

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 II

13 Defendants.) Pages 229 - 449

14)

15
16
17 DEPOSITION OF:

18 LIZETTE RUIZ

19 SUNDAY, JUNE 10, 2001

20 10:05 A.M.

21
22 Reported by:

23 C. JANE HARMAN

24 CSR No. 5266

25

1 Deposition of LIZETTE RUIZ, the witness,
2 taken on behalf of DEFENDANT STATE OF CALIFORNIA, at
3 10:05 A.M., SUNDAY, JUNE 10, 2001, at 400 South Hope
4 Street, Fifteenth Floor, Los Angeles, California,
5 before c. jane harman, CSR No. 5266.

6
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6
7
8 INSTRUCTED NOT TO ANSWER
9 (None)

10
11
12 INFORMATION REQUESTED
13 (None)

14
15
16 EXHIBITS
17 (None)

1 LOS ANGELES, CALIFORNIA
2 SUNDAY, JUNE 10, 2001
3 10:05 A.M.
4 -oOo-
5
6 LIZETTE RUIZ,
7 having been first duly re-sworn, was
8 examined and testified further as follows:

9
10 EXAMINATION RESUMED

11
12 BY MR. CHOATE:

13 Q. Good morning, Lizette.
14 A. Good morning.
15 Q. I'm going to go over, quickly, a few of the
16 ground rules for today's deposition.
17 Okay?
18 A. Okay.
19 Q. I'm going to ask you some questions and
20 your responsibility is to answer them truthfully and
21 in the most complete manner possible.
22 Do you understand that?
23 A. Yes.
24 Q. If I ask you a question and you don't
25 understand it, let me know, and I'll try to rephrase

1 it. If you don't let me know, and you don't tell me
 2 that you don't understand a particular question, I'm
 3 going to assume that you do understand it.
 4 All right?
 5 A. All right.
 6 Q. When you answer my questions, it's
 7 important for you to verbalize your answer. If you
 8 answer "yes" or "no," try to say "yes" or "no"
 9 instead of nodding or shaking your head so the court
 10 reporter can take that down.
 11 Okay?
 12 A. Okay.
 13 Q. Okay. Have you had any alcohol within the
 14 last 24 hours?
 15 A. No.
 16 Q. Okay. Are you currently taking any
 17 medication or drugs that would affect your ability
 18 to testify today?
 19 A. No.
 20 Q. Okay. Do you understand that you're
 21 testifying under the penalty of perjury today?
 22 A. Yes.
 23 Q. Okay. Lizette, have you ever been unable
 24 to enroll in a math class at Huntington Park Senior
 25 High School?

1 A. No.
 2 Actually, I was -- well, I had trouble
 3 getting into one math class once, just changing
 4 teachers, but I managed to do so in the end.
 5 Q. Okay. So you were never unable to enroll
 6 in a math class?
 7 A. No.
 8 Q. Okay. You also testified last time that
 9 you've not been unable to enroll in any AP course
 10 that you've wanted to take; is that correct?
 11 A. Yes.
 12 Q. Are you planning on taking AP calculus at
 13 any time?
 14 A. I'm sort of indecisive, but at the
 15 moment ...
 16 Q. At the moment you're not planning on taking
 17 AP calculus?
 18 A. No.
 19 Q. Okay. Can you tell me why?
 20 A. Well, the way I figured was that since I'm
 21 not -- I'm not planning to major in anything that
 22 has to do with math --
 23 Q. Yeah.
 24 A. -- and I know that AP calculus is going to
 25 be extremely a lot of work and it's going to take up

1 a lot of my time, I'm not -- I'm not so sure about
 2 taking it.
 3 Q. Okay. Is math not your favorite subject?
 4 A. It's not my favorite, but I like it.
 5 Q. Okay. Lizette, could you describe for me,
 6 please, the process for enrolling in elective
 7 classes at Huntington Park Senior High School.
 8 A. About two months before the -- the year
 9 ends, the school year ends, our counselor, or a
 10 counselor, comes to make a presentation to usually
 11 our English class.
 12 And she gives us a sheet which has listings
 13 of all the classes you want to take and the
 14 electives are there. And we usually mark them one
 15 through six, one being our first choice. And from
 16 that she works on making our schedule.
 17 Q. Okay. Do you know who determines which
 18 elective classes are offered to students on a given
 19 track?
 20 A. From my understanding, Ms. Reed, or
 21 actually the school counselor.
 22 Q. Who is the school counselor?
 23 A. Well, it depends. Since there are so many
 24 students, they're broken into three -- three
 25 categories, I guess, according to their last name.

1 And I don't know all the names of the A track
 2 counselors, but there's three counselors per track.
 3 It usually goes according to last names.
 4 Q. What goes according to last name?
 5 A. Which counselor you get.
 6 Let's say -- I'm not sure, but an example
 7 would be Ms. Reed would probably would get R -- P
 8 through K or something -- no, P through Z, or I
 9 don't know, something like that.
 10 Q. Ms. Reed is your counselor?
 11 A. Yes.
 12 Q. Do you know how the determination of which
 13 elective classes to offer on a particular track is
 14 made?
 15 A. Excuse me. Could you repeat the question.
 16 Q. Sure.
 17 Would you read back the question, please.
 18 (The record was read.)
 19 THE WITNESS: Determination by the
 20 administration, or by who?
 21 BY MR. CHOATE:
 22 Q. By the administration.
 23 A. On which classes they would offer?
 24 Q. Uh-huh.
 25 A. I don't know.

1 Q. Okay. Do you know whether that
2 determination of which elective classes to offer on
3 a particular track depends on the student enrollment
4 for a particular track?

5 A. I don't know.

6 Q. Do you know whether the determination
7 depends on teacher availability?

8 A. I would assume that, but I'm not -- I would
9 be guessing. I don't know.

10 Q. And let me -- let me go back and tell you
11 that that -- that you're not required to guess
12 today. But to the extent that you -- you have an
13 idea of what the answer is, I'm entitled to your
14 best estimate.

15 Do you understand that?

16 A. Yes.

17 Q. Okay. Do you know whether the
18 determination of which elective classes to offer
19 on a particular track depends on teacher
20 qualifications?

21 A. I don't know.

22 Q. Are you aware of whether there are
23 certain types of elective classes that students at
24 Huntington Park Senior High School are required to
25 take?

1 A. (Barely audible.)

2 Yes, but I don't know if that falls under
3 a category, but ECP, career planning and health are
4 required, but I think they changed the name.

5 MR. CHOATE: Could you read back the
6 answer, please.

7 THE REPORTER: Actually I didn't get it.
8 I don't know what category -- what did you
9 say?

10 THE WITNESS: They fall under, but, well,
11 before ECP, health and career planning were
12 requirements, but I think they changed the name. I
13 don't know what the new name is.

14 BY MR. CHOATE:

15 Q. You referred to "ECP, career planning"?

16 A. Yeah, ECP is career planning.

17 Q. Are those -- okay. Education career
18 planning?

19 A. Yeah, I think so.

20 Q. Okay.

21 Okay. Lizette, do you know whether any
22 elective classes are offered to students on one or
23 more but fewer than all tracks at Huntington Park
24 Senior High School?

25 A. I'm not sure. I don't know.

1 A. Can you repeat the question again.

2 Q. Of course.

3 Are you aware of whether there are certain
4 types of elective classes at your school that
5 students are required to take?

6 A. There's two categories that our counselor
7 tells us. And what are they? I'm not sure what
8 they are. But I think it's technical arts and ...
9 I'm not sure what the terms are, but ... I'm not
10 sure.

11 Q. If I told you that another category is fine
12 arts, would that -- would that sound correct to you?

13 A. Yes.

14 Q. Are there any other types of elective
15 classes that you can think of that students are
16 required to take?

17 A. No.

18 But I know language, we're required to take
19 two years of language, but I don't know under what
20 category that falls.

21 Q. Foreign language?

22 A. Yeah, foreign language.

23 Q. What about health-related classes, are
24 students at Huntington Park Senior High School
25 required to take any type of health-related classes?

1 Q. Have you ever wanted to take an elective
2 class that was not offered on your track?

3 A. I don't know, because I always pick
4 electives, but I never end up getting the ones I
5 like. So I don't know if that's because they're not
6 available on my track or not. But usually the --
7 the counselor makes the final choice.

8 Q. Well, in your current eleventh grade school
9 year are there elective classes that you wanted to
10 take at Huntington Park Senior High that you were
11 not able to take?

12 A. Yes, there were.

13 There were ... I chose art. I don't
14 remember on what -- what -- how I prioritized them.
15 And there was also a mechanics, and computer, I
16 think basics or something. I'm not sure what the
17 term or the name of that class is.

18 Q. Are -- are you saying that you wanted to
19 take an art class, a mechanics class and a computer
20 basics class?

21 A. Well, yeah, those are some of the choices
22 I made. Like I said before, the counselor chooses
23 which ones she could put people into.

24 Q. Were these classes ranked your first,
25 second and third choices?

- 1 A. I'm not sure.
 2 Q. Well, what elective classes are you taking
 3 in the current semester?
 4 A. Spanish. And I don't know if soccer or
 5 track and field falls under an elective. And ... I
 6 think that's it.
 7 Q. Is Spanish a class that you wanted to take?
 8 A. I think I did put it in one of those
 9 because I needed it.
 10 Q. Do you like your Spanish class?
 11 A. Not that much.
 12 Q. Why not?
 13 A. Because I have a senile teacher.
 14 Q. I'm sorry?
 15 A. I have a senile teacher.
 16 Q. A senile teacher?
 17 A. Yeah.
 18 Q. Why do you think your teacher is senile?
 19 A. Because she gives us the same work three
 20 days in a row. Or sometimes she gives us a test,
 21 and she gives us work from the book and she says
 22 it's a test. And then she asks us -- she gives the
 23 same test the next day. And -- or sometimes we'll
 24 watch a movie, like, three days in a row, so ...
 25 Q. What movie did you watch three days in a

- 1 Q. And why did you want to take computer
 2 basics?
 3 A. Because I always wanted to -- well, I've
 4 always been interested in computers and I know the
 5 basic skills. And I want to take a computer repair
 6 class, but you need the basic computer ... like to
 7 take the class.
 8 Q. Did anyone ever tell you why you weren't
 9 able to take -- or let me withdraw that question.
 10 Did anybody ever tell you why you were
 11 unable to enroll in art, mechanics or computer
 12 basics?
 13 A. No.
 14 Q. Did you ask anybody?
 15 A. No.
 16 Q. Do you know of any other -- or -- let me
 17 withdraw that.
 18 Do you know of any students at
 19 Huntington Park Senior High School that were unable
 20 to take an elective class that was -- or wanted to
 21 take an elective class that was not offered on their
 22 track?
 23 A. Not to my knowledge.
 24 Q. I'm going to ask it again just because I
 25 don't think I asked it very well.

- 1 row?
 2 A. Almost all of them.
 3 Q. Which ones?
 4 A. One is called "Maricela" or something like
 5 that. And she usually gives us like videos of
 6 Spanish-speaking countries, like travel videos, and
 7 she usually plays the same part again.
 8 Q. How old is your Spanish teacher?
 9 A. Around 70. I'm not sure.
 10 Q. Do you know how long she's been teaching at
 11 Huntington Park Senior High School?
 12 A. She mentioned it once. I think she
 13 said ... I don't know, probably more than ten years.
 14 Q. More than ten years?
 15 Okay. Why did you want to take art class
 16 this year, Lizette?
 17 A. Because I need it, also, as one of the
 18 requirements. I think that falls under tech -- is
 19 that technical? Actually, I don't know.
 20 Q. Are you planning on taking art next year?
 21 A. Yes.
 22 Q. Why did you want to take mechanics?
 23 A. I figured it's a necessary tool.
 24 Q. It's a necessary tool?
 25 A. Well, something people should know.

- 1 Okay?
 2 A. Okay.
 3 Q. Do you know of any other student who wanted
 4 to take an elective class but was -- let me withdraw
 5 that.
 6 Lizette, do you know of any student who
 7 wanted to take an elective class that was not
 8 offered on his or her track?
 9 A. Not to my knowledge.
 10 Q. Okay. Lizette, in your tenth grade year
 11 at Huntington Park Senior High School, were there
 12 any electives that you wanted to take but were
 13 unable to take?
 14 A. I can't remember that back, but ... I can't
 15 remember.
 16 Q. Is it possible that there -- that you
 17 were able to take all the elective classes that
 18 you wanted to take in tenth grade?
 19 A. No, because I know I never put foreign
 20 language as my first choice, so ...
 21 Could you ask the question again?
 22 Q. Well, you indicated that you can't remember
 23 whether there were any elective classes in your
 24 tenth grade year that you were not able to take.
 25 And what I want to know is whether it's possible

1 that you were able to take all the elective classes
 2 in your tenth grade year that you wanted to take.
 3 A. I don't think it's possible.
 4 No, it wasn't possible.
 5 Q. And is that because you were given French
 6 class and that wasn't your first choice?
 7 A. Yes.
 8 Q. It's true, though, that students at
 9 Huntington Park Senior High School are required to
 10 take language courses, isn't it?
 11 A. Yes.
 12 Q. Lizette, do you know of any other students
 13 who have been unable to enroll in elective classes
 14 that they wanted to take on their track?
 15 A. Not to my knowledge.
 16 Actually, can I go back on -- because you
 17 asked if that language -- taking a language class is
 18 required to graduate, but now that I'm thinking
 19 about it, I don't think it's required. I think
 20 it's -- like I think it's two years of technical
 21 arts and fine arts, but I think colleges do require
 22 a minimum of two years of foreign language.
 23 Q. Is it -- is it your understanding that
 24 foreign language is not required to be taken by
 25 students at Huntington Park Senior High School in

1 A. Most of the colleges.
 2 Q. Are you aware of any colleges that require
 3 more than two years of foreign language for
 4 admission purposes?
 5 A. No, but I heard, I'm not sure if it is USC
 6 or Cal State that require -- or that prefer three
 7 years of foreign language --
 8 Q. Is it --
 9 A. -- I'm not sure which.
 10 Q. Okay. Is it your understanding that --
 11 that in order to be accepted into the University of
 12 California system, a student has to take two years
 13 of a foreign language?
 14 A. Yes.
 15 Q. Is it your understanding that in order to
 16 be accepted into the California State University
 17 system, a student has to take two years of foreign
 18 language?
 19 A. Yes.
 20 Q. Okay. Do you know whether French is
 21 offered for a third year at Huntington Park Senior
 22 High School?
 23 A. It wasn't before, but I heard that the
 24 French teacher in C track was trying to create a
 25 third year, but since not many students liked her,

1 order to graduate?
 2 A. I'm not sure. But I'm sure that two years
 3 of foreign language is required by most of the
 4 colleges, four-year colleges, to -- to be admitted.
 5 Q. Okay. What foreign languages are taught at
 6 Huntington Park Senior High School?
 7 A. French and Spanish.
 8 Q. Are those the only ones?
 9 A. To my knowledge, yes.
 10 Q. Now, you took French I in both semesters of
 11 your ninth grade year; is that correct?
 12 A. Yes.
 13 Q. And in your tenth grade year you took
 14 French in the first semester only; is that correct?
 15 A. Yes.
 16 Q. So you've taken one and a half years of
 17 French?
 18 A. Yes.
 19 Q. Do you know whether you need to take --
 20 well, I'll withdraw that question.
 21 You indicated that college standards
 22 require two years of foreign language for admission
 23 purposes?
 24 A. Yes.
 25 Q. Okay.

1 nobody wanted to take it.
 2 Q. Do you know whether, though, a third year
 3 of French is offered at Huntington Park Senior High
 4 School?
 5 A. I don't know. I don't know if it came
 6 through, if she pulled through.
 7 Q. If a third year of French were offered at
 8 Huntington Park Senior High School, would you take
 9 it?
 10 A. Not if she was teaching it.
 11 Q. Do you know if you'd be able to take it?
 12 A. I don't know if it's offered on all tracks.
 13
 14
 15
 16
 17
 18
 19 MR. CHOATE: Do you have a copy of the
 20 exhibits from the last deposition?
 21 MS. CHECEL: Yes.
 22 MR. CHOATE: Would you give Lizette, I
 23 believe it's Exhibit 1, please.
 24 MS. CHECEL: Her declaration?
 25 MR. CHOATE: Yeah.

1 MS. CHECEL: Okay. (Handing.)
 2 BY MR. CHOATE:
 3 Q. Lizette, would you please look at paragraph
 4 five.
 5 A. Yes.
 6 Q. Will you read the first sentence of
 7 paragraph five, please.
 8 A. "College standards require
 9 three years of foreign language."
 10 Q. You testified earlier that -- that college
 11 standards required two years of a foreign language.
 12 A. Yes.
 13 Q. Is the first sentence of paragraph five
 14 inaccurate?
 15 A. I believe so.
 16 MS. CHECEL: Objection. You
 17 mischaracterized her testimony, because she
 18 testified that some colleges require two and some
 19 prefer three.
 20 BY MR. CHOATE:
 21 Q. Lizette, it's your understanding that
 22 college standards require two years of a foreign
 23 language; isn't that correct?
 24 A. Yes.
 25 Q. Lizette, the second sentence of paragraph

1 Q. You used the phrase in the -- in your
 2 declaration, do you not have an understanding as to
 3 what it means?
 4 A. Well, I don't remember exactly what it
 5 means.
 6 Q. Okay. What do you think it means?
 7 A. From my understanding, because a lot of
 8 different people tell me different things, but from
 9 my understanding is it's basically like activities
 10 outside of school that the school does not provide,
 11 like ... or like ... I'm not sure actually, but I
 12 think sports is an extracurricular activity.
 13 Q. Okay.
 14 A. And I know, like, community service is
 15 considered extracurricular. But I'm not sure
 16 whether it means like -- like activities like sports
 17 because it is offered at school, or activities that
 18 aren't offered at school.
 19 Q. Okay. Well -- well, what kind of
 20 activities that are offered at Huntington Park
 21 Senior High School do you think fall into the
 22 category of extracurricular activities, other than
 23 sports?
 24 A. Probably like ... probably like school
 25 clubs.

1 five indicates that:
 2 "I wanted to take French but my
 3 school offers French for two years
 4 only. Because this does not meet the
 5 requirements, I could not take
 6 French."
 7 What -- what did you mean by that?
 8 A. Well, at the time I was planning to retake
 9 French 2 at -- during intersession at another school
 10 and I was planning also to take French 3 to [REDACTED]
 11 [REDACTED] But my college counselor, Ms. Loya,
 12 she recommended me to just take Spanish, and she
 13 said that it would take -- that it would look
 14 better. And she said it would be easier, also.
 15 Q. But it's true that you could take French
 16 for two years at Huntington Park Senior High School;
 17 is that correct?
 18 A. Yes.
 19 Q. Lizette, can you tell me, please, what
 20 extracurricular activities students can participate
 21 in at Huntington Park Senior High School.
 22 A. What do you mean by "extracurricular"?
 23 Q. What do you understand by the term
 24 "extracurricular activities"?
 25 A. I'm not sure.

1 Q. School clubs?
 2 A. Yeah.
 3 Q. Okay. Can you tell me what school clubs
 4 there are at Huntington Park Senior High School.
 5 A. Well, recently the school clubs have been
 6 falling apart because of the lack of student
 7 participation and because of the ... the
 8 commissioner of clubs was really -- she was really
 9 not committed to her job.
 10 But since the constitutions were lost, a
 11 lot of clubs weren't informed and couldn't put in
 12 their constitution, like couldn't submit their
 13 constitution, so they were prohibited from meeting.
 14 But at the current time, Junior State of
 15 America meets, Youth Action meets, Key Club meets,
 16 Mesa meets, and I'm not sure about the rest.
 17 Q. Can you repeat for me again the clubs that
 18 currently meet at Huntington Park Senior High
 19 School.
 20 A. Youth Action.
 21 Q. Yeah.
 22 A. Junior State of America, Key Club.
 23 Q. Yeah.
 24 A. I'm not sure of the Environmental Club,
 25 because when I was deputy commissioner of clubs, I

1 don't remember seeing their ... their constitution.
 2 I'm not sure about Environmental Club, Mesa, and
 3 that's all I can remember right now.
 4 Q. Okay. Other than sports and the Junior
 5 State of America Club, the Youth Action Club, the
 6 Key Club, Mesa and the Environmental Club, are there
 7 any other types of extracurricular activities
 8 offered at Huntington Park Senior High School that
 9 students can participate in?
 10 A. There's just one. I'm not sure it's a
 11 club, but I think it falls under a class, but I'm
 12 not sure what it's called, though. I can't remember
 13 the name.
 14 Q. Okay. What about student government, is
 15 that an extracurricular activity?
 16 A. I think so.
 17 Q. Can you think of any others?
 18 A. Not that I can remember right now.
 19 Q. Okay.
 20 A. There's this -- actually, yeah. There's
 21 this other program that helps you with, like,
 22 getting into colleges. I don't remember what
 23 they're called because they haven't been putting
 24 notices in the bulletin.
 25 Can I ask you a question?

1 If I remember during, like, when I'm
 2 reading my deposition again, like the names, can I
 3 put them in the -- in the deposition, or ...
 4 Q. Well, you are free to -- to make changes to
 5 your deposition transcript if you feel they are
 6 necessary when you review the transcript, but you
 7 have to understand that -- that I or other attorneys
 8 in the case can comment on any changes you make at
 9 trial or any other proceedings in the case.
 10 A. Okay.
 11 Q. Do you understand that?
 12 A. Yes.
 13 Q. So it's important for you to try to provide
 14 your most truthful, complete testimony today.
 15 A. Oh, okay.
 16 Q. What sports are offered at Huntington Park
 17 Senior High School?
 18 A. From what I know, football for boys; soccer
 19 for girls and boys; baseball and basketball for boys
 20 and girls. And there's some type of swim team.
 21 Q. Is that it?
 22 A. From what I know.
 23 Q. Okay.
 24 A. Oh, and tennis for boys and girls.
 25 Q. Do you know whether students on all three

1 tracks at Huntington Park Senior High School can
 2 participate in football?
 3 A. Yes.
 4 Q. They can?
 5 A. Yes, they can.
 6 Q. Okay. Do you know whether students on all
 7 three tracks at Huntington Park Senior High School
 8 can participate in soccer?
 9 A. Yes.
 10 Q. Students can participate in soccer?
 11 A. Yes, they can.
 12 Q. Can students on all three tracks at
 13 Huntington Park Senior High School participate in
 14 baseball, basketball, swimming and tennis?
 15 A. Yes.
 16 MR. FRIEDMAN: Is there a track team?
 17 THE WITNESS: Oh, yes, and the track team.
 18 MR. FRIEDMAN: The reference to track got
 19 me thinking there.
 20 BY MR. CHOATE:
 21 Q. Can students in all three tracks
 22 participate on the track team?
 23 A. Yes.
 24 Q. Can students on all three tracks
 25 participate in the Junior State of America Club?

