCES CONTINUED  
 2  
 3 FOR CROSS-DEFENDANT AND INTERVENER LOS ANGELES  
 4 UNIFIED SCHOOL DISTRICT:  
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 6 BY: HOWARD FRIEDMAN, ESQ.  
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1 EXHIBITS  
 2 No. Page Description  
 3 1 21 Declaration of Lizette Ruiz, 3 pages  
 4 2 36 First Amended Complaint (not  
 5 attached)  
 6 3 40 Deposition notice, 4 pages  
 7 4 89 Report card for Lizette Ruiz, 1 page  
 8 5 96 Pupil records for Lizette Ruiz,  
 9 6 pages  
 10 6 117 Letter from Gray Davis, 1 page  
 11 7 165 Document entitled "Four-Year Plan,"  
 12 3 pages  
 13 8 211 Document entitled "Cross-Tracked  
 14 Classes," 2 pages  
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1 LOS ANGELES, CALIFORNIA  
2 SUNDAY, MAY 20, 2001  
3 9:30 A.M.  
4 -oOo-

5  
6 LIZETTE RUIZ,  
7 having been first duly sworn, was  
8 examined and testified as follows:

9  
10 EXAMINATION

11  
12 BY MR. CHOATE:

13 Q. Ms. Ruiz, would you please state and spell  
14 your full name for the record.

15 A. My name is Lizette Ruiz, L I Z E T T E;  
16 R U I Z.

17 Q. My name is Peter Choate, and I'm an  
18 attorney representing the State of California in  
19 this lawsuit.

20 Before we get started, let me ask you  
21 first, would you prefer I call you "Ms. Ruiz" or  
22 "Lizette"?

23 A. Lizette.

24 Q. Okay.

25 Have you ever had your deposition taken

1 A. Oh, yes.

2 Q. Okay. All right.

3 After the deposition is over, the court  
4 reporter is going -- will have prepared my questions  
5 and your answers in a booklet that you can then  
6 review once this deposition is over.

7 At that time, you can make any changes that  
8 you feel are necessary to your testimony.

9 But you need to understand that any changes  
10 you make can be commented upon by myself or other  
11 attorneys in this case at trial or in other  
12 proceedings.

13 Do you understand that?

14 A. Yes.

15 Q. Okay. So, again, it's very important  
16 for you to answer the questions as fully and as  
17 accurately as you can.

18 Okay?

19 A. Uh-huh. Okay.

20 Q. Okay. It's also hard sometimes for the  
21 court reporter to record questions and answers if we  
22 talk over each other. So one of the things that

23 I'll ask you to do today is to listen to my

24 questions before you -- before you respond.

25 Okay?

1 before, Lizette?

2 A. No.

3 Q. No?

4 This is the first time?

5 A. Yes.

6 Q. Are you nervous?

7 A. Yes.

8 Q. Well, try not to be nervous. Let me tell  
9 you a little bit about what we're going to do today.

10 I'm sure your counsel has already explained  
11 this to you. I am going to ask you some questions  
12 throughout the day that are designed to determine  
13 what you know about the conditions at your school.  
14 And all that I ask of you today is just to answer my  
15 questions, completely and honestly.

16 Do you understand that?

17 A. (Nods head.)

18 Q. If I ask you a question, it's important for  
19 you to -- to answer it verbally because the court  
20 reporter here is taking down my questions and she's  
21 going to record your answers, too.

22 A. (Nods head.)

23 Q. Do you understand that?

24 A. Uh-huh.

25 Q. You have to say "yes" or "no" or --

1 A. Okay.

2 Q. All right. And I'm going to try to do the  
3 same thing for you. I'm going to try to let you  
4 finish your question -- or finish your answer before  
5 I ask you another question.

6 Okay?

7 A. Okay.

8 Q. All right.

9 At some point today, I may ask you a  
10 question that you don't understand. And that may be  
11 because I've just asked you a bad question. If you  
12 don't understand a question, let me know.

13 All right?

14 A. (Nods head.)

15 Q. Okay?

16 A. Okay.

17 Q. Okay.

18 If you don't tell me that you don't  
19 understand a question that I ask, I'm going to  
20 assume that you do understand it.

21 All right?

22 A. All right.

23 Q. Okay. So just try to -- just try to listen  
24 to what I ask you and respond as completely and as  
25 truthfully as you can.

1 At some point today I may also ask  
 2 questions and your lawyer will object for -- for  
 3 various reasons. If she objects, you can still  
 4 answer the question.  
 5 Do you understand that?  
 6 A. Yes.  
 7 Q. Okay.  
 8 MS. CHECEL: Unless -- excuse me. Unless I  
 9 instruct you not to answer.  
 10 THE WITNESS: Okay.  
 11 MR. CHOATE: That's correct.  
 12 Q. You are required to answer my questions to  
 13 the best of your ability. You don't need to guess,  
 14 but I am entitled to your best estimate.  
 15 Do you understand that?  
 16 A. Yes.  
 17 Q. Okay. Because your testimony here today  
 18 will be given under oath, it's -- it's important for  
 19 you to -- to answer the questions as truthfully as  
 20 possible. You are, therefore, subject to all the  
 21 penalties of perjury based on your testimony today.  
 22 Do you understand that?  
 23 A. What are the penalties?  
 24 Q. Do you know what perjury is?  
 25 A. Yeah, like lying.

1 Q. Yeah.  
 2 Basically you are required to tell the  
 3 truth.  
 4 A. Okay.  
 5 Q. Do you understand that?  
 6 A. Yes.  
 7 Q. Okay. So even though we're in a formal --  
 8 an informal area today, this is still a formal  
 9 proceeding.  
 10 Okay?  
 11 A. Okay.  
 12 Q. If you need a break for any reason, let me  
 13 know, and we'll try to accommodate that as soon as  
 14 possible.  
 15 The only thing I would ask is if I've asked  
 16 you a question and you haven't answered it yet, that  
 17 you first answer my question and then we can talk  
 18 about taking a break.  
 19 Okay?  
 20 A. Okay.  
 21 Q. Okay. And if at any point today I ask  
 22 you a question that triggers your memory and you  
 23 remember some information that would be responsive  
 24 to an additional question I asked you earlier, don't  
 25 hesitate to let me know what that information is.

1 Okay?  
 2 A. Okay.  
 3 Q. Do you understand all these -- these ground  
 4 rules that we've talked about?  
 5 A. Yes.  
 6 Q. Okay. Do you have any questions?  
 7 A. No.  
 8 Q. Okay. Is there any reason why you may be  
 9 unable to testify or give me your best testimony  
 10 today?  
 11 A. No.  
 12 Q. Have you recently consumed any medication,  
 13 alcohol, or any other substance that would -- that  
 14 would prevent you from testifying truthfully today?  
 15 A. No.  
 16 Q. Are you taking any drugs or medication  
 17 currently?  
 18 A. No.  
 19 Q. Do you suffer from a disability of any  
 20 kind?  
 21 A. No.  
 22 Q. Okay. Lizette, did you do anything today  
 23 to prepare for your deposition?  
 24 A. No, I didn't.  
 25 Q. Did you -- I'm going to ask you some

1 questions about your -- about contacts with -- with  
 2 your lawyers. And I want you to understand that I  
 3 don't want to know what was said --  
 4 A. Actually, if -- well, I did go through my  
 5 declaration, so I guess that counts.  
 6 Q. Yeah, that counts.  
 7 A. Well, yeah.  
 8 Q. You reviewed your declaration prior to --  
 9 prior to this deposition?  
 10 A. Yes.  
 11 Q. When did you review it?  
 12 A. This morning.  
 13 Q. This morning, okay.  
 14 When was the last time you reviewed your  
 15 declaration?  
 16 A. I'm not sure.  
 17 Q. Okay. Did you review any other documents  
 18 in preparation for today?  
 19 A. No.  
 20 Q. Did you have any contact with your lawyers  
 21 prior to today's deposition?  
 22 A. Yes.  
 23 Q. When was the last time you had contact with  
 24 your lawyers?  
 25 A. Yesterday.

1 Q. Yesterday.  
 2 Who did you have contact with?  
 3 A. Ms. Catherine.  
 4 MS. CHECEL: With me.  
 5 THE WITNESS: Yeah, with her. And Jack  
 6 Londen.  
 7 BY MR. CHOATE:  
 8 Q. Okay. Did you meet with Ms. Checel --  
 9 MS. CHECEL: Correct.  
 10 BY MR. CHOATE:  
 11 Q. -- in person, or did you communicate with  
 12 her over the telephone?  
 13 A. I met with her in person.  
 14 Q. In person, okay.  
 15 ^^ Where did you meet with her in person?  
 16 MS. CHECEL: Objection. It calls for  
 17 attorney-client information and communications.  
 18 BY MR. CHOATE:  
 19 Q. Okay. How long did you meet with  
 20 Ms. Checel yesterday?  
 21 MS. CHECEL: Same objection.  
 22 BY MR. CHOATE:  
 23 Q. Okay. You can answer the question.  
 24 A. I don't remember how long it was.  
 25 Q. Did you meet with her for an hour?

1 A. I would say more.  
 2 Q. Did you meet with her for two hours?  
 3 A. Around two hours.  
 4 Q. About two hours?  
 5 A. (Nods head.)  
 6 Q. Okay.  
 7 When you met with Ms. Checel for about two  
 8 hours -- yesterday?  
 9 Was it yesterday?  
 10 A. Yes.  
 11 Q. Okay.  
 12 -- was anybody else present?  
 13 A. No.  
 14 Q. Okay.  
 15 A. Well ... well, there were people around  
 16 but not with -- not meeting with us.  
 17 Q. Okay.  
 18 MS. CHECEL: Can I confer with my client  
 19 for one moment? Do you mind?  
 20 MR. CHOATE: Of course.  
 21 (Conference held off the record  
 22 between the witness and Ms. Checel.)  
 23 THE WITNESS: Oh, you mean when I met with  
 24 her? Yeah, there was Jack.  
 25 /// ///

1 BY MR. CHOATE:  
 2 Q. Are you referring to Jack Londen?  
 3 A. Yes.  
 4 Q. Okay. Was there anybody else present aside  
 5 from Ms. Checel and Mr. Londen?  
 6 A. No.  
 7 Q. Okay. Did you have any telephone calls  
 8 with any lawyers in preparation for today's  
 9 deposition?  
 10 A. Well, only when -- well, yes.  
 11 Q. Okay. Can you tell me -- can you tell me  
 12 how many telephone calls you had?  
 13 A. I would say three. They were just to set  
 14 up for the deposition, when they told me, asked me  
 15 when we could meet.  
 16 MS. CHECEL: You don't need to tell what we  
 17 talked about.  
 18 THE WITNESS: Oh.  
 19 BY MR. CHOATE:  
 20 Q. Yeah, again, you don't need to tell me what  
 21 was said between you and your lawyers. Can you tell  
 22 me, though, when the first telephone call took  
 23 place?  
 24 A. About a month ago.  
 25 Q. Okay. How long did that telephone call

1 last, if you can remember?  
 2 A. Less than five minutes or ...  
 3 Q. Okay. Who did you speak with on that  
 4 occasion?  
 5 A. A lady name Catherine.  
 6 Q. Do you remember what her last name is?  
 7 A. No.  
 8 MS. CHECEL: It's Catherine Lhamon.  
 9 MR. CHOATE: Catherine Lhamon?  
 10 MS. CHECEL: I believe.  
 11 THE WITNESS: Yes.  
 12 BY MR. CHOATE:  
 13 Q. Okay. When was the second telephone call,  
 14 if you remember?  
 15 A. A week ago.  
 16 Q. A week ago, okay.  
 17 And who did you speak with in this second  
 18 telephone call?  
 19 A. Catherine Lhamon.  
 20 Q. Catherine Lhamon.  
 21 Do you recall how long you spoke with her?  
 22 A. Less than five minutes.  
 23 Q. And the third telephone call was when?  
 24 A. Well, actually, I think it was just two  
 25 calls.

1 Q. Okay. Just the two calls that you've told  
2 me about?  
3 A. Uh-huh -- yes.  
4 Q. Okay. Have you spoken with anybody else  
5 aside from Ms. Lhamon, Ms. Checel and Mr. Londen  
6 about your deposition today?  
7 A. No.  
8 Well, my father, but ...  
9 Q. You spoke with your father about the  
10 deposition?  
11 A. Yes.  
12 Q. Anybody else?  
13 A. No.  
14 Q. What did you speak about with your father?  
15 A. Basically about what was going to happen,  
16 why I'm here today.  
17 Q. Did he ask you why you're here today or --  
18 A. Yeah, yes.  
19 Q. And what did you tell him?  
20 A. Because -- well, we want to get better  
21 school conditions --  
22 Q. Uh-huh.  
23 A. -- in all the public schools.  
24 Q. You told him that you're coming here today  
25 because you want -- you want to get better school

1 conditions in public schools?  
2 A. Well, I want to help in there being better  
3 school conditions.  
4 Q. Okay. Did you tell him what types of  
5 conditions you would like to see get better?  
6 A. Yes.  
7 Q. Can you tell me what those were?  
8 A. Better, more textbooks, better bathrooms,  
9 better water fountains, better ... basically just  
10 cleaner classroom, more teachers, more qualified  
11 teachers.  
12 Q. When did this conversation with your father  
13 take place?  
14 A. Yesterday.  
15 Q. Yesterday.  
16 And you told him that you want to see  
17 better textbooks --  
18 A. (Nods head.)  
19 Yes.  
20 Q. -- better water fountains, better  
21 bathrooms, more teachers and more qualified teachers  
22 in public schools?  
23 A. Yes.  
24 Q. Okay. Did you tell him anything else that  
25 you can remember?

1 A. Not that I can recall.  
2 Q. Okay. Did you -- did you tell your father  
3 that you want to see -- see these conditions get  
4 better at your high school?  
5 A. Yes.  
6 Q. Okay. And you attend Huntington Park  
7 Senior High school?  
8 A. Yes.  
9 Q. Did you tell your father that you want to  
10 see these conditions get better at other high  
11 schools?  
12 A. Yes.  
13 Q. Did you mention any high schools in  
14 specific?  
15 A. I basically just told him high schools  
16 where there is people of color.  
17 Q. What do you mean by "people of color"?  
18 A. Mexican, Latino, African-American.  
19 Q. Okay. Did you mention any specific high  
20 schools aside from your high school?  
21 A. No.  
22 Q. Did you have any conversations with anybody  
23 else in preparation for this deposition today, other  
24 than what you've already told me?  
25 A. No.

1 Q. Okay. You indicated earlier that you  
2 reviewed your declaration?  
3 A. Yes.  
4 Q. Did you review any other documents in  
5 preparation for this deposition?  
6 A. No.  
7 Q. Okay.  
8 A. But there's -- can I?  
9 There's actually a couple changes that I  
10 noticed this morning. Well, actually yesterday,  
11 too, when I was looking over it.  
12 Q. Okay. Well, why don't -- what -- first of  
13 all, let me just ask you without -- without getting  
14 into specifics, what kind of changes these are.  
15 A. Just a couple misunderstandings.  
16 MR. CHOATE: Okay. I would like to mark as  
17 Exhibit A, the declaration of Lizette Ruiz. Why  
18 don't we refer to this as Lizette 1.  
19 MS. CHECEL: That's fine. Do you want to  
20 specify the date of that declaration?  
21 MR. CHOATE: Yeah, well, I'm going to ask  
22 her.  
23 (The document referred to was marked by the  
24 Reporter as Deposition Exhibit 1 for identification  
25 and is attached hereto.)

1 BY MR. CHOATE:  
 2 Q. Lizette, would you please take a look at --  
 3 at page 3.  
 4 A. Yes.  
 5 Q. Okay. You see where it says "executed this  
 6 28th day of January"?  
 7 A. Yes.  
 8 Q. Okay. And you see below that where there's  
 9 a signature?  
 10 A. Yes.  
 11 Q. Is that your signature?  
 12 A. Yes.  
 13 Q. Okay. And do you remember if you signed  
 14 this declaration on January 28, 2001?  
 15 A. Yes.  
 16 Q. Okay. Did you -- let me just ask you a  
 17 couple questions about the declaration first and  
 18 then we can talk about the changes that you want to  
 19 tell me about.  
 20 Did you write this declaration?  
 21 A. No.  
 22 Q. I'm sorry?  
 23 A. No.  
 24 Q. No.  
 25 Do you know -- do you know who wrote the

1 Q. Okay. Do you remember how you received the  
 2 declaration?  
 3 A. This lady dropped it off at my house and --  
 4 well, I think -- actually she mailed it to me, and I  
 5 don't remember when. Well, I guess like a week  
 6 before I signed it.  
 7 Q. A week before you signed it?  
 8 A. Yeah.  
 9 Q. So do you -- do you think that this person  
 10 mailed you this declaration around January 21st?  
 11 A. Yes.  
 12 Q. Do you know what the person's name was?  
 13 A. I don't remember her name.  
 14 Q. Okay. Did you have any conversations with  
 15 anybody about the declaration prior to signing it?  
 16 A. Yes.  
 17 Q. Do you remember with whom you spoke?  
 18 A. No, I don't remember her name, either.  
 19 Q. Okay. Do you remember how many times you  
 20 spoke with the person?  
 21 A. I believe it was twice.  
 22 Q. Okay. And you spoke twice with the same  
 23 person?  
 24 A. Yes.  
 25 Q. And you spoke twice with this person prior

1 declaration?  
 2 A. I believe Catherine, the other Catherine.  
 3 Q. Catherine Lhamon?  
 4 A. Lhamon.  
 5 Q. Okay. Do you know when you first saw this  
 6 declaration?  
 7 A. Yes.  
 8 Q. Can you tell me when you first saw it?  
 9 A. Well, I seen the original about -- around  
 10 last year, August.  
 11 Q. Okay. You said you saw it, an original  
 12 declaration, around last year?  
 13 A. Yes.  
 14 Q. Okay. That's not this declaration, though,  
 15 it's a different declaration?  
 16 A. Yes.  
 17 Q. Okay. Do you know when last year you saw  
 18 that other declaration?  
 19 A. August, I believe the 23rd.  
 20 Q. Okay. And when did you see this -- this  
 21 declaration, Exhibit 1, for the first time?  
 22 A. On January 28th.  
 23 Q. You didn't see this declaration prior to  
 24 January 28th of 2001?  
 25 A. Not that I recall.

1 to receiving this declaration?  
 2 A. Yes.  
 3 Q. Okay. Do you remember when the first  
 4 conversation was?  
 5 A. I don't remember.  
 6 Q. Okay. Do you think it was -- I'm -- strike  
 7 that.  
 8 Can you remember if it was a month before  
 9 you first received this declaration? Or less than a  
 10 month?  
 11 A. Less than a month.  
 12 Q. Okay. Do you think it was within two weeks  
 13 of receiving this declaration?  
 14 A. Probably three weeks before.  
 15 Q. Three weeks before receiving --  
 16 A. Three weeks or two weeks.  
 17 Q. Okay. So you first spoke with somebody  
 18 about this declaration, this January 28th  
 19 declaration, about three weeks before you received  
 20 it?  
 21 A. Yes.  
 22 Q. Okay. Do you remember how long you spoke  
 23 with the person over the telephone?  
 24 A. Around 15 minutes.  
 25 Q. Fifteen minutes?

1 A. Yes.  
 2 Q. Okay. Do you remember the second time that  
 3 you spoke with this person about the declaration?  
 4 A. I say around ten minutes.  
 5 Q. In this second conversation, you spoke with  
 6 the person for about ten minutes?  
 7 A. Yes.  
 8 Q. Okay. Do you remember how long before you  
 9 received the declaration you spoke with that person  
 10 for ten minutes?  
 11 A. Can you rephrase the question?  
 12 Q. Sure, of course. That was an example of a  
 13 bad question.  
 14 You said that you had two conversations  
 15 with a woman about your declaration prior to  
 16 receiving it.  
 17 A. Yes.  
 18 Q. Okay.  
 19 MS. CHECEL: So you didn't have your -- so  
 20 you didn't have the declaration when you spoke with  
 21 them?  
 22 THE WITNESS: No.  
 23 BY MR. CHOATE:  
 24 Q. Okay. The first conversation took place  
 25 about three weeks prior to receiving -- your

1 receiving the declaration --  
 2 A. Yes.  
 3 Q. -- and that conversation lasted for about  
 4 15 minutes?  
 5 A. Yes.  
 6 Q. Okay. The second conversation lasted, you  
 7 said, for about ten minutes?  
 8 A. Yes.  
 9 Q. Do you know how long before you received  
 10 the declaration that second conversation took place?  
 11 A. It was the day after the first conversation  
 12 took place.  
 13 Q. Okay. So it was about three weeks before  
 14 the -- before you received the declaration?  
 15 A. Yes.  
 16 Q. Okay. Did you meet with anybody in person  
 17 about the declaration prior to receiving it?  
 18 A. I met with a lady when she first --  
 19 after -- well, before she did the first declaration,  
 20 which was around a year ago. But the second  
 21 declaration, no.  
 22 Q. Okay. I'm going to come back later, later  
 23 on in the day and we can talk about the first  
 24 declaration. But right now, why don't you tell me  
 25 what -- what changes you want to make, or you feel

1 are necessary in this declaration, the January 21st  
 2 declaration.  
 3 A. Well, on the first page, I don't even --  
 4 MS. CHECEL: You can say line 26.  
 5 THE WITNESS: On line 26, there is -- it  
 6 says:  
 7 "Also I need to take AP  
 8 calculus in order to meet college  
 9 requirements."  
 10 BY MR. CHOATE:  
 11 Q. Yes.  
 12 A. But it's not necessary to meet college  
 13 requirements. It just kind of looks good on your  
 14 application, and it helps a lot of people get into  
 15 college.  
 16 Q. Okay. So you're saying -- or your  
 17 testimony today is that you do not need to take  
 18 AP calculus in order to meet college requirements?  
 19 A. Yes.  
 20 MS. CHECEL: That slightly mischaracterizes  
 21 her testimony because she said it is helpful for  
 22 admission to college.  
 23 MR. CHOATE: Yes.  
 24 Q. But you don't need to take it to get into  
 25 college?

1 A. No.  
 2 Q. But it's helpful to take it to get into  
 3 college?  
 4 A. Yes.  
 5 And the next page on line 7.  
 6 MR. CHOATE: Just give me one second.  
 7 (Pause in the proceedings.)  
 8 BY MR. CHOATE:  
 9 Q. Okay. The next page on line 7.  
 10 A. Yes. It states:  
 11 "I am really interested in the  
 12 environment and I want to become a  
 13 lawyer so I applied for a legal  
 14 internship at Community for a Better  
 15 Environment."  
 16 Q. Yeah.  
 17 A. It was actually two different internships  
 18 that I applied to.  
 19 Q. Okay.  
 20 A. And one was like a lawyer camp, and the  
 21 other one was just the regular internship at  
 22 Community for a Better Environment.  
 23 Q. Okay. They were two different internships?  
 24 A. Yes. And they both took place at the same  
 25 time.



1 Q. And what was the first internship?  
 2 A. One was a legal camp, or lawyer camp.  
 3 And the other one was just a paid internship at  
 4 Community for a Better Environment.  
 5 (Whereupon, Mr. Friedman enters the room.)  
 6 (Discussion held off the record.)  
 7 MR. CHOATE: Okay. Why don't we go back on  
 8 the record.  
 9 MR. FRIEDMAN: My name is Howard Friedman.  
 10 It's approximately 9:57. And I'm counsel  
 11 representing Los Angeles Unified School District,  
 12 which is a cross-defendant and an intervenor in this  
 13 action.  
 14 And I just wanted to state for the record,  
 15 I just entered the deposition. My understanding  
 16 was the deposition was going to commence at  
 17 10:00 o'clock. And the district -- although I don't  
 18 think it will be necessary, but the L.A. Unified  
 19 School District would reserve the opportunity or  
 20 option of -- of deposing Ms. Ruiz in the future in  
 21 that we entered the deposition after its  
 22 commencement.  
 23 That's all.  
 24 BY MR. CHOATE:  
 25 Q. Okay. Lizette, aside from what you just

1 A. No.  
 2 Q. Do you know if asbestos was even present?  
 3 A. Not to my knowledge.  
 4 Q. Okay. Any other changes?  
 5 A. Yes, on line 25, it states:  
 6 "There are no trash cans  
 7 in the girls' bathrooms."  
 8 Q. Yes.  
 9 A. But there is one trash can.  
 10 Well, actually let me finish the sentence.  
 11 "... and the floor gets  
 12 littered with feminine hygiene pads."  
 13 But I think she misunderstood me because  
 14 what I meant was that there's one big trash can in  
 15 the girls' bathroom but there's no small dispensers  
 16 in each stall. So people just tend to throw the  
 17 hygiene -- feminine hygiene pads on the floor.  
 18 MR. CHOATE: Can you read back that answer,  
 19 please.  
 20 (The record was read.)  
 21 BY MR. CHOATE:  
 22 Q. Okay. What bathroom are you referring to?  
 23 A. The girls' bathrooms.  
 24 Q. Are you referring to any particular girls'  
 25 bathroom?

1 mentioned about the internship in paragraph 7, are  
 2 there any other changes?  
 3 A. Yes.  
 4 In line 19 on page 2, there is also -- it  
 5 says:  
 6 "During that time, asbestos and  
 7 dust were constantly in the air."  
 8 But it was asphalt.  
 9 Q. What was asphalt?  
 10 A. It was being put on the roof of the school  
 11 they were fixing, but during the time we were -- but  
 12 it was during the daytime when we were in school.  
 13 Q. Okay. Let me see if I understand. Are you  
 14 saying that asbestos and dust were not constantly in  
 15 the air?  
 16 A. No, it was asphalt and dust.  
 17 Q. You're saying that asphalt and dust were  
 18 constantly in the air?  
 19 A. Well, the smell of asphalt.  
 20 Q. Okay. Are you saying dust was constantly  
 21 in the air?  
 22 A. Yes.  
 23 Q. There was the smell of asphalt?  
 24 A. Yes.  
 25 Q. But asbestos was not in the air?

1 A. All the girls' bathrooms in the school.  
 2 Well, the ones that are open.  
 3 Q. Okay. Are you saying that all of the  
 4 girls' bathrooms in the school that are open, there  
 5 is a trash can in each of those?  
 6 A. Yes.  
 7 Q. Okay. And you mentioned something about  
 8 dispensers of feminine hygiene pads?  
 9 A. Yes.  
 10 Q. What -- what was it that you meant?  
 11 A. That there aren't any small dispensers for  
 12 them in each stall so people -- girls tend to just  
 13 throw -- either throw their stuff in the toilet and  
 14 it gets clogged.  
 15 Q. Are you referring to a dispenser into which  
 16 a girl would put a used hygiene pad?  
 17 A. Yes.  
 18 Q. Okay. Are there any other changes,  
 19 Lizette?  
 20 A. Yes. On line 27 of page 2.  
 21 Q. Yes.  
 22 A. On the end of that sentence -- of that  
 23 line, it starts, "the bathrooms," and it goes on to  
 24 the next page.  
 25 Q. Yes, yes.

