



OT-CO-001-008

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Richard P. Matsch

FILED
U.S. DISTRICT COURT
DISTRICT OF COLORADO

'99 MAY 28 P2:50

BY JAMS CLERK
DATE CL.

Civil Action No. 95-M-2313

CONGRESS OF HISPANIC EDUCATORS,

Plaintiff,

UNITED STATES,

Intervenor,

v.

SCHOOL DISTRICT NO. 1, DENVER, COLORADO,

Defendant.

**SPECIAL ENTRY OF APPEARANCE AND REQUEST FOR PERMISSION TO
SUBMIT WRITTEN OBJECTIONS AND TESTIMONY REGARDING PROPOSED
SETTLEMENT**

COMES NOW **Padres Unidos, Inc.** ("Padres Unidos"), an organization of parents of students of Denver Public Schools, by and through their attorney, Adrienne Benavidez of Riggs, Abney, Neal, Turpen, Orbison & Lewis, P.C., and hereby requests leave of the Court to enter its appearance on behalf of Padres Unidos for the limited purpose of submitting objections and testimony in connection with the proposed settlement of the above-captioned matter. In support thereof, Padres Unidos states the following:

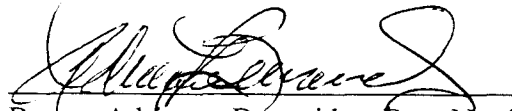
1. On April 21, 1999, the Court entered its *Order Setting Hearing and Providing for Notice Pursuant to Fed. R. Civ. P.23(e)* to determine whether approval should be given to the proposed settlement. The subsequent *Notice* stated that "[a]ny parent or guardian of a student who attends the Denver Public Schools and who is Limited English Proficient ... may file an objection..." The *Notice* went on to state that "[i]f you file a written objection, you have the right to voice your concerns to the judge by appearing in court at 1:30 p.m. on June 3, 1999."
2. Padres Unidos is a 501 (c) (3) organization comprised of parents of students attending Denver Public Schools. The membership of Padres Unidos includes parents and/or guardians of students who attend Denver Public Schools and who are limited English proficient, or who believe thier children do or will qualify for special language help.

3. In 1996, Padres Unidos filed a Complaint with the Office of Civil Rights against Denver Public Schools for violations of Federal law with regard to its delivery of educational services to limited English proficient students. The Denver Public Schools and the U.S. Government through its Department of Justice resolved the Complaint by way of settlement.
4. The settlement of the above referenced Complaint was submitted as the proposed settlement of this matter. Because Padres Unidos was instrumental in the development of the Complaint settlement, their input regarding the proposed settlement is essential.
5. Therefore, Padres Unidos requests permission of the Court to submit its objections and comments to the proposed settlement. A copy of which is attached hereto as Exhibit A.
6. Dr. Kathy Escamilla, Board Member of Padres Unidos; David Portillo, Executive Director of Padres Unidos, and Guadalupe, Lopez, Parent Member of Padres Unidos will be present at the hearing. Padres Unidos requests that Dr. Escamilla be permitted to present testimony on its behalf at the hearing scheduled for June 3, 1999 at 1:30 p.m.
7. Pursuant to D.C. Colo. LR 7.1, the undersigned counsel has conferred with counsel for the Plaintiffs and for the United States. Neither counsel objects to this request. Undersigned counsel has also conferred with counsel for the Defendant who indicated that he could not state a position until he had discussed the matter with his client. Due to the impending date of the hearing, Defendant's counsel was advised that this request would be made this date and forwarded to him for more thorough review.

WHEREFORE, Padres Unidos requests that it be allowed to submit written comments and oral testimony at the hearing on June 3, 1999.

Respectfully submitted, this 28th day of May, 1999.

**RIGGS, ABNEY, NEAL, TURPEN,
ORBISON & LEWIS, P.C.**



By: Adrienne Benavidez, Reg. No. 20717
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, **SPECIAL ENTRY OF APPEARANCE AND REQUEST FOR PERMISSION TO SUBMIT OBJECTIONS AND TESTIMONY REGARDING PROPOSED SETTLEMENT** was mailed and faxed this 28th day of May, 1999, to the following parties of record:

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