1 A. Yes.
 2 Q. Can students on all three tracks
 3 participate in the Youth Action Club?
 4 A. Yes.
 5 Q. And the Key Club?
 6 A. Yes.
 7 Q. Students on all three tracks can
 8 participate in the Key Club?
 9 A. Yes.
 10 Q. Can students on all three tracks
 11 participate in Mesa and the Environmental Club?
 12 A. Yes, but I think -- I'm not sure of the
 13 Environmental Club because I don't know if it's
 14 still happening, if they're still meeting. Because
 15 I didn't hardly -- well, I don't remember seeing
 16 their notices anymore in the bulletin.
 17 Q. If the Environmental Club were still
 18 meeting, would students in all three tracks be able
 19 to participate in it?
 20 A. Yes.
 21 Q. What about student government, can students
 22 on all three tracks participate in student
 23 government?
 24 A. Yes.
 25 Q. Lizette, are there any extracurricular

1 activities at Huntington Park Senior High School
 2 that you had wanted to take but that were not
 3 offered when your track was in session?
 4 A. Not that I can recall.
 5 Q. Are you aware of any other student at
 6 Huntington Park Senior High School who wanted to
 7 participate in an extracurricular activity offered
 8 at your school but was unable to because the
 9 activity was offered on a different -- while the
 10 student was not on track?
 11 A. Not that I can remember. Not that I know
 12 of.
 13 Q. Lizette, I want to back up for a second and
 14 ask you another question about elective courses.
 15 Okay?
 16 A. Uh-huh.
 17 Q. Do you think that students on some tracks
 18 are provided with a limited selection of electives?
 19 A. Not that I know of.
 20 Q. Okay. Do you think that students at
 21 Huntington Park Senior High School are offered a
 22 limited selection of extracurricular activities on
 23 certain tracks?
 24 A. Not that I can recall.
 25 Q. Are you aware of any programs or activities

1 that students can participate in outside of school
 2 that will help them get into college?
 3 A. Can you repeat that question again.
 4 Q. Sure.
 5 Are you aware of any programs or activities
 6 that students can participate in outside of school
 7 that may help them get into college?
 8 A. There are many, but I'm not -- I don't know
 9 what names they have.
 10 Q. Well, can you think of any ones in
 11 specific?
 12 A. Well, there is the Constitutional
 13 Rights Foundation. And there's also the
 14 Brotherhood/Sisterhood Camp. And I think that one
 15 is only admitted to C track. I'm not sure.
 16 But I asked many people if I could go,
 17 because I got an application from Ms. Loya, the
 18 college counselor, and since it was offered -- I'm
 19 not sure when it was offered, but some students
 20 couldn't take it because it was a week-long camp and
 21 it was during their school season.
 22 Q. Any other programs that you can think of
 23 aside from the Constitutional Rights Foundation and
 24 the Brotherhood/Sisterhood Camp?
 25 A. There's ones that -- like the

1 UC Los Angeles Basin Initiative.
 2 Q. Are you aware of any others?
 3 A. Not that I can remember.
 4 Q. Okay.
 5 A. But the UC Basin Initiative I think has
 6 a lot of summer programs that are only offered
 7 during -- well, most of them are offered when
 8 A track is off track during their vacation.
 9 MR. FRIEDMAN: I'm sorry, did you refer to
 10 the USC-based initiative?
 11 MS. CHECEL: She said UC.
 12 THE WITNESS: UC.
 13 MR. FRIEDMAN: UC-based initiative, thank
 14 you.
 15 THE WITNESS: Basin.
 16 BY MR. CHOATE:
 17 Q. Okay. Can you say again what that program
 18 is called?
 19 A. The UC Los Angeles Basin Initiative.
 20 MR. FRIEDMAN: Is that related to UCLA, or
 21 is it more general, like the UC system, if you know?
 22 THE WITNESS: I think it is more general
 23 because they offer -- I remember they offered trips
 24 around all the UC campuses.
 25 ///

1 BY MR. CHOATE:
 2 Q. All right. Let's talk about the
 3 UC Basin -- or the UC Los Angeles Basin Initiative.
 4 What programs can students participate in
 5 with the UC Los Angeles Basin Initiative that will
 6 help them get into college?
 7 A. Well, they had -- like I said before, they
 8 had a program, it's like a trip going around all the
 9 UC campuses in California. Well, of course in
 10 California.
 11 And they also had -- I can't remember all
 12 the programs, but they had -- that's where I learned
 13 about the law camp and the law internship.
 14 And ... I'm not sure if it's this program
 15 or another one, but they also offer to take
 16 intersession courses, I think it's U- -- I'm not
 17 sure if it's UC or UCLA.
 18 Q. You've indicated that a lot of the summer
 19 programs offered through the UC Los Angeles Basin
 20 Initiative are offered only while A track is in
 21 session?
 22 A. Yes.
 23 Q. Which ones are those?
 24 A. Can I look through the book again?
 25 Actually, I don't know anymore because I think they

1 vary around the year.

2 Q. Okay. Is it possible that there were some
3 programs offered through the UC Los Angeles Basin
4 Initiative that were offered while A track was not
5 in school?

6 A. Yes.

7 Q. What kind of programs are offered through
8 the Brotherhood/Sisterhood Camp that would help
9 students possibly get into college?

10 A. Well, it was just -- I think that was the
11 basic program, Brotherhood/Sisterhood Camp. And it
12 basically just informed students about how --
13 basically about racism and mostly that stuff.

14 But Ms. Loya told me that a lot of these
15 intersession programs are programs that are offered
16 during -- while we're off track help us -- like make
17 us look good on the college application. So she
18 said as much community involvement as possible would
19 be really helpful.

20 Q. Do you think it's possible for students
21 on A track to participate in community-based
22 organizations while they're on vacation?

23 A. Well, I participate in them, but it's kind
24 of hard. But since I'm really involved with
25 Communities for a Better Environment, a lot of the

1 some are only open for freshman, or in ninth and
2 tenth grade and some are only open for seniors,
3 and ... it basically varies.

4 MR. FRIEDMAN: So as far as you know, the
5 only limitation in terms of availability to high
6 school students might involve depending on the year
7 of school that they are in?

8 THE WITNESS: Yes. And also what track
9 they're in.

10 BY MR. CHOATE:

11 Q. Lizette, are you aware of whether there
12 are any programs that students on B and C track
13 participate in while they're on vacation that would
14 help them get into college?

15 A. It varies.

16 Well, I -- I know there are some. But I
17 know some of them have to change tracks or make up
18 the time they miss because they go on trips. Like
19 the one I mentioned about going around UC campuses.
20 And I think that's basically it.

21 Because I know one of my friends, her name
22 is Erica, she had to -- she went to one of those
23 trips where she goes all over UC campuses -- but I'm
24 not sure if it was UC campuses, but she went to a
25 campus during, like, I think it took her a month or

1 meetings I go to are during the week and they -- I
2 can't say they interfere with my schooling, but they
3 get me tired sometimes. Like, they drain all my
4 energy, especially with the homework that I get from
5 school.

6 Q. Well, are you aware of any programs that
7 you can volunteer in while you're on vacation that
8 would help you get into college?

9 A. Well, yeah. Basically -- there is a lot of
10 programs in the Basin Initiative, the LA Basin
11 Initiative, and a lot of those sounded really good.

12 Q. A lot of those what?

13 A. Sounded really good.

14 Q. And were they available while A track was
15 on vacation?

16 A. Yes.

17 Q. Okay.

18 MR. FRIEDMAN: Peter, can I just ask a
19 question?

20 Taking, for example, the UC Los Angeles
21 Basin Initiative, do you know if that program is
22 only available to certain high school students, or
23 is it open to all high school students throughout
24 Los Angeles, for example?

25 THE WITNESS: Well, they vary. Because

1 something, and she had to make up for lost time in
2 intersession.

3 Q. Lizette, do you know of any programs that
4 B track students can participate in while they're on
5 vacation that would help them get into college?

6 A. I don't know which programs, but ... I
7 don't know if there are actually. I don't know.

8 Q. Okay. But you don't know if there are not
9 such programs, do you?

10 A. Exactly.

11 Q. Okay. Are you unaware of whether there are
12 programs that B track students can participate in
13 while they're on vacation that would help them get
14 into college?

15 A. Yes.

16 Q. "Yes," you are unaware?

17 A. Yes.

18 Q. Okay. Are you unaware whether there are
19 programs that C track students can participate in
20 while they're on vacation that would help them get
21 into college?

22 A. Yes.

23 Q. You are unaware of them?

24 A. Yes.

25 Although there is a limited choice of

1 programs.
 2 Q. How do you know that?
 3 A. Because most -- we get a -- can I bring
 4 out -- actually, I'm not sure -- oh, yeah, I do.
 5 Because Ms. Loya, she gives us like a list of
 6 programs available.
 7 Q. Okay.
 8 A. It is like a, sort of a type of newsletter.
 9 And I think, I'm not sure, but there are more
 10 programs available to certain tracks and some are
 11 only limited to certain tracks.
 12 Q. Okay. Ms. Loya, she gives you -- she
 13 gives -- well, first of all, who is Ms. Loya
 14 exactly?
 15 A. The college counselor.
 16 Q. Okay. And Ms. Loya provides students with
 17 a list of programs that they can participate in that
 18 may help them get into college?
 19 A. Yes.
 20 Q. Okay. And your testimony is that most
 21 of those programs are available only while A track
 22 students are on vacation?
 23 A. They vary. They are only available to
 24 certain tracks.
 25 Q. Okay. There are some programs that are

1 And the one girl that got accepted was a C tracker
 2 so she also had to change tracks.
 3 Q. What was her name?
 4 A. Evelyn Moreno.
 5 Q. Evelyn Moreno.
 6 What program did Evelyn Moreno want to
 7 participate in?
 8 A. I'm not sure what the name is, but it was
 9 the one that you get accepted into Berkeley, that
 10 you have a guaranteed acceptance to Berkeley if you
 11 keep your grade point average at a certain rate.
 12 Q. Lizette, what document are you looking at
 13 right now?
 14 A. Huntington Park High School Juniors College
 15 Newsletter, March 2001, Track A.
 16 MR. CHOATE: Could I get a copy of that
 17 letter?
 18 MS. CHECEL: Yeah, I'll look at it.
 19 MR. CHOATE: Okay.
 20 Q. Lizette, I want to move on and ask you some
 21 questions that don't require you to look at -- at
 22 documents.
 23 Okay?
 24 A. Okay. I'll put it there.
 25 Q. Sure.

1 available to A track students and some programs that
 2 are available to B track students and some programs
 3 that are available to C track students?
 4 A. Yes.
 5 Q. Okay. Are you aware whether there are any
 6 other programs aside from those mentioned on the
 7 list provided by Ms. Loya that students can
 8 participate in?
 9 A. I don't know.
 10 Q. Okay. Lizette, are you aware of any -- any
 11 other students who have been unable to participate
 12 in an internship program or other program that would
 13 help them get into college because that program was
 14 only offered while they were in school?
 15 A. I can't remember, but I remember hearing
 16 somebody say that they were unable to -- or that
 17 they had problems getting into there. And, well,
 18 me, for example, I had to change tracks to
 19 participate in one of the programs. Well, actually
 20 most of them, most of the ones I had applied to.
 21 Q. Those were the three programs that we spoke
 22 about last time?
 23 A. Yes.
 24 And I know a lot of the students were going
 25 to do the same thing if they had gotten accepted.

1 Lizette, have you had any classes in the
 2 current semester of your eleventh grade year in
 3 which not all students had seats at any point in
 4 time?
 5 A. In the current year?
 6 Q. In the current semester.
 7 A. This current semester?
 8 No.
 9 Q. So in all the classes you're taking in the
 10 current semester, all students have had a seat?
 11 A. Yes.
 12 Q. Okay. In the classes that you took in the
 13 first semester of your eleventh grade year, were
 14 there any classes in which not all students had
 15 seats at any point in time?
 16 A. Well, actually -- there were no classes,
 17 but one teacher was receiving more -- extra students
 18 and he had to turn them away because there weren't
 19 enough seats.
 20 Q. Okay. What class was that?
 21 A. Chemistry.
 22 Q. Okay. And that was with [REDACTED] is
 23 that correct?
 24 A. Yes.
 25 Q. Okay. Other than chemistry, were there any

1 other classes in the first semester of your eleventh
2 grade year at which not all students had seats at
3 any point in time?

4 A. Actually, can I go back to this semester?

5 Q. Lizette, would it help you if I went
6 through your classes kind of one-by-one? Would that
7 help you to focus?

8 A. That's okay, because I think there was one
9 class this semester that the teacher didn't have
10 enough seats for, and that was Spanish.

11 Q. Okay. And your Spanish class, that is with
12 [REDACTED]; is that correct?

13 A. [REDACTED]

14 Q. Okay. How many students are in your
15 Spanish class this semester with [REDACTED]

16 A. I don't know how many.

17 Q. What's your best estimate?

18 A. Thirty. Around 30.

19 Q. Around 30 students?

20 A. Yes.

21 Q. And was there any point in time in this
22 Spanish class in which not all students had seats?

23 A. I think during the first month at one
24 point she was rearranging the students' seats in
25 alphabetical order. And I'm not sure if it was one

1 Q. Okay. And the one or two students that you
2 were referring to, they always had a chair to sit
3 on?

4 A. Yes.

5 Q. For how long did these one or two students
6 sit next to the teacher's desk?

7 A. They're still sitting there to this day.

8 Q. Do they have a desk to write on?

9 A. Yeah, they got a table.

10 Q. So these two students have always had a
11 chair and a desk to write on in your Spanish 2 class
12 this semester; is that correct?

13 A. They have a table.

14 Q. And they have chairs?

15 A. Yeah.

16 Q. Okay. Aside from Spanish 2, are there any
17 other classes this semester in which students did
18 not have a table and chairs at any point in time?

19 A. Not that I can remember.

20 Q. Okay.

21 A. Actually, did you say this semester or last
22 semester?

23 Q. This semester.

24 A. This semester?

25 Not that I can remember.

1 or two students that had to sit next to her, next to
2 her desk, because there weren't enough seats.

3 Q. These one or two students where -- they sat
4 next to [REDACTED] desk?

5 A. Yes.

6 Q. Did they sit on chairs or --

7 A. Yes.

8 Q. Okay. So was there any -- any time in this
9 class with [REDACTED] when there was a student who
10 didn't have a chair to sit on?

11 A. Could you repeat the question.

12 Q. Was there ever a point in Spanish 2 with
13 [REDACTED] this semester in which there was a
14 student who did not have a seat?

15 MS. CHECEL: Objection. Ambiguous as to
16 "this semester."

17 THE WITNESS: Actually, I don't understand
18 if you mean seat, like a chair, or seat as in a
19 desk.

20 BY MR. CHOATE:

21 Q. Was there any time in which a student did
22 not have a chair to sit on in your Spanish class
23 this semester?

24 A. No, because students could always ask other
25 teachers for chairs, other classrooms.

1 Q. Okay. Now, last semester you indicated
2 that there may have been a problem in [REDACTED]
3 chemistry class.

4 A. Yes.

5 Q. Okay. Were there any other classes in
6 which one or more students didn't have a chair or
7 desk to write on in your first semester of eleventh
8 grade?

9 A. No, just [REDACTED] class.

10 Q. Okay. In [REDACTED] chemistry class
11 last semester how many students were there,
12 approximately, in the class?

13 A. Probably about ... probably 40 students
14 around. Thirty-five to 40 students.

15 Q. Okay. In [REDACTED] chemistry class last
16 semester there were approximately 35 to 40 students?

17 A. Yes.

18 Q. Of those students, were there any students
19 who did not have a chair or a desk to write on at
20 any point in time?

21 A. No.

22 Q. Well, you indicated that -- that there
23 were -- that there may have been a problem with
24 students not having a desk and a chair in
25 [REDACTED] class, but you just testified that

- 1 every student had a desk and a chair in the class.
 2 A. Excuse me. Can you repeat that.
 3 Q. You just testified that in [REDACTED]
 4 chemistry class last semester every student had a
 5 chair and desk to write on.
 6 A. Yes.
 7 Q. Okay. What, then, was a problem in your
 8 view of [REDACTED] class?
 9 A. That it was full to capacity, to what he
 10 considered the capacity.
 11 Q. Uh-huh.
 12 A. And students got turned away.
 13 Q. How many students got turned away?
 14 A. Around three students.
 15 Like, he actually had to argue with the
 16 counselors because he said he wouldn't let -- no
 17 other students could fit in.
 18 Q. Okay. So three students last semester were
 19 not allowed into the -- into the chemistry class
 20 because the class was at capacity?
 21 A. Yeah.
 22 Q. Okay. Do you know if those students took
 23 another chemistry class?
 24 A. I don't know.
 25 Q. Lizette, I'm going to ask you some

- 1 A. For which class again, did you --
 2 Q. Your English class in your first semester
 3 of tenth grade.
 4 A. Yes.
 5 Q. Okay.
 6 A. Well, by "permanent seat" do you mean
 7 like a desk in the classroom that belongs in the
 8 classroom, or ... because there were more than three
 9 students who didn't have a desk. Like, there were
 10 three students who had to sit at the teacher's desk.
 11 But aside from those students, there were
 12 three they had to get chairs from other classrooms.
 13 Q. There were three students who sat at the
 14 teacher's desk?
 15 A. Around -- well, it varied, two or three
 16 students.
 17 Q. And that -- that lasted for about two to
 18 three weeks until the class was split up; is that
 19 correct?
 20 A. Around three weeks.
 21 Q. Okay. And the three students who sat by
 22 the teacher's desk, they all had chairs; is that
 23 correct?
 24 A. Yes.
 25 Q. And they all had a desk to write on; is

- 1 questions about the second semester of your tenth
 2 grade year.
 3 Okay?
 4 A. Okay.
 5 Q. I think in the second semester you
 6 testified that you took honors English 10, typing,
 7 integrated math 3, intercoordinated science 2, and
 8 honors world history.
 9 Is that correct?
 10 A. Yes.
 11 Q. In those -- in any of those classes was
 12 there ever any point in time in which not all
 13 students had a chair to sit in and a desk to write
 14 on?
 15 A. In -- well, in the first semester or the
 16 second semester?
 17 Q. The second semester.
 18 A. Not that I can remember.
 19 Q. Okay.
 20 A. But in the first semester there were some.
 21 Q. In the first semester of your tenth grade
 22 year, you testified that in your honors English 10
 23 class there were three students who didn't have a
 24 permanent seat.
 25 Is that correct?

- 1 that correct?
 2 A. Well, yeah. They had the teacher's
 3 cluttered desk, but ...
 4 Q. Okay. Were there any other students in
 5 that class that didn't have a desk --
 6 A. Three extra --
 7 Q. -- their own desk?
 8 A. Three extra students had to get a chair
 9 from another -- from other teachers.
 10 Q. Okay. So each day these three other
 11 students had to go and get an extra chair from
 12 another teacher's class to sit in?
 13 A. Yes.
 14 Q. Okay. So these three additional students
 15 always had a chair to sit on in the English class in
 16 your first semester of tenth grade; is that correct?
 17 A. Which three additional students do you
 18 mean?
 19 Q. The three additional students who had to go
 20 get chairs.
 21 A. Well, yeah, if they -- they would go look
 22 for chairs. I know they had problems because
 23 sometimes the teacher would come back and nag for
 24 her chairs.
 25 Q. What were the -- well was there ever a time

1 in which these three students didn't have chairs?

2 A. They always managed to find a teacher to
3 lend them a chair.

4 Q. Okay. So they always had chairs during
5 those two to three weeks prior to -- prior to the
6 time when the class was split up?

7 A. Yeah.

8 Q. Were there any other classes in the first
9 semester of your tenth grade year in which at any
10 point in time students did not have a chair to sit
11 in or a desk to write on?

12 A. Well, when I changed to my -- Ms. Wills'
13 class, in math -- integrated math 3? -- yeah,
14 three -- me and another student who changed from --
15 I think her name was Ms. -- no, it wasn't
16 Ms. Gabriel. Never mind. I don't remember her
17 name, but she was oriental. We managed to change
18 from her class because she wasn't teaching. So we
19 had to sit at Ms. Wills' desk, but ... yeah, her.

20 Q. At what point in the semester did you
21 transfer into Ms. Wills' class?

22 A. Probably after the first week --

23 Q. Okay.

24 A. -- of school. First week of school.

25 Q. So after the first week of school, you

1 A. I don't know.

2 Q. Do you think that there were less than 40
3 students?

4 A. I don't know.

5 Q. Was Ms. Wills' integrated math 3 class --
6 did it have more students than some of your other
7 math classes at Huntington Park Senior High School?

8 A. Can you repeat the question?

9 Q. Were there more students in your integrated
10 math 3 class with Ms. Wills than in your other math
11 classes at Huntington Park Senior High School?

12 A. Yes, there were definitely more students in
13 my -- in the class I'm taking now because -- well,
14 the class I'm taking now, pre cal., the class was
15 split in two, so ...

16 Q. For what portion of the semester did -- did
17 you sit at the teacher's desk?

18 A. I can't remember exactly.

19 Q. Well, was it for two weeks?

20 A. I would have to guess, and I don't know.

21 Q. Well, try and estimate.

22 A. I can't remember.

23 Q. Okay. So you're not sure if you -- if you
24 sat at the teacher's desk in Ms. Wills' integrated
25 math 3 class for more than two weeks?

1 transferred from the one integrated math class into
2 Ms. Wills' integrated math class; is that correct?

3 A. Yes.

4 Q. And you and another student had to sit at
5 the teacher's desk?

6 A. Yes.

7 Q. For how long did you and this other student
8 have to sit at the teacher's desk?

9 A. For most part of the semester until other
10 students dropped the class and then we moved.

11 Q. How many students were in Ms. Wills'
12 integrated math 3 class?

13 A. I can't remember exactly.

14 Q. Can you try to estimate?

15 A. Probably more than 30.

16 Q. There were about 30 students in Ms. Wills'
17 integrated math 3 class?

18 MS. CHECEL: Objection. Mischaracterizes
19 her testimony. She said probably over 30.

20 BY MR. CHOATE:

21 Q. I'm sorry. I thought you said about 30.
22 How much over 30?

23 A. I don't know.

24 Q. Were there more than 35 students; do you
25 think?

1 A. Yeah, it was more than two weeks.

2 Q. Okay. Was it more than three weeks?

3 A. I would have to guess, but ... I'm not
4 sure.

5 Q. Okay. So you're not sure if you sat at the
6 teacher's desk for more than three weeks?

7 A. I'm not sure.

8 Q. Okay. Did you have a chair to sit in
9 during a portion of the time that you sat by the
10 teacher's desk?

11 A. If I got there first than the other girl,
12 but if not, I would have to go look for a chair.

13 Q. Okay. Was there ever a time in which you
14 did not have a chair to sit in in Ms. Wills'
15 integrated math 3 class?

16 A. No, I always managed to find chairs.

17 Q. Was there ever a time in which this other
18 girl didn't have a chair to sit in in Ms. Wills'
19 integrated math 3 class?

20 A. Well, unless she didn't go look for a
21 chair.

22 Q. Well, can you recall any time in which the
23 other girl didn't have a chair to sit in?

24 A. For the whole class? For the whole hour of
25 class of instruction, or ...

1 Q. Can you recall any time in which this other
2 girl didn't have a chair to sit in in Mrs. Wills'
3 integrated math 3 class?

4 A. Well, like I said before, it depended on
5 whether or not she came before me. Because if she
6 came before me, she would get the teacher's chair.

7 Q. Well, did you ever see this girl sit on the
8 floor?

9 A. No.

10 Q. Well, what I want to know, though, is
11 whether this girl had a chair to sit in each day in
12 Mrs. Wills' integrated math 3 class.

13 A. Yes.

14 Q. Okay. And did both you and this girl have
15 an area to write on in Ms. Wills' integrated math 3
16 class?

17 A. Well, sometimes she would kick us off the
18 desk so we would have to go share a desk with other
19 students, but ... we did, I guess.

20 Q. Was there ever a time in which you didn't
21 have a desk to write on in Ms. Wills' class?

22 A. Only when she would have to do her grades
23 or something like that, but, no, we could always --
24 we always managed to find a space to write on.

25 Q. Okay.

1 MR. CHOATE: Okay. Can we go back on the
2 record, please.

3 Q. Lizette, are you aware of whether there
4 are any policies and procedures that govern how many
5 students can enroll in a particular class at
6 Huntington Park Senior High School?

7 A. I don't know.

8 Q. Do you feel that your ability to learn at
9 Huntington Park Senior High School has been affected
10 by the amount of space in any of your classrooms?

11 A. Yes.

12 Q. In which classes do you feel that your
13 ability to learn has been affected by the amount of
14 space in your classroom?

15 A. In -- I would say in my Spanish class
16 sometimes, because the room gets extremely noisy.

17 Q. Are you talking about your Spanish class
18 this year with [REDACTED]?

19 A. Yes.

20 Q. But -- okay.

21 A. And also my chemistry class, because since
22 there's not enough equipment or stuff to use during
23 labs, he has to split us in half. And sometimes it
24 takes longer to get through one thing. And, you
25 know, we take turns doing the lab, like one group

1 Okay. Other than Ms. Wills' integrated
2 math 3 class, were there any other classes in the
3 first semester of your tenth grade year in which
4 students didn't have seats or desks?

5 A. Well, aside from [REDACTED] English, also.

6 Q. And aside from that, also.

7 A. Not that I can remember at the moment.

8 Q. I'm going to ask you some questions about
9 the second semester of your ninth grade year.

10 Okay?

11 A. Okay.

12 Q. Can you recall whether in any of your
13 classes in the second semester of your ninth grade
14 year there was any point in time in which a student
15 didn't have a seat to sit in or a desk to write on?

16 A. I can't remember that far back.

17 Q. What about in the first semester of your
18 ninth grade year, can you recall any occasions on
19 which a student didn't have a seat to sit in or a
20 desk to write on in any of your classes?

21 A. I can't recall.

22 Can I have a bathroom break?

23 MR. CHOATE: Okay. Yeah, let's go off the
24 record.

25 (Recess taken from 11:12 to 11:21.)

1 does one day and the other group does it the next
2 day. And sometimes they are not one-day labs so it
3 gets kind of hard to -- to really remember what to
4 do.

5 Because the teacher has this policy, when
6 we're doing a lab we only have a certain amount of
7 time to ask him questions and then it's up to us.
8 So sometimes it's like there's not enough equipment
9 or ... or what do they call it? Supplies.

10 Q. But do you feel that that -- that your
11 ability to learn in your chemistry class has been
12 affected by the amount of space in your class?

13 A. Yes.

14 Q. Can you tell me how?

15 A. Like I explained before, like the having to
16 split the classroom in two and sometimes it's like
17 hard for him to grade all the papers because there's
18 so many of us in all his classes. And also ... what
19 else is there?

20 Well, basically just the amount of supplies
21 that go around and like -- like in my AP history
22 class, the fact that there weren't enough books for
23 all the class members.

24 Q. I'm going to ask you questions about books
25 and supplies later, but what I want to know is, I

1 want to get an understanding of how your ability to
2 learn in your chemistry class has been affected by
3 the amount of space.

4 Now, I think you testified that -- that
5 students in your chemistry class are separated into
6 groups for the purpose of doing science labs.

7 A. Yeah, we're split in half. So one half
8 splits into individual groups and they get to do the
9 lab one day.

10 Q. One half of the class does a lab one day?

11 A. Yes.

12 Q. And the other half of the class does the
13 same lab a different day?

14 A. Yes.

15 Q. Okay. How has that affected your ability
16 to learn?

17 A. Because as I said before, sometimes the
18 labs don't just take one day, so -- so -- and he
19 doesn't explain the labs, he only gives us a certain
20 amount of time to ask him questions.