1 A. "-- are locked during classes  
2 and I have to go across campus."  
3 But they're not -- they're usually not  
4 locked during classes. But when they're locked,  
5 they're locked for a period of two to three weeks.  
6 And at some point there is also only like one or two  
7 bathrooms open in the whole campus.  
8 Q. Okay. You're saying that the -- that the  
9 bathrooms are usually not locked during classes?  
10 A. During the class period, no. But when  
11 they're locked, which is about once a month, they're  
12 usually locked for two to three weeks.  
13 Q. Okay. Are there any other changes?  
14 A. No.  
15 Q. Okay. Later on during the day I'm going --  
16 I'm going to ask you questions about some of the  
17 different areas in your declaration, and we'll go  
18 back and talk some more about the bathrooms and some  
19 of the other areas that we've just talked about now.  
20 Okay?  
21 A. Okay.  
22 Q. All right.  
23 Okay. Earlier I was -- we were talking  
24 about a conversation that you had with your father.  
25 A. Yes.

1 Q. Okay. And I think I had asked you if you  
2 had reviewed any documents in preparation for the  
3 deposition today. And you said you reviewed your  
4 declaration.  
5 A. Yes.  
6 Q. Okay. And you didn't review any other  
7 documents?  
8 A. No.  
9 Q. Okay. You didn't review the first amended  
10 complaint?  
11 A. No.  
12 Q. Okay.  
13 A. I looked through it, but I didn't read --  
14 read it.  
15 Q. You looked through the first amended  
16 complaint in preparation for today's deposition?  
17 A. Yes. I think -- that's the big stack of  
18 paper, isn't it?  
19 Q. Well, I'm not sure. What -- what are you  
20 referring to that you looked through?  
21 A. I think --  
22 Q. You know what --  
23 A. What is the first --  
24 Q. -- why don't we mark. Let's mark as  
25 Exhibit 2 --

1 MS. CHECEL: Can we just refer to that and  
2 not mark it as an exhibit to save some copying  
3 costs?  
4 MR. CHOATE: Well, I think we can mark it  
5 and stipulate that it won't go into the actual  
6 transcript.  
7 MS. CHECEL: Okay.  
8 MR. CHOATE: Is that okay?  
9 MS. CHECEL: That will work.  
10 MR. CHOATE: Is that okay with you?  
11 MR. FRIEDMAN: Sure.  
12 (The document referred to was marked by the  
13 Reporter as Deposition Exhibit 2 for identification  
14 and was retained by counsel.)  
15 THE WITNESS: (Examining document.)  
16 Yes, I did -- I skimmed through it.  
17 BY MR. CHOATE:  
18 Q. When did you skim through this document?  
19 A. Last night and this morning.  
20 Q. Okay. How long did you spend skimming  
21 through this?  
22 A. Less than five minutes.  
23 Q. Okay. What parts of it did you look at; do  
24 you remember?  
25 A. I basically just flipped through the pages

1 and looked at key, like, schools that were  
2 mentioned.  
3 Q. You looked at different schools that were  
4 mentioned?  
5 A. Yeah.  
6 Q. Okay. Do you remember what schools you  
7 looked at?  
8 A. I remember there was Fremont. I don't  
9 know, that's the only school that comes to my mind.  
10 Q. Did you look at -- at Huntington Park when  
11 you skimmed through the complaint?  
12 A. I was looking for Huntington Park, but I  
13 didn't have time to finish looking for it.  
14 Q. Okay. So you didn't actually look at the  
15 allegations regarding Huntington Park yesterday when  
16 you skimmed through the complaint?  
17 A. No.  
18 Q. Okay. When was the first time that you saw  
19 this document, Exhibit 2; do you remember?  
20 A. I don't remember. I just remember that it  
21 was mailed to me and I put it away to -- thinking  
22 that I was going to look through it more.  
23 Q. Do you remember when it was mailed to you?  
24 A. No, I don't remember.  
25 Q. Okay. Was it mailed to you last year?

1 A. I don't know. I don't remember.  
 2 Q. You don't remember?  
 3 A. Huh-uh.  
 4 Q. Well, do you see on the -- on the  
 5 first page there's -- there's a stamp that says  
 6 August 14th, 2000?  
 7 A. Yes.  
 8 Q. Can you try to think back and -- and tell  
 9 me if you recall having seen it around that time, or  
 10 before then?  
 11 A. After that.  
 12 Q. Okay. So you saw the first amended  
 13 complaint for the first time after August 14th,  
 14 2000?  
 15 A. Yes.  
 16 Q. Okay. Do you remember how long after; can  
 17 you try to think?  
 18 A. I would say a couple of weeks to a month.  
 19 Q. So do you think you -- you saw the first  
 20 amended complaint for the first time around the  
 21 beginning to the midpoint of September 2000?  
 22 A. I guess. I'm not sure.  
 23 MS. CHECEL: You are not supposed to guess  
 24 during a deposition. If you don't remember, you  
 25 need to tell him that you don't remember.


1 THE WITNESS: I don't remember.  
 2 BY MR. CHOATE:  
 3 Q. Okay. But you did say earlier that you  
 4 thought you saw it a couple weeks to a month  
 5 after -- after August 14th, 2000?  
 6 A. I think so.  
 7 Q. Okay. And then you just put it away?  
 8 A. Yeah, in my file cabinet.  
 9 Q. Okay. After you received it and you put it  
 10 away, did you look at it on any other occasions?  
 11 A. I brought it back out but I didn't really  
 12 look through it.  
 13 Q. Okay. Other than your declaration and then  
 14 this -- and this document, the complaint, did you  
 15 look at any other documents, or review any other  
 16 documents in preparation for your deposition today?  
 17 A. No, all I reviewed were the two  
 18 declarations.  
 19 Q. Okay. In addition to this document?  
 20 A. Yes.  
 21 Q. Okay. But no other documents?  
 22 A. No.  
 23 Q. Okay.  
 24 MR. CHOATE: I would like to mark as  
 25 Exhibit 3, Defendants' notice of deposition of

1 Lizette Ruiz.  
 2 (The document referred to was marked by the  
 3 Reporter as Deposition Exhibit 3 for identification  
 4 and is attached hereto.)  
 5 BY MR. CHOATE:  
 6 Q. Lizette, have you seen this document  
 7 before?  
 8 A. I don't recall.  
 9 Q. You don't recall ever having seen this?  
 10 A. No.  
 11 Q. Okay. Would you turn to page 7, please,  
 12 and just take a minute and read what's on page 7.  
 13 A. (Examining document.)  
 14 Yes.  
 15 Q. Okay. And do you know whether you have  
 16 in your possession at home, or anyplace else, any  
 17 documents that are referred to on page 7?  
 18 A. Yes.  
 19 Q. Can you tell me what you have?  
 20 A. Well, I have test results from Stanford 9;  
 21 I have report cards; I have a letter from the  
 22 government because they sent me a scholarship --  
 23 well, I qualified for a scholarship because of my  
 24 scores on the Stanford 9, and ... I believe I have a  
 25 transcript somewhere in my papers. Or a copy of it.

1 And some absent slips.  
 2 Q. Anything else you can think of?  
 3 A. Progress reports.  
 4 Q. Anything else?  
 5 A. Not that I can remember.  
 6 Q. Okay. You indicated that you have -- are  
 7 all these documents, documents that you have at  
 8 home?  
 9 A. Yes.  
 10 Q. Okay. You indicated that you have test  
 11 results from your Stanford 9?  
 12 A. Yes.  
 13 Q. Do you know for what years you have your  
 14 test results?  
 15 A. I don't remember, but for most of them.  
 16 Q. Okay.  
 17 A. But I think my eighth grade results were  
 18 mailed to a different address. I think they had  
 19 a -- they had a mistake on my address.  
 20 Q. Do you think you have your test results  
 21 from your years at Huntington Park?  
 22 A. Yes.  
 23 Q. You indicated you have report cards at  
 24 home?  
 25 A. Yes.

- 1 Q. Do you have report cards for -- for all  
2 time you've been at Huntington Park?  
3 A. Yes.  
4 Q. Do you have any other report cards?  
5 A. I'm missing some in junior high because  
6 they had a different address; and from elementary  
7 school, I have those.  
8 Q. Your junior high school had a different  
9 address?  
10 A. Yeah, they had a -- they had a -- I guess  
11 they did a mistake on my address or something.  
12 Q. Okay. Now, you said you had a letter from  
13 the government about a scholarship that you qualify  
14 for?  
15 A. Yes.  
16 Q. Do you know who you received that letter  
17 from?  
18 A. It says Gray Davis.  
19 Q. Is -- is it a document that you brought  
20 today?  
21 A. Yes.  
22 Q. Okay. You indicated that you had a  
23 transcript?  
24 A. Yes.  
25 Q. Do you know what transcript that was --

- 1 that is that you have?  
2 A. Well, I have it at home, but I believe I  
3 got it a year ago.  
4 Q. Was it for your -- your grades at school?  
5 A. Yeah.  
6 Q. At Huntington Park?  
7 A. Yes.  
8 Q. You indicated you have absent slips?  
9 A. Yes.  
10 Q. Okay. What are those?  
11 A. They are these yellow slips that they give  
12 us when we're absent and we use them to get back  
13 into a class.  
14 Q. Who gives you these slips?  
15 A. The attendance office. We get them after  
16 we're absent, when we come back.  
17 Q. Are you supposed to give them to your  
18 parents to have them fill out?  
19 A. No, you just -- we are supposed to take  
20 them to every period and have the teacher sign them.  
21 Q. And then once you have all the teachers  
22 sign your absent slips, who do you give it to?  
23 A. You throw them away or keep them.  
24 Q. You throw them away?  
25 A. Some of them.

- 1 Q. Why do you throw them away?  
2 A. Because I don't think I need them, but I  
3 usually keep them in case the teacher didn't come  
4 that day, or something. Or if I forgot to get a  
5 teacher to sign it.  
6 Q. And these are slips you fill out when  
7 you're absent from class for any reason?  
8 A. Yes, we fill them out the next day. We go  
9 early to the attendance office and they give us the  
10 slip.  
11   
12  
13  
14  
15  
16  
17  
18  
19  
20  
21 Q. You indicated you have progress reports at  
22 home?  
23 A. Yes.  
24 Q. What are those, those reports?  
25 A. They are kind of like report cards, but you

- 1 get them two to three weeks prior to when you get  
2 the report card, the official report card, and it  
3 just basically states how you're doing in class.  
4 Q. Do you have progress reports for all  
5 your -- all your classes that you've taken at  
6 Huntington Park?  
7 A. Yes.  
8 Q. Okay. Can you think of any other documents  
9 you may have at home?  
10 A. Not that I recall.  
11 MS. CHECEL: Counsel, these are the  
12 documents she brought to produce in response to the  
13 request, but we would request that you make a copy  
14 and then we can redact the private information from  
15 these.  
16 MR. CHOATE: You want me to make a copy  
17 first?  
18 MS. CHECEL: Yeah, and then I'll redact  
19 them.  
20 MR. CHOATE: Okay. Why don't we go off the  
21 record.  
22 (Discussion held off the record.)  
23 MR. CHOATE: Let's go back on the record.  
24 Q. Lizette, do you have in your possession any  
25 notes or documents relating to conditions at your

1 school, or any other issues raised by the lawsuit,  
 2 other than what we've already spoken about?  
 3 A. No.  
 4 Q. Okay. Let me back up for a second. Some  
 5 of the documents that we spoke about which you have  
 6 at home, are there documents at home that you didn't  
 7 bring today?  
 8 A. Yes.  
 9 Q. Okay. Have you had any discussions with --  
 10 with teachers at your school regarding any of the  
 11 conditions at your school that are referenced in the  
 12 lawsuit?  
 13 A. Yes.  
 14 Q. Do you know what teachers you've spoken  
 15 with?  
 16 A. Well, one of them was my homeroom teacher,  
 17 Mr. Sandoval. And I have spoken to Mr. Valenzuela.  
 18 Q. What was that name?  
 19 A. Valenzuela.  
 20 Q. Valenzuela?  
 21 A. (Nods head.)  
 22 Q. Is that a man or a woman?  
 23 A. A man.  
 24 Q. A man.  
 25 Is he a -- is he a teacher of yours?

1 A. He was my homeroom teacher when I was in  
 2 C track.  
 3 Q. And Mr. Sandoval is your homeroom  
 4 teacher --  
 5 A. Well, he was my homeroom teacher, but he's  
 6 not teaching anymore. Well, not at Huntington Park.  
 7 Q. Okay. Do you have -- did you have  
 8 conversations with any other teachers relating to  
 9 the conditions in the lawsuit?  
 10 A. Ms. Dolhi.  
 11 Q. Any others that you can think of?  
 12 A. Not that I can remember.  
 13 Q. Okay. Do you recall how many conversations  
 14 you had with Mr. Sandoval?  
 15 A. I don't remember.  
 16 Q. Okay. Well, can you think back and tell me  
 17 when the last time you spoke to Mr. Sandoval was  
 18 about conditions in this lawsuit?  
 19 A. Well, you're asking about the conditions,  
 20 not the lawsuit; right?  
 21 Q. I'm asking you -- what I want to know is  
 22 what you spoke to Mr. Sandoval about in relation to  
 23 conditions at your school.  
 24 A. Oh.  
 25 Well, I spoke to him about basically how

1 the school was -- how can I phrase it. How the  
 2 school sucks, but I don't know. And it was  
 3 basically about the bathrooms and how clean the  
 4 school is, or -- and how there's not that many  
 5 books, but ... there were more things, but I can't  
 6 remember.  
 7 Q. Okay. Try to think back to the last time  
 8 you spoke with Mr. Sandoval.  
 9 Okay. Can you think about when that was?  
 10 A. I'd say around September.  
 11 Q. September of last year?  
 12 A. Yes.  
 13 Q. Okay.  
 14 A. Yeah, September to October.  
 15 Q. Sometime in the area of September to  
 16 October you spoke with Mr. Sandoval about conditions  
 17 at Huntington Park?  
 18 A. Yes.  
 19 Q. Okay. Do you recall if you spoke to him at  
 20 school?  
 21 A. Yes.  
 22 Q. Okay. And do you -- can you recall  
 23 specifically what -- what was said?  
 24 A. Not specifically, I can't recall.  
 25 Q. Okay. Do you know whether in that

1 conversation you spoke to him about -- about the  
 2 bathrooms at Huntington Park?  
 3 A. Yes.  
 4 Q. Okay. Can you tell me what you told him,  
 5 or what you talked about with him?  
 6 A. Basically that there was ... a petition  
 7 going around before, a couple months before, about  
 8 opening more bathrooms, or having more bathrooms  
 9 open to the students. And basically about the air  
 10 conditioner, how it's always broken down, and about  
 11 the textbooks.  
 12 Q. Now, you spoke with him in September to  
 13 October of last year about a petition relating to  
 14 bathrooms?  
 15 A. Yes.  
 16 Q. About broken air-conditioning?  
 17 A. Yes.  
 18 Q. And about textbooks?  
 19 A. Yes.  
 20 Q. Okay. Did you speak to him on that  
 21 occasion about anything else?  
 22 A. I think I spoke to him about the water  
 23 fountain, too, that brown water was coming out of  
 24 it.  
 25 Q. In this conversation of September to

1 October of last year?  
 2 A. Yes.  
 3 And there was actually more teachers I  
 4 talked to about the water fountain.  
 5 MR. CHOATE: Let's go off the record.  
 6 (Recess taken from 10:28 to 10:33.)  
 7 MR. CHOATE: Let's go back on the record.  
 8 Q. Lizette, you were -- before we went off  
 9 the record, you were telling me about a conversation  
 10 you had with your former homeroom teacher,  
 11 Mr. Sandoval --  
 12 A. Yeah.  
 13 Q. -- in September/October of last year; is  
 14 that right?  
 15 A. Yes.  
 16 Q. And you told me you spoke to him about a  
 17 petition relating to the bathroom, about broken  
 18 air-conditioning, about textbooks and about the  
 19 water fountains?  
 20 A. Yes.  
 21 Q. Did you talk to him on that occasion about  
 22 any other conditions at your school?  
 23 A. I don't know if you mentioned the water  
 24 fountains, the brown water that was coming out of  
 25 it.

1 Q. Yeah, you did.  
 2 A. I also remember I talked to a lot of the  
 3 teachers about the brown water coming out of the  
 4 water fountains. And I remember one of the  
 5 teachers, his name was Mr. Conley, because he made a  
 6 small test to see whether there was any -- I think  
 7 it was like any metal, rust, or something like that.  
 8 And I also talked to --  
 9 Q. Well, first, I just want to focus on your  
 10 conversation with Mr. Sandoval, then we can talk  
 11 about other conversations that you've had.  
 12 Okay?  
 13 A. Okay.  
 14 Q. Try to think specifically what you and  
 15 Mr. Sandoval talked about in terms of this petition  
 16 relating to the bathrooms.  
 17 A. Well, I think -- well, I -- I don't know --  
 18 well, there were a lot of conversations, but I  
 19 remember I told him about the petition that this  
 20 girl had started because there was only one bathroom  
 21 open in the whole campus. And I think it was  
 22 because they had recently closed down the bathrooms  
 23 around that time. Well, they usually close them  
 24 down very often.  
 25 And I think it was basically just about how

1 there aren't enough stalls and how since there's  
 2 usually two or three bathrooms open, there's really  
 3 big lines during nutrition. And it was basically  
 4 about that we have -- we're -- in our club, we have  
 5 people checking the bathrooms and note down what --  
 6 what problems there were in the bathrooms.  
 7 Q. Are you telling me about -- about what you  
 8 spoke with Mr. Sandoval about, or are you just  
 9 remembering what the petition was about?  
 10 A. No, I'm just -- I remember what I talked to  
 11 him about --  
 12 Q. Okay.  
 13 A. -- on occasions.  
 14 Q. All right. I'm just trying to clarify,  
 15 though, what -- whether you remember having spoken  
 16 to him about this in September/October, or you can't  
 17 remember whether you spoke to him?  
 18 MS. CHECEL: That was asked and answered, I  
 19 thought.  
 20 THE WITNESS: Excuse me?  
 21 MS. CHECEL: I thought you already answered  
 22 that question.  
 23 THE WITNESS: Hmmm.  
 24 Yeah, there are a lot of -- because we  
 25 usually talked every day, so I don't remember

1 exactly when everything I talked to him was.  
 2 BY MR. CHOATE:  
 3 Q. Well, you remember that the last time you  
 4 can remember speaking to Mr. Sandoval about the  
 5 bathrooms, was that in September/October?  
 6 A. Yes.  
 7 Q. Okay.  
 8 A. Because that's before he quit, or I don't  
 9 know what happened to him.  
 10 Q. All right. And on that occasion, you spoke  
 11 with Mr. Sandoval about this petition regarding the  
 12 bathrooms?  
 13 A. Yes.  
 14 Q. Okay. You indicated that a girl had  
 15 started a petition?  
 16 A. Yes.  
 17 Q. Okay. Do you remember what her name was?  
 18 A. I don't remember her name. I just knew her  
 19 because one of my friends -- she was one of my  
 20 friends' cousins.  
 21 Q. Who was your friend?  
 22 A. Her name?  
 23 Q. Yeah.  
 24 A. Was Oneida, O N E I D A.  
 25 Q. Oneida is your friend's first name?

1 A. Yes.  
 2 Q. Do you know what her last name is?  
 3 A. No, I don't remember.  
 4 Q. Okay. Was this a petition that other  
 5 students signed?  
 6 A. Yes.  
 7 Q. Did you sign it?  
 8 A. Yes.  
 9 Q. Do you know how many students signed it?  
 10 A. I don't remember, but it was around a  
 11 hundred, or more than a hundred.  
 12 Q. How much more than a hundred do you think  
 13 it was?  
 14 A. I don't remember, because I -- I don't know  
 15 when she finished passing it around. I don't really  
 16 keep in touch with her often.  
 17 Q. Okay. Do you know what this girl did with  
 18 the petition?  
 19 A. I believe she gave it to Ms. Williams, the  
 20 vice principal. But the petition, it got around, I  
 21 think in the beginning of that year, around --  
 22 before August.  
 23 Q. Are you referring to the 1999 and 2000  
 24 school year?  
 25 A. Yes, I believe so.

1 Q. Okay.  
 2 A. Actually, no, the beginning of 2000.  
 3 Q. Beginning of the current school year?  
 4 A. I'm confused, but --  
 5 MS. CHECEL: Maybe you should clarify  
 6 because she's at a school that has multitracks.  
 7 BY MR. CHOATE:  
 8 Q. Okay. When do you think the petition was  
 9 circulated among students?  
 10 A. The beginning of 2000.  
 11 Q. Okay.  
 12 MR. FRIEDMAN: Are you saying the beginning  
 13 of the calendar 2000, or the beginning of the 2000  
 14 school year, which would be around July of 2000?  
 15 THE WITNESS: No, the beginning of the  
 16 calendar year.  
 17 BY MR. CHOATE:  
 18 Q. Okay. So is this around January of 2000?  
 19 A. Yes. Around February.  
 20 Q. Around February of 2000?  
 21 A. Yes.  
 22 Q. Okay. Do you remember for how long it  
 23 circulated amongst students?  
 24 A. I think three months, around there. I'm  
 25 not sure. Before July.

1 Q. Before July?  
 2 A. Yes.  
 3 Q. Okay. So you think that between  
 4 February of 2000 and July of 2000 this petition  
 5 was circulated amongst students?  
 6 A. I don't remember. I'm not quite sure about  
 7 that, but it was around that time.  
 8 Q. Was it an actual written document that was  
 9 passed from one student to another?  
 10 A. It had like the -- what we wanted and it  
 11 just -- yeah, it had like copies were made and  
 12 people were signing it.  
 13 MR. CHOATE: I'm sorry. Could you read  
 14 that back, please.  
 15 (The record was read.)  
 16 BY MR. CHOATE:  
 17 Q. Okay. And I think you indicated that  
 18 the petition was given to the vice principal,  
 19 Ms. Williams?  
 20 A. Yes.  
 21 Q. Okay. Was that in August of 2000, or do  
 22 you know when it was?  
 23 A. I don't remember, but I know it was before  
 24 July.  
 25 Q. And did this petition just -- let's go off

1 the record.  
 2 (Pause in the proceedings.)  
 3 MR. CHOATE: Let's go back on.  
 4 Q. In this petition that we've been talking  
 5 about, did the petition only relate to the  
 6 bathrooms?  
 7 A. Yes.  
 8 Q. Okay. Can you try to remember for me  
 9 exactly what the petition said --  
 10 A. I don't --  
 11 Q. -- to the extent you can?  
 12 A. I don't remember.  
 13 Q. Okay. What were some of the conditions, if  
 14 any, about the bathrooms at your school that were  
 15 mentioned in the petition?  
 16 A. I don't remember exactly, but I know  
 17 that -- that it just asked for more bathrooms to be  
 18 open on our campus.  
 19 Q. Okay. So the petition asked for more  
 20 bathrooms to be open around the campus?  
 21 A. Yes.  
 22 Q. Did it ask for anything else?  
 23 A. Not that I can remember.  
 24 Q. So all you can remember is the petition  
 25 asked for more bathrooms to be open?

1 A. Yeah, because I know that was the purpose  
2 of the whole thing.  
3 Q. Okay. Can you recall if it asked for a  
4 certain number of bathrooms to remain open, or to be  
5 open?  
6 A. I don't know what it said, but I know we  
7 asked Ms. Williams for more than four bathrooms.  
8 Q. The petition asked for more than four  
9 bathrooms to be open?  
10 A. I don't know if it said that, because we  
11 asked -- because some students met with Ms. Williams  
12 and we went over what we were going to ask her for.  
13 And we asked for more than four bathrooms.  
14 Q. Were you one of the students that met with  
15 Ms. Williams?  
16 A. No.  
17 Q. Okay. Do you know who the other students  
18 were that met with Ms. Williams?  
19 A. I don't remember who ended up meeting with  
20 her, but I know it was the girl who started the  
21 petition and -- actually, I can't tell you because  
22 some people flaked out. So I don't know exactly who  
23 went.  
24 Q. Some students flaked out?  
25 A. Yes.

1 Q. You mean that they didn't meet with  
2 Ms. Williams?  
3 A. Uh-huh, yes.  
4 Q. How do you know that students met with  
5 Ms. Williams?  
6 A. Because the girl that was running it  
7 mentioned it to me, and we were trying to help her  
8 out, set a date to --  
9 Q. When you say "we," who are you referring  
10 to?  
11 A. The club members, and -- it was basically  
12 just club members and this girl.  
13 Q. Okay. But -- but your understanding is  
14 that students met with Ms. Williams because a girl  
15 at school told you that?  
16 A. Yes.  
17 Q. Okay.  
18 A. Well, because we helped her plan the date  
19 and basically get -- well, basically, yeah, just  
20 plan the meeting.  
21 Q. You -- you helped this girl plan a meeting  
22 with Ms. Williams?  
23 A. Yes.  
24 Q. Okay. How did you help her plan the  
25 meeting?

1 A. Well, we just made suggestions, like what  
2 we could ask for and, you know, what we could settle  
3 for.  
4 Q. I'm sorry. When you say "we," who are you  
5 referring to?  
6 A. It was basically other club members.  
7 Q. What club was this?  
8 A. It's called Youth Action.  
9 Q. Okay. Is Youth Action a club at school?  
10 A. Yes.  
11 Q. Okay. What's the purpose of Youth Action?  
12 A. To get more students involved and to have  
13 skills, like -- develop skills, leadership skills  
14 and to make them aware of issues that are happening  
15 around the community and earth.  
16 Q. How many students are -- are -- are  
17 involved with the Youth Action Club, if you know?  
18 A. It ranges from -- well, when -- because --  
19 well, two tracks are usually in school and usually  
20 it's five to, you know, seven to 15 people.  
21 Q. Okay. Now, you were -- you were saying  
22 that you were -- you were helping this girl to plan  
23 her meeting with -- with Ms. Williams.  
24 A. Yes.  
25 Q. Do you remember when about that was? Was

1 that -- was that sometime in August of last year?  
2 A. I don't remember.  
3 That's when she presented the petition.  
4 Q. Okay. And I think you indicated that the  
5 students in the Youth Action Club were suggesting  
6 things that she could talk about with Ms. Williams?  
7 A. Yes, we had -- we brainstormed and --  
8 Q. What kind of things did you brainstorm  
9 about?  
10 A. Basically better, you know, sanitary  
11 bathrooms, more trash cans, soap dispensers, more  
12 bathrooms open, more toilet paper, cleaner  
13 bathrooms.  
14 Q. Okay. I think you indicated earlier that  
15 in a conversation with Mr. Sandoval, you also spoke  
16 about a broken air-conditioning?  
17 A. Yes.  
18 Q. Was that in the conversation of  
19 September/October of last year?  
20 A. It wasn't the last conversation, but  
21 he would complain about there not being  
22 air-conditioning, it being broken most of the time.  
23 Q. Who would he complain to?  
24 A. Well, he would complain to Garcia and just  
25 say that nothing is usually done, or ...



1 Q. How -- how do you know that he complained  
2 to Garcia?  
3 A. Well, he told me, but ...  
4 Q. Okay. Mr. Sandoval told you that he  
5 complained to Mr. Garcia?  
6 A. Yeah, that he complained to the  
7 administration basically.  
8 Well, actually I don't think he mentioned  
9 it to Mr. Garcia, but he would say that he  
10 complained to the administration.  
11 Q. Okay. He told you that he complained to  
12 the administration about a broken air conditioner?  
13 A. Yeah.  
14 Well, most teachers do, but it usually  
15 takes like four days for it to be actually fixed.  
16 Q. Do you know what air-conditioning  
17 Mr. Sandoval complained about?  
18 A. It wasn't really specific, but I know it  
19 was the -- the building's air-conditioning would be  
20 broken most of the time. And other teachers'  
21 air-conditioning, also.  
22 Q. Do you know of any other teachers who  
23 complained about air-conditioning?  
24 A. I don't -- I can't remember at that time.  
25 Q. Okay. Why do you think that other teachers

1 A. Well, now, this -- last week, my chemistry  
2 teacher was complaining about the air-conditioning  
3 because it broke down. And he's really used to the  
4 cold, so we had to meet downstairs in the cafeteria  
5 on Wednesday.  
6 Q. What is your chemistry teacher's name?  
7 A. Mr. Waller.  
8 And my math teacher, she also complains  
9 because she brings a little fan, and she usually has  
10 the windows open.  
11 Q. Okay.  
12 All right. We'll come back to some of  
13 these issues a little later.  
14 Tell me how old you are, Lizette.  
15 A. How old?  
16 Q. Yeah.  
17 A. I'm 17.  
18 Q. And you -- what grade are you in?  
19 A. Eleventh.  
20 Q. Okay. What general area of the city do you  
21 live in?  
22 A. What do you mean?  
23 Q. Well, where -- where do you live?  
24 A. In the city or --  
25 Q. Where is your home?

1 complained about air-conditioning? Did -- did they  
2 tell this to you?  
3 A. Well, it was usually broken down and  
4 they would just say, like, "Oh, we're going to have  
5 the class outside, or take a break," or they  
6 would ... they would just complain about the  
7 air-conditioning --  
8 Q. Are these --  
9 A. -- to us.  
10 Q. Are these complaints about  
11 air-conditioning, did these happen in your classes?  
12 A. Most of them.  
13 Q. Okay.  
14 A. Well, the ones that I was aware of.  
15 MS. CHECEL: Speaking of air-conditioning,  
16 is there air-conditioning in here we can turn up a  
17 bit?  
18 MR. CHOATE: Let's go off the record.  
19 (Pause in the proceedings.)  
20 BY MR. CHOATE:  
21 Q. Lizette, do you recall specifically  
22 speaking with other teachers at your school about  
23 air-conditioning?  
24 A. During that time?  
25 Q. During any time.

1 A. In Huntington Park.  
2 Q. Okay. Do you live close to school?  
3 A. About a mile away.  
4 Q. About a mile away, okay.  
5 How long have you lived at that location?  
6 A. Well, it's kind of hard to determine  
7 because in the lot we have lived for about 12  
8 years -- no, 11 years.  
9 Q. You've lived at the same home for 11 years?  
10 A. Not the same home, because my dad built a  
11 house in the back, so we moved to the new house.  
12 Q. Okay. The new house is in the same area,  
13 though?  
14 A. Yeah, it's the same lot. We used to live  
15 in the front, and he built a house in the back, so  
16 we moved there.  
17 Q. Where did you live before that?  
18 A. Before the -- that location, the lot?  
19 Q. Before you lived at this lot.  
20 A. On [REDACTED] It's like [REDACTED] blocks  
21 away.  
22 Q. That's also in Huntington Park?  
23 A. Yes.  
24 Q. Do you know how long you lived on [REDACTED]  
25 [REDACTED] for?

1 A. Around five years.  
 2 Q. Where did you live at before -- before  
 3 that?  
 4 A. Somewhere in Inglewood. I'm not sure  
 5 where.  
 6 Q. Okay. Were you born in the Los Angeles  
 7 area, if you know?  
 8 A. I'm not sure. Around there, though.  
 9 Q. Okay. Are you a licensed driver?  
 10 A. No.  
 11 Q. Okay. How do you get to school?  
 12 A. My grandfather takes me to school.  
 13 Q. Does he pick you up from school, also?  
 14 A. No.  
 15 Q. How do you get home from school?  
 16 A. Friends usually give me rides.  
 17 Q. Can you tell me when you began attending  
 18 Huntington Park Senior High School?  
 19 A. In '98.  
 20 Q. Is that when you were in the ninth grade?  
 21 A. Yes.  
 22 Q. Okay. Where did you go to junior high  
 23 school?  
 24 A. Gage Middle School.  
 25 Q. Okay. Is Gage Middle School in Huntington

1 Park?  
 2 A. Yes.  
 3 Q. What grades did you have at -- strike that.  
 4 Did you attend Gage Middle School for  
 5 sixth, seventh and eighth grade?  
 6 A. Yes.  
 7 Q. Where did you go to elementary school?  
 8 A. Middleton Street School.  
 9 Q. Did you attend Middleton Street School for  
 10 all of elementary school?  
 11 A. Yes.  
 12 Q. Okay. Is that -- is Middleton Street  
 13 School also in Huntington Park?  
 14 A. Yes.  
 15 Q. Do you currently have a job?  
 16 A. No.  
 17 Q. Have you ever been employed?  
 18 A. Yes.  
 19 Q. Okay. Can you tell me where your last  
 20 employment was?  
 21 A. In ... it's kind of hard to determine  
 22 because I worked -- I interned in Community for a  
 23 Better Environment, but I was paid by the -- what  
 24 was it called? I don't -- I'm not sure what it's  
 25 called.

1 Tides. I know it's Tides. I'm not sure  
 2 what the whole name is, so ... but it's basically an  
 3 internship I went through -- through -- with Youth  
 4 United for Community Action.  
 5 Q. Okay. Let's talk about the last job you  
 6 had. Was that with the intern -- as an intern for  
 7 Community for a Better Environment?  
 8 A. Yes.  
 9 Q. And when was that?  
 10 A. Around August of last year.  
 11 Q. That's August of --  
 12 A. No. June to August.  
 13 Q. Did the internship last from June to August  
 14 of last year?  
 15 A. Yes.  
 16 Q. Okay. What did you -- what were your  
 17 responsibilities as an intern for Community for a  
 18 Better Environment?  
 19 A. Basically planning the meetings, the C.B.  
 20 youth meetings. And also planning meetings for the  
 21 school club, Youth Action.  
 22 Q. What kind of an organization was Community  
 23 for a Better Environment?  
 24 A. Community for a Better Environment? It's  
 25 basically a grass-roots organization. We try to

1 empower the community through knowledge and  
 2 workshops and try to let them know about, you know,  
 3 what's going on in the community, the -- what health  
 4 hazards there are and what they could do.  
 5 Q. And you indicated you helped plan meetings?  
 6 A. Yes.  
 7 Q. Is that like notifying people of what the  
 8 dates of the meetings were and --  
 9 A. Yeah, and typing agendas, and just ...  
 10 that's pretty much it.  
 11 Q. Okay. Can you tell me what your -- what  
 12 the next employment was before being an intern at  
 13 Community for a Better Environment?  
 14 A. I -- no, I didn't have any.  
 15 Q. Okay. But I think you indicated that you  
 16 were an intern, I believe, for Tides.  
 17 A. Well, that's the organization that was  
 18 paying me to be an intern at Community for a Better  
 19 Environment.  
 20 Q. All right. So other than your internship  
 21 at the Better Environment organization, you haven't  
 22 had any other employment?  
 23 A. No.  
 24 Q. Okay. Lizette, I want to ask you some  
 25 questions -- some general questions about your

1 involvement in this lawsuit.  
 2 Do you know who you are suing?  
 3 A. The State of California.  
 4 Q. Do you know if you're suing anybody else?  
 5 A. Not that I'm aware of.  
 6 Q. Okay. Can you tell me when you first  
 7 thought about suing in this lawsuit?  
 8 A. I can't remember.  
 9 Q. Can you tell me what made you think about  
 10 suing?  
 11 A. The fact that the state would be held  
 12 responsible for the bad school conditions around  
 13 California. And the fact that they might be able to  
 14 do something about them.  
 15 Q. So did you decide to sue because you  
 16 thought the State of California was responsible for  
 17 bad conditions at your school?  
 18 A. Yes.  
 19 Q. Okay. Any other reasons?  
 20 A. Just basically they are responsible for a  
 21 lot of the conditions at a lot of public schools  
 22 where there's people of color.  
 23 Q. Okay. Prior to bringing this lawsuit, with  
 24 whom did you first discuss the possibility of filing  
 25 a lawsuit, if you remember?

1 A. I don't remember her name.  
 2 Q. Okay. It was a woman?  
 3 A. Yes. And she was from the ACLU.  
 4 Q. Okay. Was it Catherine Lhamon; do you  
 5 know?  
 6 A. No, it wasn't Catherine, it was somebody  
 7 else.  
 8 Q. Do you know where you were when you had  
 9 that discussion?  
 10 A. In the Community for a Better Environment  
 11 office, the C.B. office.  
 12 Q. Do you know who initiated that discussion  
 13 at the offices of Community for a Better  
 14 Environment?  
 15 A. I don't remember.  
 16 Q. Well, do you recall if somebody approached  
 17 you, or did you approach somebody else? Do you --  
 18 A. Well, the youth coordinator talked to us  
 19 about the -- about lawyers from the ACLU coming to a  
 20 meeting and --  
 21 Q. A meeting that was held at Community for a  
 22 Better Environment?  
 23 A. Yes.  
 24 Q. Do you know who the youth coordinator is?  
 25 A. Yuki Kidokoro.

1 Q. Can you tell what the name is again,  
 2 please.  
 3 A. Yuki Kidokoro. K I D O K O R O; Y U K I.  
 4 Q. And do you know when the -- when the ACLU  
 5 had a meeting at Community for a Better Environment?  
 6 A. I don't remember the date.  
 7 Q. Okay. Was that last year?  
 8 A. Yes.  
 9 ^ Q. Okay. Can you tell me what they said?  
 10 MS. CHECEL: Objection. Attorney-client  
 11 privilege. I'm instructing her not to answer.  
 12 MR. CHOATE: Okay.  
 13 Q. Can you tell me when -- strike that.  
 14 Can you tell me when you hired a lawyer to  
 15 represent you in this case?  
 16 A. I don't remember the date.  
 17 Q. Do you know approximately when it was?  
 18 A. Around August.  
 19 Q. Around August 2000 --  
 20 A. Yes.  
 21 Q. -- is that when you hired a lawyer to  
 22 represent you?  
 23 A. Yes.  
 24 Q. Okay. Did this meeting with the ACLU at  
 25 the Community for a Better Environment take place

1 before August?  
 2 A. Yes.  
 3 MR. FRIEDMAN: Do you remember who attended  
 4 the meeting?  
 5 THE WITNESS: No, I don't remember their  
 6 names.  
 7 MR. FRIEDMAN: Were there a number of  
 8 students?  
 9 THE WITNESS: Yes.  
 10 MR. FRIEDMAN: Was Ms. Kidokoro there?  
 11 THE WITNESS: She walked in and out but she  
 12 wasn't part of the -- of the conversation.  
 13 MR. FRIEDMAN: Do you remember other people  
 14 besides students and the ACLU attorneys who were at  
 15 the meeting?  
 16 THE WITNESS: No.  
 17 Oh, well, actually yes, there was a former  
 18 student of Huntington Park High School, he was  
 19 currently employed, but ...  
 20 BY MR. CHOATE:  
 21 Q. Do you remember what his name was?  
 22 A. Isaac Martin.  
 23 MR. FRIEDMAN: He was employed by the  
 24 communities organization?  
 25 THE WITNESS: No, he was employed by the

1 school.

2 MR. FRIEDMAN: Oh, he was an employee of  
3 Huntington Park High School?

4 THE WITNESS: Yes.

5 MR. FRIEDMAN: I'm sorry. Isaac's last  
6 name?

7 THE WITNESS: Martin.

8 MR. FRIEDMAN: Counsel, I'm not so sure  
9 there is an attorney-client privilege here if  
10 Ms. Kidokoro was in and out of the meeting and  
11 Mr. Martin was in the meeting.

12 THE WITNESS: He was a possible -- what's  
13 it called?

14 MS. CHECEL: He was a possible plaintiff  
15 and she organized the meeting. She wasn't sitting  
16 in through the entire meeting.

17 BY MR. CHOATE:

18 Q. Lizette, at this meeting at Community for a  
19 Better Environment that took place prior to August  
20 of 2000, were you seeking legal advice from the  
21 ACLU?

22 A. Prior to it? Prior to the meeting, no.

23 Q. What about after the meeting?

24 A. No, I was just becoming aware -- they were  
25 letting me know what was happening and asking me if

1 Q. Okay.

2 A. Oh, actually a contact about the  
3 litigation, or just like the first time I have ever  
4 talked to a lawyer from the ACLU?

5 Q. Well, contact from an ACLU lawyer about  
6 this litigation.

7 A. Yes, it was the first time.

8 Q. And let me just make sure I understand.

9 Did somebody tell you that the ACLU was  
10 going to come to this meeting to talk about the  
11 litigation?

12 A. Yes.

13 Q. Okay. And I -- was that -- was that Yuki,  
14 the youth coordinator?

15 A. Yes.

16 Q. Okay.

17 All right. Have you had contact with any  
18 other of the plaintiffs' attorneys who are involved  
19 in this case? If you know.

20 A. Not that I can remember.

21 Q. Okay. Have you had any contact with the  
22 group called Public Advocates?

23 A. Not that I can remember.

24 Q. Okay. Have you had any contact with the  
25 group called Center for Law and the Public Interest?

1 I wanted to take a part of it.

2 MS. CHECEL: You don't need to tell  
3 anything that happened, any of the communications.

4 MR. CHOATE: Okay. Can we go off the  
5 record.

6 (Discussion held off the record.)

7 (Conference held off the record  
8 between the witness and Ms. Checel.)

9 MS. CHECEL: Can we go back on the record?

10 MR. CHOATE: Yes.

11 MS. CHECEL: I've just conferred with my  
12 client. The August date that she referred to is the  
13 first declaration date that she signed. Prior to  
14 that, she was at the meeting to discuss the  
15 litigation. It was in anticipation of the  
16 litigation. And the attorney-client privilege  
17 starts once there is a communication between an  
18 attorney and the client.

19 And so I will still instruct her not to  
20 answer.

21 MR. CHOATE: Okay.

22 Q. Ms. Ruiz, at this meeting, was this the  
23 first time you had contact with lawyers from the  
24 ACLU?

25 A. Yes.

1 A. Not to my knowledge.

2 Q. Okay. Have you had any contact with the  
3 Lawyers Committee for Civil Rights?

4 A. Not that I can remember.

5 Q. Have you had any contact with the  
6 Asian-Pacific American Legal Center?

7 A. Not that I -- not to my knowledge.

8 Q. Okay. Have you had any contact with anyone  
9 from Loyola Law School?

10 A. Not to my knowledge.

11 Q. Okay. Have you had any contact with  
12 anybody from Georgetown University Law Center?

13 A. Not to my knowledge.

14 Q. Okay. I'll just ask you one more question  
15 like that.

16 Have you had any contact with anybody from  
17 the Mexican-American Legal Defense and Education  
18 Fund?

19 A. Not to my knowledge.

20 Q. Do you know what a class action is,  
21 Lizette?

22 MS. CHECEL: It calls for a legal  
23 conclusion, but she can answer the question.

24 THE WITNESS: Yes.

25 /// ///

1 BY MR. CHOATE:  
 2 Q. Can you tell me what a class action is?  
 3 A. Well, it's basically a lawsuit where  
 4 somebody is representing a lot of people for the  
 5 same circumstance, or the same reason. And for ...  
 6 Q. Are you a class representative?  
 7 A. Yes.  
 8 Q. Okay. Do you know what a class  
 9 representative is?  
 10 A. Yes. It is somebody who represents people  
 11 who have the same -- the same problems, or -- or for  
 12 the same reasons.  
 13 Q. Do you represent a certain class of  
 14 students?  
 15 A. Yes.  
 16 Q. Do you know what class of students you  
 17 represent?  
 18 A. All the students in public schools in  
 19 California.  
 20 Q. Okay. Do you represent a subclass of  
 21 students?  
 22 A. I believe I do.  
 23 Q. Okay. Can you -- can you tell me what that  
 24 subclass is?  
 25 A. Schools that have tracks.

1 Q. And when you say "tracks," are you  
 2 referring to multitrack schools?  
 3 A. Yes.  
 4 Q. Okay. Are you representing both the class  
 5 of students who attend public schools in California  
 6 and multitrack students?  
 7 A. Yes.  
 8 Q. Do you know what your obligations are as a  
 9 plaintiff?  
 10 A. I don't remember.  
 11 ^ Q. Okay. Did anybody tell you what they were?  
 12 A. I --  
 13 MS. CHECEL: Objection. Attorney-client  
 14 privilege.  
 15 MR. CHOATE: Okay.  
 16 Q. Do you know what your obligations are as a  
 17 class representative?  
 18 A. Yes.  
 19 Q. Okay. Can you tell me what your  
 20 obligations are?  
 21 A. To become involved in the case and meet  
 22 regularly with the lawyers and be notified of what's  
 23 going on.  
 24 Q. You understand, then, that you have an  
 25 obligation to supervise your attorneys?

1 A. Can you rephrase that?  
 2 MS. CHECEL: Objection. Ambiguous as to  
 3 "supervise."  
 4 MR. CHOATE: Okay.  
 5 MS. CHECEL: You can answer if you  
 6 understand the question.  
 7 THE WITNESS: I don't understand the  
 8 question.  
 9 MR. CHOATE: Okay.  
 10 Q. Your understanding is that you're supposed  
 11 to meet regularly with your lawyers?  
 12 A. Yes.  
 13 Q. Okay. Do you know whether you owe any  
 14 duties or obligations to other class members?  
 15 A. Could you explain that?  
 16 Q. Well, are you aware of any obligations that  
 17 you have with respect to other class members?  
 18 MS. CHECEL: Objection. Vague as to  
 19 "obligation."  
 20 BY MR. CHOATE:  
 21 Q. You can answer.  
 22 MS. CHECEL: You can answer it, though.  
 23 THE WITNESS: Yeah, I don't know what you  
 24 mean by "obligation."  
 25 /// //

1 BY MR. CHOATE:  
 2 Q. Is it -- is it your understanding that you  
 3 are supposed to protect the interests of other class  
 4 members?  
 5 A. I'm not sure what you mean.  
 6 Q. Okay. Are you aware that you have an  
 7 obligation to participate in the strategic decisions  
 8 of this case?  
 9 A. Could you repeat the question again?  
 10 Q. Okay.  
 11 Are you aware of whether you have an  
 12 obligation to participate in the strategic decisions  
 13 of this lawsuit?  
 14 A. No.  
 15 MS. CHECEL: Go ahead.  
 16 THE WITNESS: I'm not aware.  
 17 MR. CHOATE: Okay.  
 18 Q. Is it your understanding that you may be  
 19 potentially responsible for some costs or fees in  
 20 this lawsuit?  
 21 A. Can you repeat that question again?  
 22 Q. Yeah.  
 23 Do you have an understanding as to whether  
 24 you may be potentially liable for any costs or fees  
 25 in connection with this lawsuit?

1 A. I am not aware of that.  
 2 Q. Okay. Do you have an agreement to pay your  
 3 lawyers?  
 4 A. No.  
 5 Q. Do you have an understanding as to who is  
 6 responsible for your lawyers' fees and costs?  
 7 A. No.  
 8 Q. Okay. Are you willing to pay fees and  
 9 costs to your lawyers?  
 10 A. Well, I don't have money, but I'd be  
 11 willing to if the judge said to, or ... I don't  
 12 know.  
 13 Q. Okay. Are you entitled to any extra  
 14 benefits for serving as a plaintiff?  
 15 MS. CHECEL: Objection. Vague and  
 16 ambiguous as to "benefits."  
 17 But you can answer if ...  
 18 THE WITNESS: Yeah, what do you mean by  
 19 "benefits"?  
 20 BY MR. CHOATE:  
 21 Q. Well, has anybody promised you anything for  
 22 serving as a plaintiff?  
 23 A. No.  
 24 Q. Has anybody promised you anything for  
 25 serving as a class representative?

1 A. Promised me anything such as what?  
 2 Q. Such as anything.  
 3 A. No, no promises have been made.  
 4 Q. Okay. Will you be paid any money for  
 5 serving as a plaintiff?  
 6 A. No.  
 7 Q. Will you be paid any money for serving as a  
 8 class representative?  
 9 A. No.  
 10 Q. Okay. Can you tell me what you're seeking  
 11 for the class of students you represent?  
 12 A. Better school conditions, more qualified  
 13 teachers, more teachers in general, more textbooks,  
 14 better textbooks, better sanitary schools.  
 15 Q. Okay. Can you tell me what you're seeking  
 16 for the subclass of students that you represent?  
 17 A. The same.  
 18 Q. The same things you mentioned before?  
 19 A. Yes.  
 20 Q. Okay.  
 21 A. Possibly better, more schools.  
 22 Q. Is -- is there any difference that you are  
 23 aware of between what you're seeking for the class  
 24 of students you represent versus the subclass of  
 25 students?

1 A. Yes.  
 2 Well, actually I wouldn't know because I've  
 3 never been in a school that isn't a multitrack. But  
 4 what I do know is that we basically need more  
 5 schools in the subclass and more qualified teachers.  
 6 Q. So as part of the subclass are you seeking  
 7 more schools?  
 8 A. Yes.  
 9 Q. And you are also seeking more qualified  
 10 teachers?  
 11 A. Yes.  
 12 Q. Okay. Are you kept informed by your  
 13 lawyers about the progress of this lawsuit?  
 14 A. Yes.  
 15 Q. Do you know where this lawsuit has been  
 16 filed?  
 17 A. No.  
 18 Q. Okay.  
 19 A. Not to my knowledge.  
 20 Q. Have you seen any documents that have been  
 21 filed with the court by the State of California?  
 22 A. Not that I can remember.  
 23 Q. Okay. Have you seen any -- any documents  
 24 that have been filed with the court by other  
 25 defendants?

1 A. Not that I can remember.  
 2 Q. Okay. Have you ever been involved in any  
 3 other civil case before?  
 4 A. No.  
 5 Q. Okay. Have you ever been involved in a  
 6 criminal proceeding?  
 7 A. No.  
 8 Q. Okay. Lizette, are you currently in school  
 9 right now?  
 10 A. Yes.  
 11 Q. And you're in the eleventh grade; right?  
 12 A. Yes.  
 13 Q. Can you tell me what classes you're taking  
 14 right now.  
 15 A. Spanish 2, Con. Comp.  
 16 Q. Is that Contemporary Composition?  
 17 A. Yes. Or is it American Lit.? I think it's  
 18 actually American Lit.  
 19 MR. FRIEDMAN: Are these the classes  
 20 referenced on the report card that you've provided  
 21 to us today?  
 22 THE WITNESS: Yes.  
 23 Do I keep mentioning them, or --  
 24 BY MR. CHOATE:  
 25 Q. Well, let me ask you this: The classes

1 that are referenced on the report card, these are  
 2 classes that are actually in progress right now?  
 3 A. Yes.  
 4 Q. Okay. So are you taking Spanish 2 right  
 5 now?  
 6 A. Yes.  
 7 Q. And you're taking honors American  
 8 Literature Composition?  
 9 A. Yes.  
 10 Q. Okay. And you are taking honors Math  
 11 Analysis?  
 12 A. Yes.  
 13 Q. And are you taking Chemistry?  
 14 A. Yes.  
 15 Q. Okay. And you are taking AP American  
 16 History?  
 17 A. Yes.  
 18 Q. You're also taking Track and Field?  
 19 A. Yes.  
 20 Q. Are the grades you received on this report  
 21 card, are these the mid-semester grades, or what are  
 22 these grades?  
 23 A. Yes, they're mid-semester grades.  
 24 Q. In the first semester of your eleventh  
 25 grade -- are you on a semester system at your

1 school?  
 2 A. Yes.  
 3 Q. Okay. And these classes you've told me  
 4 about are the classes you are taking in the current  
 5 semester?  
 6 A. Yes.  
 7 Q. Okay. Can you tell me what classes you  
 8 took last semester?  
 9 A. Basically -- well, instead of Math  
 10 Analysis, I had Trigonometry.  
 11 Q. Okay. Was that also an honors class?  
 12 A. Yes.  
 13 Q. Okay.  
 14 A. And instead of American Lit., I had  
 15 Contemporary Composition.  
 16 Q. Okay. That was also an honors class?  
 17 A. Yes.  
 18 Q. Okay.  
 19 A. And instead of track and field, I had  
 20 soccer.  
 21 Q. Okay. What are your favorite -- are your  
 22 most favorite subjects this year?  
 23 A. I'd say history.  
 24 Q. Why is that your most favorite subject?  
 25 A. Because it is the most interesting.

1 Q. Yeah? What makes it interesting to you?  
 2 A. That it's something that actually happened,  
 3 and ... it's just -- well, American -- well, English  
 4 was my favorite before, but it's kind of dull this  
 5 year.  
 6 Q. It's kind of dull?  
 7 A. Yeah.  
 8 Q. What makes it dull?  
 9 A. Well, we have to read with tapes a lot --  
 10 we have to read stories along with tapes and it is  
 11 kind of distracting, it doesn't help me focus.  
 12 Q. What are your least favorite subjects this  
 13 year?  
 14 A. I would say chemistry and math.  
 15 Q. Why is that?  
 16 A. Well, chemistry is kind of -- it's kind of  
 17 confusing sometimes because the teacher gives us --  
 18 doesn't really help us prepare for his exams.  
 19 And math, because it's a lot of homework.  
 20 Q. Do you do your math homework?  
 21 A. Yeah, but somehow it doesn't help me in the  
 22 tests.  
 23 Q. Well, math is hard.  
 24 What do you think your worst subjects are?  
 25 A. Science.