21 And it's like sometimes so many students
22 have so many questions that he doesn't get through
23 to answering everybody's question. And so he
24 basically just gives -- since he has a schedule, he
25 just gives a certain amount of time for him to

1 remember specifically what happened the day before,
2 and some of the labs ask for that.

3 Q. And you think that if a classroom were
4 larger, it would be easier for you to keep track of
5 what goes on in your science labs?

6 A. If it was smaller.

7 Q. If the class was -- classroom was smaller?

8 A. Yes, if there weren't enough students.

9 Because I'm pretty sure -- I don't know how they
10 would make the classroom larger.

11 Q. Has -- has a lack of space in your
12 chemistry class affected your ability to do
13 homework?

14 A. Not that I can remember.

15 Q. Do you think that the -- a lack of space in
16 your chemistry class has ever affected your ability
17 to do homework in that class?

18 A. Like lack of space as in desks, or ...

19 Q. I mean, I'm -- you've testified that
20 you felt that there was a lack of space in your
21 chemistry class.

22 A. Yes.

23 Q. And I want to know if that lack of space
24 has affected your ability to do homework in
25 chemistry.

1 answer questions, so we don't go through with it.

2 Q. Your chemistry teacher is [REDACTED]
3 correct?

4 A. Yes.

5 Q. Did [REDACTED] ever tell you why he splits
6 the class in half to do labs?

7 A. Because there's not enough room, or not
8 enough ... what do they call them? Because there's
9 like different tables, like some sort of section
10 where we do the labs, and there's not enough of
11 those for the whole class to take it at the same
12 time.

13 Q. Do you think that if all the students could
14 do a lab at the same time that that would make it
15 easier for you to learn?

16 A. Yes, because it would be easier to move on
17 and easier since we would have -- we would probably
18 take -- do the lab, you know, one day after the
19 other, like finish them one day after the other.
20 And it would be easier to keep track of what's going
21 on.

22 Q. How would it be easier to keep track of
23 what's going on?

24 A. Because, I mean, sometimes -- I mean, since
25 we have so many classes it gets kind of hard to

1 A. Can you say when I indicated that there was
2 a lack of space, or ...

3 Q. Well, I think you testified that there was
4 not enough space in your chemistry class; is that
5 correct?

6 A. Yes.

7 Q. Has that affected your ability to do
8 homework in chemistry?

9 A. Well, I don't think so because most of the
10 homework we do in the class, but ... I don't think
11 so.

12 Q. Okay.

13 A. It just basically -- I think the lack of
14 space only harms us during labs.

15 Q. Well, how much of your time in chemistry
16 class is spent doing labs?

17 A. Well, originally it was supposed to be --
18 because he told us that we were supposed to have at
19 least two labs a month. But since most of the labs
20 require a lot of supplies that he can't get for all
21 of us, like we've -- we haven't -- like all this
22 semester we haven't had a lab.

23 So he said, like, that probably this month
24 we're going to have more labs. Like during the end
25 of the -- the year, school year.

- 1 Q. You haven't had a lab in the past month?
 2 A. In the past semester, like during this
 3 semester.
 4 Q. Okay. I think you testified earlier that
 5 the lack of -- that this lack of space only affects
 6 students in your class -- or only affects you when
 7 you're doing labs; is that correct?
 8 A. Well, I think it affects the whole class.
 9 Q. When the class does labs?
 10 A. Yes.
 11 Q. Okay. Does it affect the class at other
 12 times, do you think?
 13 A. Not that I know of.
 14 Q. Okay. And you haven't done any labs this
 15 semester in chemistry, have you?
 16 A. No.
 17 Actually, if I could go back to the labs.
 18 Like, there was this one game that he had, like we
 19 had to learn, like sometime -- like this one time
 20 when he actually had the whole class doing this one
 21 game, it was like a -- like a puzzle game and we had
 22 to use formulas and stuff like that.
 23 It was kind of hard because since there
 24 was -- he split up the group, I think in five or six
 25 people in each group. And it was just one -- they

- 1 people would have the answers already.
 2 Q. Do you think that your grade in chemistry
 3 was affected by your participation in this puzzle
 4 game?
 5 A. I don't think so.
 6 Well, actually it could have because, like,
 7 I remember being confused a lot. And it had to do
 8 with what we were learning for that -- for that
 9 month, so ... I guess all the chaos was -- I think
 10 it could have confused me a little.
 11 Well, actually it did.
 12 Q. It did confuse you?
 13 A. Yeah.
 14 Q. Being split into groups to perform the
 15 puzzle game was what confused you?
 16 A. Well, all the noise, because it was like --
 17 like we were going through it so fast, and I
 18 don't -- sometimes I lost track of what was
 19 happening.
 20 Q. Because students were -- were participating
 21 in this puzzle game in a fast manner, that made it
 22 difficult to concentrate?
 23 A. Well, everybody was speaking at the same
 24 time so it was hard to know how the answer was --
 25 like how we got the answer.

- 1 were not that easy problems, but, like, the -- there
 2 was a lot of lack of participation because it was
 3 like whichever group came up with the answer first
 4 won. Since there was only one paper, a lot of
 5 students were ... like didn't participate as much.
 6 Q. And why do you think students didn't
 7 participate as much in this puzzle game?
 8 A. Well, sometimes it was hard because -- I
 9 mean, one person would be writing and it would be
 10 hard for that person to get everybody's ideas. So
 11 most of the time the person that would be writing
 12 would be, like, coming up with ideas and the
 13 answers. And you would have to be, like ...
 14 Like it was really disorganized, I think.
 15 Because so many people would be saying, "No, no, you
 16 do it like this," or, you know, giving their
 17 suggestions. And it was kind of -- I think it was
 18 very disorganized.
 19 Q. You think the teacher could have organized
 20 that -- that particular puzzle game in a better way?
 21 A. If there were less students, because it was
 22 like -- I don't think he could have done the same
 23 thing as he does in other labs, like split the class
 24 in half because the class would have -- there were
 25 only so many questions and then, you know, the

- 1 Q. Okay.
 2 A. Or what part.
 3 Q. How was your ability to learn in your
 4 Spanish class this year affected by there being --
 5 there being not enough space?
 6 A. Well, I don't think it affected me
 7 personally. But some of the other students, I
 8 noticed, since there wasn't enough space, they
 9 automatically became TAs, like teacher assistants.
 10 And they still have to do the same work, but since
 11 they're sitting next to the teacher, they do most of
 12 the -- they correct most of the work.
 13 Q. Was your ability to learn in Spanish class
 14 affected by there being not enough space?
 15 A. No.
 16 Q. And you feel that other students in your
 17 Spanish class were unable to learn because of space
 18 issues?
 19 A. Yes.
 20 Q. Okay. And do you think that because some
 21 of these other students were TAs?
 22 A. Well, they were considered TAs, but they
 23 still had to do the same work we did. And it was
 24 really hard for them because they were sitting right
 25 in front of the -- the board.

- 1 Q. How -- how does one become a TA in your
2 Spanish class; do you know?
3 A. I think the teacher just chooses them --
4 well, since -- in the semester prior to that, the
5 teacher chose them, chose whoever she considered,
6 like, that was doing good. But since this semester
7 there were not enough seats, the students that --
8 that didn't have seats were sitting next to her, so
9 she just selected them to be TAs.
10 Q. If the student didn't want to be a TA,
11 could they chose not to be a TA?
12 A. I think so.
13 Q. You think that a student could chose not
14 to be a TA if they didn't want to be a TA?
15 A. Yes.
16 Q. Were you one of the two students that had
17 to sit next to your teacher's desk in Spanish 2?
18 A. No. It was the people who -- since she
19 seated them -- she seated us in alphabetical order,
20 the two last people on the list had to sit next to
21 her.
22 Q. If there were less -- less students in your
23 Spanish class, would there still be TAs?
24 A. I think probably not as many because right
25 now she has two TAs, but last semester she only had

- 1 A. Well, having to move from one seat to
2 another, because it was basically first come, first
3 served.
4 Q. Uh-huh.
5 A. So I mean, if I came in last I would
6 probably have to be one of the students who would
7 have to go get chairs from other classrooms and ...
8 It was -- it was chaotic.
9 Q. How did that affect your ability to learn?
10 A. Because around the first half hour the
11 students -- we couldn't start the class without
12 students who went out to look for seats.
13 Q. Is there any other way in which it affected
14 your ability to learn?
15 A. Well, when we sat in the teacher's desk --
16 well, when I had to sit at the teacher's desk, there
17 were all these papers all over the place. So I had
18 to kind of like put his desk together or something
19 like that, like stack his papers. And I would get
20 in an argument because he lost a paper or something
21 like that.
22 But ... but most of the time he would have
23 to be like -- like organizing, like, "You sit" --
24 like putting -- like telling the students where to
25 sit. A lot of time was lost that way.

- 1 one.
2 Q. How many students are in your Spanish class
3 this year?
4 A. I don't know. More than 30.
5 Q. Okay. And how many TAs are there?
6 A. Two.
7 Q. Okay. If there were 20 students in your
8 class, do you think there would still be a TA in
9 your class?
10 A. I doubt it because there wouldn't be so
11 many papers to correct.
12 Q. Students in your Spanish class grade other
13 students' papers?
14 A. Sometimes.
15 Q. Has your ability to learn been affected by
16 space issues in any other class at Huntington Park
17 Senior High School?
18 A. Well, in my tenth grade year was -- well,
19 the first two weeks when there weren't enough seats.
20 Q. That was in the first two weeks of your
21 English class?
22 A. Yes.
23 Q. Okay. And how did -- how was your ability
24 to learn in the first two weeks of your English
25 class affected?

- 1 Q. A lot of times what?
2 A. A lot of time, like his instructional time,
3 was lost because he had to look for seats.
4 Q. In tenth grade you got [REDACTED] in English,
5 didn't you?
6 A. Yes.
7 Q. Do you think that space issues affected
8 your grade in English?
9 A. Well, I got the grade from Mr. Nordee when
10 I was changed to the other class. But when I was in
11 [REDACTED]'s class, I don't think any of the papers
12 we did were even graded.
13 Q. Any other classes you've had at
14 Huntington Park Senior High School in which you
15 think your ability to learn has been affected by
16 space issues?
17 A. When -- when I was in Ms. Wills' class,
18 when I was sitting at her desk, also, because she
19 would block the board, so sometimes I wouldn't know
20 what she was talking about because I couldn't see
21 the board or what she was writing on the board.
22 Q. Is this your integrated math 3 class in
23 tenth grade?
24 A. Yes, when I was in C track the first
25 semester.

1 And actually, if I could go back to
 2 [REDACTED] class. It did affect me a lot because
 3 I had -- since my name starts with an R, I had to
 4 sit in the back. And my glasses aren't that good,
 5 like they have scratches on them, and I sort of
 6 can't afford to buy new ones, so it gets kind of
 7 hard for me to see on the board.
 8 Q. This is your chemistry class?
 9 A. Yes.
 10 Q. Okay.
 11 A. And since the first -- I sit in the third
 12 row in the back, like all the way in the back, like
 13 next to the corner, so it gets kind of hard for me
 14 to see the board sometimes.
 15 Q. Have you ever asked [REDACTED] if you could
 16 sit at the front of the class?
 17 A. Yes, and he says "no."
 18 Q. How many times have you asked him to sit in
 19 the front of the class?
 20 A. I don't know. More than five times.
 21 Q. On each of those occasions, he said "no" to
 22 you?
 23 A. Yes.
 24 Q. On every one?
 25 A. Yes.

1 Q. Have you ever talked to anybody in
 2 administration about this issue?
 3 A. No.
 4 Q. How come?
 5 A. Because I don't know, I don't think it
 6 would help.
 7 Q. You don't think that if you went and spoke
 8 with somebody in administration about your inability
 9 to see in your chemistry class, that wouldn't help?
 10 A. Well, they would make me go, like, get new
 11 glasses. And my dad would get mad at me, too,
 12 because he told me I already have glasses. And --
 13 Q. You think the administration would make you
 14 go get new glasses?
 15 A. Yes.
 16 Q. Why do you think that?
 17 A. Because they've done so in the past.
 18 Q. To you?
 19 A. Yes.
 20 Q. When have they done this to you?
 21 A. Well, when I complained to teachers about
 22 sitting in the back, they -- you know, they notice
 23 because I didn't have glasses so they made me get
 24 glasses.
 25 Q. So you don't think it would help to go

1 speak with anybody in administration about your --
 2 about your difficulty of seeing in class?
 3 A. No, I don't think so.
 4 Q. Okay. Do you have any plans of going to
 5 visit the eye doctor again to get your glasses
 6 strengthened?
 7 A. Yes.
 8 Q. When are you going to do that?
 9 A. Hopefully next week.
 10 Q. Do you have an appointment?
 11 A. No, I still have to make it.
 12 Q. Okay. How long has it been difficult for
 13 you to see in class, with the glasses you're
 14 wearing?
 15 A. Probably a year.
 16 Q. For this entire eleventh grade year?
 17 A. Yes, because I have, like, a scratch where
 18 my eye is. But it also gets hard either way because
 19 the teacher blocks when he's writing. So he goes
 20 explaining it and it gets -- it gets hard to catch
 21 up with what he's saying because I can't -- well,
 22 he's usually like writing and it blocks the view.
 23 Q. This is in chemistry?
 24 A. Yes.
 25 Q. When you're sitting at the back of the

1 class?
 2 A. Yes.
 3 Q. Have you seen the eye doctor at any point
 4 during this current year?
 5 A. No.
 6 Q. Why not?
 7 A. Because I haven't had time.
 8 Q. Do you think it's important to go see the
 9 eye doctor if you can't see in class?
 10 A. Somewhat.
 11 Q. You don't think it's very important?
 12 A. Well --
 13 MS. CHECEL: Objection. Argumentative.
 14 She just responded to your question, she said
 15 "somewhat."
 16 THE WITNESS: Well, it would help me see
 17 the board, but it gets hard because the teacher
 18 blocks the view and ... I don't know. I sit really
 19 far in the back.
 20 BY MR. CHOATE:
 21 Q. So sometimes from where you sit in the back
 22 of the class the teacher is walking in front of the
 23 board and he blocks the view?
 24 A. Yes.
 25 Q. Do you ever ask the teacher to move aside

1 so you can see the board?
 2 A. Yeah, and he told me to wait until he's
 3 finished.
 4 Q. When he's finished doing what he's doing,
 5 does he move aside?
 6 A. Yes.
 7 Q. And at that point are you able to see the
 8 board?
 9 A. Yes, but it gets hard to know what he's
 10 talking about because he explains it while he
 11 does -- while he's writing it on the board. Like
 12 while he's writing formulas and how to use them.
 13 Q. Has your ability to learn been affected, do
 14 you think, by space issues in any other classes?
 15 A. Well, it was just English and math, like I
 16 explained before.
 17 Q. Okay. Just those two classes?
 18 A. That I can remember.
 19 Q. And you can't remember any other classes?
 20 A. No, I don't.
 21 Q. I think you indicated last time that
 22 there was a point in time in which the roofs at
 23 Huntington Park Senior High School were repaired and
 24 dust was in the air?
 25 A. Yes.

1 Q. Do you remember when that -- when that took
 2 place?
 3 A. May and June.
 4 Q. Of what year?
 5 A. I think it was the 2000 year.
 6 Q. In May or June of 2000, certain roofs at
 7 Huntington Park Senior High School were repaired?
 8 A. I think it was the main building.
 9 Q. You're referring to the administration
 10 building?
 11 A. Yes.
 12 MS. CHECEL: She actually brought a
 13 document that's responsive to some of your
 14 questions. So if I could ask that she be able to
 15 look at this to refresh her recollection, it has
 16 dates on it.
 17 MR. CHOATE: Sure. Can I --
 18 MS. CHECEL: Yeah, this is going to be
 19 produced --
 20 MR. CHOATE: Can we go off the record so I
 21 can make a copy of that for everyone?
 22 MS. CHECEL: Sure.
 23 (Recess taken from 11:48 to 11:50.)
 24 MR. CHOATE: Can we go back on the record.
 25 Q. Lizette, the roof repairs that took place

1 in May of 2000, where did they take place at
 2 Huntington Park Senior High School?
 3 A. Well, from my recollection, I think it was
 4 the main building.
 5 Q. Was that the main administration building?
 6 A. Yes.
 7 Q. Are there any classrooms in the
 8 administration building?
 9 A. Yes.
 10 Q. How many classrooms are in the
 11 administration building?
 12 A. I estimate about ... probably around 20.
 13 I'm not sure.
 14 Q. You estimate that there are about 20
 15 classrooms in the administration building?
 16 A. Fifteen to 20.
 17 Q. Okay. Is the administration building a
 18 two-story building, or a three-story building,
 19 or ...
 20 A. Yeah, two-story building.
 21 Q. Are there classrooms located on each --
 22 each level?
 23 A. Yes.
 24 Q. How many classrooms are located on the
 25 second story?

1 A. I'm not sure, but I estimate around ten.
 2 Q. Okay. Would you estimate, then, that there
 3 are somewhere between five and ten classrooms on the
 4 first story?
 5 A. More than five.
 6 Q. Okay. How long did it take to complete the
 7 repairs to the roof of the administration building,
 8 if you know?
 9 A. I don't remember. More than two weeks. Or
 10 around two weeks. I'm not sure.
 11 Q. What was wrong with the roofs; do you know?
 12 A. I don't know, but -- but I remember
 13 smelling asphalt and ...
 14 Q. During what part of the day was work
 15 performed on the roofs?
 16 A. During lunch.
 17 I don't know, but I remember during lunch
 18 because I remember I used to eat next to the main
 19 building and I stopped going there. I started going
 20 in -- in the -- in the college counseling because
 21 it -- they had air-conditioning and it didn't smell
 22 as bad.
 23 Q. You're unsure whether work was performed
 24 during other parts of the day aside from lunch?
 25 A. Yes.

1 Q. Did you have a class in the -- in the
2 administration building during the time during which
3 the repairs were being performed?

4 A. Yes.

5 Q. What class did you have?

6 A. I had history.

7 Q. Is that your -- was that your honors world
8 history class?

9 A. I think so.

10 Yes, with Mr. Wolf, I think.

11 Q. Your honors world history class with
12 Mr. Wolf was in the administration building?

13 A. I think so.

14 Q. Was that the only class that you had in the
15 administration building at that time?

16 A. Yes.

17 Q. Was your honors world history class on
18 the -- on the second story or on the first story?

19 A. On the second story.

20 Q. Was work being performed on -- on the
21 entire roof of the administration building or just
22 on part of it, if you can remember?

23 A. I don't know. But I remember seeing
24 them right on top of where my class is at
25 because I remember there was one day where the

1 were like -- actually there was dust all over the
2 place. I remember when -- during one weekend, I
3 don't remember why, but I remember walking by and
4 there was like dust all over the place.

5 Q. And where are you referring to when you say
6 "all over the place"?

7 A. I'm not sure what it's called, but I think
8 it's called Belgrave Court.

9 Q. Belgrave Court?

10 A. Yes.

11 And I remember after school, so during
12 soccer practice when I would go home there would be
13 all this dust. And I remember it being, like, all
14 cloudy with dust and it was like ... I don't know.

15 Q. You remember seeing the -- the space
16 surrounding the building as being cloudy with dust?

17 A. Yes.

18 Q. How often did you notice that condition?

19 A. I don't remember exactly.

20 Q. Well, you saw it once when you were
21 returning from soccer practice?

22 A. Yes.

23 Q. Do you recall seeing that condition on any
24 other occasions?

25 A. Not that I can remember, no.

1 air-conditioning broke down and he had to open the
2 window and it smelled horrible.

3 Q. So work -- workers were performing some of
4 these roof repairs on the roof that was just above
5 where your -- above your honors world history
6 classroom?

7 A. Yes.

8 Q. Do you recall how many students were in
9 that class?

10 A. Around 20. I'm not sure.

11 Q. You mentioned that dust was constantly in
12 the air?

13 A. Yes.

14 Q. What do you mean by that exactly?

15 A. The air, like when I breathe it, it felt
16 like ... I don't know, I would sneeze a lot.

17 Q. The air felt thick?

18 A. Yeah, like it felt dirty. I don't know, it
19 smelled dirty.

20 Q. Did the air -- did the air look like it had
21 dust in it?

22 A. Yes.

23 Q. Could you see dust in the air?

24 A. Yeah, especially because I think it was
25 really hot during that week, so you could -- there

1 Q. And you also indicated that you could smell
2 asphalt?

3 A. Yes.

4 Q. During what part of the day could you smell
5 asphalt?

6 A. I remember smelling it during lunch because
7 I remember I lost my appetite completely.

8 Q. Do you remember smelling asphalt during any
9 other times during the day?

10 A. During the whole week. But I remember
11 during lunch it would be really strong. Well, the
12 smell would be strong.

13 Q. You indicated at one point that your --
14 that the air-conditioning broke down in your honors
15 world history class and the teacher opened the
16 window?

17 A. Yes.

18 Q. How long -- for how long was the window
19 open on that class; do you remember?

20 A. I don't remember how long.

21 Q. Was it open for more than one day?

22 A. I think it was.

23 Q. Was it open for more than two days?

24 A. I don't know. I think he closed it because
25 it smelled horrible, but I'm not sure.

1 Q. Well, when he opened the window, you were
2 able to smell the asphalt?

3 A. Yes.

4 Q. Did you say anything to your teacher?

5 A. "Could you close the window?"

6 Q. And did he?

7 A. I think he did, but it was choosing
8 whether -- it was either choosing the smell or the
9 heat. But I think he ended up opening the -- the
10 door and the smell would still come in.

11 Q. The door to the hallway in the
12 administration building?

13 A. Yes.

14 Q. Okay. And the smell would still come in?

15 A. Like it didn't smell strong, but, yeah.

16 Q. While you were in class, did the smell of
17 asphalt make it difficult for you to concentrate?

18 A. Yes.

19 Q. Can you tell me how it made it difficult
20 for you to concentrate?

21 A. Just a horrible smell. It's -- it kind of
22 gets -- it would get frustrating after a while.

23 Q. How long did it last that you could smell
24 asphalt in your honors world history classroom?

25 A. During the greater part of when they were

1 Q. Okay.

2 A. Well, yes. Well, for the most part I
3 didn't eat lunch.

4 Q. I think you indicated that you decided to
5 not eat lunch in the cafeteria and you went instead
6 to the college counselor's office?

7 A. Yes.

8 Q. Did you eat lunch in the college
9 counselor's office?

10 A. No.

11 I don't remember. I don't think so,
12 because I think -- like, the cafeteria is right next
13 to the -- to the building, the main building. And
14 there's this cart where I usually buy my lunch from
15 and it's next to it, also, right under where they
16 were doing the -- where they were fixing the roof.
17 And the smell would get there so I remember not
18 feeling like getting food.

19 Q. Did you eat breakfast during the days
20 during which the -- the work was performed?

21 A. I doubt it because I -- I hardly ever eat
22 breakfast because it gets me nauseous, also.

23 Q. Generally you don't eat breakfast?

24 A. Yes.

25 Q. I'm sorry. Is -- I just want to make sure

1 fixing the roof.

2 Q. So for about a week or two weeks you could
3 smell asphalt in your world history classroom?

4 A. Yes.

5 Q. And you indicated that the -- that the --
6 did the smell of the asphalt affect you physically
7 in any way?

8 A. Well, it just took away my appetite. It
9 kind of made me feel a little dizzy and nauseous.

10 Q. Did it affect you in any other way?

11 A. Not that I can remember, or not that I know
12 of.

13 Q. Okay.

14 A. I hope not.

15 Q. Did you lose your appetite for the entire
16 two to three weeks during which work was performed?

17 A. I'm pretty sure I ate after a while, but
18 during lunch I wouldn't eat.

19 Q. During the two to three weeks at which
20 the -- during which the work was performed, you
21 never ate lunch?

22 A. I wouldn't say never, but for the most part
23 of it.

24 Q. For the most part you didn't eat lunch?

25 A. No.

1 I understand your answer. Is it true that generally
2 you don't eat breakfast?

3 A. It's true.

4 Q. Okay. During the time during which work
5 was performed on the roofs at your school, did you
6 eat dinner when you were at home?

7 A. I -- yes.

8 MS. CHECEL: Objection. That's not
9 relevant to this case at all, whether she ate
10 dinner.

11 MR. CHOATE: Of course it's relevant. She
12 indicated she lost her appetite and that she -- and
13 that she could not eat. It is clearly relevant,
14 whether she was able to eat dinner at home.

15 MS. CHECEL: You can answer the question.

16 THE WITNESS: Well, I would get hungry
17 during the evening so I would eat after like around
18 6:00 or something.

19 BY MR. CHOATE:

20 Q. Okay. So during the time that work was
21 performed at your school, you still ate dinner at
22 home?

23 A. Yes.

24 Q. Did you -- did you notify anybody at the
25 school that -- that -- that you lost your appetite

1 during lunch because of the smell of asphalt?

2 A. I remember -- did I notify any of the
3 administration, or anybody?

4 Q. Anybody.

5 A. I remember telling my friends, like when I
6 was walking to class. And I'm not sure if I told
7 the teacher or not. I'm not sure who I told.