1 Q. Is that chemistry?  
 2 A. Yeah.  
 3 Q. Can you tell me -- let's see. Your Spanish  
 4 teacher is -- is [REDACTED]  
 5 A. [REDACTED]  
 6 Q. [REDACTED]  
 7 Okay. Has she been your Spanish teacher  
 8 all year?  
 9 A. Yes.  
 10 MR. CHOATE: Why don't I just mark this as  
 11 an exhibit. It will be easy to refer to.  
 12 Let me mark as Exhibit 3 --  
 13 THE REPORTER: Four.  
 14 MR. CHOATE: -- four, a report card dated  
 15 May 1.  
 16 (The document referred to was marked by the  
 17 Reporter as Deposition Exhibit 4 for identification  
 18 and is attached hereto.)  
 19 BY MR. CHOATE:  
 20 Q. Lizette, would you take a look at  
 21 Exhibit 4, please.  
 22 A. Okay.  
 23 Q. Do you see the column where there are  
 24 teacher names?  
 25 A. Yes.

1 Q. Are those all your teachers for these  
2 classes last semester, too?  
3 A. No.  
4 Q. Okay. Can you tell me what classes have  
5 different teachers last semester?  
6 A. The only teacher I had different was the  
7 track and field.  
8 Q. Okay. Yeah, right.  
9 And who is or was your soccer coach last --  
10 A. Last semester?  
11 Q. -- semester?  
12 A. Ms. Lambert.  
13 Q. Lambert, okay.  
14 But other than Ms. Lambert, all these  
15 teachers were your same teachers last year?  
16 A. Yes.  
17 Q. Okay. Who are your best teachers this  
18 year?  
19 A. My math teacher and my AP History teacher,  
20 Mr. Miekosz and Ms. Ruiz.  
21 Q. What -- what makes those teachers your best  
22 teachers, you think?  
23 A. Well, my math teacher, she really explains  
24 a lot of the homework and she doesn't mind tutoring  
25 during lunch or nutrition or before school. And so

1 she really helps me a lot.  
2 And Mr. Miekosz, because he -- I think he  
3 teaches really good. Because he just basically  
4 tells us the important things and ... I don't know.  
5 I just like his teaching skills.  
6 Q. Okay. Do you ask your math teacher to help  
7 you with tutoring often?  
8 A. Yes.  
9 Q. You go -- do you meet with him before  
10 school?  
11 A. With her?  
12 Q. With her?  
13 A. No.  
14 Q. When do you meet with her, usually?  
15 A. During nutrition and lunch.  
16 Q. How many times a week do you meet with your  
17 math teacher?  
18 A. Every day.  
19 Q. You do? During nutrition or lunch?  
20 A. (Nods head.)  
21 Q. What are the teachers that you like the  
22 least?  
23 A. [REDACTED]  
24 Q. Why do you like her the least?  
25 A. Because she's really old and really

1 forgetful.  
2 Q. Well, that happens to some people as they  
3 get old.  
4 What, in your opinion, Ms. Ruiz, makes one  
5 teacher better than another teacher?  
6 A. Just how much effort they put into  
7 teaching.  
8 Q. Are there any other -- any other qualities  
9 that you think make one teacher better than another?  
10 A. Well, if the teacher is present most of the  
11 semester and how much time they take to help us.  
12 Q. Okay.  
13 MS. CHECEL: Do you mind taking a quick  
14 break right now?  
15 MR. CHOATE: No, that's okay.  
16 MS. CHECEL: Thanks.  
17 (Recess taken from 11:32 to 11:36.)  
18 MR. CHOATE: Let's go back on.  
19 Q. Lizette, I see that you got a [REDACTED] in your  
20 chemistry class. Can you tell me why you think you  
21 got that grade, other than chemistry is a hard  
22 class?  
23 MS. CHECEL: Just for the record, I think  
24 that on these topics of grades, I think we're going  
25 to seek a protective order. We're in the process of

1 doing that. So anything pertaining to grades we'd  
2 like to be able to retroactively designate that  
3 testimony as confidential.  
4 MR. CHOATE: Sure. I don't have a problem  
5 with that.  
6 MS. CHECEL: You can still answer the  
7 question.  
8 THE WITNESS: Why did I get a [REDACTED]  
9 Well, I had a [REDACTED] but I think the teacher  
10 didn't correct most of my work because I think he  
11 was in a rush. But after the grades went in, he  
12 told me I had a [REDACTED].  
13 MR. CHOATE: Okay.  
14 Q. Why do you think you got a [REDACTED] in your  
15 Spanish class?  
16 A. Because she doesn't -- I know before these  
17 grades went in she lost the grades, she dropped  
18 them. And I think -- she said somebody changed  
19 them. But she also doesn't really grade much work.  
20 Like most of the work I turn in, she forgets --  
21 sometimes I'm the only person that turns in homework  
22 because they try to make like -- tell her that she  
23 never left it or something.  
24 Q. You're referring to your Spanish teacher?  
25 A. Yes.



1 And she forgets. So sometimes I'm like the  
2 only one that turns in some of the homework and she  
3 doesn't even grade them.

4 Q. So you think maybe your grade reflects the  
5 fact that your teacher didn't grade all your work?

6 A. Yes.

7 Q. Okay.

8 A. And I think she also does it on like how  
9 she knows people. Because I sit next to these girls  
10 that talk a lot, and so I think she -- well,  
11 sometimes she blames it on me.



1 (The document referred to was marked by the  
2 Reporter as Deposition Exhibit 5 for identification  
3 and is attached hereto.)

4 MR. CHOATE: Counsel, can we stipulate that  
5 these are her pupil records as provided from -- from  
6 her school?

7 THE WITNESS: Yes, I believe so.

8 MR. CHOATE: Okay.

9 BY MR. CHOATE:

10 Q. Lizette, would you take a look at, I  
11 believe it's page 3.

12 You see in the upper right-hand corner --

13 A. Yes.

14 Q. -- there is a list of classes for the term  
15 ending June 29, 2000?

16 A. Yes.

17 Q. Okay. Do those look like the classes that  
18 you took in your second semester of tenth grade?

19 A. Yes.

20 Q. Okay. And would you look in the lower  
21 left-hand portion of the page.

22 A. Yes.

23 Q. There are a list of classes for the term  
24 ending December 27, '99?

25 A. Yes.



4 Q. Okay. Lizette, can you tell me what  
5 classes you took in -- in your first semester, tenth  
6 grade?

7 A. Well, I know I took French 2.

8 Q. Okay. Do you know who your teacher was in  
9 French 2?

10 A. Ms. Fernandez.

11 Q. Okay. Do you remember any other classes?

12 A. Biology. U.S. history, I think.

13 Integrated 2.

14 Q. Integrated 2.

15 A. No, actually it was Integrated 3, I'm  
16 sorry.

17 MR. CHOATE: Actually, you know what I'm  
18 going to do? I'm going to -- I'm going to mark a  
19 copy of her pupil records so it will make it  
20 quicker.

21 MS. CHECEL: And would you designate that  
22 as confidential?

23 MR. CHOATE: Okay.

24 MS. CHECEL: Okay.

25 MR. CHOATE: Mark that as Exhibit 5.

///

///

1 Q. Do those look like the classes you took in  
2 the first semester of tenth grade?

3 A. Yes.

4 MS. CHECEL: Actually, it says  
5 October 27th.

6 MR. CHOATE: Excuse me. October 27th.

7 Q. Lizette, just so I have a clear record, I'm  
8 going to ask you a question and when I'm done you  
9 can answer.

10 In the second semester of tenth grade, did  
11 you take Typing A, honors English 10, Integrated  
12 Math 3, Soccer, Intercoordinated Science 2, World  
13 History? Did you take those classes in your second  
14 semester of tenth grade?

15 A. Yes.

16 Q. Okay. And did you take -- your first  
17 semester of tenth grade, did you take honors  
18 English 10, French 2, Integrated Math 3, Soccer,  
19 Intercoordinated Science 2, and honors World  
20 History?

21 A. Yes.

22 Q. Okay. Farther up at the top of the page,  
23 there is a list of classes in your ninth grade year  
24 for the term ending October 27, 1998.

25 A. Uh-huh -- yes.

- 1 Q. Okay. Was that your first semester in  
2 ninth grade?  
3 A. In ninth grade?  
4 Excuse me. Can you rephrase the question?  
5 Q. Was that your first semester in ninth  
6 grade, the term ending October 27, 1998?  
7 A. Yes.  
8 Q. Okay. And in that semester did you take  
9 honors English 9, French 1, Integrated Math 2,  
10 Advanced PE 1, Intercoordinated Science 1, and  
11 honors Geography?  
12 A. Yes.  
13 Q. Okay. Do you see right below there is  
14 a list of classes for the term ending April 27,  
15 1999?  
16 A. Yes.  
17 Q. Okay. Was that your second semester in  
18 ninth grade?  
19 A. Yes.  
20 Q. Okay. And in that semester, did you take  
21 honors English 9, French 1, Integrated Math 2,  
22 Advanced PE 1, Intercoordinated Science 1 and honors  
23 Geography?  
24 A. Yes.  
25 Q. Okay. And then right below that there

- 1 A. Yes.  
2 Q. Okay.  
3 A. And then on A track --  
4 Q. I'm sorry.  
5 A. On A track, when I changed to A track, the  
6 teacher was Dr. Justice.  
7 Q. Dr. Justice?  
8 A. Yes.  
9 Q. Okay.  
10 Dr. Justice was your English teacher on  
11 A track?  
12 A. Yes.  
13 Q. And on C track you had two teachers,  
14 Mr. Kraft and Mr. Nordhee?  
15 A. Yes.  
16 Q. Do you remember who your -- let's see. You  
17 indicated your French 2 teacher was [REDACTED]  
18 A. Yes.  
19 Q. Was she also your teacher in the second  
20 semester and first semester?  
21 A. No. Because in the first semester I was  
22 in C track and then I changed to A track. And I got  
23 typing.  
24 Q. Okay. Who did you have for French in the  
25 first semester when you were on C track?

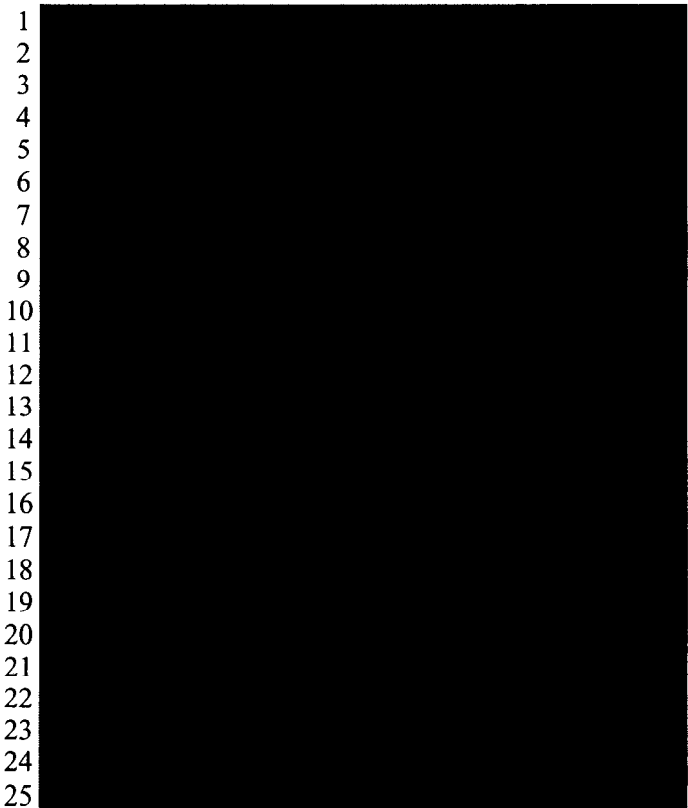
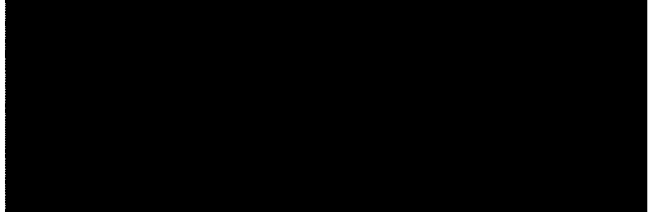
- 1 is a reference to two classes for the term ending  
2 June 16th, 1999?  
3 A. Yes.  
4 Q. Was that intersession, an intersession  
5 period?  
6 A. Yes.  
7 Q. Intersession is like summer school?  
8 A. Yes.  
9 Q. Okay. And during that intersession period,  
10 did you take Creative Writing and Power Reading?  
11 A. Yes.  
12 Q. Okay. I want to get a sense of who your  
13 teachers were in tenth grade.  
14 A. Okay.  
15 Q. Can you remember who your teacher was for  
16 your honors English class?  
17 A. Tenth grade?  
18 Q. Yeah.  
19 A. Well, I had two because I changed tracks.  
20 And when I was in the C track, my teacher was ... I  
21 don't remember his name. But when I was -- when I  
22 changed to A track -- on C track I had Ms. -- oh,  
23 yeah. In C track I had Mr. Kraft, and then I  
24 changed -- they changed me into Mr. Nordhee.  
25 Q. Mr. Nordhee?

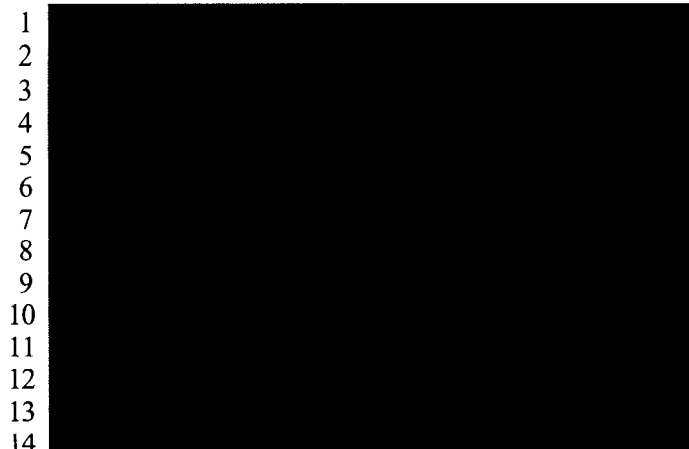
- 1 A. [REDACTED]  
2 Q. Okay. And do you know who you had in the  
3 second semester for typing?  
4 A. I don't remember her name.  
5 Q. Who was your integrated math teacher in the  
6 first semester?  
7 A. Ms. Wills.  
8 Q. Wills?  
9 A. Yes.  
10 Q. Okay. Was Ms. Wills also your math teacher  
11 on C -- on A track?  
12 A. No.  
13 Q. Okay. Who was your math teacher on  
14 A track?  
15 A. Ms. Wiese.  
16 Q. Who was -- who was your Intercoordinated  
17 Science teacher on A track -- I'm sorry, on C track  
18 in the first semester?  
19 A. Well, in tenth grade my teacher was  
20 Ms. Williams. And when I changed to A track it was  
21 Ms. Wiese, and I have been having Ms. Wiese ever  
22 since.  
23 MS. CHECEL: For science?  
24 THE WITNESS: For science.  
25 /// ///

1 BY MR. CHOATE:  
 2 Q. Yeah, for science.  
 3 A. I'm sorry.  
 4 Q. That's okay.  
 5 A. For C track her name was Ms. Moody.  
 6 Q. Okay. And who was your Intercoordinated  
 7 Science teacher for A track in the second semester?  
 8 A. Conley. Mr. Conley.  
 9 Q. Can you tell me who your World History  
 10 teacher was in the first semester on C track?  
 11 A. Ms. Perry.  
 12 Q. Okay. And who was your World History  
 13 teacher for the second semester on A track?  
 14 A. Mr. Wolf.  
 15 Q. Okay. Who was your soccer coach?  
 16 A. Ms. Lambert.  
 17 Q. Was she also your coach for both semesters?  
 18 A. Yes.  
 19 Q. In tenth grade, can you tell me what your  
 20 favorite subjects were?  
 21 A. In tenth grade?  
 22 I would say English.  
 23 Q. Why was that your favorite subject?  
 24 A. Because we read a lot of poetry and we read  
 25 a lot of stories, and wrote a lot of poetry.

1 Q. Do you like writing poetry?  
 2 A. Yeah. Well, I never really got a feel for  
 3 it until then.  
 4 Q. What was your least favorite subject in  
 5 tenth grade?  
 6 A. I would say French.  
 7 Q. And why was that?  
 8 A. Because the teacher was sort of verbally  
 9 abusive. Like she would make us feel bad when we  
 10 couldn't talk like -- when we didn't know what she  
 11 was asking us or something.  
 12 Q. Can you tell me what your best subjects  
 13 were in tenth grade?  
 14 A. English, math and history.  
 15 Does soccer count as a subject?  
 16 Q. Sure, it does.  
 17 A. Soccer.  
 18 Q. Why do you think that English, math and  
 19 history were your best subjects?  
 20 A. Well, I like math because it's kind of like  
 21 puzzles, even though I'm not that good at it, like  
 22 figuring it out. And history is always interesting.  
 23 And English is -- I don't know, helps me to be  
 24 creative.  
 25 Q. What do you think your worst subjects were

1 in tenth grade?  
 2 A. French, and ... probably typing.  
 3 Q. Was -- was French one of your worst  
 4 subjects because the teacher was -- was verbally  
 5 abusive?  
 6 A. Yes.  
 7 Q. Okay. Were there any other reasons why  
 8 French, you feel, was your worst subject?  
 9 A. Because -- I don't think we had a textbook,  
 10 so it was kind of hard to learn.  
 11 Oh, yeah, actually we did. We had it later  
 12 that semester.  
 13 Q. You did have a textbook during French  
 14 class?  
 15 A. Yeah.  
 16 Q. Okay.  
 17 A. And ... yeah, it was just the teacher. She  
 18 was very impatient. It was her first year of  
 19 teaching, so ... I don't know.





15 Q. And do you think you got the [redacted] in science  
16 in tenth grade because your teacher was -- was  
17 absent?

18 A. Yes.

19 Q. How do you -- how do you think that  
20 affected your grade, your teacher's absence?

21 A. How the teacher's absence affected my  
22 grade?

23 Q. Yeah.

24 A. Because he never taught anything, it was  
25 always substitutes.

1 that your teacher for Intercoordinated Science was  
2 Ms. Moody.

3 Is that right?

4 A. Yes.

5 Q. Okay. Was there a time when Ms. Moody  
6 wasn't your teacher anymore in Intercoordinated  
7 Science?

8 A. Actually I don't think she was the one that  
9 gave me the [redacted]

10 [redacted]  
11 Q. Well, was Ms. Moody one of the substitute  
12 teachers who you had in that class?

13 A. No, I think she took -- she was the  
14 teacher.

15 Q. Okay. Did you have substitute teachers  
16 at --

17 A. For her class? No. Actually I think when  
18 we had substitutes was my freshman year.

19 Q. Okay. Do you -- do you remember what class  
20 or -- in your freshman year?

21 A. I think it was Intercoordinated Science 1.

22 Q. Okay. Take a look at Exhibit 5 at your  
23 classes in ninth grade.

24 A. (Examining document.)

25 Q. Can you tell me which of those classes were

1 Q. Okay.

2 A. And we always had to do worksheets.

3 Q. How many substitutes do you think you had  
4 in your science class in tenth grade?

5 A. I don't remember, but there were a lot.

6 Q. Do you think you had more than five  
7 substitutes?

8 A. Around five.

9 Q. Around five substitutes?

10 A. I don't know, actually more. I don't know.  
11 Because there was a substitute that stayed for a  
12 while.

13 Q. Uh-huh.

14 A. But I don't remember.

15 Q. Mr. Moody was your science teacher  
16 originally in that class?

17 A. No. It was a --

18 MS. CHECEL: Vague and ambiguous. Which  
19 class are you referring to?

20 MR. CHOATE: Okay.

21 Q. In the first semester of tenth grade in  
22 your Intercoordinated Science class you got a D; is  
23 that right?

24 A. Yes.

25 Q. Okay. And I think that you told me earlier

1 your favorite classes?

2 A. I would say geography.

3 Q. And why was geography your favorite class?

4 A. Well, it was easy.

5 Q. It was easy?

6 A. Yeah, and it was -- it was pretty  
7 interesting because we had projects and we watched  
8 pretty good movies.

9 Q. What kind of projects did you do?

10 A. We made an airplane, and we made time  
11 lines. And that was pretty much it.

12 Q. Was that -- what was your least favorite  
13 subject in tenth grade -- I'm sorry, in ninth grade?

14 A. English.

15 Q. Wasn't -- wasn't English one of the classes  
16 that you liked in tenth grade?

17 A. Tenth grade, yes, but not in ninth grade.

18 Q. Why -- why didn't you like it in ninth  
19 grade?

20 A. Because the teacher was pretty dull and we  
21 read the same story the whole year because we really  
22 got into it --

23 Q. How was --

24 A. -- in detail.

25 Q. I'm sorry. I spoke while you were

1 answering and that was one of the things I told you  
2 I wasn't going to do. I'm sorry.

3 Can you tell us how your teacher for  
4 English in ninth grade was very dull?

5 A. Well, he had a dull voice so it was hard to  
6 keep our attention to him. And just the extent to  
7 which he went into the story, and ... I don't know.

8 Q. Okay.

9 A. The story was Romeo and Juliet, so it  
10 was ... it wasn't interesting at all.

11 Q. Did you not like the story, or you didn't  
12 like the way he presented it?

13 A. Yeah, and he -- well, I liked the story but  
14 just to get into every detail of it was pretty dull.

15 Q. Okay. Lizette, can you tell me who your  
16 ninth grade English teacher was, if you can  
17 remember.

18 A. Oh, [REDACTED]

19 Q. Was he your English teacher for both  
20 semesters?

21 A. Yes.

22 Q. Can you tell me who your teacher for  
23 French 1 was?

24 A. Well, the first semester it was -- I don't  
25 remember his ... Mister ... he had a difficult name.

1 sorry. And that's why I got into soccer because  
2 that was the only way.

3 BY MR. CHOATE:

4 Q. Okay. Was Ms. Wills your teacher for  
5 Integrated Math in the second semester of ninth  
6 grade, also?

7 A. Yes.

8 Q. Okay. Who was your science teacher in  
9 ninth grade?

10 A. I don't remember, I get my C track science  
11 teachers confused. But at first it was -- it was a  
12 teacher that was never there. And then the second  
13 semester, I think it was Ms. Puri.

14 Q. Puri?

15 A. P U R I.

16 Q. You can't remember who your Integrated  
17 Science teacher was in the first semester?

18 A. No, I don't remember his name, but he's --  
19 he's currently the softball coach. I think his name  
20 is Mr. Hernandez, I'm not sure.

21 Q. Mr. ...

22 A. Hernandez?

23 I'm not sure.

24 Q. Okay. Do you know who your geography  
25 teacher was?

1 I don't remember it.

2 Q. Okay. How about the second semester?

3 A. [REDACTED]

4 Q. Okay. Who was your Integrated Math  
5 teacher?

6 A. Ms. Wills.

7 Q. Ms. Wills, was that the same one you had  
8 for ...

9 A. C track.

10 Q. C track?

11 A. But first I changed teachers because one of  
12 them, I don't remember her name, I think she was  
13 Korean and she didn't teach at all. She just gave  
14 us a book and put the assignment on the board and  
15 expected us to figure it out.

16 Q. Was this a teacher you had in Integrated  
17 Math?

18 A. Yes, in -- in tenth grade.

19 Q. In tenth grade?

20 A. Yes.

21 Q. Okay.

22 A. In integrated 3.

23 MR. CHOATE: Okay.

24 THE WITNESS: And so -- I tried to get out  
25 of her class to Ms. Wiese -- to Ms. Wills, I'm

1 A. Mr. Valenzuela.

2 Q. For both semesters?

3 A. Yes.

4 Q. How about your PE teacher?

5 A. Mr. -- for freshman, for when I was a  
6 freshman?

7 Q. Yeah, ninth grade.

8 A. I think it was Mr. Parkhill.

9 Q. For both semesters?

10 A. Yes.

11 Q. Who was your favorite teacher in ninth  
12 grade?

13 A. Oh, I remember my first French teacher. It  
14 was Mr. Pakraduni.

15 Q. Can you spell that because I'm not sure I  
16 can.

17 A. I think it is P A K R A D U N I. I'm not  
18 sure.

19 Q. Okay.

20 Which of your ninth grade teachers was your  
21 most favorite teacher?

22 A. (Examining document.)

23 Ms. Wiese -- I mean Ms. Wills. Sorry.

24 Q. And what made her your most favorite  
25 teacher?

1 A. Because she explained the math really good.  
 2 Q. Okay.  
 3 A. She was pretty laid back and ... because  
 4 she -- I think she taught pretty good.  
 5 Q. Is it -- is it easier to learn, you think,  
 6 with a teacher who is laid back and explains things,  
 7 easier for -- for you?  
 8 A. Yes.  
 9 She just brought out the most important  
 10 things we had to learn, and she made it easy.  
 11 Q. You think that's one of the reasons why you  
 12 got a good grade in math?  
 13 A. Yes.  
 14 Q. Who was your least favorite teacher in  
 15 ninth grade?  
 16 A. It's hard to chose, but ... I would say  
 17 [REDACTED]  
 18 Q. Your French teacher?  
 19 A. Yes.  
 20 Q. And why -- why do you think that -- why was  
 21 she your least favorite teacher?  
 22 A. Because she was pretty mean, and ...  
 23 basically that.  
 24 Q. Do you think that -- that that had  
 25 something to do with why you got a [REDACTED] in your second

1 like I don't -- I don't really think my grades mean  
 2 anything because she doesn't really -- she's kind of  
 3 senile, so she really forgets to teach us things, or  
 4 she goes through the same thing three times a week  
 5 and teaches -- puts on the same video three times a  
 6 week.  
 7 Q. And is this [REDACTED]  
 8 A. Yeah.  
 9 And it makes it -- it's just ... I don't  
 10 know.  
 11 Q. Okay. Are there any other reasons you can  
 12 think of why your grades don't reflect your true  
 13 academic abilities other than the style of teaching  
 14 of some of your teachers?  
 15 A. That's basically it.  
 16 Q. Okay. Have you ever received any awards or  
 17 distinctions while you've been at Huntington Park  
 18 Senior High School?  
 19 A. Yeah.  
 20 Well, the government scholarship, the  
 21 scholarship from the governor.  
 22 Q. Are you referring to the letter that you  
 23 received from Governor Davis?  
 24 A. Yes.  
 25 And ... I guess that's basically it.

1 semester in French --  
 2 A. Yes.  
 3 Q. -- in ninth grade?  
 4 A. Yeah.  
 5 Q. Okay.  
 6 A. Because she's -- she pretty much -- she  
 7 pretty much graded us on how we spoke French. And  
 8 she was like -- she wanted it to be perfect, and we  
 9 didn't really know much CK what was perfect French.  
 10 Q. Do you like French?  
 11 A. I liked it before she came along.  
 12 Q. Do you still try to speak French?  
 13 A. I just remember the basic things. Or Yuki  
 14 Kidokoro, the youth coordinator, she used to help me  
 15 with my French homework and my projects. And that's  
 16 why I didn't understand why she was really harsh.  
 17 Q. Do you think that your grades in general  
 18 reflect your true academic abilities?  
 19 A. No.  
 20 Q. Okay. Can you tell me -- can you tell me  
 21 why you don't think so?  
 22 A. Because some of the teachers, either they  
 23 make it too easy or they try to make it hard, really  
 24 hard.  
 25 And like my Spanish teacher, for example,

1 MR. CHOATE: Let me just take a minute to  
 2 read the letter.  
 3 MS. CHECEL: Sure.  
 4 MR. CHOATE: Thanks.  
 5 (Pause in the proceedings.)  
 6 MR. CHOATE: Can we mark as Exhibit 6 the  
 7 document which appears to be a letter from Gray  
 8 Davis.  
 9 Counsel, do you have your own copies?  
 10 MS. CHECEL: I do.  
 11 MR. FRIEDMAN: Yes.  
 12 (The document referred to was marked by the  
 13 Reporter as Deposition Exhibit 6 for identification  
 14 and is attached hereto.)  
 15 BY MR. CHOATE:  
 16 Q. Lizette, have you seen this letter before?  
 17 A. Yes.  
 18 Q. Do you know when you received this letter?  
 19 A. About two weeks ago.  
 20 Q. Was this the first time that you learned  
 21 that you may be eligible to receive a scholarship?  
 22 A. Yes.  
 23 Q. The -- I think this letter indicates that  
 24 you're supposed to fill out an attachment. Was  
 25 there some documentation that you had to fill out

- 1 and send back to somebody?  
 2 A. Not that came -- it didn't come with this  
 3 letter, but I had to be onto the website and fill  
 4 out some information.  
 5 Q. Is it your understanding that you received,  
 6 or will receive a \$1,000 scholarship based on your  
 7 test score on the STAR exam?  
 8 A. Yes.  
 9 Q. Do you know what your test score on the  
 10 STAR exam was?  
 11 A. No, not exactly, but I heard it was pretty  
 12 high.  
 13 Q. What are you going to do with the thousand  
 14 dollars?  
 15 A. Use it for college supplies or ...  
 16 Q. Do you plan on going to college?  
 17 A. Yes.  
 18 Q. Where do you want to go?  
 19 A. I want to go to Occidental, but I don't  
 20 know where I will go.  
 21 Q. Were you proud when you received this  
 22 letter?  
 23 A. Yeah.  
 24 Q. Do you have any classes this year in which  
 25 you are not assigned homework, Lizette?

- 1 A. No.  
 2 Q. Do you recall any --  
 3 A. Well, track --  
 4 Q. I'm sorry.  
 5 A. Track and field, but ...  
 6 Q. Okay. Can you recall any classes last  
 7 year, other than sports-related classes, in which  
 8 you didn't receive any homework?  
 9 A. No.  
 10 Q. Okay. Do you usually get homework on a  
 11 daily basis in your classes?  
 12 A. Yes.  
 13 Not really, actually, because some classes,  
 14 like Spanish, the teacher forgets to give us  
 15 homework. Or English, we usually have to study on  
 16 our own. Or AP history, we just -- the teacher  
 17 gives us -- we have to read two chapters.  
 18 Well, he tells us what we have to do when,  
 19 but he doesn't -- he gives us like a week to do the  
 20 homework, which is two chapters and all the work  
 21 that corresponds to it in the workbook for history,  
 22 but it's basically our responsibility to have it  
 23 done.  
 24 Q. It sounds like you have a lot of homework  
 25 in your history class?

- 1 A. Yeah.  
 2 Q. When you get homework in your classes, do  
 3 you generally do it?  
 4 A. Yes.  
 5 Q. Do you complete all your homework  
 6 assignments?  
 7 A. Yes. Probably miss an assignment or two  
 8 during the year.  
 9 Q. Okay. Do you seek -- seek help from  
 10 anybody for homework that you may be assigned in  
 11 classes?  
 12 A. Well, I get tutored from my math teacher  
 13 regularly.  
 14 Q. Uh-huh, yeah.  
 15 A. And in the past, I've got tutoring for  
 16 French by the youth coordinator.  
 17 Q. Uh-huh.  
 18 That's Yuki; right?  
 19 A. Yes. And that was basically it.  
 20 Q. Do you ever ask any other teachers other  
 21 than your math teacher to help you with homework?  
 22 A. Yes. I usually ask the club sponsor to  
 23 help me with my science homework.  
 24 Q. Is the club sponsor a teacher of yours?  
 25 A. Yes, she's the science teacher.

- 1 Q. Do you ask her to help you after class,  
 2 or ...  
 3 A. Just -- I don't know, it ranges.  
 4 Q. I'm sorry.  
 5 A. I don't know, it's not a regular basis.  
 6 Q. Okay. Do you ask any other teachers other  
 7 than your math teacher to help you with your  
 8 homework on a regular basis?  
 9 A. My history teacher, I usually talk to him  
 10 about any events that I didn't understand in the  
 11 book --  
 12 Q. Okay.  
 13 A. -- or ...  
 14 Q. And would you -- and when do you usually  
 15 talk with your history teacher?  
 16 A. It changes. Sometimes at lunch.  
 17 Q. Okay.  
 18 A. I usually go to my math teacher or my  
 19 history teacher.  
 20 Q. Do you ever ask -- ask any friends to help  
 21 you with your homework?  
 22 A. No.  
 23 Q. Do you ever ask any family members to help  
 24 you with your homework?  
 25 A. No.

- 1 Q. Do you have any tutors outside of school?  
 2 A. No.  
 3 Q. Okay. When you are assigned homework in  
 4 your classes, where do you normally do your  
 5 homework?  
 6 A. Well, my math homework, I usually do it at  
 7 school, or the rest at home.  
 8 Q. Okay.  
 9 A. Or in the office, in the C.B. office.  
 10 Q. In the C.B. office?  
 11 A. Yeah, the Community for a Better  
 12 Environment office.  
 13 Q. When you do your math homework at school,  
 14 where do you usually do your math homework?  
 15 A. In the teacher's, Ms. Wiese's class.  
 16 Q. And at home, do you have your own place to  
 17 study?  
 18 A. No. I have a desk, but it's in the  
 19 hallway, so ...  
 20 Q. Is it -- is it difficult to concentrate at  
 21 your desk?  
 22 A. Yes.  
 23 Q. Do you think that -- when you study at home  
 24 at your desk, is it noisy?  
 25 A. Yes.

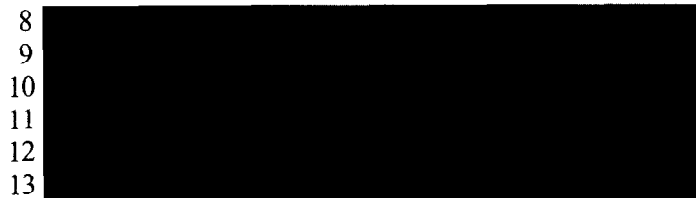
- 1 Q. Who -- what family members do you live with  
 2 at your home?  
 3 A. My mother, my father, my little brother, my  
 4 little sister, and my dad's cousin and his wife.  
 5 And my big brother on weekends.  
 6 Q. Do you think that -- that because you don't  
 7 have a quiet place to study at home, do you feel  
 8 that sometimes that -- that interferes with your  
 9 ability to -- to learn in any of your classes?  
 10 A. Sometimes.  
 11 Q. How do you think that -- that affects your  
 12 ability to learn?  
 13 A. Because sometimes my little sister turns on  
 14 the TV while I'm doing my homework and she won't  
 15 leave, or ... or there -- my siblings are usually  
 16 arguing and -- or they put on the music really loud.  
 17 Q. Do you ask them to stop sometimes so you  
 18 can study?  
 19 A. Yes.  
 20 Q. Will they stop so you can study?  
 21 A. No.  
 22 Q. Are there any other ways that you think  
 23 your -- strike that.  
 24 Are there any -- other than noise that  
 25 you've talked about from your -- from your siblings,

- 1 are there any other conditions in your home that you  
 2 think make it -- make it difficult for you to learn  
 3 in classes?  
 4 MS. CHECEL: Objection. You are starting  
 5 to get into some information that's bordering on  
 6 private and that's not really relevant to the case.  
 7 You can answer if you think of anything  
 8 else.  
 9 THE WITNESS: No.  
 10 MR. CHOATE: Okay.  
 11 BY MR. CHOATE:  
 12 Q. Do you have a computer at home?  
 13 A. Yes.  
 14 Q. What kind of computer do you have?  
 15 A. I don't know what -- what mark it is -- I  
 16 don't know how to say it in English.  
 17 MS. CHECEL: Brand.  
 18 THE WITNESS: Brand, but it's an IBM  
 19 computer.  
 20 BY MR. CHOATE:  
 21 Q. Do you use your computer for your school  
 22 work?  
 23 A. Yes.  
 24 Q. What kind of things do you do with your  
 25 computer for school?

- 1 A. Well, I used to get on the Internet to do  
 2 the research, but it was Juno so ... but I used it  
 3 too much so --  
 4 MS. CHECEL: Juno?  
 5 THE WITNESS: Yeah.  
 6 BY MR. CHOATE:  
 7 Q. What is Juno?  
 8 A. It's like a free service, but you're only  
 9 allowed to use it for a certain time a month, and my  
 10 siblings took advantage of it.  
 11 But I usually just type my reports in it.  
 12 Q. On your computer?  
 13 A. Yes.  
 14 Q. Do you still have access to the Internet at  
 15 home?  
 16 A. No.  
 17 Q. Because your siblings used it too much?  
 18 A. Yeah.  
 19 Q. When you had access to the Internet before,  
 20 did that help you for school?  
 21 A. Yes.  
 22 Q. How did that help you?  
 23 A. Because sometimes -- well, during vacation,  
 24 I had to do AP history homework --  
 25 Q. Uh-huh.



1 A. -- so I had -- since the teacher got into a  
2 car accident, I had the opportunity to log on and do  
3 my homework through the Internet and find out what  
4 assignments I had to do. And he would usually  
5 email, tell me, like, what assignments I had to do.  
6 And he would post the tests on his -- on his  
7 website.



14 MR. CHOATE: Okay. Can we go off the  
15 record.

16 (Discussion held off the record.)

17 (At 12:30 p.m. the deposition  
18 was adjourned for noon recess.)

19 /// (Please see next page.) ///

20  
21  
22  
23  
24  
25

EXAMINATION RESUMED

1 BY MR. CHOATE:

2 Q. Lizette, do you know how many students  
3 attend Huntington Park Senior High?

4 A. I'm not sure, because ... but from my  
5 understanding, I believe it is around 1200, but I'm  
6 not sure if that's at once or when -- or in total.

7 Q. Okay. You're not -- you're not sure if  
8 1200 students attend Huntington Park Senior High at  
9 any one time, or whether that's the total number of  
10 students that attended Huntington Park at all times?

11 A. Correct.

12 Q. Okay. How many -- are there several tracks  
13 of students at Huntington Park?

14 A. Yes. There's three tracks.

15 Q. Okay. And are you currently on the  
16 A track?

17 A. Yes.

18 Q. Do you know approximately how many students  
19 are on your A track?

20 A. I don't know.

21 Q. Can you try and estimate for me?

22 A. I'm not sure.

23 Q. Do you think there's less than a thousand?

24 A. Yes.  
25

1 (At 1:56 p.m., the deposition  
2 of LIZETTE RUIZ was reconvened  
3 with the same persons present.)  
4 -oOo-

5  
6 MR. CHOATE: I believe earlier  
7 today Lizette mentioned some documents that she  
8 has at home that are responsive to the request for  
9 production --

10 MS. CHECEL: Uh-huh.

11 MR. CHOATE: -- I would like to have those  
12 documents produced. Can we have -- or can you have  
13 Lizette take the time to look through her papers and  
14 see whatever documents she has that are responsive,  
15 including but not necessarily limited to what we're  
16 talking about?

17 MS. CHECEL: Yeah.

18 You have all the documents at home?

19 THE WITNESS: Uh-huh.

20 MS. CHECEL: So you can get those to me?

21 THE WITNESS: Uh-huh.

22 MS. CHECEL: And then I'll produce them.

23 MR. CHOATE: Okay. Thanks.

24 /// ///

25

1 Q. Do you think there's less than 500?

2 A. Possibly.

3 Q. Okay. So you think that possibly there's  
4 less than 500 students on A track?

5 A. Yes.

6 Q. But you do think there are less than a  
7 thousand students on A track?

8 A. Yes.

9 Q. Okay. Are you familiar with how students  
10 are -- actually, strike that, please.

11 Lizette, are you familiar with how students  
12 are assigned to tracks at Huntington Park Senior  
13 High School?

14 A. No, I'm not.

15 Q. I believe you indicated that you attended  
16 Gage Middle School?

17 A. Yes.

18 Q. Was Gage Middle School a multitrack school?

19 A. Yes.

20 Q. Do you recall how many tracks there were at  
21 Gage Middle School?

22 A. Three.

23 Q. What track were you assigned to when you  
24 were at Gage Middle School?

25 A. C track.

1 Q. C track.  
 2 And I think you indicated that you were  
 3 originally on C track when you began attending  
 4 Huntington Park Senior High; is that correct?  
 5 A. Yes.  
 6 Q. Were you on C track throughout all of ninth  
 7 grade?  
 8 A. Yes.  
 9 Q. Okay. And for -- for what portion of your  
 10 tenth grade year were you on C track?  
 11 A. The first semester.  
 12 Q. Okay. You completed your first semester of  
 13 tenth grade on C track and then the second semester  
 14 of tenth grade, was that on A track?  
 15 A. Yes.  
 16 Q. Okay. And all of eleventh grade so far has  
 17 been on A track?  
 18 A. Yes.  
 19 Q. Do you know why you were assigned to  
 20 C track in the ninth grade when you started at  
 21 Huntington Park Senior High?  
 22 A. I believe it was because I was currently  
 23 enrolled in C track. Well, in Gage Middle School, I  
 24 was in C track.  
 25 Q. Okay.

1 A. And throughout elementary school as well.  
 2 Q. You -- and what was the elementary school  
 3 that you said you went to?  
 4 A. Middleton Street.  
 5 Q. Was that also a multitrack school?  
 6 A. Yes.  
 7 Q. Were there also three tracks at Middleton  
 8 School?  
 9 A. To what I can recall, yes.  
 10 Q. I know that was a long time ago.  
 11 Were you also on C track at Middleton  
 12 School?  
 13 A. Yes.  
 14 Q. Are a lot of your friends at Huntington  
 15 Park Senior High right now, are they students who  
 16 have gone through elementary school and middle  
 17 school together with?  
 18 A. Yes, most of them.  
 19 Q. Most of them?  
 20 Were most of your friends on C track, when  
 21 you were in the ninth grade? Were those students  
 22 also on C track at Gage Middle School?  
 23 A. Yes, most of them.  
 24 Q. Most of them.  
 25 And were most of those students who were on

1 C track with you at Gage Middle School, were they  
 2 also on C track with Middleton Elementary School?  
 3 A. Not most of them because it ranged because  
 4 a lot of the students in the middle school came from  
 5 different schools.  
 6 Q. Okay. But most of your friends who were on  
 7 C track at Gage Middle School were on C track when  
 8 you started at Huntington Park Senior High school?  
 9 A. Some of them.  
 10 Q. Some of them?  
 11 Not most of them, though?  
 12 A. No.  
 13 Q. Do you know why some of your friends were  
 14 on C track with you at Huntington Park Senior High?  
 15 Strike that.  
 16 Do you know why you and some of your  
 17 friends in -- were on C track at Gage Middle School  
 18 and also on the C track at the beginning in ninth  
 19 grade at Huntington Park Senior High School?  
 20 A. Well, I believe that once you're in the  
 21 track you stay in it until they either move you for  
 22 a reason for some ... I don't know. The reasons I  
 23 don't know.  
 24 Q. Okay. Do you know why students are usually  
 25 assigned to the same track in high school that they

1 were on in middle school?  
 2 A. I don't know. I guess because -- because  
 3 they're -- there's too many students.  
 4 Q. Do you think that one of the reasons might  
 5 be so that students can continue throughout school  
 6 with their friends?  
 7 MS. CHECEL: Objection. She just answered  
 8 that she didn't know why students are placed on  
 9 A track.  
 10 MR. CHOATE: Well, I think she said she  
 11 thought, she didn't know why, but ...  
 12 MS. CHECEL: But you can answer the  
 13 question.  
 14 BY MR. CHOATE:  
 15 Q. You can answer the question.  
 16 A. Well, my understanding is there's tracks  
 17 because there's not enough room for all the students  
 18 to be enrolled in school at once.  
 19 But why they're -- why we're changed from  
 20 one school to another in tracks, I guess, I don't  
 21 know, I have no idea.  
 22 Q. Okay. So your understanding is that there  
 23 are -- there are separate tracks because there is  
 24 not enough room for all the students?  
 25 A. Yeah, to be enrolled in school at the same

1 time.

2 Q. Okay. Do you think there is any other

3 reason why there are tracks?

4 A. Not to my knowledge.

5 Q. Okay. On what is your understanding based

6 that for the reason why -- strike that.

7 I think you indicated that there are

8 different tracks because there's not enough room for

9 all the students to be on one track. On what do you

10 base that understanding?

11 A. Well, what some teachers told me before,

12 on what I've heard from people.

13 Q. Okay. What -- what did teachers tell you

14 before? Can you --

15 A. Well, I asked teachers because -- well, I

16 found that not all schools had tracks because some

17 of my family members live in different cities, and I

18 asked my teachers -- well, I don't remember what

19 teacher, but I know I asked a teacher and she told

20 me because there wasn't enough room for all the

21 students.

22 Q. Okay. Can you remember who that teacher

23 was?

24 A. I don't know if it was my second grade

25 teacher or third.

1 Q. Okay. Do you know when you asked your

2 teacher? Do you know how long ago that was?

3 A. Years, I don't know.

4 Q. Years.

5 Have you ever asked any teachers at

6 Huntington Park Senior High why there are different

7 tracks?

8 A. No.

9 Q. Okay. When did you first learn that there

10 were other schools that didn't have tracks like at

11 Huntington Park Senior High?

12 A. Well, like the high school, recently --

13 well, speaking to friends -- well, people that I've

14 met that come from, like, the Valley --

15 Q. Uh-huh.

16 A. -- and it was like around last year that I

17 spoke to a friend. And she told me that the schools

18 over there are really nice, that they are nothing

19 like the schools in Huntington Park, well, like the

20 high school.

21 Q. What friend was this? Do you know her

22 name?

23 A. Yes, her name Michaeline.

24 Q. Do you know what Michaeline's last name

25 is?

1 A. Miramontes.

2 Q. Can you spell that for me, please.

3 A. M I R A M O N T E S.

4 Q. Thanks.

5 Okay. Michaeline Miramontes is a friend of

6 yours who goes to school in the Valley?

7 A. [REDACTED]

8 [REDACTED] she's been through schools over there.

9 Q. Do you know what schools she's attended?

10 A. Azusa High. I don't know if she attends

11 it. She lives across the street from it so she's

12 been there.

13 Q. Okay. Is this what she told you?

14 A. Yes.

15 MR. FRIEDMAN: I'm sorry, what school did

16 you say she attended?

17 THE WITNESS: Well, she went to visit Azusa

18 High School.

19 BY MR. CHOATE:

20 Q. But you don't know if she ever attended

21 Azusa High School?

22 A. I doubt it.

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 Q. Okay. But she told you that schools in the

5 Valley -- or strike that.

6 What did she tell you about the schools in

7 the Valley?

8 A. That they're nothing like Huntington Park.

9 That they actually have -- that they look like

10 malls, or like college campuses. That the soccer

11 field is always green and has grass.

12 And that -- that there's nice water

13 fountains, and that the bathrooms are clean. And

14 that they have -- they look like bathrooms better

15 than McDonalds'.

16 Q. Did she tell you anything else about the

17 schools in the Valley?

18 A. She told me a lot of things, but most of

19 them were basic, like that they ... what did she

20 tell me?

21 She said their soccer is really good, and

22 their football team is nothing like HP's.

23 Q. I don't know if I asked you this, but can

24 you tell me when you spoke to Michaeline about this?

25 A. I can't remember the time, but I guess it's

1 been ongoing because I usually tell her what we're  
2 doing in the organization or what -- what we're  
3 doing in the club.

4 Q. Do you talk to her often, Michaeline?

5 A. Yeah.

6 Q. And you indicated that Michaeline -- that  
7 she was home schooled?

8 A. Yeah.

9 Q. Do you know how long she's been home  
10 schooled for?

11 A. No.

12 Q. What grade is she in now?

13 A. She's going to get her G.E.D. this year, so  
14 she's a senior.

15 Q. She's getting a J.D.?

16 A. G.E.D.

17 Q. Oh, G.E.D., I'm sorry. Excuse me.

18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]

21 Q. Did she receive home schooling when she was  
22 in high school, or was it prior to that?

23 A. I don't think she's ever been in a high  
24 school, like enrolled. But ... I don't know, she  
25 just mentioned she was home schooled for a while.

1 Q. Okay. Did you speak to any other students  
2 about schools like the schools in the Valley that  
3 aren't multitrack schools?

4 A. No.

5 Q. Okay. So the only -- I just want to make  
6 sure I understand.

7 The only friend of yours who you've  
8 spoken with about -- about schools that aren't  
9 multitrack schools like Huntington Park Senior  
10 High is Michaeline Miramontes?

11 A. Friends, yes.

12 Q. Okay. Have you spoken to adults about  
13 schools that are not multitrack schools?

14 A. No.

15 Q. Okay. Lizette, I just want to ask you a  
16 few questions about when -- kind of the schedule of  
17 the different tracks, if you know.

18 Do you know when -- what time of year the  
19 A track begins?

20 A. Around July.

21 Q. A track begins around July?

22 A. Yes.

23 Q. Okay. And do you know what time of year  
24 the A track school year ends?

25 A. Or actually, no, the -- I'm sorry. I'm not

1 used to A track, but ...

2 No, let me rephrase that. I mean, let me  
3 clear that up.

4 Q. That's okay.

5 A. A track begins in ... September.

6 Q. Okay. And do you know when the school year  
7 for A track ends?

8 A. Let's see. Before July.

9 Q. Okay. Do you think that the A track ends  
10 sometime in June?

11 A. Yes.

12 Q. Okay.

13 A. Yeah.

14 Q. You know, again, if you think later on down  
15 the line you remember -- you think that maybe it  
16 begins or ends at a different time, just tell me.

17 A. Okay.

18 Q. Well, when you start school on A track, how  
19 long are you in school before you take a break; do  
20 you know?

21 Do you know how many weeks of -- of school  
22 you have before you take a break?

23 A. Weeks? I don't know, but -- well, we have  
24 holidays off, but -- which is only like one holiday,  
25 well, the day of the holiday.

1 Q. Uh-huh.

2 A. But we usually stay in school four months.

3 Q. For four months?

4 A. Yes.

5 Q. Okay. And then you take a break?

6 A. Yes.

7 Q. Okay. Do you know how long of a break you  
8 take?

9 A. Two months.

10 Q. Two months.

11 And then you come back on for four months?

12 A. Four months.

13 Q. And that's your school year?

14 A. I think A track, I'm not sure if it's  
15 different, but they told me that all the tracks get  
16 the same days, but during Christmas, we get the week  
17 off.

18 Q. Who told you that all the tracks get the  
19 same days?

20 A. Teachers. I don't know exactly who, I  
21 always ask different people.

22 Q. Okay. Did they -- did the teachers ever  
23 tell you how many days you get on each track?

24 A. No.

25 Q. Okay. But you're sure that all -- that all

1 students on each of the tracks have the same days?

2 A. I don't know if it's exactly the same days,  
3 but I guess around the same days.

4 Q. Do you know when -- what time of year the  
5 B track starts?

6 A. I'm not sure about B track.

7 Q. Okay. What about the C track, do you know  
8 what time of year C track starts?

9 A. July.

10 Q. July, okay.

11 And do you know roughly when -- when  
12 C track ends?

13 A. Around October.

14 Q. Around October? Okay.

15 When you -- in -- like in ninth grade when  
16 you began on C track in July, do you know how much  
17 time of instruction you had before you took a break?

18 A. Four months.

19 Q. Four months?

20 A. It's the same for all the tracks.

21 Q. So are you -- to the best of your  
22 recollection, do you -- are you saying that C track  
23 students start in July, have four months of  
24 instruction --

25 A. Yes.

1 school year in January.

2 Q. Okay. So you think that the B track starts  
3 in January and ends sometime in December?

4 A. Yes.

5 Q. And do you -- do you think that the  
6 B track goes for 16 weeks on, eight weeks off, 16  
7 weeks on, like the other tracks?

8 A. Yes. Well, they get Christmas off and  
9 that, but ...

10 Q. Okay. Are you familiar with the --  
11 with the procedure for -- for changing tracks  
12 at Huntington Park Senior High?

13 A. No.

14 Q. Okay.

15 A. Well, I guess, usually -- like when I  
16 changed tracks, it was really hard because A track  
17 was the track that's most filled with students. And  
18 I -- but usually you just have to go to Mr. Isaacs,  
19 I think is his name, and he changes people from  
20 track to track.

21 But usually friends tell me that they get  
22 changed, their -- they get changed from one track to  
23 another like without them even knowing.

24 Q. Okay.

25 A. Or being notified.

1 Q. -- then a break of eight weeks --

2 A. Yeah.

3 Q. -- and then -- and then four months more of  
4 instruction?

5 A. Uh-huh, yes.

6 Actually I think B track might start around  
7 November.

8 Q. You think maybe it starts in November?

9 A. Yes. Because their schedule is really  
10 messed up. Because I think since it is four months  
11 of school, two months they spend in the -- finishing  
12 the school year, and then the -- the other two  
13 months, I think after Christmas, or in January,  
14 they -- they start the new school year.

15 Q. Okay. I'm a little confused, could you  
16 explain that to me again.

17 A. Yeah.

18 Well, because I told you every track gets  
19 four -- four months of instruction. So theirs --  
20 the end of their school year starts in -- I mean  
21 ends in December.