8 Q. Do you remember if you told anybody in the
9 administration, like a principal or a vice principal
10 or anybody like that?

11 A. No.

12 Q. Did you ever tell your parents that -- that
13 the smell of asphalt weakened your appetite?

14 A. Yeah. Well, I told them it made me sick.

15 Because they noticed how I would get hungry
16 after school, like when I would come home and she
17 would ask me. Because usually -- my dad usually
18 gives me like a dollar to eat, to buy a sandwich or
19 something. And he kind of got mad because I wasn't
20 using it.

21 Q. Do you usually eat lunch at school?

22 A. I don't get the lunch from the cafeteria
23 because sometimes it gets me sick. I don't know
24 why. But I usually buy a sandwich from the lunch
25 cart.

1 A. Yes.

2 Q. When was that?

3 A. After lunch.

4 Q. Did you ever see a doctor about your
5 dizziness?

6 A. No.

7 Q. Did you ever speak with anybody in
8 administration or any teachers about being dizzy?

9 A. Well, I remember telling a teacher but I
10 don't remember which teacher it was.

11 Q. What do you remember telling this teacher?

12 A. I remember complaining. But I always
13 complained to the teacher, so I don't remember which
14 teacher it was.

15 Q. Well, can you remember the nature of your
16 complaint?

17 A. That it smelled horrible. I think -- I'm
18 not sure if it was Mr. Wolf, though. I don't know,
19 it was around those lines.

20 Q. Did this teacher say anything in response
21 to you?

22 A. I don't remember.

23 I remember students complained to Mr. Wolf
24 and it was like -- I think he said somewhere around
25 the lines that, "Well, they need to do the work," or

1 Q. Do you generally eat lunch every day at
2 school?

3 A. Not every day.

4 Well, actually, yes, lately I have been.

5 Q. Were there -- were there any periods of
6 time while you were at school in which you didn't
7 eat lunch that --

8 A. Well, when my dad forgot to give me a
9 dollar.

10 Q. Okay. Did you ever see a doctor at any
11 point because of your weakened appetite --

12 A. No.

13 Q. -- during the period when the roofs were
14 repaired?

15 A. No.

16 Q. You indicated that the smell of asphalt
17 made you feel dizzy?

18 A. Yes.

19 Q. Did you feel dizzy every day while the work
20 was being performed on the roofs?

21 A. I don't remember if it happened every day,
22 but I remember it happening to me more than three
23 times.

24 Q. Did you usually get dizzy at the same time
25 of day on those three occasions?

1 something like that; that we had no choice.

2 Q. You indicated that the smell of asphalt
3 also made you feel nauseous?

4 A. Yes.

5 Q. How often did you feel nauseous?

6 A. During -- well, during lunch, nutrition.

7 Q. Did you feel nauseous every day during
8 lunch and nutrition?

9 A. I don't remember if it was every day, but
10 for most of the time.

11 Q. Did the smell of the asphalt cause you to
12 vomit on any occasion?

13 A. Not that I can remember.

14 Q. Do you know if any other students or
15 teachers sought medical care --

16 A. Not that I know of.

17 Oh, I'm sorry.

18 Q. That's all right.

19 Do you know if any -- any students or
20 teachers sought medical care because of the -- the
21 work that was done on the roofs?

22 A. Not that I know of.

23 Q. Do you feel that the -- that the repairs to
24 the roofs affected your ability to do homework?

25 A. I -- for history it did, because I remember

1 we would read in the class and I remember I had to
2 read a couple of times, the homework, to really
3 understand the text.

4 Q. Were you unable to do homework for any
5 reason because of the roofing repairs?

6 A. Not that I remember.

7 Q. Do you -- do you feel that the roof repair
8 work affected your grade in world history?

9 A. Not that I can remember.

10 MR. CHOATE: I'm going to kind of get into
11 a different area of kind of maintenance stuff. Do
12 you want to stop for lunch now or do you want to
13 keep going?

14 MS. CHECEL: How are you feeling? Do you
15 want to keep going? It's really up to you.

16 Yeah, we can keep going.

17 MR. CHOATE: Okay.

18 BY MR. CHOATE:

19 Q. Lizette, do you feel that your education
20 has been affected by any other maintenance or
21 construction-related work that took place at
22 Huntington Park Senior High School while you were
23 attending school?

24 A. Well, the construction of the bathroom
25 right now because I think -- I don't know what they

1 or construction-related work at Huntington Park
2 Senior High School while you were attending school?

3 A. Well, there was one time, I don't know when
4 it was, I don't know if it was during my freshman or
5 ten grader, the beginning of tenth grade, but they
6 were digging up holes all over the place. And that
7 would be kind of noisy.

8 And ... also the, I don't know if I should
9 go back to the bathrooms, but they -- they've been
10 making a lot of noises, also.

11 Q. Okay. I'm going -- I'm going to -- who has
12 been making a lot of noise in the bathrooms?

13 A. The workers, the construction workers. And
14 it gets kind of hard to listen to the teacher,
15 especially when he had the window open once because
16 our air conditioner, like, broke down.

17 Q. Okay. Any other times in which maintenance
18 or construction-related work has taken place at your
19 school while you have attended school that's
20 affected your education?

21 A. Around or in school?

22 Q. In school.

23 A. In school, I don't know if -- because when
24 they were building The Home Depot across -- like
25 right next to the school, somehow they tampered with

1 do with it because, to tell you the truth, all I
2 notice every time they fix the bathroom in the main
3 building is they paint over the tagging.

4 And they usually close the bathroom -- like
5 now, for instance, they have had the bathroom
6 closed, I would say, for most of -- for more than a
7 month.

8 And it's kind of horrible because -- well,
9 they're doing the same thing for the boys bathroom,
10 but there's two boys bathrooms and two girls
11 bathrooms in the school -- in the main building, I'm
12 sorry. And, like, the boys bathroom, they open the
13 bathroom on the second floor so they have one
14 bathroom in the main building.

15 But the girls, they have no bathroom open.
16 And it's kind of hard because I have to go across
17 campus to the bathroom near Randolph. Like, it's
18 like, I don't know, kind of far. And last week they
19 had it closed. So it was kind of horrible because I
20 had to go. And like I had to go all the way to the
21 three-story building to the second floor to the
22 bathroom.

23 Q. Okay. Other than -- than -- than work
24 associated with the bathrooms, do you feel that your
25 education has been affected by any other maintenance

1 the water -- the school's water and they had to give
2 each student -- well, they gave each class a gallon
3 of water for the day. So it was kind of hard
4 because they had to -- I drink a lot of water
5 because I feel thirsty a lot.

6 Q. Okay. Any other times in which
7 maintenance or construction-related activities
8 at Huntington Park Senior High School have affected
9 your education, other than what you've told me?

10 A. Oh, actually, yes.

11 When -- last year, like a year ago, like in
12 the beginning of the school year, they were painting
13 all the classrooms while we were in school. And we
14 had to be moved to the -- the auditorium or -- or
15 the computer room, this one computer room that
16 wasn't being used at the time.

17 And it got kind of hard in the auditorium
18 because there were no desks or anything to write on.

19 Q. Okay. Are there any other occasions you
20 can think of where your education was affected by
21 maintenance or construction-related work at your
22 school?

23 A. Not that I can remember right now.

24 Q. Okay. So you've told me everything that
25 you can remember?

1 A. Yes.

2 Q. I want to talk to you about the -- these
3 holes that were being dug at the campus in the
4 beginning of your tenth grade year.

5 Do you know what the purpose of that --
6 that work was?

7 A. Well, I'm not sure, but from what I heard,
8 they told me it was something to do with the
9 computer links or something like that, or the
10 phones.

11 Q. Okay.

12 A. They were like -- they were like a whole --
13 a whole huge line or something like that being dug
14 up all over the school.

15 Q. And when that -- that took place at the
16 beginning of your first semester in the tenth grade
17 year?

18 A. I'm not sure if it was the first semester
19 of the tenth grade year or the last semester of my
20 freshman year.

21 Q. Okay.

22 A. Because I remember it was during when I was
23 taking French.

24 Q. Do you know how long that work lasted for?

25 A. I remember it was a really long time. I'm

1 A. Well, the noise.

2 And sometimes, like, routes would be
3 separated, so it got really crowded, like where we
4 would go to classrooms. Like if -- when I had to go
5 from French to another class, I had to go around
6 like a whole other way and I would get late to
7 class.

8 And sometimes there was, like, tardy sweeps
9 and the teachers would be really strict on letting
10 students in the class after the tardy bell rings, so
11 we would have to be taken to the tardy room.

12 Q. Okay. Other than -- than the noise and --
13 and it being difficult to get from class to class,
14 do you feel this maintenance work affected your
15 education in any other way?

16 A. Not that I can remember.

17 Q. Can you tell me in what classes the noise
18 affected your education?

19 A. I don't remember exactly. For sure it was
20 French. I can't remember exactly.

21 Q. Okay. Why -- why are you so sure that the
22 noise affected your -- your education in your French
23 class?

24 A. Because I remember her shutting the door.

25 Q. Okay.

1 not sure how long.

2 Q. Did it last for more than a month?

3 A. More than a semester.

4 Q. It lasted longer than a semester?

5 A. Yes.

6 Q. Do you know how much longer than a semester
7 it lasted?

8 A. No.

9 Q. Where on the campus were these holes being
10 dug; do you remember?

11 A. All over.

12 Q. Did you have any classrooms in the vicinity
13 of where holes were being dug?

14 A. Well, it was -- they were being dug on --
15 through where the students walk through, like next
16 to the buildings. But I'm not sure. Well, they
17 were all over the place.

18 Q. Do you -- do you recall specifically
19 whether you had any classrooms that were next to
20 where these holes were being dug?

21 A. I would say almost all my classrooms
22 because they were next to each building.

23 Well, I think -- except the main building.

24 Q. Can you tell me how this -- this work
25 affected your education?

1 A. She had an attitude problem so she made it
2 really obvious. And I don't know. I can only
3 remember that class.

4 Q. Okay. Can you recall how many occasions
5 in your French class on which your teacher shut the
6 door because of noise related to the -- to the
7 maintenance work that we've been talking about?

8 A. I can't remember exactly.

9 Q. Well, when your teacher shut the door in
10 French class, did that help reduce the noise
11 problem?

12 A. A bit, not much.

13 Q. Not much?

14 A. No. It was distracting.

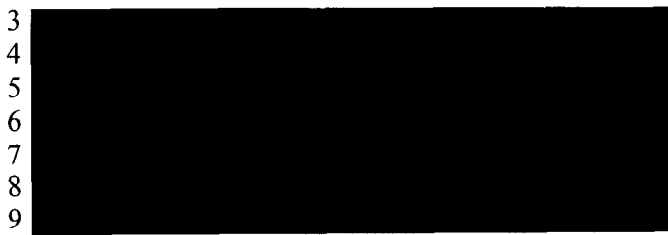
15 Q. How did the noise from the maintenance
16 project distract you in French?

17 A. Well, it would -- you could tell the
18 teacher would get distracted because she looked
19 really annoying. And basically kind of -- sometimes
20 it was kind of hard to hear her, or ... I don't
21 know, I think that was basically it. I don't
22 remember everything.

23 Q. You can't remember which -- which French
24 class in which semester? It was either the
25 beginning of your tenth grade year or the end of

1 your ninth grade year?

2 A. Yes.



10 BY MR. CHOATE:

11 Q. Why do you think there's a possibility?

12 A. Because I remember it was hard to hear and
13 she would get irritated. I don't know, I think her
14 teaching skills were kind of bad.

15 Q. Where did you sit in the French class?

16 A. In the back.

17 Q. Did you ever ask your French teacher if you
18 could sit closer to the front of the class?

19 A. Yes.

20 Q. And did she let you?

21 A. No. She said it wasn't her problem.

22 Q. I'm sorry?

23 A. She told me it wasn't her problem. Because
24 I told her it was hard for me to see and she said it
25 wasn't her problem.

1 that. It wasn't the beginning of the school year, I
2 think the beginning of the semester.

3 Q. Of this current semester?

4 A. Yes. I think.

5 Yeah.

6 Q. What classrooms were being painted?

7 A. Well, actually I think it was all year.

8 Because I remember, even my tenth grade
9 year, because I remember Dr. Justice's room was
10 being cleaned -- was painted right in my tenth grade
11 year, the last semester. And I remember we had to
12 sit outside on some benches where the adult school
13 is at. And we were -- we were having the classes
14 there.

15 And my current class, like in the beginning
16 of the semester, I think of the year, it was really
17 smelly, too.

18 Q. What -- what class in the semester are you
19 referring to?

20 A. Con. comp., contemporary composition.

21 Q. That was your first semester of your
22 eleventh grade year; right?

23 A. Yes.

24 Q. Was your -- was your classroom in
25 Mr. Radomski's contemporary comp. class painted at

1 Q. And you indicated that it was difficult to
2 get from classroom to classroom --

3 A. Yes.

4 Q. -- during the passing period because of the
5 work associated with digging the holes?

6 A. Yes.

7 Q. Were you late to class because of that, you
8 think?

9 A. I can't remember.

10 Because sometimes, like to get into the
11 third-story building, because, like, at the time
12 there are only two stairways to the third floor that
13 we could use, and I remember it was really crowded.
14 And it was like -- I used to take -- it would take
15 like four or five minutes to get down. And we only
16 have a passing period of six minutes.

17 Q. Can you recall any specific occasion in
18 which you were late to class because of the work
19 associated with digging the holes on your campus?

20 A. I can't remember exactly.

21 Q. You indicated that in the beginning of
22 the -- is it this current school year? -- classrooms
23 are being painted.

24 A. Yes.

25 It wasn't -- actually, let me rephrase

1 some point?

2 A. Yes.

3 Q. Was that during your first semester?

4 A. I believe so.

5 Q. Okay. How did that affect your education?

6 A. It was kind of smelly. The smell kind
7 of -- was kind of distracting.

8 Q. Do you recall when during the semester your
9 classroom was painted?

10 A. I can't remember.

11 Q. Do you know whether your classroom was
12 painted on the weekend?

13 A. Yeah, I think -- I can't remember exactly
14 because they were -- all the classrooms were painted
15 at different times of the year, so I can't remember
16 exactly when which classroom was painted.

17 But there were sometimes when we had to
18 meet -- like for AP U.S. history, we had to meet in
19 the auditorium.

20 Q. I want to ask you questions about your
21 contemporary comp. class, though.

22 A. Uh-huh.

23 Q. How long did the smell of paint last in
24 your classroom?

25 A. I think it was around three -- three days,

1 or a week. I'm not sure.
 2 Q. Okay. So for three days to a week there
 3 was the smell of paint in your contemporary comp.
 4 classroom?
 5 A. Yes.
 6 Q. And you think -- did that smell of paint
 7 affect your ability to learn in contemporary comp.?
 8 A. Well, it was distracting, so I would say
 9 so.
 10 Q. How was it distracting?
 11 A. Just the smell, it's like -- you can't not,
 12 you know, tell yourself that you're not spelling it.
 13 It's like ... I don't know.
 14 Q. Were you unable to concentrate because of
 15 the smell?
 16 A. Yeah, yes.
 17 Q. Did you get sick because of the smell?
 18 A. I don't think so.
 19 Q. Do you know if other students were unable
 20 to concentrate because of the smell?
 21 A. I can't recall.
 22 Q. And you indicated that your classroom in
 23 Dr. Justice's class was painted at some point?
 24 A. Yes.
 25 Q. That was in your second semester of tenth

1 grade; is that correct?
 2 A. Yes.
 3 Q. Do you recall when during the semester your
 4 classroom was painted?
 5 A. I can't remember.
 6 Q. Okay. Was the classroom painted while you
 7 were actually in class?
 8 A. Yes.
 9 Q. You were -- you were receiving instruction
 10 from Dr. Justice while painters were painting the
 11 classroom?
 12 A. Oh, no. But we were -- we were -- it was
 13 while we were in track.
 14 Q. Okay. Do you recall how long the smell of
 15 paint lasted in that classroom?
 16 A. I would say around the same time because
 17 they were using the same paint for all the
 18 classrooms.
 19 Q. So the smell of paint lasted around three
 20 days in that classroom?
 21 A. Around three days, possibly more.
 22 Q. And do you recall having a difficult time
 23 concentrating because of the smell of paint?
 24 A. It wasn't only the smell of paint, but also
 25 the fact that we were having classroom next to --

1 like outside, because it was -- it was difficult for
 2 the teacher to get everybody's attention, especially
 3 since there were people passing by on the street and
 4 cars, a lot of music and --
 5 Q. How long did you receive instruction
 6 outside in Dr. Justice's class?
 7 A. Around two weeks. A little less than two
 8 weeks, I would say.
 9 Q. And do you -- do you know why you received
 10 instruction outside?
 11 A. Well, it was better than the auditorium,
 12 because a lot of classes were -- were having their
 13 class meeting in the auditorium so it was kind of
 14 noisy there. And so he told us we were going to
 15 meet on the benches before anybody got there, so ...
 16 Q. Do you know why your class met outside?
 17 A. Because the classroom was being painted.
 18 Q. Did it take two weeks to paint your
 19 classroom?
 20 A. I think it took a week to paint it and have
 21 repairs.
 22 Q. Okay.
 23 A. And ... I guess they had to, like, have a
 24 couple of days for it to dry or something. I don't
 25 know.

1 Q. And when you received instruction for
 2 approximately two weeks in Mr. Justice's class
 3 outside, how did that affect your education?
 4 A. Sometimes the benches were dirty. And like
 5 I said, the noise was distracting from outside the
 6 school. And sometimes it was hard to hear the
 7 teacher speak, and ... just basically that.
 8 Q. Did Dr. Justice tell you why he decided
 9 to teach his class outside instead of going to the
 10 auditorium?
 11 A. He said it was noisy in the auditorium and
 12 he didn't want to meet there.
 13 Q. You mentioned they were doing some
 14 construction work in the bathrooms?
 15 A. Yes.
 16 Q. What bathrooms are under construction right
 17 now?
 18 A. Well, I don't know if the one near the
 19 thirties building or near Randolph is being worked
 20 on. I don't know why they had it closed.
 21 But the one in the main building supposedly
 22 they're remodeling it. But every time they say
 23 they're remodeling it, they just paint the walls or
 24 put some doors on the stalls.
 25 Q. Are there any other bathrooms other than

1 the bathroom in the main building that are under
 2 construction currently?
 3 A. Not to my knowledge.
 4 Q. Is the bathroom in the main building that's
 5 under construction, is that a girls bathroom?
 6 A. Yes. And the boys bathroom.
 7 Q. Do you have a class in the main building
 8 right now?
 9 A. Yes.
 10 Q. What -- what classes do you have in the
 11 main building currently?
 12 A. AP U.S. history.
 13 Q. Okay. Do you have any other classes in the
 14 main building?
 15 A. No.
 16 Q. Can you tell me how the construction on
 17 the bathrooms has -- has affected your education in
 18 AP U.S. history?
 19 A. Well, when we were meeting there during
 20 weekends, like when they barely started the
 21 construction, the teacher wasn't notified that they
 22 were going to be, like, doing repairs, so it got
 23 really noisy and we couldn't hear what the teacher
 24 was saying when we were preparing for the AP test.
 25 And at the current moment they're still

1 Q. Okay. And is there noise from the
 2 construction on the bathrooms every day?
 3 A. Well, every weekday, not every day.
 4 Q. Okay. Well, how often during the week is
 5 there noise from the bathroom construction in your
 6 AP history class?
 7 A. I can't remember, because I think they've
 8 calmed down lately. But I think it was like three
 9 days a week last week. I'm not sure.
 10 Q. I don't know if I asked you this, but do
 11 you recall when the construction in the bathrooms
 12 in the main administration building began?
 13 A. Around a month ago.
 14 Q. Okay.
 15 A. Even maybe more, I'm not sure.
 16 Actually, I think, yeah, it was more than
 17 a month ago, because it was -- I think it started
 18 when -- when we were still preparing for the AP --
 19 the AP U.S. history test. And we took the test
 20 around a month ago, so more than a month ago.
 21 Q. Okay. How much more than a month, do you
 22 think?
 23 A. Around two weeks more ago.
 24 Q. So about -- so the construction started
 25 about six weeks ago?

1 doing repairs and they get really loud sometimes
 2 while he's teaching.
 3 Q. Have you ever spoken to anybody in
 4 administration about the noise?
 5 A. No.
 6 Q. Why not?
 7 A. Well, Mr. Miekosz said he was -- he doesn't
 8 know why they have it, and ... I don't know.
 9 Q. Do you know if Mr. Miekosz has spoken to
 10 anybody in administration about the noise?
 11 A. I don't know. I think he has.
 12 Actually, I'm not sure.
 13 Q. Okay. Can you describe for me the noise
 14 in your -- in your AP history classroom?
 15 A. I don't know how -- how you could describe
 16 it really, but --
 17 Q. Well, what kind of noise do you hear?
 18 A. Just machines.
 19 Q. You would hear machine noise, okay.
 20 Any other type of noise?
 21 A. No, that's the only one, the only noise
 22 that distracts me.
 23 Q. How often do you meet with your
 24 AP U.S. history class?
 25 A. Every day.

1 A. Yes.
 2 Q. Does Mr. Miekosz keep the door of his
 3 classroom closed while you're having class?
 4 A. When the air-conditioning broke down, he
 5 doesn't.
 6 Q. In general, does he keep the door closed?
 7 A. Yes.
 8 Q. In general, does that help reduce the
 9 noise?
 10 A. Yes.
 11 Not really, because the bathroom is right
 12 under our classroom, but it helps a little.
 13 Q. It helps a little?
 14 A. Yes.
 15 Q. Do you know who is in charge at
 16 Huntington Park Senior High School in determining
 17 when maintenance and repairs take place?
 18 A. I don't know.
 19 Q. Do you know how the determination is made
 20 as to when maintenance and repairs take place?
 21 A. I don't know.
 22 Q. Do you know if the determination depends on
 23 the type of maintenance or repairs that are needed?
 24 A. I would assume, but I don't know.
 25 Q. Do you know whether the determination as to

1 when maintenance or repairs takes place depends on
 2 the extent to which the maintenance or repairs may
 3 interfere with the educational process?
 4 A. Can you repeat the question.
 5 Q. Do you know whether the determination as to
 6 when maintenance or repairs will take place depends
 7 on the degree to which the maintenance or repairs
 8 may interfere with the educational process?
 9 A. I don't know.
 10 Q. Are you aware whether maintenance or
 11 repairs are performed after the school day is over?
 12 A. I don't know. I haven't stayed after
 13 school lately.
 14 Q. Are you aware of whether maintenance and
 15 repairs are performed on weekends?
 16 A. I would assume so because they were fixing
 17 the bathrooms when we were meeting on weekends.
 18 Q. Are you aware of whether maintenance and
 19 repairs are performed on holidays?
 20 A. I don't know.
 21 Q. Are you aware of any measures that are
 22 taken to minimize the disruption of school
 23 activities by maintenance and repairs that are
 24 performed while school is in session?
 25 A. I don't know.

1 MR. CHOATE: Are you ready to take a quick
 2 break?
 3 MS. CHECEL: Oh, sure.
 4 (Recess taken from 12:40 to 12:50.)
 5 MR. CHOATE: Let's go back on the record.
 6 Q. Lizette, I'm going to ask you some
 7 questions about your classes in the current eleventh
 8 grade year.
 9 Okay?
 10 A. Okay.
 11 Q. Have you seen rats, mice, roaches or other
 12 signs of pests in any of your classrooms in the
 13 current eleventh grade year?
 14 A. I haven't seen them, but I heard the
 15 teachers complain.
 16 Q. But have you personally seen rats, mice,
 17 roaches or other signs of pests in any of your
 18 classrooms in the current year?
 19 A. No.
 20 Q. So you haven't seen any rats, mice, roaches
 21 or other signs of pests in your honors American lit.
 22 class in this current semester; is that correct?
 23 A. I have seen -- can you repeat the question?
 24 Q. Yes.
 25 You just testified that you haven't seen

1 any rats, mice, roaches or other signs of pests in
 2 any of your classrooms in the current eleventh grade
 3 year.
 4 A. Yes.
 5 Q. I want to just focus and make sure I
 6 understand correctly.
 7 Is it true that you have not seen any rats,
 8 mice, roaches or other signs of pests in your honors
 9 American literature classroom in this semester?
 10 A. I have seen rat droppings behind the
 11 computers --
 12 Q. Okay.
 13 A. -- in my American -- in con. comp. last
 14 semester.
 15 Q. Okay.
 16 A. But I have seen dead roaches outside, like
 17 roaches that people have stepped on.
 18 Q. I'm just talking about your classrooms now.
 19 A. Yeah.
 20 Q. You have seen rat droppings in your honors
 21 contemporary composition class last semester?
 22 A. Yes.
 23 Q. Okay. But you haven't seen rats or mice or
 24 roaches in that classroom, have you?
 25 A. No.