22 Q. The B track school year ends in December?

23 A. Yes.

24 Q. Okay.

25 A. And they start their -- their -- the next

1 Q. Okay. You changed tracks from C track to  
2 A track for the -- around the second semester of  
3 your tenth grade year; is that right?

4 A. Yes.

5 Q. Why -- why did you change tracks?

6 A. Because I was going to apply for --  
7 actually there were three different things. One was  
8 law camp; the other was internship at CBE, and the  
9 other was ... I don't know how to say it, it was an  
10 opportunity to be accepted to Berkeley. And for  
11 Berkeley, the Berkeley one, you had to change  
12 tracks. And for the law camp, you had to change  
13 tracks, also.

14 Q. Okay. Let's talk about the law camp first.

15 Could you tell me what the law camp was?

16 A. I don't remember the name of it, but it was  
17 basically like an opportunity to also be -- become  
18 an intern and to be -- to go through what lawyers go  
19 through.

20 Q. Okay. Are you sure after today you're  
21 going to still want to be a lawyer?

22 A. I don't know.

23 Q. Well, I hope you do.

24 Where -- where was this law camp? Is it --  
25 was it an organization, or was it -- I mean, can you

1 describe it for me a little bit?

2 A. It was an organization, I think it had to  
3 do something with the ACLU, but ...

4 Q. Okay.

5 A. I know somehow it was tied to the ACLU.

6 Q. How did you find out about it?

7 A. Through my college counselor.

8 Q. Do you know what his name is?

9 A. Or her name.

10 Q. Her name, I'm sorry.

11 A. Ms. Loya.

12 Q. Can you recall what -- what the law camp  
13 had to do with the ACLU?

14 A. I think there was -- I'm not sure if they  
15 were sponsoring it. I'm not -- I'm not sure.

16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

1 A. No.

2 Q. I think you also indicated that you wanted  
3 to change tracks for the -- for an opportunity to  
4 get into Berkeley?

5 A. Yes.

6 Q. Can you explain to me what that was?

7 A. It was an opportunity to -- to  
8 automatically be accepted into Berkeley, but you  
9 had to have a [REDACTED] GPA average.

10 Q. Yeah.

11 A. And it depended a lot on community service,  
12 also.

13 Q. Right.

14 A. And from my understanding from the college  
15 counselor, I had a really good opportunity. [REDACTED]

16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]

20 Q. Was -- was this opportunity to get into  
21 Berkeley, was this offered through some type of  
22 organization or --

23 A. I don't know what the organization was. I  
24 don't know if it was.

25 Q. Okay. Did -- I guess I'm just kind of

1 [REDACTED]  
2 [REDACTED]

3 Q. Oh, okay.

4 Well, I think you indicated that another  
5 one of the reasons why you wanted to change -- let  
6 me back up for a second.

7 Did somebody at the law camp tell you that  
8 in order to -- to participate in the program you  
9 would have to change tracks?

10 A. Yes. It was stated in the application.

11 Q. Can you recall what the application said?

12 A. I think it was only available for people on  
13 A track.

14 Q. Do you have a copy of that application for  
15 it?

16 A. No, I don't think I have it anymore.

17 Q. Did you call or did you ask anybody at law  
18 camp whether -- whether there was some accommodation  
19 that you could work out so you wouldn't have to  
20 change tracks?

21 A. I don't think it was possible because it  
22 was a week-long camp and the internship was offered  
23 during the day.

24 Q. Okay. But did you ask anybody at the law  
25 camp?

1 confused. I mean, what -- were -- was -- was it  
2 some group that you were trying to meet with that  
3 would help give you an opportunity into Berkeley, or  
4 was it Berkeley itself?

5 A. It was the college counselor that let me  
6 know about it.

7 Q. Okay. This is Mrs. Loya?

8 A. Yes.

9 Q. Did Mrs. Loya tell you you would have  
10 to change tracks in order to take part in this  
11 opportunity?

12 A. Yes.

13 Q. Can you tell me specifically what she said  
14 to you?

15 A. Well, she basically made a presentation to  
16 my class and talked about it. And she said that if  
17 anybody was interested that you had to change  
18 tracks.

19 Q. Did she tell you why you had to change  
20 tracks?

21 A. Because there was a -- I guess a six-week  
22 orientation or something like that that we had to go  
23 up north to the Berkeley campus, and I don't know  
24 what the word is, but live in the dorm and go  
25 through some of the classes to prepare us.

1 Q. She, Ms. Loya, made a presentation to your  
2 class. What class was that?  
3 A. It was my English class.  
4 Q. And was this during your first semester of  
5 tenth grade?  
6 A. Yes.  
7 Q. Did you ask Mrs. Loya if there was any way  
8 to take part in this opportunity without changing  
9 tracks?  
10 A. I think I did. Or I don't know if somebody  
11 else asked, and she said there was no way, you had  
12 to change.  
13 Q. Did she say that to you, or did she say it  
14 to anybody else?  
15 A. I think it was during the question period  
16 of the presentation.  
17 Q. Okay. But you were -- you were unable to  
18 take part in that opportunity because of the French  
19 class grade?  
20 A. Yes.  
21 Q. And then I think the third reason why you  
22 wanted to change tracks was to participate in the  
23 internship at the C.B.E.?  
24 A. Yes.  
25 Q. Okay. Did anybody at the C.B.E. tell you

1 convenient to change tracks?  
2 A. Because if she would have been in A track,  
3 she would have been working while she was on  
4 vacation.  
5 Q. Okay.  
6 A. And a lot of the orientation dates are also  
7 during the A track vacation.  
8 Q. Uh-huh.  
9 Did you ask anybody whether you could  
10 take -- or participate in the internship program at  
11 C.B.E. without changing tracks?  
12 A. No.  
13 Q. Okay. But you could have participated  
14 in the internship program without changing tracks,  
15 though; isn't that right?  
16 A. Yes.  
17 Q. Okay. Now, I think we spoke earlier  
18 about -- about what you -- about what your  
19 responsibilities were at C.B.E. in the internship.  
20 I think you indicated that you helped plan -- plan  
21 meetings?  
22 A. Yes.  
23 Q. Did you -- did you do any other types of  
24 work for them?  
25 A. Well, just typing information for like

1 that you had to change tracks in order to take part  
2 in the internship?  
3 A. Not just -- well, a youth member who had  
4 taken part in the internship in the year prior had  
5 told me that since she was C track that it really  
6 got in her way a lot because of school and the  
7 homework and having to work after school.  
8 Q. Okay. Did -- do you know who -- what the  
9 name was of this youth member?  
10 A. Yes. It was Vanessa Garcia.  
11 Q. Vanessa Garcia.  
12 Do you recall when you spoke to Vanessa  
13 about your interest in C.B.E.?  
14 A. About the interest in being an intern?  
15 Q. Well, I guess what I want to know is when  
16 you -- is when did you speak with Vanessa about --  
17 about whether you should change tracks in order to  
18 participate in C.B.E.  
19 A. I would say the year before while she was  
20 an intern.  
21 Q. Okay. I want to make sure that my  
22 understanding is right. Did she tell you that it  
23 would be more convenient to change tracks?  
24 A. Yes.  
25 Q. Okay. And why -- why would it be more

1 fliers or helping make a newsletter.  
2 Q. Uh-huh.  
3 A. And that was basically it. And putting  
4 together a small -- what's it called? --  
5 brochure-type booklet.  
6 Q. What was that brochure for; do you  
7 remember?  
8 A. Just -- it would -- it had basic  
9 information about toxic hot spots around the  
10 L.A. area from which we do our toxic tours.  
11 Q. Toxic tours?  
12 A. Yes, it's basically just a tour around the  
13 city where there's toxic -- well, hot spots or areas  
14 where there's a lot of contamination from the  
15 factory or -- yeah, basically they are factories and  
16 contaminated schools.  
17 Q. How long did the internship last; do you  
18 remember?  
19 A. Around two months.  
20 Q. Two months?  
21 Did you enjoy the internship?  
22 A. Yes.  
23 Q. Is that -- is it something that if you had  
24 to do it all over again, you would do it again?  
25 A. Definitely.

1 Q. Would you have -- if -- if you had to do it  
2 over again, would you still take -- or participate  
3 in the internship program even if you didn't change  
4 your tracks?

5 A. No, I would have changed tracks again.

6 Q. But assuming that you didn't have a choice  
7 and that you had to stay in C track, would you still  
8 have participated in the internship program, do you  
9 think?

10 A. I don't think so. Because C track teachers  
11 are really hard. They give a lot of homework.

12 Q. What hours during the day did you work at  
13 C.B.E.?

14 A. From 10:00 until 4:00, or, I don't know, it  
15 varied.

16 Q. Did you work on the weekends?

17 A. No.

18 Q. Did you work every day during the week?

19 A. Mostly.

20 Q. Uh-huh.

21 Do you know if internships are provided at  
22 C.B.E. throughout the year?

23 A. No.

24 Q. You don't know?

25 A. They don't.

1 actually just fill out a request form to change  
2 tracks. And just give the reason why I wanted to  
3 change tracks to Mr. Isaacs.

4 Q. Okay. And the reason you gave was to  
5 participate in the C.S. -- or the C.B.E. program?

6 A. Yes.

7 Q. And you gave that form to Mr. Isaacs?

8 A. Yes.

9 Well, it stated the other internships I  
10 applied to, also.

11 Q. I'm sorry?

12 A. It also stated the other internships I  
13 applied to.

14 Q. The opportunity to get into Berkeley and  
15 the law camp?

16 A. Yes.

17 Q. Okay. Who is Mr. Isaacs?

18 A. I don't know what his position is, but he's  
19 a counselor.

20 Q. Okay. And when you gave -- after you gave  
21 the form to Mr. Isaacs, what happened?

22 A. I think I had to wait a couple of days to  
23 let -- for him to let me know if it was accepted or  
24 if he could change me tracks.

25 Q. Uh-huh.

1 Q. They don't?

2 How do you know that?

3 A. Because most of the internships -- interns  
4 are paid through other organizations, and it -- it  
5 varies, I guess.

6 Q. Well, how do you know that -- that students  
7 can't participate in internship programs at C.B.E.  
8 throughout the year?

9 A. Well, directly from C.B.E., because they  
10 can't afford it. Or from what my understanding is.

11 Q. Is this what somebody told you?

12 A. Yes.

13 Q. Okay.

14 A. But they're currently trying to get more  
15 interns. Like it's been proposed to the board, to  
16 have more youth interns throughout the year.

17 Q. So it's possible in the future that  
18 internship programs will be available at C.B.E.  
19 throughout the year?

20 A. Yes.

21 Q. Can you tell me what -- what -- when you  
22 decided that you wanted to change tracks from the  
23 C track to the A track, what process did you go  
24 through? Can you tell me?

25 A. Well, I just had to get a letter -- well,

1 A. And I'm not sure how long it took, but he  
2 informed me that he could.

3 Q. That he could change your track from C to  
4 A?

5 A. Yes.

6 Q. It sounds like that was a pretty easy  
7 process to get your track changed?

8 A. Well, it kind of was because -- well, I had  
9 a good reason, and ... but he informed me that --  
10 that there might not be a chance because the track  
11 is really full of students already.

12 Q. Uh-huh.

13 A. But ...

14 Q. But you got your wish, though, huh?

15 A. Yeah.

16 Q. Was it -- was it stressful to have to go  
17 through that process of changing tracks?

18 A. I don't think it was.

19 Q. Okay. I think you indicated earlier  
20 that -- that some -- well, first of all, let me back  
21 up. Could you strike what I've said earlier.

22 Do you know whether -- whether when  
23 students change tracks, do they have to have certain  
24 reasons to change tracks?

25 A. Yes.



1 Q. Do you know what those reasons are?  
 2 A. I don't know what the reasons are, but he  
 3 said -- he just told me, you better have a good  
 4 reason for me to change tracks.  
 5 Q. Mr. Isaacs told you this?  
 6 A. Yes.  
 7 And he told me there might not be enough  
 8 room for me -- for him to change me to A track.  
 9 Q. Did he tell you how many students were on  
 10 A track?  
 11 A. No.  
 12 Q. Okay. You indicated earlier that some  
 13 students have their tracks changed without them  
 14 knowing about it?  
 15 A. Yes.  
 16 Q. Or without them being notified?  
 17 A. Yes.  
 18 Q. How do you know about that?  
 19 A. Well, this one girl that was on the soccer  
 20 team last year on JV -- I don't remember her name  
 21 because I don't really talk to her, she had her PE  
 22 locker next to me.  
 23 And she just told me that when it was her  
 24 first day that she got changed to B track without  
 25 her even knowing. Because she was supposed to be in

1 C track, and she said that she didn't even know she  
 2 had to go to school; that her friend, that she  
 3 appeared in one of her teacher's rosters so she had  
 4 to go.  
 5 Q. And this is what she told you?  
 6 A. Yes.  
 7 Q. Did you ever hear from any other students  
 8 that students get changed without their knowing  
 9 about it, from one track to another?  
 10 A. No.  
 11 Q. Okay. So that was the only occasion in  
 12 which you heard that a student had been changed from  
 13 one track to another without them being notified?  
 14 A. Yes, that's the only one I know of.  
 15 MR. CHOATE: I'm sorry. Can you read back  
 16 the answer, I just didn't hear.  
 17 (The record was read.)  
 18 BY MR. CHOATE:  
 19 Q. Lizette, I think you indicated earlier  
 20 that -- that it was your understanding that students  
 21 on the different tracks at Huntington Park all  
 22 received the same amount of days, more or less?  
 23 A. Yes.  
 24 Q. Do you know how many -- and I think you  
 25 indicated you weren't sure how many days it was that

1 students on each track received?  
 2 A. Yes.  
 3 Q. Do you know how many days students at  
 4 traditional schools that have the summer off -- do  
 5 you know how many days of instruction those students  
 6 receive each year?  
 7 A. I don't know, but I heard it was about the  
 8 same as students in multitrack schools.  
 9 Q. Okay. Do you -- do you know how many --  
 10 how many minutes of instruction students at -- at  
 11 Huntington Park receive on their tracks per year?  
 12 A. No.  
 13 Q. Do you have any idea how many minutes of  
 14 instruction students at traditional, summers-off  
 15 schools receive?  
 16 A. No.  
 17 Q. Is it your understanding that students  
 18 at -- at -- at Huntington Park Senior High receive  
 19 more minutes of instruction each year than students  
 20 at traditional, summers-off schools?  
 21 A. I ... I really don't know.  
 22 Q. Okay. Do you know whether -- whether  
 23 students at -- at Huntington Park Senior High cover  
 24 the same amount of material in their classes as  
 25 students at traditional, summer-off schools?

1 MS. CHECEL: Objection. Calls for  
 2 speculation.  
 3 BY MR. CHOATE:  
 4 Q. You can answer.  
 5 MS. CHECEL: You can answer.  
 6 THE WITNESS: I don't know, but I know that  
 7 for my AP history class, it's difficult to get the  
 8 same instruction, to prepare for the AP exam because  
 9 we start the year two -- because other tracks, like  
 10 C track, they had two extra months to work on -- on  
 11 to cover the AP history book.  
 12 And from my understanding, the C track  
 13 class had an extra book because A track couldn't  
 14 afford because we had 40 students taking the  
 15 same ... the same class. Well, not the same class,  
 16 but the same ... well, 40 students that were taking  
 17 AP U.S. History.  
 18 BY MR. CHOATE:  
 19 Q. Your understanding is that C track students  
 20 in AP American History had books that students in  
 21 A track American -- AP American History didn't have?  
 22 A. Yes.  
 23 And they also -- because A track -- we  
 24 had to go and -- like we had to start the book,  
 25 reviewing the book, while -- before we even started

1 the class officially.

2 Q. Okay.

3 A. And we also had to come in during vacation  
4 or during weekends to cover the same material.

5 Q. Well, I'm going to -- I'm going to ask you  
6 questions later on about A track -- about your  
7 American History AP class so I don't want to ask  
8 questions about that now.

9 But what I want to know is whether you  
10 have -- is whether you know or not -- well, strike  
11 that.

12 Do you have any understanding either way as  
13 to whether students at Huntington Park received more  
14 or less instruction than students at traditional  
15 schools?

16 A. I wouldn't know.

17 Q. Okay. You're unsure as to whether students  
18 in your classes at Huntington Park cover the same  
19 amount of material as students in equivalent classes  
20 at other traditional, summer-off schools?

21 A. Yes.

22 MR. CHOATE: Can I ask you to read back the  
23 question and answer.

24 (The record was read.)

25 /// ///

1 chemistry but you don't necessarily need physics.

2 Did I say two years of foreign language?

3 MS. CHECEL: No, not yet.

4 THE WITNESS: I hear that is necessary.

5 Well, I get kind of confused, too, from  
6 what colleges require and what you're required to  
7 take and pass in order to graduate, but I know those  
8 are some of them.

9 BY MR. CHOATE:

10 Q. Okay. What about -- I think you mentioned  
11 two years of science?

12 A. Yes.

13 Q. What about social science? Do you know how  
14 many years of social science you are supposed to  
15 have?

16 A. What's ...

17 Q. Like social studies?

18 A. Like social studies? I'm not sure.

19 Q. Okay. Do you know who determines how many  
20 classes for core subjects -- actually, strike that.

21 I'm going to ask you some questions  
22 about -- about core subjects, and I -- and when I'm  
23 referring to core subjects, I'm referring to certain  
24 types of classes, so I'm going to tell you what  
25 those are.

1 BY MR. CHOATE:

2 Q. You meant that "yes," you're unsure?

3 A. Yes.

4 Q. Okay.

5 MS. CHECEL: Is this a good time for a  
6 break?

7 MR. CHOATE: If you need it, it's a good  
8 time.

9 (Recess taken from 2:45 to 2:50.)

10 BY MR. CHOATE:

11 Q. Lizette, can you tell me, what -- what do  
12 you consider to be the core subjects that students  
13 are required to take at Huntington Park Senior High?

14 A. Like the main subjects that are required to  
15 graduate?

16 Q. Yeah, the required -- well, just what's  
17 your understanding of a core subject, if you have  
18 one.

19 A. Well, my understanding of a core subject  
20 would be requirements to graduate from Huntington  
21 Park High School.

22 Q. Yeah.

23 A. I guess, what I hear it's two years of  
24 math; the required four years of English; two years  
25 of science, I believe. Well, I heard you need

1 When I say "core subjects," I'm going to  
2 refer to math, English, science, and social science.

3 Okay?

4 A. (Nods head.)

5 MS. CHECEL: Can I -- is social science  
6 history as well?

7 MR. CHOATE: Let me see if -- let's make it  
8 easier.

9 MR FRIEDMAN: It sounds like it to me.

10 World history and geography -- not geography. World  
11 history, political science.

12 MR. CHOATE: Let me introduce this  
13 document.

14 Are we on Exhibit 7?

15 THE REPORTER: Yes.

16 MR. CHOATE: Okay. I would like to mark as  
17 Exhibit 7 a document entitled "Four-Year Plan."

18 (The document referred to was marked by the  
19 Reporter as Deposition Exhibit 7 for identification  
20 and is attached hereto.)

21 BY MR. CHOATE:

22 Q. Lizette, have you ever seen this document?

23 A. I have seen some that are like this.

24 Q. Is this -- is this document something that  
25 you were -- or have been provided at school?

1 A. Not exactly like this, but something like  
2 that.  
3 Q. Okay. Well, you see the -- where it says  
4 "English, social studies, mathematics and science"?  
5 A. Yes.  
6 Q. I'm going to ask you questions about those  
7 types of classes and I'm going to refer to those as  
8 "core subjects."  
9 Okay?  
10 A. Okay.  
11 Q. All right. Do you -- do you know who  
12 determines how many classes for core subjects at --  
13 are offered to students on a particular track at  
14 Huntington Park Senior High?  
15 A. No.  
16 Q. Okay. Do you have any idea how that  
17 determination is made?  
18 A. No.  
19 Q. Do you know whether the determination of  
20 how many classes for core subjects to offer on a  
21 particular track, whether that determination depends  
22 on the number of students on the particular track?  
23 A. I don't know.  
24 Q. Okay. Do you know whether the  
25 determination depends on the availability of

1 or accept it.  
2 Q. Can you tell me what -- what are the  
3 classes that are given to you?  
4 A. What do you mean?  
5 Q. Well, I think you indicated -- you just  
6 told me that "some classes are given to us." And  
7 I'm wondering if you can tell me what those classes  
8 are.  
9 A. Well, actually most of the classes are just  
10 given to us on the first day. And if we have a  
11 problem with them, we just -- we ask for a -- on a  
12 request form, we ask for a change of class.  
13 Q. Okay. When you say "most of the classes  
14 are given to us," can you tell me what classes those  
15 are specifically, if you know?  
16 A. Well, to my knowledge, all of them except  
17 sports and -- or some -- the ones that we need to  
18 change are either sports or the -- or the classes  
19 that we have already taken.  
20 Q. So are -- are you saying that -- that  
21 students at -- at Huntington Park Senior High can't  
22 decide what classes to take, with the exception of  
23 sports?  
24 A. Well, sometimes -- well, before the year  
25 starts, or begins, or the semester begins, we're

1 teachers to teach particular subjects?  
2 A. Could you rephrase that question?  
3 Q. Do you know whether the determination for  
4 how many classes of core subjects to offer on a  
5 particular track depends on the availability of  
6 teachers to teach those classes?  
7 A. I am not sure.  
8 Q. Okay. Do you know whether the  
9 determination has anything to do with collective  
10 bargaining agreements with the teachers union?  
11 A. I don't know.  
12 Q. Okay.  
13 MS. CHECEL: Do you know what a collective  
14 bargaining agreement is?  
15 THE WITNESS: No.  
16 BY MR. CHOATE:  
17 Q. Okay. Can you describe for me the process  
18 for enrolling in classes at Huntington Park Senior  
19 High?  
20 A. Well, what I know is that some classes are  
21 given to us by the -- our counselors.  
22 Q. Okay.  
23 A. And if -- if we need to change classes, we  
24 usually fill out a request form and stating the  
25 reason why, and the counselor can either reject it

1 usually given a form to select electives. And we  
2 usually number them one to whatever, to six. And  
3 one being the one, your first choice. And it  
4 usually has -- sometimes it has what other class,  
5 like what regular classes you would like to take or  
6 enroll in, such as, I don't know, it ranges from  
7 almost all your classes.  
8 Q. On this form you're given where you can --  
9 you can number the electives you want to take, one  
10 through six, does it give you the option of choosing  
11 which English classes to take?  
12 A. Yes. It ranges from AP, or honors, or --  
13 well, actually, I don't think we get to chose  
14 honors.  
15 Q. Okay. Let me ask you some questions again  
16 about -- about English, math, science and social  
17 studies classes.  
18 Do you know whether there are any English,  
19 math, science or social studies classes that are  
20 offered on some but not all of the tracks at  
21 Huntington Park?  
22 A. Well, I know AP calculus, it's only offered  
23 during C semester, or C track time. So for that  
24 class people have to -- well, they don't have to  
25 change tracks, but they have to go to school during

1 their vacation.  
 2 Q. Okay. Let's talk about AP calculus. Is AP  
 3 calculus not provided on A track?  
 4 A. No.  
 5 Q. And it's not provided on B track?  
 6 A. No.  
 7 Q. It's only provided on C track?  
 8 A. Yes.  
 9 Q. And you're on A track; right?  
 10 A. Yes.  
 11 Q. Well, do you know whether A track students  
 12 and C track students are in school for the same time  
 13 at any part of the year?  
 14 A. Yes, but I don't know what part.  
 15 Q. Okay. You don't know how many days A track  
 16 students and C track students are together and apart  
 17 during the year?  
 18 A. Four months.  
 19 Q. Okay. You know that A track students and  
 20 C track students are together for four months during  
 21 the year?  
 22 A. Yes.  
 23 Q. Okay. So when -- when an A track student  
 24 is taking AP calculus this year, the A track student  
 25 will be taking AP calculus when his or her A track

1 Okay?  
 2 A. Uh-huh.  
 3 Q. Does that mean for an A track student who  
 4 wants to take AP calculus, the A track student will  
 5 be able to take some of the class that's offered --  
 6 well, strike that.  
 7 Have you ever taken a cross-track class?  
 8 A. No.  
 9 Q. Okay. A track and C track students are  
 10 together at Huntington Park for some period of the  
 11 year; is that correct?  
 12 A. Yes.  
 13 Q. Okay. So if a cross-track class is offered  
 14 on a C track and an A track student wants to take a  
 15 cross-track class, the A track student can take the  
 16 class for a period of time --  
 17 THE REPORTER: Wait a minute. I got lost.  
 18 "If a cross-track class is offered," start it from  
 19 there.  
 20 MR. CHOATE: Let me strike that and I'll  
 21 try and rephrase it.  
 22 Q. If you wanted to take AP calculus, which is  
 23 a C track class, would you be able to attend that  
 24 class during a time when your A track is in session?  
 25 A. Yes.

1 is in session; is that correct?  
 2 A. Could you repeat that question.  
 3 Q. I had asked you whether, you know, A track  
 4 and C track students are together at Huntington Park  
 5 Senior High for a period during the year. And I  
 6 think you indicated that they were together for four  
 7 months.  
 8 A. Yes, but not ... well, it's -- it depends.  
 9 Well, I don't know, it's kind of confusing, but for  
 10 a total of four months, they're together.  
 11 Q. Have you ever heard of a -- of a -- the  
 12 term "cross-tracked class"?  
 13 A. Yeah, it's a cross-track class.  
 14 Q. Okay. Can you tell me what a cross-track  
 15 class is?  
 16 A. From my understanding, it's a class that  
 17 you don't necessarily have to be -- change tracks to  
 18 participate in -- in it.  
 19 Q. Okay.  
 20 A. But you have to -- you might have to go to  
 21 school during your off track season.  
 22 Q. So is AP calculus a cross-track class?  
 23 A. Yes.  
 24 Q. Okay. Now I'm going to tell you what my  
 25 understanding is and you can tell me if I'm correct.

1 Q. Okay. Do you know what percentage of the  
 2 class would occur while your A track was in session?  
 3 A. I'm not sure, but I know -- because they --  
 4 the calculus class -- the calculus exam is -- it was  
 5 last week. So from -- since A track is -- if a  
 6 member -- if people on A track take that class, they  
 7 have two months free without doing anything  
 8 basically. So I'm not sure what percentage it is.  
 9 Q. If A track students want to take  
 10 AP calculus, they have two months in which they're  
 11 not doing anything?  
 12 A. Yeah, they have two months left over,  
 13 which, I mean, they don't really have anything to  
 14 cover because they covered it all already. So I  
 15 don't know. I don't know exactly.  
 16 Q. Okay. Well, let me make -- see if I  
 17 understand, though.  
 18 If an A track student wants to take a  
 19 cross-track class that's offered on the C track, the  
 20 A track student will take the class for some of the  
 21 time during which he or she is on track, and some  
 22 time during which he or she is off track?  
 23 A. Yes.  
 24 Q. Is that right?  
 25 A. Yes.

1 Q. Okay. So that means that for some of the  
2 days that an A track student would be in the  
3 AP calculus class, some of those days would be  
4 vacation days?  
5 Well, strike that question. That's a bad  
6 question.  
7 Do you have any friends that have taken  
8 cross-track classes?  
9 A. Yes.  
10 Q. Have they told you how the experience has  
11 been?  
12 A. Yes.  
13 Q. Can you tell me what they've said?  
14 A. That it's stressful because it's a long  
15 time. They have to come to school when they're off  
16 track for around two hours a day.  
17 Q. Okay.  
18 A. And well, recently one of my friends told  
19 me that she feels relieved because from now on it's  
20 kick back until the year ends.  
21 Q. What -- which of your friends have told you  
22 taking a C track -- strike that.  
23 Which of your friends have told you that  
24 taking a cross-track class is stressful?  
25 A. Her name is ... well, actually a lot of

1 Q. Okay. Can you tell me what Rosa told you?  
2 A. Well, that it's hard, because she had to  
3 come -- she had to go to the class when -- while she  
4 was off track. And ... that now it's basically kick  
5 back. But she has nothing to do so it's boring  
6 because she can't miss the class, but she has  
7 nothing to do in the class.  
8 Q. Did she tell you why it's hard to have to  
9 go to class when she's off track?  
10 A. Because she had to wake up early.  
11 Q. Okay. Did she tell you any other reasons  
12 why it was hard to have to come to the class?  
13 A. Not that I can remember.  
14 Q. So let me make sure I understand. Rosa  
15 told you -- the only reason that Rosa gave you for  
16 why it was hard to take the cross-track class was  
17 because she had to wake up early on her vacation  
18 days?  
19 A. Yes.  
20 Well, that I can remember.  
21 Q. Okay. Do you know if Rosa -- what track is  
22 Rosa on?  
23 A. A track.  
24 Q. Okay. Do you know -- is it -- is it your  
25 understanding that Rosa attended part of AP calculus

1 them, but one of them is Rosa.  
2 Q. What's Rosa's last name?  
3 A. I'm not sure.  
4 Q. Okay. Do you know what cross-track class  
5 Rosa took?  
6 A. Well, she's taking AP chemistry and  
7 calculus.  
8 Q. Currently?  
9 A. Yes.  
10 Oh, and the other girl was Evelyn Moreno.  
11 Q. Evelyn Moreno?  
12 A. Yes.  
13 Q. When did you talk with Rosa about -- about  
14 what it's like to take a cross-track class?  
15 A. I don't remember exactly.  
16 Q. Was it this year?  
17 A. Yes.  
18 Q. Was it within the last two months?  
19 A. Yes.  
20 Q. Was it within the last month?  
21 A. I'm not sure.  
22 Q. Okay. So sometime within the last two  
23 months you spoke to Rosa about what it's like to  
24 take a cross-track class?  
25 A. Yes.

1 while she was on A track?  
2 A. Yes.  
3 Q. Okay. So some of her class she took while  
4 she was on A track and some of it she took while she  
5 was on vacation?  
6 A. Yes.  
7 Q. Okay. But you don't know how many days  
8 occurred while she was on vacation?  
9 A. No, but ...  
10 Q. Okay. And you indicated that Rosa told you  
11 that now it's -- it's kick back time?  
12 A. Well, she said that but I don't know if  
13 it's true because I heard they were still taking  
14 tests, but ...  
15 Q. Okay.  
16 A. But I don't think it's going to be long.  
17 Q. Okay. Did -- did you talk with Rosa on any  
18 other occasions about -- about what it's like to  
19 take a cross-track class?  
20 A. Not that I can remember.  
21 Q. Okay. You also told me that you spoke  
22 with Evelyn Moreno about what it's like to take a  
23 cross-track class?  
24 A. Yes.  
25 Q. Do you know how long ago you spoke with

1 Evelyn?  
 2 A. I don't know, actually.  
 3 Q. Okay. Was it within the last month?  
 4 A. I don't know. [REDACTED]  
 5 [REDACTED]  
 6 [REDACTED]  
 7 Q. Okay. Well, I would like to try to see if  
 8 we can narrow it down.  
 9 Do you think you spoke with Evelyn in the  
 10 last three months?  
 11 A. I don't ... actually, yeah.  
 12 Q. Okay. You spoke with Evelyn Moreno about  
 13 what it's like to take a cross-track class at some  
 14 point within the last three months?  
 15 A. Yes.  
 16 Q. Can you recall what Evelyn told you in that  
 17 conversation?  
 18 A. Well, basically almost the same thing as  
 19 Rosa did; that it was stressful; that it's a lot of  
 20 work; that she didn't even feel like she had  
 21 vacations.  
 22 Q. Okay. Did she tell you how it was  
 23 stressful?  
 24 A. Somewhere along the lines that it was a lot  
 25 of work.

1 Q. Okay. Did she tell you how it was a lot of  
 2 work? Do you know what she meant by that?  
 3 A. I guess the homework.  
 4 Q. Okay. Did she tell you that it was  
 5 stressful because she had to wake up early?  
 6 A. I don't remember her saying that.  
 7 Q. Okay. And I think you indicated that she  
 8 said something about not having vacation?  
 9 A. Yeah, that she didn't feel like she had  
 10 vacation.  
 11 Q. Okay. Did she -- did she tell you how much  
 12 of her vacation days that she spent taking the  
 13 class?  
 14 A. No. I can't remember.  
 15 Q. Did she tell you how many hours of the day  
 16 on her vacation days were spent taking the class?  
 17 A. I can't remember exactly.  
 18 Q. Can you remember anything else about that  
 19 conversation?  
 20 A. No.  
 21 Q. Okay. Do you recall having conversations  
 22 with any other students about what it's like to take  
 23 a cross-track class --  
 24 A. No.  
 25 Q. -- except -- I'm sorry.

1 A. Well, not that I can remember.  
 2 Q. Okay. But you indicated that you have  
 3 never taken a cross-track class?  
 4 A. Yeah.  
 5 Q. Okay. Have you ever been unable to enroll  
 6 in an English course because it's not been offered  
 7 on your track?  
 8 A. No.  
 9 Q. Okay. Have you ever been unable to enroll  
 10 in a social studies course because it's not been  
 11 offered on your track?  
 12 A. Well, actually -- can I go back to your  
 13 question?  
 14 Q. Of course.  
 15 A. Well, on the English course, I don't know  
 16 if it was hard to enroll, but during my tenth  
 17 grade -- in the beginning of tenth grade, the first  
 18 semester --  
 19 Q. Uh-huh.  
 20 A. -- it was hard -- well, I didn't get into  
 21 honors English class because there wasn't enough  
 22 room in the class and there wasn't a teacher to  
 23 teach honors.  
 24 Q. This was during the first semester of your  
 25 tenth grade year?

1 A. Yes.  
 2 That's when they split the class in two and  
 3 sent some people to a regular English class. They  
 4 still called it honors, but we got the same work as  
 5 the regular students did.  
 6 Q. Okay.  
 7 A. We just got graded harder or something, I  
 8 don't know.  
 9 Q. Why do you think that you got the same work  
 10 in your -- in your -- in your honors English class  
 11 in tenth grade that students got in the regular  
 12 classes?  
 13 A. Well, because we were mixed in with regular  
 14 students that weren't in honors. And the teacher  
 15 told us, you know, you both -- you might have the  
 16 same work, but I'm going to grade you harder.  
 17 Q. Who was your English teacher at the time;  
 18 do you remember? I think you already told me, but  
 19 if you remember.  
 20 A. Yeah, well, the first one there were,  
 21 whatever, around 40 students, his name was  
 22 Mr. Kraft, and then we got changed to Mr. Nordee.  
 23 (Pause in the proceedings.)  
 24 BY MR. CHOATE:  
 25 Q. Last year in tenth grade, you were

1 originally enrolled in an honors class?  
 2 A. Yes.  
 3 Q. And was that -- was that your -- your  
 4 honors English 10 class?  
 5 A. Yes.  
 6 Q. Okay. And that class was originally taught  
 7 by Mr. Kraft?  
 8 A. Yes.  
 9 Q. Okay. There came a point in time when --  
 10 when that class was split up into two classes?  
 11 A. Yes.  
 12 Q. Do you know why that was?  
 13 A. Because it was overcrowded. Extremely  
 14 overcrowded.  
 15 Q. How many students -- how many students were  
 16 originally in the honors class?  
 17 A. I would say around 40.  
 18 Q. Was that at the beginning --  
 19 A. I think it was more than 40 because I  
 20 remember looking at the roster and seeing more than  
 21 40 students.  
 22 Q. Where did you see the roster?  
 23 A. On the teacher's desk.  
 24 Q. Did -- did you look on the teacher's desk  
 25 to see the roster?

1 A. No. I was sitting at the teacher's desk.  
 2 Q. Okay.  
 3 A. There weren't enough seats so we were  
 4 scattered around the room.  
 5 Q. There were originally 40 -- 40 students in  
 6 this class, around?  
 7 A. Yes.  
 8 Q. Okay. Do you remember how many students  
 9 didn't have seats?  
 10 A. I don't remember. But I remember seeing  
 11 people sitting on the floor and others sitting on  
 12 top of desks.  
 13 Q. How many students do you think didn't have  
 14 seats?  
 15 A. I can't remember exactly, but ...  
 16 Q. Was it less than five?  
 17 A. Around five.  
 18 Q. Around five students didn't have seats  
 19 in -- when your honors English class began the year  
 20 in tenth grade?  
 21 A. Yes.  
 22 Q. Okay. Do you know how many students the  
 23 class was supposed to have?  
 24 A. Supposed to? I heard -- I heard classrooms  
 25 weren't supposed to have more than 30 students, or

1 somewhere around that number.  
 2 Q. You heard the classrooms were not supposed  
 3 to have more than 30 students?  
 4 A. I think. I'm not sure.  
 5 Q. Who did you hear that from?  
 6 A. I don't remember, actually.  
 7 Q. Okay. But you heard from somebody, that  
 8 classrooms were not supposed to have more than 30  
 9 students, but you don't remember who you heard that  
 10 from?  
 11 A. Uh-huh, yes.  
 12 Q. How long after the class originally started  
 13 was it split up into two different classes?  
 14 A. Two to three weeks, around.  
 15 Q. Around two to three weeks?  
 16 A. Actually around three to a month, three  
 17 weeks to four. I'm not sure.  
 18 Q. Well, you're -- you're not sure if the --  
 19 if the class was split up after two weeks or if it  
 20 was split up after a month?  
 21 A. Well, it wasn't more than a month, but it  
 22 was around three to four weeks, I would say.  
 23 Q. Could it have been two weeks?  
 24 A. I doubt it.  
 25 Q. Okay. And why do you doubt it?

1 A. Because I remember ... I don't know.  
 2 Because ... because I remember we got a book and we  
 3 read a couple stories from the book while we were in  
 4 Mr. Kraft's class and he did a couple copies.  
 5 Q. But you're not sure how much time passed  
 6 before the class was split up?  
 7 A. Yeah, I'm not sure.  
 8 Q. Okay.  
 9 A. But it was somewhere around three weeks.  
 10 Q. Okay. And there were about five students  
 11 who initially didn't have seats?  
 12 A. Yes.  
 13 Q. Do you remember, or do you know for how  
 14 long they didn't have seats?  
 15 A. I would say a day because we were -- I  
 16 remember people went outside to look at other  
 17 classes for more seats, for chairs.  
 18 Q. Okay. And did -- and was somebody able to  
 19 find more chairs for the students?  
 20 A. Yes.  
 21 Q. Okay. So the students in your class, in  
 22 the original English class, the five students didn't  
 23 have seats for a day.  
 24 A. Around five students.  
 25 Q. Okay.

1 A. But usually it went on like that because we  
 2 had to return the chairs so we had to go look for  
 3 seats.  
 4 Q. You had to go look for seats each day?  
 5 A. Yeah.  
 6 Q. Okay. Who went and looked for the seats?  
 7 A. Some students, I think. I'm not sure if  
 8 the teacher went, but ...  
 9 Q. Okay. But did the students have seats each  
 10 day?  
 11 A. Yeah, some. Yeah.  
 12 Actually I think it was around three  
 13 students that didn't have seats now that I remember.  
 14 Q. All right. So there were only three  
 15 students that didn't have seats?  
 16 A. Yes.  
 17 Q. Okay. And each day students had to go get  
 18 chairs for those three students?  
 19 A. Yes.  
 20 Q. Okay.  
 21 A. And some had to sit on a stool, or on the  
 22 teacher's desk.  
 23 Q. But did those three students each have a  
 24 place to sit at the end of the day before the class  
 25 split up?

1 A. Yeah.  
 2 Q. And then after about three weeks, you  
 3 indicated that your class -- your honors English  
 4 class was split in half?  
 5 A. Yes, around three weeks.  
 6 Q. And your new teacher was -- was  
 7 Dr. Justice?  
 8 A. No, it was Mr. Nordee. Dr. Justice --  
 9 Q. I'm sorry, Mr. Nordee, right.  
 10 And you, I think -- did you indicate that  
 11 this -- the new English class to which you were sent  
 12 was not an honors class?  
 13 A. No.  
 14 Q. And how do you know that?  
 15 A. Because he told us that he -- we were going  
 16 to have the same work as the regular students, and  
 17 the -- it would be graded harder than they were and  
 18 that's how it was going to be honors.  
 19 Q. Mr. Nordee told you you would receive the  
 20 same work as the other English students?  
 21 A. Yes.  
 22 Q. Did Mr. Nordee tell you how many of the  
 23 students in the class were honors students and how  
 24 many were regular students?  
 25 A. I don't remember but it was just basically

1 split in half; the honors students sat in one-half  
 2 and the regular sat on the other.  
 3 Q. How do you know the regular students were  
 4 on the other side?  
 5 A. Because he instructed us to sit on one-half  
 6 and the regular to sit on the other.  
 7 Q. Okay.  
 8 A. I think at one point he mixed us up, but  
 9 I'm not sure. I don't remember that good.  
 10 Q. And how did he teach his class, did he  
 11 teach the same material to all the students?  
 12 A. Yes.  
 13 Q. Okay. Did he provide the honors students  
 14 with different homework than the regular students?  
 15 A. No.  
 16 Q. How do you know?  
 17 A. Because he gave us all the same work.  
 18 Q. Uh-huh.  
 19 A. And he handed it out to all of us.  
 20 Q. Okay. Did he give you back comments on  
 21 your work ever?  
 22 A. What do you mean by "comments"? Like  
 23 written comments on the work?  
 24 Q. Yeah.  
 25 A. I don't know. I can't remember.

1 Q. Okay. Do you know if -- but -- okay.  
 2 Can you tell me how the -- how the --  
 3 was -- was the honors English class with Mr. Nordee  
 4 easier than your honors English class in the second  
 5 semester of tenth grade?  
 6 A. No, no.  
 7 Actually, yes.  
 8 Q. Okay. Can you tell me how it was easier?  
 9 A. Because Mr. Nordee was basically just ... I  
 10 don't know. It was really easy. It was ... it was  
 11 basically -- he taught us things that we already  
 12 knew. Whereas the second semester it was more of  
 13 having to use your creativity and having to memorize  
 14 more things.  
 15 Q. What kind of things did Mr. Nordee teach  
 16 you that you already knew?  
 17 A. Just underlining nouns and pronouns and  
 18 sentence structure and reading a book that was  
 19 fairly easy to read.  
 20 Q. Did he teach you anything else?  
 21 A. Not that I can remember.  
 22 (Recess taken from 3:32 to 3:36.)  
 23 BY MR. CHOATE:  
 24 Q. Lizette, I think you indicated that  
 25 Mr. Nordee's class was easy because he taught you



1 things you already knew. And you mentioned  
 2 underlining nouns, pronouns and how to read a book.  
 3 A. Well, we read a book and it was a fairly  
 4 easy book.  
 5 Q. What book did you read?  
 6 A. "How to Kill a Mockingbird."  
 7 Q. You thought it was an easy book?  
 8 A. Well, I read ahead of the class and I  
 9 finished it in less than a week.  
 10 Q. Did you like it?  
 11 A. Well, it was all right.  
 12 Q. Okay. Did you ever ask Mr. Nordee for  
 13 additional work in your honors English class?  
 14 A. No.  
 15 Q. How come?  
 16 A. Because the semester prior I had gone  
 17 through a lot of homework and it was kind of  
 18 stressful so ...  
 19 Q. So you liked having a break?  
 20 A. Yeah.  
 21 Q. Did you ever talk to anybody in the  
 22 administration at Huntington Park Senior High  
 23 about -- about being in Mr. Nordee's class?  
 24 A. No.  
 25 Q. How come?

1 A. Because I liked having a break.  
 2 Q. Okay. Other than the English class that  
 3 you -- that we've just spoken about, have you been  
 4 unable to enroll in -- in any English class that  
 5 you've wanted to take?  
 6 A. No.  
 7 Q. Okay.  
 8 A. Not that I can remember.  
 9 Q. Since you've been at Huntington Park Senior  
 10 High, have you been unable to enroll in a math class  
 11 that you wanted to take?  
 12 A. Like I mentioned before, my -- when I  
 13 wanted to take Integrated 3, the teacher was -- she  
 14 basically didn't teach anything.  
 15 Q. Uh-huh.  
 16 A. So since the only way I knew that I could  
 17 get into Ms. Wills' class, I -- they told me that I  
 18 could only change class -- that I couldn't change  
 19 out of a class because I didn't like how the teacher  
 20 taught, so I had to have, you know, another reason.  
 21 So I figured being into math -- I mean getting into  
 22 soccer would make me change from that period.  
 23 Q. What kind of math did you learn in  
 24 Integrated Math?  
 25 A. In Integrated Math?

1 Q. In Integrated Math 3 when you took it in  
 2 the tenth grade.  
 3 A. I'm not sure because I just knew it as  
 4 Integrated 1, 2, and 3.  
 5 Q. Okay.  
 6 A. But I think ... I'm not sure if it was  
 7 Algebra 2 or geometry. I'm not sure.  
 8 Q. Okay. But it was one or the other, you  
 9 think, Algebra 2 or geometry?  
 10 A. Yes.  
 11 Q. What did you not like about Ms. Wills, her  
 12 teaching style, you said?  
 13 A. No, Ms. Wills I liked. I didn't like the  
 14 other teacher because she didn't teach anything,  
 15 basically.  
 16 Q. Okay. But you were able to take Integrated  
 17 Science with Ms. Wills; right?  
 18 A. Integrated Math.  
 19 Q. Yes.  
 20 A. Yes.  
 21 MS. CHECEL: After you got into soccer?  
 22 THE WITNESS: Yes.  
 23 BY MR. CHOATE:  
 24 Q. But you took both soccer and Integrated  
 25 Math 3 during your first semester of tenth grade,

1 though; right?  
 2 A. Yes.  
 3 Q. Were you in the Integrated Math 3 class for  
 4 the entire semester?  
 5 A. Yes.  
 6 Q. Okay. Have you been unable to enroll in a  
 7 history course since you've been at Huntington Park  
 8 Senior High?  
 9 A. No.  
 10 Q. Okay. Have you been unable to enroll in a  
 11 science course since you've been at Huntington Park  
 12 Senior High?  
 13 A. No.  
 14 Q. Okay.  
 15 A. Well, actually, yes. My chemistry, since I  
 16 didn't want AP chemistry, there weren't any honors  
 17 teachers in A track to teach honors chemistry, so I  
 18 had to go into regular chemistry.  
 19 Q. Why did you not want to take AP chemistry?  
 20 A. Because I thought it would be too  
 21 stressful.  
 22 Q. A lot of work?  
 23 A. Yeah, because I've never been good in  
 24 science.  
 25 Q. Could you have taken AP chemistry if you

1 felt you wanted to put in the work?  
 2 A. Yes.  
 3 Q. And you're taking chemistry right now,  
 4 aren't you?  
 5 A. Yes.  
 6 Q. It's a hard class?  
 7 A. Yes.  
 8 Q. Yeah.  
 9 A. It's kind of ... confusing.  
 10 Q. Okay. Do you know of any other students at  
 11 Huntington Park Senior High who have been unable to  
 12 enroll in a math class during the course of the  
 13 year?  
 14 A. Not that I'm aware of.  
 15 Q. Okay. Do you know of any students at  
 16 Huntington Park Senior High who have been unable to  
 17 enroll in a English class during the course of a  
 18 year?  
 19 A. Not that I'm aware of.  
 20 Q. Do you know of any students at Huntington  
 21 Park Senior High who have been unable to enroll in a  
 22 history class during the course of a year?  
 23 A. Not that I'm aware of.  
 24 Q. Okay. Do you know of any students at  
 25 Huntington Park Senior High who have been unable to

1 classes at Huntington Park Senior High that are  
 2 offered on one or more but fewer than all tracks?  
 3 A. AP chemistry and honors chemistry.  
 4 Q. How do you know that AP chemistry is not  
 5 offered on every track at Huntington Park Senior  
 6 High?  
 7 A. Because, it's a cross-track, I think it's  
 8 called; and it's only offered during the time that  
 9 C track is on.  
 10 Q. Are students from A track and students from  
 11 B track allowed to participate in AP chemistry?  
 12 A. Yes.  
 13 Q. How do you know that honors chemistry is  
 14 not offered on all tracks at Huntington Park Senior  
 15 High?  
 16 A. Because a lot of the -- I know that it's  
 17 offered on C track because some of the -- my friends  
 18 that I know, stayed in honors chemistry, but --  
 19 well, my teacher basically told us we were screwed  
 20 in A track, because there weren't any honors  
 21 teachers, or not enough science teachers. So we're  
 22 all --  
 23 Q. But -- I'm sorry.  
 24 A. -- so we couldn't get honors class.  
 25 Q. What -- what teacher told you that you were

1 enroll in any other social studies courses during  
 2 the course --  
 3 A. Not that I know of.  
 4 Q. I'm sorry. Let me finish my question.  
 5 A. Oh, I'm sorry.  
 6 Q. It's okay.  
 7 Do you know of any other students -- strike  
 8 that.  
 9 Do you know of any students at Huntington  
 10 Park Senior High who have been unable to enroll in a  
 11 social studies class other than history in the  
 12 course of a year?  
 13 A. Not that I know of.  
 14 Q. Okay. Are you aware of any students at  
 15 Huntington Park Senior High who have been unable to  
 16 enroll in a science class during the course of a  
 17 year?  
 18 A. Not that I know of.  
 19 Q. Okay. I think I had asked you before if  
 20 you knew whether there were any science classes that  
 21 were offered to students on one or more but fewer  
 22 than all tracks at Huntington Park Senior High.  
 23 And -- well, no, I'm not sure I did ask you that so  
 24 let me ask you the question again.  
 25 Do you know whether there are any science

1 screwed?  
 2 A. [REDACTED]  
 3 Q. Okay. [REDACTED]  
 4 A. [REDACTED]  
 5 Q. [REDACTED]  
 6 What teacher is he for you?  
 7 A. He's my chemistry teacher right now.  
 8 Q. What exactly did [REDACTED] tell you?  
 9 A. Well, he tells us a lot of things but --  
 10 Q. Well, what did [REDACTED] tell you about  
 11 the availability of honors chemistry on A track?  
 12 A. Well, that there weren't any honors  
 13 chemistry classes on A track, so we were stuck in  
 14 his class whether we liked it or not.  
 15 Q. Okay. "His class" being regular chemistry?  
 16 A. Yeah.  
 17 Q. When did he tell you there were no honors  
 18 chemistry classes offered on A track?  
 19 A. Around the first time -- the beginning of  
 20 the year.  
 21 Q. Okay. Would that be around sometime in  
 22 September?  
 23 A. Yes.  
 24 Q. Do you know if honors chemistry is offered  
 25 as a cross-track class?

1 A. I don't think so.  
 2 Q. Do you know for sure that it's not?  
 3 A. Yes.  
 4 Q. How do you know that?  
 5 A. Because I don't think they considered it an  
 6 important class to have it as a cross-track.  
 7 Q. Who are you referring to as "they"?  
 8 A. The administration.  
 9 Q. And why do you think that the  
 10 administration doesn't consider honors chemistry  
 11 important enough to offer as a cross-track?  
 12 A. Because I heard from a lot of people that  
 13 wanted to take AP chemistry that it was pretty hard  
 14 to get into it.  
 15 Q. Okay.  
 16 A. Because you have to get permission from  
 17 Mr. Garcia.  
 18 Q. To take AP chemistry?  
 19 A. Yes.  
 20 Q. Okay. Did anybody in administration ever  
 21 tell you that honors chemistry was not offered as a  
 22 cross-track class?  
 23 A. No.  
 24 Q. So you're not sure whether honors chemistry  
 25 is or is not offered as a cross-track class?

1 A. I'm not sure.  
 2 Q. Lizette, are you aware of whether any  
 3 history courses -- strike that.  
 4 Are you aware of any history courses that  
 5 are offered on one or more but fewer than all  
 6 tracks?  
 7 A. I'm not aware.  
 8 Q. Okay. Are you aware of whether any other  
 9 social studies classes at Huntington Park Senior  
 10 High are offered on one or more but fewer than all  
 11 tracks?  
 12 A. Not to my knowledge.  
 13 Q. Okay. If I've already asked you this  
 14 question, please forgive me, but are you aware of  
 15 whether any English classes are offered on one or  
 16 more but fewer than all tracks at Huntington Park  
 17 Senior High?  
 18 A. Could you repeat that question.  
 19 MR. CHOATE: Sure.  
 20 Do you want to read it back.  
 21 (The record was read.)  
 22 THE WITNESS: Not to my knowledge.  
 23 BY MR. CHOATE:  
 24 Q. And are you aware of whether any math  
 25 classes are offered on one or more but fewer than

1 all tracks at Huntington Park Senior High?  
 2 A. I think you asked me the question already,  
 3 but all I'm aware of is AP calculus.  
 4 Q. Okay. AP calculus, or calculus?  
 5 A. Calculus.  
 6 Q. Okay. Is AP calculus offered on all  
 7 tracks?  
 8 A. I think it's the same class.  
 9 Q. You think AP calculus and --  
 10 A. Calculus are the same class, I think.  
 11 Q. Are the same class?  
 12 A. Yeah.  
 13 Q. Are you sure about that?  
 14 A. No, I'm not sure.  
 15 Q. How do you know that regular calculus is  
 16 offered -- is not offered on all tracks?  
 17 A. Because all the people that I know that  
 18 wanted to take calculus have to -- are in the same  
 19 class.  
 20 Q. Okay. Did anybody in administration ever  
 21 tell you that calculus is offered on only one track?  
 22 A. Yes.  
 23 Q. Who?  
 24 A. Ms. Loya.  
 25 Q. Ms. Loya, okay.