1 Q. Okay. And you haven't seen rats, mice,
 2 roaches or other pests in your honors American
 3 literature class, have you?
 4 A. No.
 5 Q. Okay. And you haven't seen rats, mice,
 6 roaches or other pests in your honors trigonometry
 7 class last semester, have you?
 8 A. Personally I didn't see them, but I did see
 9 signs, also.
 10 Q. What signs did you see?
 11 A. On top of the cabinet there was like a hole
 12 bitten off by the rat or mouse, or whatever it was,
 13 and the teacher showed us the trap with the tail in
 14 it.
 15 Q. Okay.
 16 MR. FRIEDMAN: What class was that?
 17 THE WITNESS: Trigonometry, integrated 3.
 18 BY MR. CHOATE:
 19 Q. That's your honors trigonometry class?
 20 A. Yeah, that was trig., sorry.
 21 Q. Have you seen rats, mice, roaches or other
 22 pests in your honors math analysis classroom?
 23 A. Not that I can remember.
 24 Q. Okay. Have you seen any rats, mice,
 25 roaches or other pests in your AP American history

1 classroom, either last semester or this semester?
 2 A. Not that I can recall.
 3 Q. Okay. So the only signs of pests that
 4 you've seen in any of your classrooms this year
 5 are rat droppings in your honors contemporary
 6 composition classroom --
 7 A. Uh-huh.
 8 Q. -- and a trap with a tail in it in your
 9 honors trigonometry class?
 10 A. Yes.
 11 Q. Okay.
 12 A. And the hole in the ceiling.
 13 Q. In the trigonometry class?
 14 A. Yes.
 15 Q. Okay. But other than those two classrooms,
 16 you haven't seen any signs of pests in any of your
 17 other classrooms?
 18 A. Not that I can remember.
 19 Q. Okay. Let's talk about your honors
 20 contemporary composition class. When -- on how many
 21 occasions have you seen rat droppings in that
 22 classroom?
 23 A. I don't remember that far back exactly.
 24 Q. Can you try to estimate?
 25 A. About twice.

1 Q. On two occasions?
 2 A. When I went to use the computers, like
 3 twice. I don't really check every day to see if
 4 there were rat droppings.
 5 Q. Okay. On two occasions when you used the
 6 computers in your honors contemporary composition
 7 class, you saw rat droppings?
 8 A. Yes.
 9 Q. But you don't recall any other occasion in
 10 which you saw rat droppings?
 11 A. No.
 12 Q. Where are the computers located in your
 13 class -- in your contemporary composition class?
 14 A. They were on the -- next to the entrance of
 15 the door.
 16 Q. And on the -- do you recall when during the
 17 semester -- the first occasion when you saw --
 18 A. I can't remember.
 19 Q. -- rat droppings?
 20 A. I can't remember.
 21 Q. Okay. Do you recall when during the
 22 semester you saw the rat droppings on the second
 23 occasion?
 24 A. I can't remember.
 25 Q. Okay. Where exactly in the room did you

1 see the rat droppings?
 2 A. Behind the computer.
 3 Q. Behind the computer?
 4 A. Yes.
 5 Q. Okay. On both occasions?
 6 A. Yes.
 7 Q. The computer, is it located on a -- on a
 8 desk?
 9 A. Yes.
 10 Q. Against a wall?
 11 A. Yes.
 12 Q. How did you know that what you saw were rat
 13 droppings?
 14 A. Because I seen them before around my house.
 15 Well, I seen mice droppings and they were a little
 16 bigger.
 17 Q. You've seen rat droppings around your
 18 house?
 19 A. Yeah. Or they might have been mice, also,
 20 because there were some small ones. I'm not sure,
 21 but it was either one.
 22 Q. You're not sure whether they were rat
 23 droppings or mice droppings?
 24 A. Yes.
 25 There were some big ones.

1 Q. I'm sorry?
 2 A. There were some big ones.
 3 Q. Well, when you saw the rat or the mice
 4 droppings on the first occasion, did you tell the
 5 teacher?
 6 A. No, because the teacher told us before that
 7 there were already mice -- rat droppings behind the
 8 computer.
 9 Q. Well, why -- why -- when you saw the rat
 10 or the mice droppings, you didn't tell the teacher
 11 because the teacher told you they were already
 12 there?
 13 A. Yeah.
 14 Q. When -- okay. Do you recall when the
 15 teacher told you there were rat or mice droppings
 16 behind the computer?
 17 A. I can't remember.
 18 Q. Do you know -- did you ever bring this
 19 to the attention of your -- of a custodian at
 20 Huntington Park Senior High School?
 21 A. No.
 22 Q. Do you know if your teacher ever brought it
 23 to the attention of the custodian?
 24 A. He did.
 25 Q. Okay. How do you know?

1 A. Because I think -- I'm not sure if somebody
2 complained to him, but I remember mentioning
3 something about that.
4 Q. Okay. In the first --
5 A. I think he told us not to touch them.
6 Q. Did you follow his advice?
7 A. Yeah.
8 Q. Okay. On the -- on the --
9 MR. FRIEDMAN: This was an honors class,
10 wasn't it?
11 THE WITNESS: Yeah.
12 BY MR. CHOATE:
13 Q. On the first occasion on which you saw the
14 rat or the mice droppings, do you recall how long --
15 how long of a period of time elapsed between the
16 time in which you saw them and the time in which
17 they were removed?
18 A. I don't know. I never checked often.
19 Q. Okay. What about the second time, do you
20 know how much time elapsed between the time you saw
21 the rat or mice droppings and the time they were
22 cleaned up?
23 A. I don't know. I only noticed them because
24 I was trying to turn off the computer through the
25 back. I never really check every day.

1 Q. Do you know if somebody came and cleaned up
2 the rat or the mice droppings?
3 A. I don't know.
4 Q. Do you have any reason to believe that
5 somebody did not clean them up?
6 A. I don't know.
7 Actually, I don't -- I wouldn't be able to
8 state.
9 Q. You don't know one way or the other whether
10 somebody cleaned them up?
11 A. Exactly.
12 Q. Okay. Did seeing the rat or mice droppings
13 on either of those occasions, do you think, affect
14 your ability to learn in honors contemporary
15 composition?
16 A. I don't know. Not to my knowledge.
17 Q. Do you know if it affected your ability to
18 concentrate in class?
19 A. I hope not. I don't know. I don't know.
20 I wouldn't know.
21 Q. I'm sorry, I ...
22 A. I wouldn't know.
23 Q. Okay.
24 A. I heard it wasn't healthy, though.
25 Q. Who told you it's not healthy?

1 A. Well, I heard in the news that rats carry
2 diseases. And the teacher said so, also. Ms. Wiese
3 told us -- I think that's why they told us not to
4 touch it.
5 Q. Ms. -- Ms. Wiese?
6 A. Yes.
7 Q. She wasn't your contemporary composition
8 teacher, though, was she?
9 A. No, but she -- she was the one with the
10 trap.
11 Q. Right.
12 Okay. Do you know if anybody in your
13 honors contemporary composition class became sick
14 because of the rat droppings?
15 A. Not to my knowledge.
16 Q. Have you ever become sick by the rat or
17 mice droppings that you've seen around your --
18 around your home?
19 A. I don't think so.
20 Q. Do you ever see students in your -- in
21 your -- well, let me rephrase the question.
22 Did you ever see students in your honors
23 contemporary composition class eating in the
24 classroom?
25 A. No, because the teacher wouldn't let us.

1 Q. Okay. Do you ever see students in your
2 honors contemporary composition class that -- who
3 didn't throw trash in the trash can?
4 A. I don't think so because the teacher would
5 make them pick it up.
6 Q. Do you know how often your -- your honors
7 contemporary classroom was cleaned?
8 A. I wouldn't say every day, because I
9 remember most of my class my backpack would get all
10 dusty and, like, usually my pants would get also --
11 also would get dusty.
12 Q. Okay.
13 A. And some -- like currently my history
14 teacher tells me he has to bring a broom and sweep
15 up sometimes because the school doesn't clean every
16 day.
17 Q. Let me make sure I understand you.
18 Did you tell me you don't believe that
19 your -- let me rephrase that. Let me ask you the
20 question again because I didn't hear the first part
21 of your answer.
22 Do you know how often your honors
23 contemporary literature classroom is cleaned?
24 A. No.
25 Q. Do you know whether it's cleaned every day

- 1 or not?
 2 A. I don't think so.
 3 Q. Okay. Do you know whether it was, though,
 4 for sure, or not?
 5 A. For sure.
 6 Q. You know for sure it was not cleaned every
 7 day?
 8 A. Yes, because I have it -- I have the class
 9 for second period and I don't think the class could
 10 get so dirty during first period and homeroom.
 11 Q. You had the contemporary composition class
 12 during second period?
 13 A. Yes.
 14 Q. And you think because it was dirty in the
 15 second period that it was not cleaned prior to the
 16 school day?
 17 A. Yes.
 18 And the teacher would also -- he also had
 19 a broom in his room, so I assume he would sweep
 20 himself sometimes.
 21 Q. Do you know whether your teacher ever --
 22 ever mentioned anything to the custodians about
 23 cleaning his classroom?
 24 A. Not to my knowledge.
 25 Q. Did you ever mention anything to the

- 1 custodians?
 2 A. No.
 3 Q. And what was not clean about the classroom?
 4 A. The -- there was a lot of dust in the -- on
 5 the floor. And I think they -- I'm not sure if they
 6 only clean once a month, but you can really tell
 7 when it's cleaned, when they mop or something.
 8 Q. You think the custodians only clean the
 9 classrooms once a month?
 10 A. Around. I'm not sure, but I'm positive
 11 they don't clean every single day. They probably
 12 only pick up the trash.
 13 Q. And you're positive that they don't clean
 14 every single day because you've seen dust?
 15 A. Yes.
 16 Q. Okay.
 17 A. It's really obvious when they clean because
 18 I know it takes, like, a week for it to get dirty
 19 again.
 20 Q. Let's talk about your honors trigonometry
 21 class. I think you indicated in a -- that there was
 22 a hole on top of a cabinet?
 23 A. Yes.
 24 Q. Was the hole in the wall?
 25 A. In the ceiling.

- 1 Q. In the ceiling.
 2 How big was the hole?
 3 A. (Indicating.)
 4 Around two to three inches in diameter.
 5 Q. Okay. And do you know what caused the hole
 6 to be there?
 7 A. A rat bit it or something. I don't know.
 8 Well, the teacher said it was the rat who made it.
 9 I don't see why a student or teacher would make the
 10 hole.
 11 Q. And the teacher told you it was a rat that
 12 made the hole?
 13 A. Yes.
 14 Q. And you indicated that you saw -- you saw a
 15 trap with a tail in it?
 16 A. Yeah. She would buy her own traps and put
 17 them up there.
 18 Q. This is -- this is -- was this Ms. Wiese?
 19 A. I think so.
 20 Well, they had Ms. Wills and Ms. Wiese
 21 share the same room sometimes.
 22 Q. On how many occasions in your honors
 23 trigonometry class last semester did you see a trap
 24 with a tail in it?
 25 A. I think she only showed it to us once.

- 1 Q. Do you recall when during the semester you
 2 saw this trap with a tail on it?
 3 A. I don't remember.
 4 Q. What did your teacher do after she showed
 5 you the trap with the tail in it?
 6 A. I don't know.
 7 Q. Do you know if your teacher in honors
 8 trigonometry ever spoke to anybody in the
 9 maintenance department of your school about the
 10 hole in the classroom?
 11 A. I would assume, but I don't know.
 12 Q. You indicated that your teacher in honors
 13 trigonometry bought traps with her own money?
 14 A. Yes.
 15 Q. How do you know that?
 16 A. She told us.
 17 Q. Did she tell you how many traps she bought?
 18 A. I don't remember.
 19 Q. Do you feel that your education in
 20 trigonometry was affected by the trap that you saw?
 21 A. Well, I was kind of disgusted, but I think
 22 I got over it.
 23 Q. Other than on that one occasion, you didn't
 24 see any other signs of pests in your honors
 25 trigonometry classroom?

- 1 A. Not that I can remember.
 2 Actually, I do remember seeing once a rat
 3 dropping under the computer desk, also.
 4 Q. Is this in honors trigonometry?
 5 A. Yes.
 6 Q. You saw rat droppings under the computer
 7 desk?
 8 A. Yes, I remember -- because I remember
 9 seeing the -- I was trying to fix the, I think it
 10 was the scanner, and I remember seeing something
 11 brown.
 12 Q. And you remember seeing something what?
 13 A. Round and brown.
 14 Q. Okay.
 15 A. I don't remember exactly when this was.
 16 Q. Were these -- were -- what you thought were
 17 rat droppings, were they under -- on the floor?
 18 A. Yes.
 19 Q. Okay. Do you recall when during the
 20 semester you saw this?
 21 A. I don't remember.
 22 Q. After you saw these what looked like rat
 23 droppings, did you tell the teacher?
 24 A. No.
 25 Q. Did you tell anybody else?

- 1 A. I don't remember. I don't think so.
 2 Q. Do you know why not?
 3 A. I don't think I paid much attention to it.
 4 Q. It didn't -- it didn't bother you?
 5 A. Not really, because I was kind of busy
 6 fixing the computer.
 7 Q. Do you know how much time elapsed between
 8 the time you saw the rat droppings and the time they
 9 were cleaned up?
 10 A. I don't know. I didn't really check.
 11 Q. Do you recall having seen rats, mice,
 12 roaches or other signs of pests in any of your
 13 classrooms in your tenth grade year?
 14 A. Not that I can remember.
 15 Q. Lizette, did you want to add anything?
 16 A. I'm trying to remember something because --
 17 I remember currently there was a bug, I'm not sure
 18 if it was a spider or a cockroach, I don't remember,
 19 but it was this semester. And I remember picking up
 20 my backpack because (inaudible).
 21 THE REPORTER: I remember what? Hitting it
 22 with my backpack?
 23 THE WITNESS: No, picking up my backpack
 24 because I didn't want it to get there.
 25 ///

- 1 BY MR. CHOATE:
 2 Q. You saw a spider or a cockroach in one of
 3 your classrooms this semester?
 4 A. Yes.
 5 Q. Okay.
 6 A. And I remember telling this guy next to me
 7 to kill it, but he didn't want to kill it because he
 8 enjoyed seeing me ...
 9 Q. Do you recall what classroom you saw the
 10 spider or cockroach?
 11 A. In my math analysis. I think it was during
 12 the beginning of the semester.
 13 Q. Okay. So sometime during the beginning of
 14 the semester you saw a spider or cockroach in your
 15 math analysis classroom?
 16 A. In my pre-calculus classroom.
 17 Q. I'm sorry?
 18 A. In my pre-calculus classroom.
 19 Q. Is that the same as math analysis?
 20 A. I'm not sure.
 21 Q. Well, you're enrolled in math analysis,
 22 aren't you?
 23 A. I'm not sure. I usually call it pre cal.,
 24 because that's the name of the book.
 25 Q. Okay. And did you see the spider or the

- 1 cockroach by your desk?
 2 A. Yeah, it went under my desk.
 3 Q. Okay. Is that the only time you've seen a
 4 pest in your -- in your math analysis classroom?
 5 A. That I can remember.
 6 Q. Did you say anything to the teacher when
 7 you saw the spider or the cockroach?
 8 A. Yeah. She told me to kill it.
 9 Q. The teacher told you to kill it?
 10 A. Yeah.
 11 Q. Is this Mr. Wiese?
 12 A. Ms. Wiese.
 13 Q. Ms. Wiese?
 14 A. Yeah.
 15 Q. But you didn't?
 16 A. No.
 17 Q. Did seeing the spider or the cockroach
 18 affect your ability to learn in the classroom?
 19 A. It kind of disrupted the class.
 20 Q. For how long was the class disrupted?
 21 A. For five minutes.
 22 Q. Why was the class disrupted for five
 23 minutes?
 24 A. Because I was bugging the guy next to me to
 25 kill it. And I told Ms. Wiese so she could kill it.

1 And by the time somebody was going to kill it, it
2 was already gone.
3 Q. Other than the rat droppings you saw in
4 your honors contemporary composition class, the rat
5 droppings and the trap that you saw in your
6 trigonometry class, and the spider or the cockroach
7 that you saw in your math analysis class, have you
8 seen any other types of pests in any of your other
9 classrooms in your eleventh grade year?
10 A. Not that I can remember.
11 Q. I think before we were talking about the
12 spider and the cockroach we were talking about your
13 classrooms in your tenth grade year. And I think
14 you indicated that you haven't seen any rats, mice,
15 cockroaches or any other signs of pests in any of
16 your classrooms in the tenth grade year.
17 Is that correct?
18 A. Not that I can remember.
19 Q. Can you recall seeing any rats, mice,
20 cockroaches or other pests in your honors English 10
21 class in your tenth grade year?
22 A. Not that I can remember.
23 Q. Can you recall seeing rats, mice,
24 cockroaches or other pests in your integrated math 3
25 class in your tenth grade year?

1 A. I don't know if the hole was there then,
2 but I'm not sure.
3 Q. Well --
4 A. Because, like, how I said Ms. Wiese and
5 Ms. Wills, the C track and A track teachers, they
6 rotate classrooms, I think they share the same
7 classroom now during one year.
8 Q. Do you -- did you have the same classroom
9 for contemporary -- for integrated math 3 as you did
10 in eleventh grade for trigonometry and math
11 analysis?
12 A. I think so.
13 Q. Okay. But you don't recall seeing any
14 cockroaches, rats, mice or other pests in your tenth
15 grade integrated math classroom, do you?
16 A. Not that I can remember.
17 Q. Do you recall seeing any rats, mice,
18 roaches or other pests in your honors world history
19 classroom in your tenth grade year?
20 A. Not that I can remember.
21 Q. I'm going to ask you some questions about
22 your ninth grade year.
23 Okay?
24 A. Uh-huh.
25 Q. Do you recall seeing any rats, mice,

1 roaches or other pests in any of your classrooms
2 in ninth grade?
3 A. Not that I can remember.
4 Q. Do you recall seeing any rat or mice
5 droppings in any of your classrooms in the ninth
6 grade year?
7 A. Not that I can remember.
8 Q. Do you recall seeing any mice or rat
9 droppings in any of your classrooms in the tenth
10 grade year?
11 A. Not that I can remember.
12 MS. CHECEL: Is this a good breaking point
13 for you, or did you have stuff to finish up?
14 MR. CHOATE: It's fine. Yeah, I'll -- I'll
15 just continue after lunch.
16 (At 1:15 p.m., the deposition
17 was adjourned for noon recess.)
18 /// (Please see next page.) ///

1 (At 2:06 p.m., the deposition
2 of LIZETTE RUIZ was reconvened
3 with the same persons present.)
4 -oOo-
5
6 EXAMINATION CONTINUED
7
8 BY MR. CHOATE:
9 Q. Lizette, before we broke for lunch, you
10 indicated that your teacher in honors trigonometry
11 purchased traps with her own money.
12 A. Yes.
13 Q. Did she tell you that she purchased them
14 with her own money?
15 A. Yes.
16 Q. Did she ever tell you how many traps she
17 purchased with her own money?
18 A. I don't remember.
19 Q. Have any of your other teachers, to your
20 knowledge, purchased traps for rats or mice with
21 their own money?
22 A. Not to my knowledge.
23 Q. Would you take a look at your declaration,
24 Lizette, paragraph eight.
25 A. (Examining document.)

1 Uh-huh.

2 Q. Is it true that you regularly see mice or
3 rat droppings in your classrooms?

4 A. Well, often, like behind the computers like
5 I said before.

6 Q. You testified that you saw rat droppings
7 on two occasions in your honors contemporary
8 composition class?

9 A. Yes.

10 Q. And I believe on one occasion in your
11 trigonometry class?

12 A. Yes.

13 Q. To the best of your recollection, you've
14 only seen rat droppings in your classrooms on three
15 occasions?

16 A. I don't know, I'm not sure.

17 Q. But to the best of your recollection,
18 sitting here today, you've only seen rat droppings
19 on two or three occasions; is that correct?

20 A. I know there are more, but I can't really
21 remember when and where.

22 Q. You can only specifically recall three
23 occasions on which you've seen rat droppings; is
24 that correct?

25 A. Yeah, that I've seen, yes. But the

1 the first semester of your tenth grade?

2 A. Yes.

3 Q. When did Ms. Wiese speak to you about
4 seeing rat droppings in -- in her classroom?

5 A. I'm not sure.

6 Q. Well, can you recall a specific occasion in
7 which she spoke to you about seeing rat droppings?

8 A. I can't recall a specific occasion.

9 Q. Okay. Can you recall a specific occasion
10 on which Mr. Radomski spoke to you or complained to
11 you about seeing rat or mice droppings in his
12 classroom?

13 A. I know it was the first semester of my
14 junior year.

15 Q. Can you recall a specific occasion during
16 that semester in which he spoke or complained to you
17 about seeing rat or mice droppings?

18 A. No.

19 Q. Can you recall a specific occasion when
20 Mr. Miekosz spoke or complained to you about seeing
21 rat or mice droppings in the American history
22 classroom?

23 A. I remember him telling -- complaining,
24 telling us not to eat. Because most of the teachers
25 tell us not to eat because there's rats around the

1 teachers often complain about them.

2 Q. Have any of your teachers complained to you
3 about seeing rat droppings in their classrooms?

4 A. Yes.

5 Q. Can you tell me what teachers those are.

6 A. Mr. Miekosz, Mr. Radomski, Ms. Wiese. I
7 think Ms. Wills has also, because I remember her
8 telling us not to eat in class no more. And ...
9 that's all I can remember right now.

10 Q. Okay. Let me just make sure I've got
11 these teachers straight. Mr. Miekosz, your history
12 teacher?

13 A. Yes.

14 Q. Mr. Radomski, your contemporary composition
15 teacher last semester?

16 A. Yes.

17 Q. And -- and Mr. Wiese --

18 A. Ms. Wiese.

19 Q. I'm sorry. Ms. Wiese, your math analysis
20 teacher this semester?

21 A. Yes.

22 And Ms. Wills.

23 Q. And Ms. Wills?

24 A. Yes.

25 Q. Who was your integrated math 3 teacher in

1 school, but I don't remember when it was. I'm
2 pretty sure -- I think it was the beginning of
3 eleventh.

4 Q. What did Mr. Miekosz tell you not to do?

5 A. Not to eat in the class because there's
6 rats. Actually, every teacher has. I remember
7 Mr. -- I remember Mr. Wolf telling us, also, the
8 year prior, or the semester prior.

9 Q. Do you recall whether Mr. Miekosz ever told
10 you that he had seen rat or mice droppings in his
11 classroom?

12 A. I think he mentioned it, and I think --
13 yeah, that was the first week of school, somewhere
14 around then.

15 Q. Mr. Miekosz mentioned to you in the first
16 week of school in American history that he saw rat
17 or mice droppings in his classroom?

18 A. Yeah.

19 Q. Are you sure?

20 A. Yeah.

21 Q. Okay. Was that this semester or last
22 semester?

23 A. Last semester.

24 Q. Okay. Was anybody else present when he
25 told you this?

1 A. The whole class, I think.
 2 Yeah, it was when he was setting -- setting
 3 the ground rules and all that.
 4 Q. Okay. And one of the ground rules is that
 5 students were not supposed to eat in the classroom?
 6 A. Yeah.
 7 Q. Do you know if students followed that
 8 ground rule?
 9 A. I think there was one or two occasions that
 10 students came in with food.
 11 Q. What happened?
 12 A. He tells them throw it away and not to do
 13 it again.
 14 Q. Do you recall a specific occasion on which
 15 Ms. Wills spoke or complained to you about seeing
 16 rat or mice droppings in the integrated math 3
 17 classroom?
 18 A. I don't know if she told us, too. I don't
 19 know.
 20 Q. You can't recall a specific occasion?
 21 A. No, I can't remember.
 22 Q. Okay.
 23 A. But she -- she did tell us more than twice,
 24 I'm sure, not to eat in the classroom.
 25 Q. She told you on more than -- on more than

1 A. Yes.
 2 Q. "Yes," you're unsure?
 3 A. Yes, I'm unsure.
 4 Actually, can I go back? Because I'm
 5 not --
 6 Q. Of course you can.
 7 A. -- sure if Mr. Radomski said so himself.
 8 Because I remember him putting a trap, but I don't
 9 know if he bought it with his own money or not.
 10 Q. You remember Mr. Radomski putting a trap
 11 in the contemporary composition classroom?
 12 A. Yes.
 13 Q. Okay. But you've never seen a rat or a
 14 mouse in that classroom, have you?
 15 A. No.
 16 Q. Have you seen rats, mice, roaches or other
 17 pests anywhere on the school grounds other than in
 18 your classrooms?
 19 A. I've seen roaches, dead roaches, in the
 20 stairways, around the quad.
 21 I remember seeing a roach in a class, but I
 22 don't remember when and where.
 23 Q. You remember seeing a roach in a classroom
 24 but you don't remember when?
 25 A. Yes.

1 two occasions not to eat in the classroom?
 2 A. Yes, but I don't remember exactly when
 3 because I have had her for a year and a half.
 4 Q. Your declaration indicates that teachers
 5 buy traps with their own money.
 6 A. Yes.
 7 Q. And you've testified that only one of your
 8 teachers, to your knowledge, has bought a trap with
 9 her own money.
 10 A. Yes.
 11 Q. How do you know that other teachers buy
 12 traps with their own money?
 13 A. I don't remember if other teachers have
 14 told me. I'm not sure --
 15 Q. Okay.
 16 A. -- but --
 17 Q. Are you unsure whether other teachers,
 18 other than your trigonometry teacher, have bought
 19 traps with their own money?
 20 A. Yes.
 21 Actually, not that I can remember at the
 22 moment.
 23 Q. Sitting here today, are you unsure as to
 24 whether other teachers, other than your trigonometry
 25 teacher, have bought traps with their own money?

1 Q. Well, you testified earlier that you saw
 2 a roach or a spider in, I believe it was your math
 3 analysis classroom?
 4 A. Yeah, that was recently, but I know there
 5 was another occasion where I know there was, like, a
 6 roach. I don't remember when it was.
 7 Q. Do you know whether it was in a -- it was
 8 in one of your classrooms?
 9 A. Yes.
 10 Q. And you remember seeing it?
 11 A. Uh-huh.
 12 Q. Do you remember what classroom?
 13 A. No.
 14 Q. Do you remember what year?
 15 A. No.
 16 Q. Do you remember where you saw it in the
 17 classroom?
 18 A. I remember seeing it next to my seat. I
 19 can't remember exactly where it was or when it was.
 20 Q. You can't remember when or where it was; is
 21 that right?
 22 A. Yes.
 23 Q. Okay.
 24 A. But I remember a girl screaming.
 25 Q. Do you remember her name?

1 A. No. I don't even think I knew her name
 2 because there was like -- there are, like, seniors.
 3 All my classes, like my math classes, are mixed up.
 4 Q. You just told me that you've seen dead
 5 roaches in stairways and around the quad on campus?
 6 A. Uh-huh.
 7 Q. Have you seen roaches anywhere else on the
 8 campus other than in the stairways or the quad?
 9 A. Not that I can remember at the moment.
 10 Or actually, yes, at the football games.
 11 Q. Okay. Other than in the stairways, around
 12 the quad or at the football field, have you seen
 13 roaches at any other part of the campus grounds?
 14 A. I -- I think -- actually I seen a roach, a
 15 dead roach, in the locker rooms, but I don't
 16 remember what year it was.
 17 Q. Anywhere else on the campus?
 18 A. Not that I can remember.
 19 Q. Have you seen any rats or mice anywhere on
 20 the campus grounds?
 21 A. No.
 22 Q. In what stairway was that where have you
 23 seen dead roaches?
 24 A. I think I seen two in the 300 -- the 300
 25 building, and ... where else? There was one in the

1 English building.
 2 Q. Is that in the stairwell in the English
 3 building?
 4 A. No, it was in the hall.
 5 Q. Okay. Well, I want you to think about any
 6 other stairwells in any buildings of the campus in
 7 which you've seen a roach. And you mentioned you've
 8 seen two roaches in the stairwell of the 300
 9 building.
 10 A. Uh-huh.
 11 Q. Have you seen any roaches in any other
 12 stairwells of any buildings at Huntington Park
 13 Senior High School?
 14 A. Not that I can remember right now.
 15 Q. Do you know how many stairwells there are
 16 in the 300 building at Huntington Park Senior High
 17 School?
 18 A. There were always three, but one was -- one
 19 led to the street. And I don't know why, but --
 20 well, they actually fixed it recently and they
 21 made -- they made it go through the side of the
 22 building.
 23 Q. Okay. Have you been in each of the three
 24 stairwells in the 300 building?
 25 A. I've never been through the one that went

1 through the through street.
 2 Q. Have you been in the other two stairwells
 3 of the 300 building?
 4 A. Yes.
 5 Q. Okay. And in which of those stairwells did
 6 you see roaches?
 7 A. In the -- the one closest to the PE field.
 8 Q. Did you see the roaches on both occasions
 9 in that stairwell that's close to the PE field?
 10 A. The other one I seen in the one close to --
 11 the one facing south.
 12 Q. You indicated one of the stairwells leads
 13 to the street?
 14 A. Used to lead to the street.
 15 Q. And you've never been in that stairwell?
 16 A. I don't remember going down there, through
 17 there.
 18 Q. So is it -- is it accurate to say that you
 19 recall seeing a dead roach on one occasion in the
 20 stairwell that's in the 300 building that's close to
 21 the PE field?
 22 A. Yes.
 23 Q. You don't recall any other occasions in
 24 which you saw a roach in that stairwell?
 25 A. Actually, yeah, because I remember the

1 first time I seen it, like on the first set of the
 2 stairs. And then I remember seeing another one next
 3 to the trash can --
 4 Q. Okay.
 5 A. -- on the third floor, or somewhere around
 6 there.
 7 Q. Can you recall when you saw the roach on
 8 the -- near the trash can in the stairwell next to
 9 the PE field?
 10 A. I don't remember exactly when.
 11 Q. Was it this year, you think?
 12 A. No, I think it was last year. Or last
 13 semester, actually.
 14 Q. Last -- the first semester of your eleventh
 15 grade year?
 16 A. I think so.
 17 Q. And the roach was dead?
 18 A. Yeah.
 19 Q. Did you notify a custodian or anybody else?
 20 A. No.
 21 Q. And when did you see a roach on the first
 22 set of stairs in the -- in that same stairwell; do
 23 you remember?
 24 A. I don't know. I can't say exactly.
 25 Q. Do you think it was this year?

1 A. I was going to tutoring, but I don't
 2 remember if it was for Ms. Wills or Ms. Wiese.
 3 Q. Could it have been last year?
 4 A. I don't think so. I think it was this
 5 year, or this school year.
 6 Q. Okay. But you don't -- you have no idea
 7 when during the school year you saw that roach?
 8 A. No.
 9 Q. Was that roach dead or was it alive?
 10 A. Dead.
 11 Q. Did you notify anybody?
 12 A. No.
 13 Actually, on one occasion, I think it was
 14 my freshman year -- I don't know, I'm not sure.
 15 Q. Okay. Other than the two roaches
 16 you've told me about in the stairwell of the 300
 17 building -- I think -- I think you also indicated
 18 that you saw a roach in the -- in a second stairwell
 19 in the 300 building?
 20 A. In the second set of stairs leading to the
 21 second floor.
 22 Q. Okay. Is that a different roach than what
 23 you've told me about?
 24 A. No, I think -- because there was one, like
 25 in the beginning of the stairs, and I don't know, I

1 A. Dead.
 2 Q. Did you notify anybody about what you saw?
 3 A. No.
 4 Q. Other than those three occasions that
 5 you've told me about, have you seen roaches on -- in
 6 any other stairwell on campus?
 7 A. In the English building, I remember seeing
 8 one in the corner, like by the exit, facing north.
 9 Q. Is this the roach that you saw in the -- in
 10 the hallway?
 11 A. Yeah, the English building.
 12 Q. When did you see the roach in the English
 13 building; do you recall?
 14 A. I think it was ... I don't know.
 15 Q. Was it this year?
 16 A. I don't know. It's always crowded there so
 17 I can't remember when. But I remember trying to
 18 bump into somebody so I wouldn't step on it.
 19 Q. But you're -- you're not sure if you saw
 20 that roach in the hallway of the English building
 21 this year?
 22 A. I'm not sure.
 23 Well, actually I don't think it was this
 24 year.
 25 Q. Okay. Do you think it was in your tenth

1 remember, like, walking near it, and I don't -- I
 2 remember being grossed out.
 3 Q. Lizette, I want you to try to focus for a
 4 second. You've talked about two roaches that you've
 5 seen in the stairwell next to the PE field.
 6 A. Yes.
 7 Q. Okay. Have you seen any other roaches in
 8 any stairwells in the 300 building other than on
 9 those two occasions?
 10 A. There was one on the -- on the stairwell
 11 leading -- on the one facing south. And that one I
 12 think I seen when I was in my freshman year,
 13 actually. Yeah, because I remember I was going to
 14 my chemistry class and I had it for third period or
 15 something like that.
 16 Well, I remember it was in C track, I'm not
 17 sure which -- whether it was my freshman or my tenth
 18 grade.
 19 Q. At some point during your freshman year or
 20 the first semester of your tenth grade year, you saw
 21 a roach in the stairwell of the 300 building that
 22 faces south?
 23 A. Yes.
 24 Q. Was it dead or was it alive; do you
 25 remember?

1 grade year?
 2 A. I wouldn't really be able to say.
 3 Q. It was either in your tenth or ninth grade
 4 year?
 5 A. Yeah.
 6 Q. Was that roach dead or was it alive?
 7 A. Dead.
 8 Q. And did you notify anybody?
 9 A. No.
 10 Well, I was telling people to move because
 11 I didn't want to step on it.
 12 Q. You've also indicated that you've seen
 13 roaches around the quad?
 14 A. Yes.
 15 Q. Can you tell me on how many occasions
 16 you've seen roaches around the quad?
 17 A. It was when I was on C track, because I
 18 remember I was walking with some of my friends from
 19 C track before nutrition sometime. I don't know if
 20 it was ninth or tenth grade.
 21 Q. Sometime while in ninth or tenth grade
 22 while you were in C track --
 23 A. Yeah.
 24 Q. -- you saw roaches in the vicinity of the
 25 quad of Huntington Park Senior High School; is that

1 correct?
 2 A. Yes.
 3 Q. Do you remember on how many occasions you
 4 saw roaches in the quad?
 5 A. I can only remember one when I was walking
 6 with my friends.
 7 Q. Okay. All you can remember -- well, I'll
 8 withdraw that.
 9 Sitting here today, you can only recall one
 10 occasion sometime during your ninth grade year or
 11 the first semester of your tenth grade year while
 12 you were on C track where you saw a roach in the
 13 vicinity of the quad at Huntington Park Senior High
 14 School.
 15 Is that correct?
 16 A. Yes.
 17 Q. Was that roach alive or was it dead?
 18 A. It was dead.
 19 Q. Okay. Did you notify anybody about what
 20 you saw?
 21 A. No.
 22 Q. You also indicated that you have seen a
 23 roach or roaches in the vicinity of the football
 24 field?
 25 A. Yes.

1 That was last semester for sure.
 2 Q. Okay. On how many occasions did you see a
 3 roach in the vicinity of the football field?
 4 A. That I can recall, on one.
 5 Q. Where on the football field was it?
 6 A. Close to the guy's locker room. Like a
 7 couple yards away.
 8 Q. Was that roach dead or was it alive?
 9 A. It was dead.
 10 Q. Did you notify anybody about what you saw?
 11 A. My friend. I told her not to step on it.
 12 Q. Who was your friend?
 13 A. Her name is Almin. We just call her Almin
 14 but -- Alma.
 15 Q. Do you know what her last name is?
 16 A. No.
 17 Q. Have you seen any roaches on any other
 18 occasions in the area of the football field?
 19 A. In the PE lockers.
 20 Q. Okay. Let me back up for a second.
 21 When you saw the roach in the vicinity of
 22 the quad that you told me about --
 23 A. Uh-huh.
 24 Q. -- do you know where about -- where about
 25 in the vicinity of the quad that you saw it?

1 A. I think it was ... it was near the
 2 cafeteria. It was close to the vending machines.
 3 Q. All right. And you've also indicated that
 4 you've seen a roach in the girls locker room?
 5 A. Yes.
 6 Q. Do you know when you saw the roach in the
 7 girls locker room?
 8 A. I think it was my tenth grade year after --
 9 because I remember going after school. I'm not
 10 sure, but I was on the soccer team, so it had to be
 11 from tenth and on.
 12 Q. So you -- do you -- is it -- is it your
 13 testimony that at some point in either the first or
 14 the second semester of your tenth grade year, you
 15 saw a roach in the girls locker room?
 16 A. I'm not sure. It was after -- between my
 17 tenth and eleventh grade year.
 18 Q. It could have been either the tenth or the
 19 eleventh grade year?
 20 A. Yeah.
 21 Q. All right. Do you recall where in the
 22 locker room you saw this roach?
 23 A. It was near the entrance of the locker
 24 room.
 25 Q. It was next to the -- the doorway?

1 A. Yeah.
 2 Q. Was the roach dead or was it alive?
 3 A. Dead.
 4 Q. Was anybody with you when you saw it?
 5 A. I think -- well, there were other girls,
 6 but I don't think I knew them.
 7 Q. Other than the seven roaches that you've
 8 told me about, can you recall seeing any other
 9 roaches anywhere on the grounds of your campus while
 10 you've been attending Huntington Park Senior High
 11 School?
 12 A. Not that I can remember.
 13 Q. Have you ever seen ants around
 14 Huntington Park Senior High School?
 15 A. I know I have, but I can't remember when.
 16 I don't know.
 17 Q. On all these seven occasions on which you
 18 saw roaches, do you know if they were -- if the dead
 19 roaches were cleaned up at some point?
 20 A. I assume, because I don't think I seen them
 21 the day after or not. I don't know. I don't
 22 remember exactly.
 23 Q. Do you have any understanding as to why
 24 roaches may occasionally be on the grounds of
 25 Huntington Park Senior High School?

1 A. I don't know. I have no idea. Probably --
 2 I don't know.
 3 I'm pretty sure people stepped on them,
 4 though.
 5 Q. Do you know how many custodians there are
 6 at Huntington Park Senior High School?
 7 A. Not enough.
 8 I don't know.
 9 Q. Why do you think there are not enough
 10 custodians?
 11 A. Because I assume if there were, they would
 12 clean every day every classroom. And the bathrooms,
 13 also.
 14 Q. Have you ever seen students eating on the
 15 football field?
 16 A. Yeah.
 17 Actually, yeah, because they have -- well,
 18 they sell food during the football games so I assume
 19 they eat there.
 20 Q. Have you ever seen students throw trash on
 21 the ground in the vicinity of the football field?
 22 A. I can't remember exact moments, but ... I
 23 don't know that I can remember.
 24 Q. Do you ever see students throw trash
 25 anywhere on the campus?

1 A. Yeah, sometimes they leave their plates,
 2 their food plates on the tables outside.
 3 Q. Sometimes students don't -- don't throw
 4 their lunch plates in the trash cans after lunch?
 5 A. No. And then the custodians don't clean
 6 the tables that good they use a mop to clean the
 7 tables and they don't do a good job at it.
 8 Q. Why do you think the custodians don't do a
 9 good job cleaning the tables?
 10 A. Because they're still sticky and they look
 11 dirty when we eat.
 12 Q. Do you know how often the custodians clean
 13 the tables at the cafeteria?
 14 A. I don't know, but I know it's not every day
 15 because I remember seeing the same -- same stain for
 16 three consecutive days.
 17 Q. And you think that because you saw that
 18 same stain that that means the custodians don't
 19 clean the tables every day?
 20 A. Well, it was a chocolate spill, so it's
 21 pretty obvious.
 22 Q. Do you know whether any students or
 23 teachers have been injured or become sick due to
 24 the presence of -- let me withdraw that.
 25 Do you know whether any students or

1 teachers have been injured or sick due to the
 2 possible presence of rats, mice, roaches or other
 3 pests at Huntington Park Senior High School?
 4 A. Not to my knowledge.
 5 Q. Do you feel that your education at
 6 Huntington Park Senior High School has been affected
 7 in any way by the possible presence of rats, mice,
 8 roaches or other pests?
 9 A. Not to my knowledge.
 10 Q. Lizette, in paragraph eight of your
 11 declaration, the second sentence indicates that
 12 there are rodents in the school.
 13 A. Uh-huh.
 14 Q. You haven't actually seen a rat or mouse at
 15 Huntington Park Senior High School, have you, that
 16 you can recall sitting here today?
 17 A. No, but it is obvious there are some.
 18 Q. Why is it obvious?
 19 A. Because of all the rat droppings.
 20 Q. Okay. The rat droppings that you've seen
 21 on three occasions?
 22 A. Yeah.
 23 And, well, the school administration has
 24 admitted it because it -- the teachers have notified
 25 us. And I'm not sure or not if it came out in the

1 bulletin --
 2 Q. Teachers --
 3 A. -- but --
 4 Q. I'm sorry.
 5 A. -- I think teachers get notices not to let
 6 students eat -- eat in the classrooms because of the
 7 pest problem.
 8 Q. Have you ever seen one of these notices?
 9 A. No. The teachers tell us, though.
 10 Q. Do you think that it's true that you
 11 regularly see dead roaches at Huntington Park Senior
 12 High School?
 13 A. Not regularly, but I would say at least
 14 every two months or so.
 15 Q. Well, you've testified today that you can
 16 only recall seven occasions in which you've seen a
 17 roach at Huntington Park Senior High School.
 18 A. Yeah, but I don't know -- I can't remember
 19 every exact time, but I know -- I don't know, it
 20 doesn't really surprise me not to see -- I mean,
 21 when I see a roach.
 22 Q. Why doesn't it surprise you?
 23 A. Well, I've always seen roaches, like, in
 24 all my schools, so ... it's disgusting, but ...
 25 Q. But in Huntington Park you can only recall

1 seven occasions in which you've seen a roach; right?
 2 A. Yes.
 3 Q. And you don't think it's accurate to say
 4 that you regularly see them at Huntington Park; is
 5 that correct?
 6 A. Well ... what do you consider "regularly"?
 7 Like every ...
 8 Q. What do you consider regularly?
 9 A. I don't know. I guess -- every couple
 10 months I would consider regularly.
 11 Q. Okay. Lizette, do you know how many -- how
 12 many girls restrooms there are at Huntington Park
 13 Senior High School?
 14 A. I'm not sure.
 15 Q. You're not sure?
 16 A. No.
 17 But the ones I know of, there's two in the
 18 300 building, but only one is open.
 19 There is one in the seventies, but it's
 20 never open.
 21 There is two in the main building, but one
 22 is only open sometimes. And the one on the second
 23 floor is never open.
 24 And there is one in the thirties that is
 25 usually open.

1 And there is one on the PE field that is --
 2 I don't know when it's open, but we usually have to
 3 ask the teachers to open it for us. And they
 4 usually have it closed.
 5 And there is one in the nineties that is
 6 really nasty.
 7 Q. Okay.
 8 A. And there is one in the PE lockers, but
 9 they don't let us go in there during -- well, during
 10 class.
 11 Q. Are you aware of any other -- are these all
 12 girls restrooms that you've told me about?
 13 A. Yes.
 14 Q. Are you aware of any other girls restrooms?
 15 A. No, I don't know of any others.
 16 Q. Let me make sure I understand, then. There
 17 are two girl restrooms in the 300 building?
 18 A. Uh-huh.
 19 Q. There's one girls restroom in the seventies
 20 building?
 21 A. Uh-huh.
 22 Q. There's two girls restrooms in the main
 23 building?
 24 A. Uh-huh.
 25 Q. There's one girls restroom in the thirties

1 building?
 2 THE REPORTER: There's two girls restrooms
 3 in the main building?
 4 THE WITNESS: Yes.
 5 THE REPORTER: Okay.
 6 BY MR. CHOATE:
 7 Q. And is that the main administration
 8 building?
 9 A. Yes.
 10 Q. There's one girls restroom in the thirties
 11 building?
 12 A. Near the thirties building.
 13 Q. Okay. There's one girls restroom in the PE
 14 building?
 15 A. In the PE lockers.
 16 Q. PE lockers.
 17 And there's one girls restroom in the
 18 nineties building?
 19 A. Near the nineties.
 20 Q. Are there any other girls restrooms in the
 21 vicinity of the physical education area?
 22 A. I have heard that there is one, but I've
 23 never been in it. I've never seen any other one
 24 open. I always thought it was a teacher's bathroom
 25 because I always see teachers -- only teachers going

1 in there.
 2 Q. Okay. But your -- as you sit here today,
 3 though, you are aware of eight girls restrooms at
 4 Huntington Park Senior High School; is that correct?
 5 A. Well, I didn't count what I told you, but
 6 if that's how much I told you.
 7 Q. Okay. Have you been in each and every one
 8 of those restrooms?
 9 A. Yes.
 10 Q. Okay. I'm going to -- the two restrooms in
 11 the 300 building --
 12 A. Uh-huh.
 13 Q. -- are they on different floors?
 14 A. Yes. But only the second floor is usually
 15 open.
 16 Q. Okay. We'll talk about that later.
 17 Where -- where -- on which floor are the
 18 restrooms located in the 300 building?
 19 A. On the second and the third.
 20 Q. And there are two restrooms in the main
 21 administration building?
 22 A. Yes.
 23 Q. And can you tell me where those are
 24 located?
 25 A. First and second floor.

1 We're just talking about girls bathrooms;
 2 right?
 3 Q. Yeah.
 4 A. Oh, okay.
 5 Q. What bathrooms or restrooms at
 6 Huntington Park Senior High School do you use most
 7 frequently?
 8 A. Well, now I'm -- I was using the thirties
 9 because the main building one is closed. But since
 10 they closed the thirties, I have to go to the second
 11 floor of the 300 building.
 12 Q. All right.
 13 A. I guess that's the one I use the most.
 14 Q. Okay. Let's start with the -- with the
 15 bathroom on the second floor of the 300 building.
 16 Can you tell me about how often you use that
 17 restroom?
 18 A. About three times a week. Three or four.
 19 Q. How many toilets are in that -- are in the
 20 second floor bathroom in the 300 building?
 21 A. Around six.
 22 Q. Can you tell me how many sinks are in that
 23 bathroom?
 24 A. Around four.
 25 Q. Can you tell me what conditions you've seen

1 Q. Let's -- try to focus on the second floor
 2 bathroom in the 300 building.
 3 A. Uh-huh.
 4 Q. You told me about the trash can being
 5 really full, there's sometimes not being enough
 6 toilet paper, and there are no feminine products in
 7 the bathroom.
 8 A. There's also no soap or no drying towels.
 9 Q. Okay. Are there any other conditions
 10 that you've seen in that bathroom that you find
 11 objectionable?
 12 A. Not that I can remember.
 13 Q. Okay. How many trash cans are there in the
 14 bathroom?
 15 A. There's only one.
 16 Q. And when during the day do you see that
 17 trash can really full?
 18 A. Sometimes by fourth period it's already,
 19 like, stacked up.
 20 Q. Can you tell me the last time you've seen
 21 the trash can full in that bathroom?
 22 A. Sometime this week. I'm not sure when.
 23 Q. Can you tell me when the last time is that
 24 you've noticed there's not enough toilet paper in
 25 the second floor bathroom in the 300 building?

1 in this second floor bathroom in the 300 building
 2 that you find objectionable?
 3 A. The -- the trash can is usually really,
 4 really full.
 5 Q. Any other conditions?
 6 A. Sometimes there's not enough toilet paper.
 7 Q. Anything else?
 8 A. I don't know if it's mandatory, but they
 9 never have feminine -- what are they called?
 10 MS. CHECEL: Products?
 11 THE WITNESS: Feminine products? Feminine
 12 products.
 13 BY MR. CHOATE:
 14 Q. Okay. Any other conditions?
 15 A. There's -- some of the stalls don't have
 16 the -- well, actually, I think they fixed them, but
 17 they -- they hardly ever -- well, sometimes when I
 18 go in the bathrooms, the -- the little trash cans
 19 that they have in there for the feminine products,
 20 they're, like, full --
 21 Q. Where are these little trash cans located?
 22 A. Like on the wall.
 23 Q. In each stall?
 24 A. Yeah, they're supposed to, but some --
 25 let's say two don't have them.

1 A. Well, the -- on Friday I noticed the stall
 2 I went into -- because there's usually two
 3 dispensers, but only the one next to me had like --
 4 had less than an inch of toilet paper left.
 5 Q. Okay.
 6 A. So I don't think that would -- that was
 7 going to last the whole day.
 8 Q. Okay. This was on Friday?
 9 A. Yes.
 10 Q. But there was an inch of toilet paper in
 11 the stall you went into?
 12 A. Less than. I think it was almost going to
 13 finish.
 14 Q. Have you ever been in that bathroom, the
 15 second floor bathroom in the 300 building, and
 16 noticed there was no toilet paper at all?
 17 A. Yes.
 18 Q. Can you tell me when?
 19 A. Well, the time I can remember for sure was
 20 sometime ... let me see. About a month ago, I would
 21 say.
 22 Yeah, it was during lunch or something,
 23 during a Key Club meeting.
 24 Q. Sometime about a month ago you noticed that
 25 there was not enough toilet paper in one of the

1 stalls --
 2 A. Yeah, I had to go look in the other -- in
 3 the rest of the stalls.
 4 Q. Did you find toilet paper in one of the
 5 other stalls?
 6 A. Yeah, this one girl gave me some.
 7 Q. Can you recall any other specific occasions
 8 in which you saw there was not enough toilet paper
 9 in one of the stalls of the second floor bathroom in
 10 the 300 building?
 11 A. Sometime this month. Because I remember
 12 this one girl like saying, "Oh, I'm not going in
 13 there, there's no toilet paper," or, "Don't go in
 14 there." And it was during lunch, too, like right
 15 when lunch started.
 16 Q. On this occasion did you go into that
 17 restroom?
 18 A. Well, not to that stall because she was
 19 telling us not to go in there --
 20 Q. Did you --
 21 A. -- because there was --
 22 Q. I'm sorry.
 23 A. -- no toilet paper.
 24 Q. Did you see whether in fact there was
 25 toilet paper?