1 A. And my counselor, Ms. Reed.  
 2 Q. When did Ms. Reed tell you that calculus is  
 3 offered on -- is not offered on all tracks?  
 4 A. During her presentation when she gives us  
 5 the slip to chose the classes.  
 6 Q. When was that?  
 7 A. I don't know exactly. I don't remember.  
 8 Q. Was that this year?  
 9 A. Yes.  
 10 Q. Was it this semester?  
 11 A. Yes, around about a month ago. Less than a  
 12 month ago.  
 13 Q. Okay. And when did Ms. Reed tell you that  
 14 regular calculus is not offered on all tracks?  
 15 A. Yes.  
 16 Q. No, when?  
 17 A. Oh, when?  
 18 Q. Yeah.  
 19 A. I can't remember exactly, about three or  
 20 four weeks ago.  
 21 Q. Where were you when she told you this?  
 22 A. In my American Lit. class.  
 23 Q. Do you know whether calculus or AP calculus  
 24 are offered as cross-track classes?  
 25 A. Well, if it's the same class as both --

1 well, it is -- the classes -- excuse me.  
 2 Q. That's okay.  
 3 A. It is a cross-track class.  
 4 Q. Okay. So -- so -- so students from all  
 5 three tracks can -- can still take calculus or  
 6 AP calculus, or whatever calculus class it is?  
 7 A. Yes.  
 8 Q. Do you know how many different types of AP  
 9 classes are offered at Huntington Park Senior High?  
 10 A. From what I understand, there is AP  
 11 Spanish, AP history, AP government and economics.  
 12 Q. Government and economics is one AP class?  
 13 A. I'm not sure, but it's the same -- it  
 14 takes -- one is after the other.  
 15 Q. Okay.  
 16 A. During the same school year.  
 17 Q. Any others?  
 18 A. AP chemistry, AP calculus, and that's it.  
 19 Q. Okay. What about AP English?  
 20 A. Oh, yes, AP English.  
 21 Q. Okay.  
 22 A. And I think there's AP ... Spanish Lit.  
 23 Q. There is an AP Spanish Lit. class and an  
 24 AP Spanish language class?  
 25 A. Yes.

1 Q. Okay. Any others?  
 2 A. Not that I can remember.  
 3 Q. What about AP statistics?  
 4 A. No.  
 5 Q. That's not offered at Huntington Park?  
 6 A. No.  
 7 Q. Are you sure?  
 8 A. Yes.  
 9 Q. How do you know?  
 10 A. Because I don't remember seeing that on the  
 11 list.  
 12 Q. Okay. Could it have been on the list?  
 13 A. No.  
 14 Q. Well, how -- how do you know it couldn't  
 15 have been on the list?  
 16 A. Because I ask a lot of questions and I  
 17 don't remember asking what that means.  
 18 Q. Okay. Would you be surprised if you  
 19 learned that AP statistics was offered at Huntington  
 20 Park Senior High?  
 21 A. If I knew what it was.  
 22 Q. Do you know what statistics is?  
 23 A. I'm not sure.  
 24 Q. Okay. What about AP art studio?  
 25 A. I think that is offered.

1 Q. Okay.  
 2 A. I know AP biology is not offered.  
 3 Q. Is not offered?  
 4 A. Yes, it's not offered.  
 5 Q. Okay. So the AP classes that you -- of  
 6 which you are aware that are offered at Huntington  
 7 Park Senior High, are: AP Spanish literature,  
 8 AP Spanish language, AP History, AP Government and  
 9 Economics, AP chemistry, AP calculus, AP English,  
 10 and AP art studio?  
 11 A. Yes.  
 12 Q. Okay. Do you know if a student has to  
 13 qualify to take an AP class?  
 14 A. I'm not sure anymore, but I know for  
 15 AP history on A track the teacher is going -- I  
 16 don't know, set a standard for letting people in.  
 17 Because this year a lot of -- too many students  
 18 enrolled for it and he believed a lot of the  
 19 students weren't prepared to take the class.  
 20 Q. Has he told you what the standard is going  
 21 to be for AP history?  
 22 A. No, he told me he hasn't decided.  
 23 Q. Do you know if students have to qualify to  
 24 take any other AP classes?  
 25 A. Not to my knowledge.

1 Q. Are AP classes reserved for eleventh and  
 2 twelfth grade students?  
 3 A. Most of them.  
 4 Actually, all of them from what I  
 5 understand.  
 6 Q. Okay. Have you ever been unable to take an  
 7 AP class that you wanted to take?  
 8 A. No.  
 9 Q. Do you know whether any other students at  
 10 Huntington Park Senior High have been unable to take  
 11 an AP class that they wanted to take?  
 12 A. Not to my knowledge.  
 13 Q. Okay. Do you know whether AP teachers are  
 14 supposed to have any special type of qualifications  
 15 or training to teach AP classes?  
 16 A. I'm not sure about that, but ... I don't  
 17 know.  
 18 Q. Okay. Do you know whether AP teachers are  
 19 supposed to participate in special conferences?  
 20 A. I don't know about conferences, but my  
 21 teacher was telling me that he goes to some classes  
 22 or he participates in something that helps him have  
 23 better skills.  
 24 Q. Is this your AP teacher?  
 25 A. Yes. Uh-huh.

- 1 Q. Do you like him?  
 2 A. Yes.  
 3 Q. Do you think he is a good teacher?  
 4 A. Yes.  
 5 Q. How -- can you describe for me how he is a  
 6 good teacher?  
 7 A. How is he a good teacher?  
 8 Q. Uh-huh.  
 9 A. Well, like I stated before, he was in a car  
 10 accident and he still taught us. He taught us  
 11 through a computer. And he spent his weekends  
 12 teaching us to prepare us for the AP exam, which he  
 13 didn't get paid for. And just basically the way he  
 14 teaches.  
 15 Q. Have -- have you taken the AP exam yet?  
 16 A. Yes.  
 17 Q. When did you take it?  
 18 A. About two weeks ago.  
 19 Q. Do you feel you did all right on it?  
 20 A. I hope I did.  
 21 Q. It was hard, wasn't it?  
 22 A. Somewhat. I think it was easier than the  
 23 tests he gives us.  
 24 Q. Well, then, you must have been pretty well  
 25 prepared for it.

- 1 A. Yeah.  
 2 Q. Do you know whether AP teachers, as part of  
 3 their responsibilities in AP classes, are supposed  
 4 to be willing to meet with students after school?  
 5 A. I don't know. I don't know if -- if it's  
 6 their responsibility or not.  
 7 Q. Have you ever met with your AP history  
 8 teacher after school?  
 9 A. Well, we met with him during weekends at  
 10 school.  
 11 Q. Okay.  
 12 A. And I understand that we were supposed to  
 13 meet during vacations, also, but because of his car  
 14 accident, we couldn't.  
 15 Q. Do you know who determines at Huntington  
 16 Park how many AP classes are offered?  
 17 A. I don't know.  
 18 Q. Do you know who determines when they're  
 19 offered?  
 20 A. No, I don't know.  
 21 Q. Okay. Do you have any idea how the  
 22 determination is made with -- strike that.  
 23 Do you know how the school determines when  
 24 to provide an AP class to students at Huntington  
 25 Park Senior High?

- 1 A. Could you repeat the question.  
 2 Q. Sure.  
 3 Do you know how the school determines when  
 4 to offer an AP class to students?  
 5 A. No, I don't know.  
 6 Q. Do you know whether it has something to do  
 7 with the number of students who are qualified to  
 8 take the course?  
 9 A. I don't know.  
 10 Q. Okay. Do you know whether it has anything  
 11 to do with the number of available teachers?  
 12 A. I'm thinking it might --  
 13 Q. Okay.  
 14 A. -- but I'm not sure.  
 15 Q. Has anybody ever told you that?  
 16 A. No.  
 17 Q. Do you know whether it has -- whether  
 18 that determination has anything to do with the  
 19 qualifications of the teachers?  
 20 A. I presume, but I'm not sure.  
 21 Q. Okay. Do you know how many teachers at  
 22 the Huntington Park Senior High teach AP Spanish  
 23 literature?  
 24 A. No, I don't know.  
 25 Q. Okay. Do you know how many teachers at

- 1 Huntington Park Senior High teach AP Spanish  
 2 language?  
 3 A. I don't know.  
 4 Q. Okay. Do you know how many teachers at  
 5 Huntington Park Senior High teach AP American  
 6 History?  
 7 A. Three.  
 8 Q. Three teachers?  
 9 A. (Nods head.)  
 10 Q. Do you know how many teachers at Huntington  
 11 Park Senior High teach AP government and economics?  
 12 A. I'm not sure.  
 13 Q. Do you know how many teachers at Huntington  
 14 Park Senior High teach AP chemistry?  
 15 A. One.  
 16 Q. Are you sure about that?  
 17 A. Yes.  
 18 Q. Okay. Do you know what that teacher's name  
 19 is?  
 20 A. Ms. Puri.  
 21 Q. Puri, okay.  
 22 How do you know there are no other teachers  
 23 at Huntington Park Senior High that teach AP  
 24 chemistry?  
 25 A. Because it's a cross-track class and they

1 told me that the -- the class was pretty small.  
 2 Q. Who told you that the -- that the  
 3 AP chemistry class is pretty small?  
 4 A. Rosa.  
 5 Q. I'm sorry?  
 6 A. Rosa.  
 7 Q. Rosa?  
 8 Forgive me if I've asked you this before,  
 9 but who is Rosa?  
 10 A. My friend. She's -- she's in -- she  
 11 participates in that class.  
 12 Q. Okay.  
 13 A. She took that class.  
 14 Q. And do you know how many students are in  
 15 that AP chemistry class?  
 16 A. I don't know, but I know a lot of people  
 17 dropped that class.  
 18 Q. Do you know why?  
 19 A. Because they said it was too much work.  
 20 Q. Okay. Do you know how many teachers at  
 21 Huntington Park Senior High teach AP calculus?  
 22 A. One.  
 23 Q. Okay. Are you sure about that?  
 24 A. Yes.  
 25 Q. Do you know what the name of that teacher

1 is?  
 2 A. I don't remember his name.  
 3 Q. Okay. Do you know how many teachers at  
 4 Huntington Park Senior High teach AP English?  
 5 A. No.  
 6 Q. Do you know how many teachers at Huntington  
 7 Park Senior High teach AP art studio?  
 8 A. I'm not sure, but I think only one.  
 9 Q. Why do you think there is only one teacher  
 10 that teaches AP art studio?  
 11 A. Because to the best of my knowledge, there  
 12 is only one art room and it's also a cross-track  
 13 class.  
 14 Q. AP art studio is a cross-track class?  
 15 A. Yes.  
 16 MR. CHOATE: What exhibit number are we on?  
 17 THE REPORTER: Eight.  
 18 MR. CHOATE: If I offer a new one, it's  
 19 eight?  
 20 THE REPORTER: Yes.  
 21 MR. CHOATE: Okay. I would like to mark as  
 22 Exhibit 8 a document entitled "Cross-track Classes."  
 23 (The document referred to was marked by the  
 24 Reporter as Deposition Exhibit 8 for identification  
 25 and is attached hereto.)

1 THE WITNESS: (Examining document.)  
 2 BY MR. CHOATE:  
 3 Q. Lizette, have you ever seen this document  
 4 before?  
 5 A. No.  
 6 Q. Okay. Do you know what this is?  
 7 A. The cross-track classes.  
 8 Q. Okay. I will represent to you that this  
 9 was a document produced by the Los Angeles Unified  
 10 School District pursuant to plaintiffs' record  
 11 subpoenas in this case.  
 12 Lizette, can you -- you -- kind of towards  
 13 the top of the middle section of this document,  
 14 there's a reference to "AP Calculus BC"?  
 15 A. Yes.  
 16 Q. And there is a teacher's name next to that,  
 17 Garcia?  
 18 A. Yes.  
 19 Q. Do you know who that is?  
 20 A. I'm not sure.  
 21 Q. Okay. When you look farther down the page  
 22 there is another reference to "AP Calculus AB"; do  
 23 you see that?  
 24 A. Yes.  
 25 Q. And do you see next to AP Calculus AB is

1 the name of a teacher named Urueta?  
 2 A. Urueta, yes.  
 3 Q. Urueta.  
 4 Do you know that teacher?  
 5 A. Yes.  
 6 Q. Okay.  
 7 A. Well, I don't know him, but he made a  
 8 presentation in my classroom about a month ago ...  
 9 yeah, about a month ago or two.  
 10 Q. Is it possible that there are two  
 11 AP calculus teachers at Huntington Park Senior High?  
 12 A. Well, to my understanding, he said --  
 13 because he warned us because a lot of people in my  
 14 class were failing. And he told us, "Well, I'm the  
 15 only teacher who is offering this class so you  
 16 better get a good grade in this class or I won't  
 17 accept you."  
 18 Q. Okay. Do you know whether AP Calculus AB  
 19 and AP Calculus BC are the same class?  
 20 A. No, they're not the same.  
 21 Q. Mr. -- I'm sorry, I'm not going to  
 22 pronounce his name right.  
 23 A. Urueta.  
 24 Q. Mr. Urueta told you he was the only teacher  
 25 that taught AP Calculus AB?

1 A. Yes.  
 2 Q. Do you have any reason to believe that this  
 3 teacher named Garcia does not teach AP Calculus BC?  
 4 A. No.  
 5 Q. Okay. So do you think that there are two  
 6 AP calculus teachers?  
 7 A. Yes.  
 8 Q. Okay. Lizette, is there a special  
 9 procedure for enrolling in AP calculus -- or in any  
 10 AP course?  
 11 A. I'm not aware of any.  
 12 Q. Okay.  
 13 A. But, to the best of my knowledge, I think  
 14 teachers -- it's up to the teacher.  
 15 Q. Okay. When -- when you wanted to enroll in  
 16 AP history, did you go and speak with the teacher?  
 17 A. Not necessarily.  
 18 Somebody told my English teacher that --  
 19 well, we had to submit an essay to our English  
 20 teacher and he would give it to the AP history  
 21 teacher, Mr. Miekosz, and he would decide about the  
 22 essay who would be qualified or --  
 23 Q. And you --  
 24 A. -- get into his class.  
 25 Q. You submitted an essay to your English

1 teacher?  
 2 A. Yes.  
 3 Q. And then your English teacher -- is it your  
 4 understanding that your English teacher gave the  
 5 essay to the AP history teacher?  
 6 A. Yes.  
 7 Q. How long after you gave the essay to your  
 8 English teacher -- well, strike that.  
 9 How did you find out you were accepted into  
 10 the AP history class?  
 11 A. I don't remember, actually. I don't  
 12 remember.  
 13 Q. Do you remember how long it was after you  
 14 gave the essay to your English teacher that you  
 15 learned that you were accepted into the AP history  
 16 class?  
 17 A. Around a week or two.  
 18 Q. Okay. Lizette, do you know what honors  
 19 classes are provided at Huntington Park Senior High?  
 20 A. I don't know. But I know it's basically  
 21 around English, history. I don't know. I get kind  
 22 of confused with math because I usually think it's a  
 23 regular class, but sometimes it says "honors" on my  
 24 report card.  
 25 And I know geography ... I don't know about

1 the languages, though.  
 2 Q. You've been able to take a fair amount of  
 3 honors classes at Huntington Park Senior High, it  
 4 seems like?  
 5 A. Yes.  
 6 Q. Do you think that you've benefited from  
 7 being able to take all these honors classes?  
 8 A. Yes.  
 9 Q. Do you know whether students at your school  
 10 have to -- have to qualify to be able to take honors  
 11 classes?  
 12 A. From what I understand, I heard they have  
 13 to -- I think -- I'm not sure how they qualify now.  
 14 Before, when I was in the gifted program, I think it  
 15 was according to a test, or a decision made by  
 16 people, who I don't know who they were.  
 17 Q. Are you in the gifted program now?  
 18 A. I don't know if it still exists, but I  
 19 think I am.  
 20 Q. Okay. Your understanding, though, is  
 21 that -- I want to make sure I'm correct.  
 22 Is your understanding that in order to take  
 23 an honors class, a student has to have some type of  
 24 special qualification?  
 25 A. Yes.

1 Q. But you're not exactly sure on -- on the  
 2 nature of what that qualification is?  
 3 A. Yes. Because I know before when -- it was  
 4 kind of hard for people to get into the gifted  
 5 program --  
 6 Q. To get into the what program?  
 7 A. The gifted program. Because I think I  
 8 didn't passed the test, but since I had a really  
 9 high score in the "appenda" test in third grade, I  
 10 think that's how I got in.  
 11 Q. Okay.  
 12 A. But I know -- I remember kids tried to get  
 13 in -- their parents tried to get them in, but  
 14 that ...  
 15 I don't know, I don't know how -- how it  
 16 was -- that kids now get in, because I know I seen a  
 17 lot of faces in C track in the gifted -- in the  
 18 honors classes that I never had seen before.  
 19 Q. Do you know whether the teachers who teach  
 20 honors classes at Huntington Park Senior High have  
 21 to have special qualifications or training to teach  
 22 honors students?  
 23 A. I don't know.  
 24 Q. Okay. Do you know who determines what  
 25 honors courses are offered on a given track at

1 Huntington Park Senior High?  
 2 A. No.  
 3 Q. Okay. Do you have any idea how that  
 4 determination is made?  
 5 A. No.  
 6 Q. Would you think that it has something to do  
 7 with the number of students who are qualified to  
 8 take honors classes?  
 9 A. I don't know.  
 10 Q. Okay. Do you know how many teachers there  
 11 are at Huntington Park Senior High who teach honors  
 12 English classes?  
 13 A. No, I don't know.  
 14 Q. Okay. Do you know how many teachers there  
 15 are at Huntington Park Senior High who teach honors  
 16 math classes?  
 17 A. I don't know.  
 18 Q. Do you know how many teachers there are at  
 19 Huntington Park Senior High who teach honors science  
 20 classes?  
 21 A. I don't know.  
 22 Q. Okay. Do you know how many teachers there  
 23 are at Huntington Park Senior High who teach honors  
 24 social studies classes?  
 25 A. No, I don't know.

1 Q. Okay. Do you think there are enough  
 2 teachers at Huntington Park Senior High to teach  
 3 honors classes?  
 4 MS. CHECEL: Objection. Calls for  
 5 speculation. She doesn't know how many teachers --  
 6 BY MR. CHOATE:  
 7 Q. Well, you can tell me --  
 8 MS. CHECEL: You can answer.  
 9 THE WITNESS: Well, apparently there aren't  
 10 enough teachers to teach honors chemistry, so ...  
 11 BY MR. CHOATE:  
 12 Q. And why do you say there aren't enough  
 13 teachers to teach honors chemistry?  
 14 A. Because I didn't get honors chemistry this  
 15 year. But from my understanding I was supposed to,  
 16 but there wasn't any chemistry teacher to teach  
 17 honors.  
 18 Q. Why were you supposed to get honors  
 19 chemistry this year?  
 20 A. Because I didn't want to take AP chemistry,  
 21 and to my understanding there were honors chemistry  
 22 teachers in C track.  
 23 Q. And how did you gain that understanding?  
 24 A. Because my friend had honors chemistry when  
 25 she was in C track.

1 Q. Who is your friend?  
 2 A. Her name is Jackie, I'm not sure what her  
 3 last name is.  
 4 Actually, yes, it's Jackie Amparo.  
 5 Q. Amparo.  
 6 THE REPORTER: Can you spell it?  
 7 THE WITNESS: A M P A R O.  
 8 BY MR. CHOATE:  
 9 Q. Is that -- did you ever talk to anybody in  
 10 the administration about -- about enrolling in  
 11 honors chemistry?  
 12 A. No.  
 13 Q. Okay. Why not?  
 14 A. Because at the time I wasn't aware that  
 15 there was honors chemistry on other tracks.  
 16 Q. Okay. Do you -- do you feel that you would  
 17 have been ready to take on the extra work in honors  
 18 chemistry class versus your regular chemistry class?  
 19 A. Do I feel now --  
 20 Q. Yeah.  
 21 A. -- probably not, but I could have probably  
 22 managed.  
 23 Q. But sitting here today, you don't think  
 24 that you would have wanted to take honors chemistry  
 25 because of the workload?

1 A. Well, I would have taken honors chemistry.  
 2 Q. Uh-huh.  
 3 But I thought you didn't want to take  
 4 AP chemistry because it was too much work?  
 5 A. But I figured because AP chemistry was a  
 6 college prep. class, honors chemistry would be less  
 7 work.  
 8 Q. But your regular chemistry class right now  
 9 is a lot of work; right?  
 10 A. Not necessarily. It's just the tests are  
 11 really different from the homework we get.  
 12 Q. Do you find that your chemistry class this  
 13 year is difficult for you?  
 14 A. Well, the tests are kind of difficult,  
 15 but ... I don't think it is.  
 16  
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1 [REDACTED]  
 2 [REDACTED]  
 3 [REDACTED]  
 4 [REDACTED]  
 5 [REDACTED]  
 6 [REDACTED]  
 7 [REDACTED]  
 8 MS. CHECEL: Peter, unless you have  
 9 additional questions relating to the topic that you  
 10 were just discussing, she's ready to stop.  
 11 MR. CHOATE: Okay. You know I -- we -- we  
 12 can go ahead and stop now if you want. I know I'm  
 13 going to have a few cleanup questions in the areas  
 14 of honors and AP classes, but maybe it would be  
 15 better.  
 16 MS. CHECEL: If that's okay with you, or we  
 17 can finish up this specific topic and quit.  
 18 MR. CHOATE: Okay.  
 19 MS. CHECEL: If you think it's going to  
 20 take no less than ten minutes.  
 21 MR. CHOATE: I don't think I should have  
 22 too much more.  
 23 MS. CHECEL: Okay. Are you okay with that?  
 24 THE WITNESS: Yeah.  
 25 ///

1 BY MR. CHOATE:  
 2 Q. Lizette, are you aware of any students at  
 3 Huntington Park Senior High who have been unable to  
 4 enroll in any honors courses?  
 5 A. Just basically the same people that have  
 6 been wanting to get into an honors chemistry.  
 7 Q. Okay. Do you know any specific -- any  
 8 specific names?  
 9 A. I know one would be Rosa, but I don't  
 10 know --  
 11 Q. Rosa --  
 12 A. Actually I think her last name is Rios.  
 13 And I don't know about the rest of the  
 14 people.  
 15 Q. Well, other than with respect to -- to the  
 16 honors chemistry class that we've spoken about, do  
 17 you know of any other students who have been unable  
 18 to enroll in any honors classes at Huntington Park  
 19 Senior High?  
 20 A. Not to my knowledge.  
 21 Q. Okay.  
 22 MR. CHOATE: You know, I think I'm probably  
 23 done now on this -- on this topic. You know --  
 24 MS. CHECEL: You can always revisit it  
 25 later.

1 MR. CHOATE: Yeah, but I think right now,  
 2 I'm done. I'll start with questions about other  
 3 elective classes next time.  
 4 MS. CHECEL: Did you all want to coordinate  
 5 a date?  
 6 MR. FRIEDMAN: I think it would be nice to  
 7 do that right now.  
 8 THE REPORTER: Do you want to go off the  
 9 record?  
 10 MR. CHOATE: Sure. We can go off the  
 11 record and come back on and get it straight.  
 12 (Discussion held off the record.)  
 13 MR. CHOATE: Why don't we go back on the  
 14 record.  
 15 Okay. I -- I am not finished with my  
 16 questioning of Lizette at this time.  
 17 Ms. Checel has indicated that Lizette will  
 18 determine whether she is available to proceed with  
 19 the deposition on Saturday, June 2nd, or Sunday,  
 20 June 3rd, and will notify Ms. Checel.  
 21 Lizette will also notify Ms. Checel of any  
 22 alternative Saturdays or Sundays following the  
 23 weekend of June 2nd on which she may be available.  
 24 Ms. Checel will then communicate with  
 25 Mr. Friedman and myself regarding those dates.

1 May we stipulate that the copies of the  
 2 documents be attached to the deposition -- may we  
 3 stipulate that the copies and documents -- that the  
 4 copies and documents attached to the deposition be  
 5 used as originals?  
 6 MS. CHECEL: We can do that.  
 7 MR. CHOATE: Okay.  
 8 May we stipulate that the original of this  
 9 deposition be signed under penalty of perjury;  
 10 That the original be delivered to the  
 11 office of Ms. Checel;  
 12 That the reporter is relieved of liability  
 13 for the original of the deposition;  
 14 That the witness will have 15 days from the  
 15 date of the court reporter's transmittal letter to  
 16 Ms. Checel to sign and correct the deposition;  
 17 And that Ms. Checel will notify all parties  
 18 in writing of any changes to the deposition;  
 19 And if there are no such changes  
 20 communicated or signature within that time, that an  
 21 unsigned and uncorrected copy may be used for all  
 22 purposes as a signed and corrected copy?  
 23 MS. CHECEL: So stipulated.  
 24 MR. FRIEDMAN: So stipulated.  
 25 MR. CHOATE: Thank you.

(Whereupon, at 4:40 p.m.,  
the deposition of LIZETTE RUIZ  
was adjourned.)  
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1 STATE OF CALIFORNIA )  
2 COUNTY OF LOS ANGELES ) ss.

3  
4 I, c. jane harman, C.S.R. No. 5266, in  
5 and for the State of California, do hereby certify:  
6 That, prior to being examined, the  
7 witness named in the foregoing deposition, to wit,  
8 LIZETTE RUIZ, was by me duly sworn to testify to the  
9 truth, the whole truth and nothing but the truth;

10 That said deposition was taken down by me  
11 in shorthand at the time and place therein named,  
12 and thereafter reduced to typewriting under my  
13 direction, and the same is a true, correct and  
14 complete transcript of said proceedings;

15 I further certify that I am not  
16 interested in the event of the action.

17 WITNESS MY HAND this 24th day of MAY,  
18 2001.

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Certified Shorthand  
Reporter for the  
State of California

1 STATE OF CALIFORNIA )  
2 COUNTY OF LOS ANGELES ) ss.

3  
4  
5 I, LIZETTE RUIZ, hereby certify declare  
6 under penalty of perjury under the laws of the State  
7 of California that the foregoing is true and  
8 correct.

9  
10 Executed this day of  
11 , 2001, at ,  
12 California.

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LIZETTE RUIZ