1 A. I didn't check.
 2 Q. So you're not sure whether there was toilet
 3 paper or not on this occasion?
 4 A. Well, I don't know why she would lie about
 5 there not being toilet paper.
 6 Q. I wanted to make sure, though, whether you
 7 saw for yourself whether there was or was not toilet
 8 paper.
 9 A. No, I didn't see for myself.
 10 Q. Okay. Well, other than the one occasion
 11 that you told me about about a month ago, can you
 12 recall any other specific occasions on which there
 13 was not enough toilet paper in a stall in that
 14 bathroom?
 15 A. There's been a lot, but I can't remember
 16 exactly when it was.
 17 Q. Okay.
 18 A. I've always had classes every year on that
 19 floor.
 20 Q. All right. There are no -- are there any
 21 bathrooms on campus at Huntington Park Senior High
 22 School in which feminine products are made
 23 available?
 24 A. No.
 25 Q. Do you think Huntington Park Senior High

1 School is obligated to provide students with
 2 feminine products?
 3 A. Well, I've never seen a place where they
 4 provide them for free, but -- I don't know, I think
 5 it's kind of embarrassing to have to go ask the
 6 nurse, because she has an attitude problem and it's
 7 like -- it's in the main building. I don't know,
 8 it's kind of a hassle to go all the way from the
 9 300s or the nineties to the main building to get a
 10 feminine product.
 11 Q. Do you ever bring feminine products from
 12 home?
 13 A. Yes, every day. Well, every month.
 14 Q. Can you recall that -- the last occasion on
 15 which you noticed that there was no soap in the
 16 second floor bathroom of the 300s building?
 17 A. I remember actually the first time I seen
 18 soap there was this year, this semester.
 19 Q. Do you recall when that was?
 20 A. Three months ago. Around three months ago,
 21 because I was surprised.
 22 Q. Is it -- is it your testimony that you've
 23 only seen soap in the second floor bathroom of the
 24 300s building on one occasion?
 25 A. Yeah.

1 There's something, I don't know if they --
 2 if it's soap or not, but it doesn't wash, you know,
 3 your hands. I don't know, I'm kind of scared that
 4 somebody spit in there or something.
 5 Q. There is a product in a soap dispenser in
 6 this bathroom?
 7 A. I think it's water because it doesn't
 8 really wash or clean anything, but it's like, has --
 9 I don't know what it is. I don't think it's soap,
 10 though.
 11 Q. But this product is in the soap dispenser?
 12 A. Yeah.
 13 Q. Okay. When you go -- has there been an
 14 occasion that you can recall when you've gone into
 15 this second floor bathroom in the 300 building and
 16 there's not been a product in the soap dispenser?
 17 A. Well, I really noticed it about a month
 18 ago. Well, I noticed it had the pink -- like some
 19 sort of pink liquid inside like three months ago or
 20 when the semester started, around there.
 21 And like the other day this week I was
 22 trying to wash my hands and this -- it looked like
 23 water that came out. It was just a couple bowls, it
 24 was not even a lot of water. It was like -- like a
 25 little puddle, a little drop, something like that.

1 But, I don't know, I always have the habit
2 of checking and these are the only times that I've
3 actually seen soap there.
4 Q. Can you recall the last occasion on which
5 there have not been paper towels in this bathroom?
6 A. Sometime this week.
7 Q. Okay. Do you know when you used the
8 restroom what time of day it was?
9 A. I usually use it there around third and
10 fourth period.
11 Q. Okay. And do you recall what day it was
12 this week that you noticed there were no paper
13 towels in the restroom?
14 A. I can't remember.
15 Q. Can you remember any specific occasion on
16 which you've noticed that there are no paper towels
17 in the second floor restroom of the 300 building?
18 A. Did you ask me before about the third
19 floor?
20 Q. No. We've only been talking about the
21 second floor.
22 A. No, I can't remember.
23 Q. Have you told me about all the conditions
24 that you've seen in the second floor bathroom that
25 you've found objectionable?

1 A. Well, yes. Well, what I can remember.
2 Aside from seeing the feminine products on the
3 floor.
4 Q. Okay. You also saw feminine products on
5 the floor in this restroom?
6 A. Yeah.
7 Q. When was the last time you saw that?
8 A. Two weeks ago, I think.
9 Q. What did you see two weeks ago?
10 A. Feminine products on the floor.
11 Q. Was it just one?
12 A. Usually they have napkins there, too, but I
13 hardly ever pay attention.
14 Q. Have you ever seen girls throw used
15 feminine products on the floor of the second floor
16 bathroom of the 300 building?
17 A. Like have I seen them throw it on the
18 floor?
19 Q. Yeah.
20 A. No.
21 Q. Do you know why girls throw them on the
22 floor instead of putting them in the trash can?
23 A. Because sometimes the trash can is all
24 full, the little trash can thing in the stall.
25 Q. But there's also a large trash can in

1 there, isn't there?
2 A. Yeah, but it's kind of embarrassing to
3 bring it out. Because I usually try to make it fit,
4 but it's kind of nasty.
5 Q. Have you ever thrown a used feminine
6 product on the floor of the bathroom?
7 A. No. I usually cover it in Kleenex and put
8 it in the big box.
9 Q. Have you ever seen any broken stall doors
10 on the second floor of the 300 building, in the
11 second floor bathroom of the 300 building?
12 A. Well, I can't remember exactly when, but
13 the only thing I -- actually I forgot to say
14 something about the stalls. Some of them don't have
15 the locks. Like I say -- like, I think around three
16 of them don't have locks.
17 Q. Is this in the second floor restroom of the
18 300 building?
19 A. Yes.
20 I don't think those -- the doors have been
21 broken down.
22 Q. Okay. When's the last time that you've
23 noticed that there are doors without locks in that
24 restroom?
25 A. Friday.

1 Q. Which doors didn't have locks?
2 A. I don't remember which one, but I --
3 usually the one in the middle. And I noticed one of
4 them didn't have a lock.
5 Q. Can you remember any other condition that
6 you've seen in this restroom on any occasion that
7 you found objectionable?
8 A. I can't remember.
9 Q. Do you ever use this restroom in the
10 morning?
11 A. Only when there are Stanford 9 tests.
12 Q. Do you know how often this restroom is
13 cleaned?
14 A. No.
15 Q. Do you know if it's cleaned every day?
16 A. I think -- well, from what Ms. Williams
17 tells me is that they only get cleaned once a day.
18 I think especially the feminine ones, because the
19 last time I had a conversation with her about the
20 bathrooms she told me that there was -- that they
21 didn't have a cleaning lady during the day to clean
22 and that's why they got dirty.
23 Q. But is -- as far as you are aware, this
24 restroom, the second floor restroom of the 300
25 building, is cleaned once a day?

1 A. Yes.

2 Q. Do you recall any occasions on which this
3 second floor restroom in the 300 building has been
4 locked?

5 A. I can't remember exactly when, but ... I
6 can't remember exactly when.

7 Q. You can't remember any specific occasion in
8 which the second floor restroom of the 300 building
9 has been locked; is that correct?

10 A. Yes, but I know it has been locked.

11 Q. Okay. Have you ever tried to use this
12 restroom and found that it's been locked?

13 A. Yes.

14 Q. Can you tell me when?

15 A. I know it was once this semester. I think
16 they forgot to open it or something.

17 Q. Okay. You can recall one occasion this
18 semester where you tried to use this restroom and it
19 was locked?

20 A. Yes.

21 Q. Can you recall any other occasions in which
22 you tried to use this restroom and it's been locked?

23 A. I know there's been occasions because I
24 remember having -- getting mad because I had to walk
25 down the stairs to another building, but I don't

1 Oh, he's [REDACTED]

2 But lately he hasn't been lending me the
3 key anymore. But I think sometimes he leaves it
4 open, because I notice lately he's been -- it's been
5 open by itself.

6 Q. Lizette, have you ever seen -- first of
7 all, let me ask you: How many toilets are in the
8 third floor restroom of the 300 building?

9 A. I think the same amount as the second.

10 Q. You think there is around six toilets in
11 the third floor restroom in the 300 building?

12 A. Yes.

13 Q. Do you recall how many sinks there are in
14 that restroom?

15 A. Around four.

16 Q. Have you ever seen that the stall doors in
17 the third floor restroom in the 300 building were
18 broken?

19 A. No. They keep that one cleaner because I
20 don't think people are supposed to use it.

21 Q. Have you ever seen doors on the stalls that
22 were broken?

23 A. No, just locks.

24 Q. Okay. On how many occasions have you seen
25 stall door locks that have been broken in the 300

1 remember when.

2 Q. On the one occasion this semester that you
3 can remember, do you know why the restroom was
4 locked?

5 A. No.

6 Well, I assume it was because they forgot
7 to open them or something, but I'm not sure.

8 Q. Why -- why would you assume that?

9 A. Because they opened it the next day and I
10 don't think they painted it or anything.

11 Q. Well, do you have any -- I mean, do you
12 know whether it was locked because it was being
13 cleaned?

14 A. It could have been, I don't know.

15 Q. Let me ask you some questions about the
16 girls restroom on the third floor of the 300
17 building.

18 A. Uh-huh.

19 Q. How often do you use that restroom?

20 A. Lately it varies. Sometimes I -- the
21 teacher lends me the key. Like my fourth period
22 teacher lends me the key to open it, so we -- so we
23 won't take long, like, going downstairs to the
24 bathroom so we won't have an excuse of why people
25 take long of going to the bathroom.

1 floor -- third floor restroom?

2 A. I would say a couple of times.

3 Q. Okay. Can you remember when the last time
4 was?

5 A. Around last week.

6 Q. Okay. Do you recall what day it was last
7 week?

8 A. No, I can't remember.

9 Q. Do you remember when the second occasion
10 was in which you saw broken locks in this third
11 floor restroom of the 300 building?

12 A. I don't know if there is, because it
13 depends on which bathroom I use.

14 Q. I'm asking you about the restroom on the
15 third floor of the 300 building.

16 A. Yeah, it depends on which stall I use, but
17 it varies.

18 Q. You've told me you can remember two
19 occasions on which you've seen broken locks?

20 A. Yes.

21 Q. And one was -- one occasion was last week,
22 but you can't remember when; is that correct?

23 A. Uh-huh. Yes.

24 Q. When was the second occasion, if you can
25 remember?

1 A. Let's see. One was, I think two months
2 ago, the first time [REDACTED] loaned me the key.
3 Because I remember going into the bathroom and
4 thinking it was odd that there wasn't a lock because
5 they usually have it closed. And I think the second
6 time was when I came in last week. I don't know.
7 I'm not sure.

8 Q. Okay. Have you ever seen used feminine
9 products on the floor in the restroom on the third
10 floor of the 300 building?

11 A. Yes.

12 Q. Can you -- do you know how many occasions
13 you've seen used feminine products on the floor?

14 A. I can remember once.

15 Q. Okay. Do you recall when that occasion
16 was?

17 A. I think it was the last time I used it.
18 Because I think he left it, all the -- open the
19 whole day, so there were a lot of people coming in.
20 And I remember there was some girls there and there
21 was some feminine products on the floor.

22 Q. You saw feminine products on the floor last
23 week?

24 A. Yeah.

25 Q. Do you recall seeing feminine products on

1 A. Yeah.

2 Q. Did you check any of the other soap
3 dispensers in that restroom?

4 A. No.

5 Well, I think the one next to the door is
6 the only one that worked. I think there's another
7 one near the other side, near the end of the
8 bathroom that the sink worked. So I don't know, I
9 didn't really check.

10 Q. Lizette, you've -- you just testified that
11 there's never soap in this bathroom. And other than
12 this occasion on which you used the bathroom last
13 week, can you recall any other occasions on which
14 you've noticed that there hasn't been soap in the
15 third floor restroom of the 300 building?

16 A. On almost every occasion. I can't remember
17 seeing soap, like, being soap.

18 Q. Any soap?

19 A. Or any soap.

20 Q. How often do you use this restroom?

21 A. I would use it almost -- not every day, but
22 around three times a day, also. I can't really
23 remember. Because sometimes I go during third
24 period and sometimes I go during fourth.

25 But during fourth, [REDACTED] would --

1 the floor of this restroom on any other occasion?

2 A. Not that I can remember.

3 Q. How many feminine products on the floor
4 did you see last week in this restroom? If you can
5 remember.

6 A. I don't know. I remember seeing one.

7 Q. Are there any other conditions that you've
8 seen in this restroom on the third floor of the 300
9 building that you found objectionable other than
10 what you've just told me about?

11 A. Well, it doesn't -- they don't have soap
12 there, either.

13 Q. Was there soap on -- when you used the
14 restroom last week?

15 A. No, I've never had soap there.

16 Q. Was there soap there last week when you
17 used the restroom?

18 A. No.

19 Q. Did you check in the dispenser -- in the
20 soap dispenser?

21 A. I checked one, the one closest to the door.
22 I think it had water -- some water thing there, too.
23 I don't know.

24 Q. The soap dispenser next to the door had
25 some product in it?

1 sometimes he would lend me the key to use the
2 bathroom next -- because the bathroom is right
3 across the hall from his room and he would give
4 us a key.

5 But he hasn't been giving it to us lately
6 because he's had it open. Because I remember going
7 on Thursday, I think, or Wednesday, and it was open.

8 Q. Do you recall ever seeing vandalism in this
9 bathroom?

10 A. Yeah.

11 Q. Can you tell me when?

12 A. Every day.

13 Q. Do you use the bathroom every day?

14 A. Well, every time I've been there. Sorry.

15 Q. Well, can you try to estimate for me how
16 many times a week you use this bathroom?

17 A. Ummm, it varies. Either -- I don't know.
18 I'm not sure. Probably twice. Well, I haven't --
19 this last week I think I used it twice. Yeah.

20 Yeah, I used it twice.

21 Q. You have seen vandalism on those two
22 occasions?

23 A. Yeah.

24 Q. Can you tell me where you saw the
25 vandalism?

1 A. In -- well, there's one bathroom -- one
 2 stall I usually use and I always see it there.
 3 Q. Okay.
 4 A. And I don't think they cleaned it because
 5 it says the same thing, because I kind of read it
 6 while I'm using it.
 7 Q. Do you know whether this restroom is
 8 cleaned every day?
 9 A. I wouldn't be able to say.
 10 Q. Do you ever see trash on the floor of
 11 restroom --
 12 A. Yeah.
 13 Q. -- other than feminine hygiene pads?
 14 A. Yeah, a couple tissue papers.
 15 Q. Can you tell me the last time you saw that?
 16 A. Probably last Thursday. Yeah.
 17 Q. Are you sure?
 18 A. Yeah, because I don't think I've ever seen
 19 the floor completely clean.
 20 Q. Have you ever noticed that there's not
 21 enough toilet paper in the third floor restroom of
 22 the 300 building?
 23 A. No, I don't think I've ever complained to
 24 myself about it.
 25 Q. Have you complained to anybody else about

1 it?
 2 A. No.
 3 Q. You indicated that you have to -- or that
 4 you've been given a key by [REDACTED] to use this
 5 restroom?
 6 A. Uh-huh, yes.
 7 Q. Every time that you want to use the
 8 restroom, do you need to get the key from
 9 [REDACTED]
 10 A. Like I said, this week he's been leaving
 11 it open. Well, I don't know all week, but when I
 12 went Thursday, I think -- yeah, because I remember I
 13 got a juice, an orange juice, and I had to go. And
 14 he told me it was open already --
 15 Q. Have you ever tried to use this restroom on
 16 the third floor of the 300 building and found that
 17 it was closed?
 18 A. Sometimes, like when -- when I forget to
 19 ask him for the key and I go there, but I don't
 20 remember exactly when.
 21 Q. Do you know why the restroom is sometimes
 22 kept closed?
 23 A. I don't think he -- the -- I don't know who
 24 is in charge of opening up the bathrooms, but I
 25 don't think they open it, I think [REDACTED] has

1 kids open it.
 2 Q. You think [REDACTED] what?
 3 A. Has kids open it. Because once when I
 4 went, he told me to keep it open, to leave it open.
 5 Q. I'm going to ask you about the restroom in
 6 the seventies building.
 7 A. Uh-huh.
 8 Q. Tell me how often you use that restroom.
 9 A. Hardly ever. I think I've only used it
 10 twice.
 11 Q. Twice since you've been at Huntington Park
 12 Senior High School?
 13 A. Uh-huh.
 14 Q. Okay. Do you recall when the last time you
 15 used that restroom was?
 16 A. I don't remember. Sometime last semester.
 17 I'm not sure.
 18 Q. Do you recall when the other time was that
 19 you used that restroom?
 20 A. I can't remember. But I don't think
 21 they -- they usually don't keep that one open.
 22 Q. But you've only been in that restroom
 23 on two occasions that you can remember; is that
 24 correct?
 25 A. Inside, yes.

1 Q. Okay. Have you ever seen any conditions on
 2 those two occasions that you found objectionable?
 3 A. Well, the second time I went I remember
 4 there was no toilet paper. I had to use the -- the
 5 napkins with the dispenser.
 6 Q. Okay. And you don't remember when that
 7 was, though, do you?
 8 A. Huh-uh.
 9 Q. Do you remember what time of day it was?
 10 A. I think it was after lunch sometime.
 11 Q. Are there any other conditions you've
 12 seen inside that restroom that you've found
 13 objectionable?
 14 A. Not that I can remember.
 15 Q. So other than the toilet paper, you can't
 16 remember any conditions inside the restroom of the
 17 seventies building that you found objectionable?
 18 A. Not that I can remember.
 19 Q. Have you ever tried to use that restroom
 20 and found out that it was locked?
 21 A. Yes.
 22 Q. When was the last time?
 23 A. I think it was Wednesday.
 24 Q. Okay.
 25 A. During fifth period, because I was

1 looking -- in the beginning of fifth period I was
 2 looking for a bathroom, and I went to three
 3 different bathrooms and they were all closed.
 4 Q. Do you recall any other specific occasions
 5 on which this restroom in the seventies building was
 6 locked?
 7 A. Specific, no.
 8 Q. So you are only aware of one occasion in
 9 which the seventies building girls restroom has been
 10 locked; is that correct?
 11 A. Actually, during the semester in second
 12 period, I checked that one, too. I think it was
 13 around the beginning or the first month of the
 14 semester.
 15 Q. This semester?
 16 A. Yes.
 17 Q. Okay. Do you recall any other specific
 18 occasions on which this restroom was locked?
 19 A. No.
 20 Q. Do you know why the restroom was locked on
 21 those two occasions?
 22 A. No.
 23 Q. On each of those occasions when you found
 24 this restroom was locked, were you able to find
 25 another restroom that was open?

1 A. Yes.
 2 Q. Can you tell me when the last time -- or
 3 how often do you use the restroom that's near the
 4 thirties building?
 5 A. Probably once a week. And it varies.
 6 Q. Have you ever noticed that there are stall
 7 doors that are broken in that restroom?
 8 A. I never -- I don't remember seeing a broken
 9 stall door.
 10 Q. Have you ever noticed that there are locks
 11 on the stall doors that don't work?
 12 A. Yeah, I remember once there wasn't -- one,
 13 I think. I think it's one in the middle that the --
 14 the lock doesn't go all the way through. Or I don't
 15 know what's wrong with it, it doesn't close.
 16 Q. When did you notice this?
 17 A. Around three weeks ago during the
 18 Stanford 9 testing.
 19 Q. Other than that one occasion, can you
 20 recall any other occasions in which there's been a
 21 broken lock?
 22 A. Not specifically.
 23 Q. How many restrooms -- how many toilets are
 24 in the thirties building restroom?
 25 A. Around eight. I'm not sure.

1 Q. You think there are around eight toilets?
 2 A. Yeah.
 3 Q. Do you know how many sinks there are in
 4 this restroom?
 5 A. I'm not sure. Around five or more. I
 6 don't know.
 7 Q. You think there are five or more sinks in
 8 the thirties building restroom?
 9 A. Possibly.
 10 Q. Do you recall any occasions in which there
 11 has not been enough toilet paper in a stall in the
 12 thirties building restroom?
 13 A. I think it was either the first semester of
 14 this year or the last semester of last year, last
 15 school year, because I remember asking the girl next
 16 to me if she had toilet paper, but I don't know when
 17 exactly.
 18 Q. Did the girl next to you have toilet paper?
 19 A. Yeah.
 20 Q. Other than the one occasion sometime during
 21 the first semester of your eleventh grade year or
 22 the last semester of your tenth grade year, do you
 23 recall any other specific occasions in which there
 24 was not toilet paper in one of the stalls in the
 25 thirties building restroom?

1 A. Not that I can remember.
 2 Q. Is there a trash can in the restroom that's
 3 near the thirties building?
 4 A. Yes.
 5 Q. Have you ever seen used feminine hygiene
 6 pads on the floor of the restroom that's near the
 7 thirties building?
 8 A. Yes.
 9 Q. Can you tell me when the last time that
 10 was?
 11 A. I think about a month ago, around there.
 12 Q. Do you recall how many used hygiene pads
 13 you saw on the floor about a month ago?
 14 A. Probably around two.
 15 Q. Do you recall any other occasions in which
 16 you've seen used hygiene pads on the floor of the
 17 restroom located in the thirties building?
 18 A. I can't remember exactly but there's been
 19 more than one occasion.
 20 Q. But you can't remember any specific
 21 occasions other than the occasion last month; is
 22 that correct?
 23 A. Yes.
 24 Q. Can you remember any specific occasions
 25 on which you noticed that there was no soap in the

1 restroom that's located near the thirties building?
 2 A. About a week ago.
 3 Q. Okay.
 4 A. Or I think it was Monday, actually.
 5 Q. Monday of this last week?
 6 A. Yes, Monday or Tuesday. Because the
 7 teacher usually gives -- puts her own soap there,
 8 and it -- it wasn't there.
 9 Q. What teacher puts her own soap there?
 10 A. I don't know her name. She has her -- she
 11 has like an office or something in the middle --
 12 between the boys and the girls bathroom. And I
 13 think she takes care of the girls bathroom. And she
 14 usually buys soap -- well, I don't know if she buys
 15 it. I think she buys it, actually.
 16 Q. How do you know that she -- that this
 17 teacher is the one that puts soap in the bathroom?
 18 A. Because ... who told me?
 19 Well, I seen her take care of the place.
 20 Like she usually -- like during class she usually
 21 checks who goes in and who goes out. Or she usually
 22 comes in to check if anybody is ditching and
 23 spending the day there.
 24 Q. Have you ever seen her put soap in this
 25 restroom?

1 A. No.
 2 Q. Has anyone told you that she puts soap in
 3 the restroom?
 4 A. Yeah.
 5 Q. Do you recall who that is?
 6 A. I think it was Ms. Williams when I met with
 7 her once, the principal, or the vice principal.
 8 Q. Other than the occasion on Monday or
 9 Tuesday of last week, can you recall any specific
 10 occasion in which you have noticed that there's not
 11 soap in the restroom that's located in the thirties
 12 building at Huntington Park Senior High School?
 13 A. No.
 14 Q. Have you ever noticed that the restroom
 15 that's located near the thirties building is filthy
 16 or smells terrible?
 17 A. Well, I smelled a lot things, but I don't
 18 know.
 19 Q. Well, can you recall any occasion in which
 20 the restroom located near the thirties building has
 21 been filthy or smelled terrible?
 22 A. Not specifically.
 23 Well, actually another problem there was
 24 that sometimes -- well, I don't know if they changed
 25 it or not because I'm pretty sure they don't,

1 because during first period or during nutrition or
 2 lunch -- I'm not -- well, I've seen some occasions
 3 during first period where the bathroom -- the trash
 4 can is so full, like there was ... napkins --
 5 MS. CHECEL: Paper towels?
 6 THE WITNESS: -- paper towels all over the
 7 floor around the can.
 8 BY MR. CHOATE:
 9 Q. You have noticed that there have been paper
 10 towels around the trash can in the restroom that's
 11 located near the thirties building?
 12 A. Yeah, because it gets so full.
 13 Q. Can you tell me when the last time was that
 14 you noticed that?
 15 A. Like probably around two weeks ago.
 16 Q. All right. And do you remember what time
 17 of day you saw that?
 18 A. I think during lunch.
 19 Yeah.
 20 Q. Do you recall about how many paper towels
 21 on the floor you saw?
 22 A. I don't know. I wouldn't be able to
 23 estimate.
 24 Q. Okay. Can you recall any other specific
 25 occasions on which you saw paper towels around the

1 trash can in that -- in that restroom?
 2 A. I don't know, probably around five other
 3 times. Every time I go there during lunch the can
 4 is usually full.
 5 Q. Are you guessing when you say about five
 6 other times, or can you recall specific occasions?
 7 A. I'm sort of guessing because I don't
 8 usually go to bathroom during lunch and ... yeah, I
 9 mean, it's pretty rare when I go during lunch during
 10 the whole year.
 11 Q. Is it fair to say, though, that you can't
 12 recall any other specific occasion in which you've
 13 seen paper towels on the floor of the restroom other
 14 than two weeks ago?
 15 A. Yeah.
 16 Q. Have you ever noticed any occasion on which
 17 there was no soap dispensers or the soap dispensers
 18 were broken in the restroom that's located near the
 19 thirties building?
 20 A. Well, there's soap dispensers, but I don't
 21 think they filled them up because the one day when
 22 there was no soap -- because the teacher brings a
 23 bar of soap and I checked all the dispensers and
 24 there wasn't any soap.
 25 Q. My question, though, was whether you have

1 ever in the -- well, actually I'm going to rephrase
2 the question.

3 Have you ever noticed that any of the soap
4 dispensers in the restroom that's located near the
5 thirties building have been broken or missing?

6 A. No.

7 MS. CHECEL: Can we take a break?

8 MR. CHOATE: Yeah, sure.

9 MS. CHECEL: Thanks.

10 MR. CHOATE: Actually, can I just finish
11 with two more questions?

12 MS. CHECEL: Sure.

13 MR. CHOATE: Let me just finish up with
14 this restroom.

15 Q. Have you -- can you recall any specific
16 occasion -- and I'm sorry if I asked you this
17 question but I want to make sure I understand.

18 Can you recall any specific occasion on
19 which you have noticed there's been no soap in the
20 restroom that's located next to the thirties
21 building?

22 A. Just the one day when the bar of soap was
23 missing. And I checked all the dispensers to see if
24 they had soap and there wasn't any.

25 Q. But wasn't there some type of product in

1 Friday?

2 A. Yes.

3 Q. Do you know whether the restroom was open
4 in between the times you tried to use it on those
5 two days?

6 A. I don't think so. Because I usually walk
7 there during the morning and I noticed it was closed
8 both days.

9 Q. But you don't know for sure whether it was
10 locked, though, do you?

11 A. Well, the teacher usually keeps it open, so
12 I would assume that it was closed.

13 Q. Okay. But you're not sure?

14 A. Positive, no.

15 MR. CHOATE: Okay. Why don't we take a
16 break.

17 (Recess taken from 3:30 to 3:35.)

18 BY MR. CHOATE:

19 Q. Lizette, let me ask you a couple questions
20 about the seventies building restroom that we talked
21 about a minute ago.

22 Do you know how many toilets are in the
23 seventies building restroom?

24 A. I can't remember.

25 Q. Can you remember how many sinks are in

1 those dispensers?

2 A. No.

3 Q. They were completely empty?

4 A. Uh-huh, yes.

5 Q. Can you recall any other specific occasion
6 in which you have noticed there has been no soap in
7 the dispensers in the restroom that's located near
8 the thirties building?

9 A. No.

10 Q. Can you recall any specific occasion on
11 which you've discovered that the restroom that's
12 located next to the thirties building was locked?

13 A. Since Wednesday it's been locked.

14 Q. Did you try to use the restroom on
15 Wednesday?

16 A. Yes.

17 Q. And you found that it was locked?

18 A. Yes.

19 Q. Did you try to use that restroom on
20 Thursday?

21 A. I think it was ... I think I tried to
22 use it Thursday or Friday and it was locked in the
23 morning.

24 Q. Okay. So you found that the restroom was
25 locked once on Wednesday and once on Thursday and

1 there?

2 A. I can't remember, either.

3 Q. I don't know if I asked you this, but do
4 you -- do you know how often you used the restroom
5 that's located in the seventies building?

6 A. Well, I remember using it twice, but I'm
7 not sure if I only used it twice -- two times.

8 Q. Okay. Let's talk about the restroom that's
9 located near the nineties building.

10 A. Uh-huh.

11 Q. Do you know how many toilets are in the
12 restroom that's located in the nineties building?

13 A. Four.

14 Q. Do you recall how many sinks are located in
15 that restroom?

16 A. Two.

17 Q. Can you tell me how often you use the
18 restroom in the nineties building?

19 A. I don't know. It varies.

20 Q. Can you give me an estimate?

21 A. Probably once a week, I don't know.

22 Q. You think about once a week you use that
23 restroom?

24 A. Once or twice. I'm not sure.

25 Q. Can you recall any specific occasions on

1 which the restroom in the nineties building -- let
2 me withdraw that.

3 Can you recall any specific occasions on
4 which you have observed that the restroom in the
5 nineties building was filthy or smelled terrible?

6 A. Every time I go. Every time I've ever
7 gone.

8 Q. Can you tell me how -- can you tell me the
9 last time that you noticed the restroom was filthy?

10 A. Yesterday.

11 Q. Did you use the restroom yesterday?

12 A. Yes. I go take a health class during --
13 each -- every Saturday.

14 Q. Can you tell me what was filthy about the
15 restroom yesterday?

16 A. The floor is always wet. No matter what,
17 there's toilet -- tissue paper, toilet paper,
18 feminine products on the floor. I actually don't
19 remember there ever being a time when I haven't seen
20 it that way.

21 Q. Well, why don't you describe for me
22 specifically what you saw yesterday when you used
23 the restroom.

24 A. Like I said, there's trash on the floor.

25 Q. What did you see on the floor?

1 On -- when you used the restroom yesterday
2 in the nineties building, did you notice that some
3 of the sinks didn't work?

4 A. Yeah, one of them didn't work. I think it
5 was the one on -- I think it was the one on my left.

6 Q. What sink -- what about it didn't work?

7 A. The water didn't come out.

8 Q. From both faucets? Both the cold and the
9 hot water didn't come out?

10 A. I don't think it has hot water. I don't
11 know. I have never really felt hot water in it.

12 Q. Did the other sinks work?

13 A. The other one, yes.

14 Q. Did you notice anything else in this
15 bathroom?

16 A. Well, there's always tagging all over the
17 place. I don't think they've ever painted that
18 bathroom. I always see the same stories on the
19 wall.

20 Q. Have you seen anything else yesterday in
21 this restroom?

22 A. I think that's all I can remember.

23 No.

24 Q. Have you ever seen broken stall doors in
25 the nineties building restroom?

1 A. Tissue paper, pad --

2 Q. You saw -- you saw one used hygienic pad?

3 A. Yes.

4 Q. And you saw tissue paper?

5 A. Yes.

6 Q. About how much tissue paper did you see on
7 the floor?

8 A. I wouldn't be able to count or estimate. I
9 usually try not to look at it for long.

10 Q. Why don't you try to estimate for me how
11 many pieces of tissue paper you saw on the floor.

12 A. I don't know. I wouldn't be able to tell.

13 Q. Okay. What other conditions did you see
14 yesterday in that restroom?

15 A. There was, like, a couple of towels on the
16 floor.

17 Q. Paper towels?

18 A. Yeah. Because I remember I was trying to
19 get -- put my backpack down away from the towels.

20 Q. Okay. Did you see anything else?

21 A. Well, the sinks don't work.

22 I don't know if I mentioned that the other
23 bathrooms, some of the -- like only -- like in the
24 300, only two sinks work.

25 Q. Okay. We'll go back and talk about that.

1 A. Yes.

2 Q. Can you tell me when?

3 A. I can't remember exactly when, but I know
4 for sure that most of the -- I think only two of the
5 bathrooms, the -- the ... the lock -- only two locks
6 work to the restrooms.

7 Q. On two of the stalls?

8 A. Yeah, two of the stalls.

9 Q. Well, can you -- do you remember having
10 seen a broken stall door in the nineties building
11 restroom at any time this year?

12 A. This year, I'm not sure. But I am sure
13 the one in the middle was broken, I think, in my
14 freshman or sophomore year.

15 Q. In either your freshman year or sophomore
16 year, one of the stall doors in the nineties
17 building restroom was broken?

18 A. Yes.

19 Q. How was it broken?

20 A. There was no door.

21 Q. Is that the only occasion in which you've
22 seen a broken stall door in that restroom?

23 A. I think so.

24 Q. And yesterday you noticed that the lock on
25 one of the stall doors was broken?

1 A. Yesterday?
 2 Q. Oh, I'm sorry. Let me rephrase it.
 3 Do you recall any specific occasion on
 4 which you've noticed that a lock on a stall door on
 5 a nineties building restroom has been broken?
 6 A. I can't say when. I think it was last
 7 school year -- actually, last semester, sorry,
 8 during soccer, I think I went once in the middle
 9 bathroom and I think it was broken.
 10 Q. Other than the one occasion last semester
 11 when you've seen it broken --
 12 A. I think it's always been broken, actually.
 13 I don't think it's ever been fixed since I've been
 14 there.
 15 Q. Can you tell me when the last time was that
 16 you noticed it was broken?
 17 A. Well, I hardly ever use that one and I
 18 think the only time I used it was sometime last
 19 semester.
 20 Q. So you're not sure, then, whether that lock
 21 on that door has been broken since last semester
 22 until now; right?
 23 A. I'm not sure.
 24 Q. Is there a trash can in the nineties
 25 building girls restroom?

1 A. Yes.
 2 Q. Can you recall when the last time you used
 3 this restroom was before -- before yesterday?
 4 A. I can't remember.
 5 Actually, I think two weeks before, two
 6 weeks ago during a Youth Action meeting.
 7 Q. So before yesterday, the last time you can
 8 remember using that restroom was about two weeks ago
 9 during a Youth Action meeting?
 10 A. Two to three weeks ago was when that 112
 11 group came to our school.
 12 Q. Okay. Do you recall any specific
 13 conditions you saw on that occasion two or three
 14 weeks ago in the nineties building restroom?
 15 A. The same.
 16 Q. Can you tell me exactly what you saw, if
 17 you remember?
 18 A. Tagging all over the place. At that time,
 19 the -- only the faucet on the left worked. Because
 20 I usually check to see if the other one works so I
 21 can put my backpack in there.
 22 Q. In the sink?
 23 A. Yeah.
 24 Q. Why do you put your backpack in the sink?
 25 A. Because the floor is usually wet.

1 Q. You recall checking the faucet on the left
 2 to see if it worked?
 3 A. Yeah.
 4 Q. And no water came out?
 5 A. No.
 6 Q. Did one of the other faucets work?
 7 A. Yeah, the one on the left.
 8 Well, the one on the left worked because
 9 the one on the left has always worked ever since I
 10 can remember being there and the one on the right
 11 didn't work. And now it's -- like it's changed. Or
 12 I noticed yesterday that it's changed.
 13 Q. Which faucet didn't work yesterday?
 14 A. The one on the left.
 15 Q. Okay.
 16 A. I'm confused, sorry.
 17 Q. That's all right.
 18 A. Well, let me see if I can make myself
 19 clear. The one on the left used to work ever since
 20 I can remember since I have been at Huntington Park
 21 high school, but yesterday I noticed the one on the
 22 left didn't work and instead the one on the right
 23 was the one that had the water running.
 24 Q. Do you recall any other specific conditions
 25 you saw on that occasion two to three weeks ago in

1 the nineties restroom?
 2 A. Not that I can recall.
 3 Q. Okay. All that you can remember on that
 4 occasion is seeing vandalism, tagging on the walls
 5 and that one of the sinks didn't work; is that
 6 right?
 7 A. And the floor was wet.
 8 Q. And the floor was wet?
 9 A. Yeah, it's always been wet.
 10 Q. Is the entire floor in the bathroom wet?
 11 A. Next to the sink it's wet. I think it
 12 comes from the toilet and -- and some of the stalls
 13 is usually wet, too. It's kind of nasty.
 14 Q. Do you ever see toilets in the nineties
 15 building restroom that have been clogged up with
 16 toilet paper?
 17 A. Yeah.
 18 Q. Okay. Do you think that maybe is one of
 19 the reasons why the floor around the stalls are wet?
 20 A. Probably. I'm not sure, because I notice
 21 the one -- the one that's missing the lock is the
 22 one that's usually clogged or it's nasty. That's
 23 why I hardly ever go in there.
 24 Q. Some of the girls at school clog the toilet
 25 with paper and other things?

1 A. I don't think they even clean it. I'm not
 2 sure. I don't know.
 3 Q. Do you know how often that restroom is
 4 cleaned?
 5 A. It's the same. It always looks the same to
 6 me.
 7 Q. But you don't know whether it's cleaned
 8 every day or not, do you?
 9 A. I don't know. It never looks clean to me.
 10 Q. Can you recall the last time you used that
 11 restroom before the time two or three weeks ago?
 12 A. I wouldn't be able to say.
 13 Q. There is a girls restroom in the PE
 14 lockers, you mentioned?
 15 A. Uh-huh.
 16 Q. Can you tell me how often you use that
 17 restroom?
 18 A. I don't know. It varies.
 19 Q. Can you try to estimate for me?
 20 A. I wouldn't be able to.
 21 Q. Do you recall the last time in which you
 22 used that restroom?
 23 A. I think two weeks ago or so.
 24 Q. Is that a guess, or are you pretty sure?
 25 A. Actually, I wouldn't know. I wouldn't be

1 locker restroom?
 2 A. Nine. Around nine.
 3 Q. Do you -- can you tell me how many sinks
 4 there are in the PE locker restroom?
 5 A. Around five. I'm not sure.
 6 Q. Was that -- I'm sorry -- I'm sorry if I
 7 just asked you this, but can you tell me how often
 8 you use that PE locker restroom?
 9 A. I wouldn't be able to.
 10 Q. Okay.
 11 A. Because I haven't really been dressing for
 12 PE because my knee got messed up again so I haven't
 13 really been using that bathroom.
 14 Q. Okay. Do you use it once every two weeks,
 15 do you think?
 16 A. Well, when I used to get dressed I used it
 17 probably every day or every other day.
 18 Q. And how long has it been since you have
 19 stopped dressing for PE?
 20 A. Well, I already started dressing for PE
 21 again like three days ago, or four. But I never
 22 went to the bathroom since last week, but I can't
 23 remember when.
 24 Q. Okay. But you think that you used this
 25 PE locker restroom one time during the last week?

1 able to say.
 2 Q. Okay. Is it fair to say that you can't
 3 remember the last time that you used that restroom?
 4 A. I can't remember exactly when the last time
 5 was that I used the restroom.
 6 Q. Okay. Before I ask you questions about
 7 the PE locker rooms, let me back up and ask you some
 8 questions about the nineties building restroom.
 9 Have you ever tried to use the nineties
 10 building restroom and discovered that it was locked?
 11 A. About four weeks ago, I think.
 12 Q. About four weeks ago?
 13 A. Yeah.
 14 Q. Do you know why it was locked four weeks
 15 ago?
 16 A. No.
 17 Q. Do you know how long it remained locked?
 18 A. No.
 19 Q. Can you recall any other specific occasions
 20 in which you discovered that the -- that the
 21 restroom in the nineties building was locked?
 22 A. I can't really say. I can't -- I don't
 23 know. I don't recall.
 24 Q. Let's go back to the PE locker restroom.
 25 Can you tell me how many toilets there are in the PE

1 A. Uh-huh.
 2 Q. Okay. Do you have any specific
 3 recollection as to any occasion in which you used
 4 it before that time?
 5 A. No.
 6 Q. Okay. Have you ever noticed that any
 7 of the stall doors were broken in the PE locker
 8 restroom?
 9 A. Well, when I used to dress -- when I used
 10 it, because I used it every other week, so I guess I
 11 would estimate the last time I used it prior to last
 12 week was probably less than a month ago or so.
 13 And what was your question again?
 14 Q. Do you recall any specific occasions on
 15 which a stall door has been broken in the PE locker
 16 restroom?
 17 A. No, I can't remember.
 18 Q. Can you recall any occasion on which one of
 19 the stall door locks has been broken?
 20 A. I remember when I was on the soccer team,
 21 the one -- the last -- I think it was the last stall
 22 or the second-to-the-last stall, the lock was broken
 23 for a long time. I don't know if it still is
 24 because I usually try to use the newer bathrooms
 25 because those have locks that work for sure.

1 Q. But you can remember on one occasion last
2 semester --
3 A. Yeah, actually --
4 Q. -- on what --
5 A. -- and I also remember one of the bathrooms
6 they have, like the ones for disabled people, the
7 old bathroom for disabled people, the lock was
8 broken, too. Because I remember I put my backpack
9 near it so people would know I was there.
10 Q. Is this in the PE locker restroom?
11 A. Yes.
12 Q. On one occasion last semester you noticed
13 that a lock was broken on a stall door in the PE
14 locker restroom; is that correct?
15 A. Two.
16 Q. Well, in addition to the disabled stall?
17 A. Yes.
18 Q. When did you notice that the -- that a
19 disabled -- that the stall door for the disabled
20 stall had a broken lock?
21 A. I don't know, last year. I don't know when
22 it was. I don't know. I wouldn't be able to say.
23 Q. Did you actually look at the lock on the
24 disabled stall door?
25 A. Well, I use different bathrooms because, I

1 mean, the bathrooms get -- there is actually like a
2 line, so I don't really get to choose which
3 bathroom. But -- well, I usually try to lock it
4 because I don't want people to walk in on me.
5 Q. I see.
6 You actually used the disabled stall and
7 that's when you noticed that the lock was broken?
8 A. Yeah.
9 Q. Other than these two occasions that
10 you've told me, can you remember any other specific
11 occasions in which a stall door lock in the
12 nineties -- in the PE locker restroom has been
13 broken?
14 A. I can't remember.
15 Q. Do you know one way or the other whether
16 those locks have been fixed?
17 A. I don't know. I haven't checked.
18 Q. Have you noticed any occasion on which
19 there was not enough toilet paper in the PE locker
20 restroom?
21 A. Sometime this semester on one of the newer
22 bathrooms, because I remember I had my friend who
23 was in the next stall.
24 Q. So you can recall one occasion this
25 semester in which there was not enough toilet paper

1 in the stall that you were using in the PE locker
2 restroom.
3 Is that correct?
4 A. Yeah.
5 Q. Did the person in the next stall have
6 toilet paper?
7 A. Yeah.
8 I think there was another occasion, too,
9 because I always try to use the same bathroom, and
10 this other girl gave -- I think she didn't have some
11 either and she had to ask the girl next to her or
12 her friend to go look for some toilet paper.
13 Q. Can you recall when that was?
14 A. It was this semester, though. I don't know
15 when.
16 Q. But you can only recall one semester -- one
17 time in which you've used the PE locker restroom in
18 which there has not been enough toilet paper --
19 MS. CHECEL: Objection --
20 BY MR. CHOATE:
21 Q. -- in the stall in which you were using?
22 MS. CHECEL: -- mischaracterizes her
23 testimony. I believe she said there were two
24 occasions.
25 ///

1 BY MR. CHOATE:
2 Q. Well, the second occasion didn't involve --
3 it was another girl using the restroom; is that
4 correct?
5 A. No. I asked her if she had toilet paper
6 and she didn't have toilet paper so she asked her
7 friend to look for some.
8 Q. Okay. I misunderstood.
9 Other than those two occasions, have there
10 been any other specific occasions that you can
11 recall in which there was not enough toilet paper in
12 the PE locker restroom?
13 A. Not that I can remember at the moment.
14 Q. Have you ever seen a used feminine hygiene
15 pad on the floor of the PE restroom?
16 A. Yeah.
17 Q. Can you tell me when the last time was that
18 you saw a used feminine hygiene pad on the floor of
19 the PE restroom?
20 A. I wouldn't be able to say. I've used the
21 restroom too many times. I have to say that I would
22 be surprised if I didn't see one. The place where
23 I would say I rarely see them on the floor are in
24 the ... what do you want to call it? In the new
25 restrooms because they have the little -- the -- the

1 little box, the trash cans.
 2 Q. But in the PE locker restroom --
 3 A. Yeah, because there is a section in the PE
 4 locker restroom where there's like four new stalls
 5 and those have the little boxes, but it -- except
 6 the disabled one. The disabled new one, I think
 7 people throw -- because they usually throw feminine
 8 hygiene products on the floor because, I don't know,
 9 I would assume it's because they have -- the little
 10 box is far away.
 11 But I think that's the only bathroom, the
 12 only -- the only stall that I see, the new stall
 13 that I see feminine hygiene products on the floor.
 14 Q. But I thought you used this PE locker
 15 restroom once last week; is that correct?
 16 A. Uh-huh.
 17 Q. Do you recall seeing feminine hygiene
 18 products on the floor that time?
 19 A. Yeah, that time because I used the disabled
 20 person's restroom.
 21 Q. Do you recall how many you saw?
 22 A. I can't say.
 23 Q. Do you recall any other occasions in which
 24 you saw feminine hygiene products in that restroom?
 25 A. Almost every time. I wouldn't be able to

1 say exactly when.
 2 Q. But I need to know if you can recall a
 3 specific occasion other than what -- other than last
 4 week in which you've seen a feminine hygiene product
 5 from that restroom.
 6 A. Well, I don't know, it's kind of hard to
 7 know -- to say exactly when, because, I mean, every
 8 time I do go into the restrooms, if it isn't the new
 9 restroom, I see -- well, every time I see feminine
 10 hygiene products on the floor.
 11 Q. You indicated, I think, that you used the
 12 PE locker restroom about every other week; is that
 13 correct?
 14 A. Well, lately. Like when I -- when I wasn't
 15 dressing, I think it was for like around three weeks
 16 or -- yeah, three weeks, because I got injured the
 17 first day when B track came in.
 18 Q. Lizette, sitting here today, though,
 19 other than last week when you saw a feminine hygiene
 20 product on the floor of the PE locker restroom, can
 21 you recall any other specific occasion on which you
 22 saw a feminine hygiene product on the floor of that
 23 restroom?
 24 MS. CHECEL: Asked and answered. She
 25 testified that every time she goes in there she sees

1 them.
 2 BY MR. CHOATE:
 3 Q. And I want to know when the last time was
 4 that you saw that.
 5 A. Last week.
 6 Q. Yeah, before last week, when was the last
 7 time that you saw a feminine hygiene product on the
 8 floor of the nineties building restroom -- of the PE
 9 locker restroom?
 10 A. Two weeks ago.
 11 I don't know. I wouldn't be able to say
 12 exactly when I've used the restroom. Because I know
 13 I've only gone in there around twice since I've been
 14 injured -- well, when I was injured when I wasn't
 15 dressing, to use the bathroom. So I don't know if
 16 it was whether -- the same week or the same -- or
 17 two different weeks. I wouldn't be able to say.
 18 Q. Okay. I really don't mean to be -- to be
 19 difficult, and I'm certainly not trying to be, but I
 20 want to make sure that I know what's happening.
 21 And other than the time last week, can you
 22 recall any specific instance on which you saw a
 23 feminine hygiene product on the floor?
 24 A. I would say the last time I dressed, which
 25 is when B track came in, because I usually use the

1 restroom when I come in.
 2 Q. Okay. And when was the last time you
 3 dressed?
 4 A. A month ago, because it was -- yeah,
 5 because I only need one more month of school, so
 6 that means B track has been there a month and that's
 7 the day I got injured again.
 8 Q. Do you recall where on the floor in the
 9 PE locker restroom you saw a feminine hygiene pad
 10 a month ago?
 11 A. In the bathroom stall.
 12 Q. Which one?
 13 A. It was one of the old bathrooms, I don't
 14 know which stall --
 15 THE REPORTER: I'm sorry, I just got the
 16 question. Start your answer again.
 17 THE WITNESS: I saw it in one of the old
 18 stalls. And that's -- I don't know which stall,
 19 though.
 20 BY MR. CHOATE:
 21 Q. Do you know how often the PE locker
 22 restroom is cleaned?
 23 A. No.
 24 Q. Do you know whether it's cleaned every day?
 25 A. I wouldn't be able to say.

1 Well, actually, I would assume, because
 2 when I used to be -- when I used to stay after
 3 school for soccer practice I would see the cleaning
 4 lady, only after school, cleaning.
 5 Q. So you assume that it was cleaned every
 6 day?
 7 A. If she hasn't been fired.
 8 Well, I don't know.
 9 Q. Let's talk about the restrooms in the main
 10 administration building --
 11 MS. CHECEL: Why don't we break here
 12 because she's -- her throat is hurting and it's kind
 13 of a fresh bathroom. So if you don't mind.
 14 MR. FRIEDMAN: Well, if you claim it's a
 15 fresh bathroom, we don't have to have testimony on
 16 that.
 17 MR. CHOATE: I was just going to say that.
 18 (Discussion held off the record.)
 19 MR. CHOATE: Back on the record.
 20 All right. Counsel for plaintiffs for the
 21 State of California and for the Los Angeles Unified
 22 District have agreed to recommence the deposition of
 23 Lizette Ruiz at 9:00 o'clock on Monday, July 1st?
 24 MS. CHECEL: Second.
 25 MR. CHOATE: On Monday, July 2nd.

1 MR. FRIEDMAN: So stipulated.
 2 MS. CHECEL: So stipulated.
 3 MR. CHOATE: So stipulated.
 4 The reporter is relieved of -- actually may
 5 we stipulate that the original of this deposition be
 6 signed under penalty of perjury;
 7 That the original be delivered to the
 8 office of Ms. Checel;
 9 That the reporter is relieved of liability
 10 for the original of the deposition;
 11 That the witness will have 15 days from the
 12 date of the court reporter's transmittal letter to
 13 Ms. Checel to sign and correct the deposition;
 14 And that Ms. Checel will notify all parties
 15 in writing of any changes to the deposition;
 16 And if there are no such changes
 17 communicated, or signature within that time, then
 18 an unsigned and uncorrected copy may be used for all
 19 purposes as a signed and corrected copy.
 20 MS. CHECEL: So stipulated.
 21 MR. FRIEDMAN: So stipulated.
 22 MR. CHOATE: So stipulated.
 23 (Whereupon, at 4:09 p.m.,
 24 the deposition of LIZETTE RUIZ
 25 was adjourned.)

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.
 13
 14
 15
 16 _____
 17 LIZETTE RUIZ
 18
 19
 20
 21
 22
 23
 24
 25

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 14TH day of JUNE,
 18 2001.
 19
 20
 21 _____
 22
 23 Certified Shorthand
 24 Reporter for the
 25 State of California