

Exhibit 10



MALDEF

Mexican American Legal Defense and Educational Fund

**San Antonio
Regional Office**
110 Broadway
Suite 300
San Antonio, TX 78205
Tel: 210.224.5476
Fax: 210.224.5382

Via Facsimile (202) 272-1405

June 20, 2008

**National Headquarters
Los Angeles
Regional Office**
634 S. Spring Street
Los Angeles, CA 90014
Tel: 213.629.2512
Fax: 213.629.0266

Peter D. Gregory
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
20 Massachusetts Avenue
Room 4210
Washington, DC 20529

**Atlanta
Regional Office**
34 Peachtree St NW
Suite 2500
Atlanta, GA 30303
Tel: 678.559.1071
Fax: 678.559.1079

Re: Gonzalez v. State of Arizona
No. CV-06-1268-PHX-ROS

**Chicago
Regional Office**
11 East Adams Street
Suite 700
Chicago, IL 60603
Tel: 312.427.0701
Fax: 312.427.0691

Dear Mr. Gregory:

The trial for *Gonzalez v. State of Arizona* will begin on July 1, 2008 in Phoenix, Arizona. I write to request that you make your designated USCIS witnesses available for testimony on Tuesday, July 8, 2008. We believe their testimony will provide the Court with essential information.

Please call me at your earliest convenience at the phone number below. Thank you and we appreciate your cooperation.

**Houston
Program Office**
Ripley House
4410 Navigation
Suite 118
Houston, TX 77011
Tel: 713.315-6494
Fax: 713.315-6404

**Sacramento
Satellite Office**
1107 9th Street
Suite 240
Sacramento, CA 95814
Tel: 916.443.7531
Fax: 916.443.1541

Truly yours,
Nina Perales

Nina Perales
Southwest Regional Counsel

**Washington, D.C.
Regional Office**
1016 16th Street, NW
Suite 100
Washington, DC 20036
Tel: 202.293.2828
Fax: 202.293.2849

Exhibit 11

Office of the Chief Counsel

U.S. Department of Homeland Security
20 Massachusetts Avenue, N.W. Room 4210
Washington, DC 20529



**U.S. Citizenship
and Immigration
Services**

July 2, 2008

Nina Perales
MALDEF
110 Broadway, Suite 300
San Antonio, TX 78201

Dear Ms. Perales:

I am responding to an oral request from your organization in which it asked U.S. Citizenship and Immigration Services (USCIS) to provide witnesses to testify in the matter of *Gonzalez v. State of Arizona* currently pending before the U.S. District Court for the District of Arizona.

The Department of Homeland Security's regulations set forth the procedures USCIS must follow in responding to a request for testimony in those cases in which the United States is not a party. In particular, 6 C.F.R. § 5.48(a), identifies the factors USCIS must consider in deciding to respond to a request for testimony. Based upon the factors identified in §§ 5.48(a)(4) through (6), USCIS is declining to produce the employees to testify as your organization requested.

Sincerely,

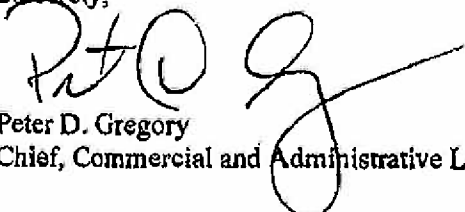

Peter D. Gregory
Chief, Commercial and Administrative Law Division

Exhibit 12

From: Diego Bernal
Sent: Thu 7/3/2008 4:29 PM
To: 'Carrie Brennan'; 'Colleen Connor'; 'Barbara Bailey'; 'jwilcox@coconino.az.gov';
'Chris Roll'
Cc: Nina Perales; Marisa Bono; Marisol Perez
Subject: FRCP 32 Notice

Dear Counsel,

Pursuant to FRCP 32 Gonzalez Plaintiffs hereby give notice of their intention to present the deposition and declarations of Georgia Morrison-Flores and the depositions of Michael Quinn and Gerri Ratliff in lieu of live testimony. All three witnesses are unavailable for trial.

Counsel for Gonzalez Plaintiffs learned yesterday that Ms. Morrison-Flores' is in extremely poor health and very recently visited the emergency room due to her condition. Her doctor has advised her not to travel and her health will not permit her to come to Phoenix from Yuma.

Mr. Quinn and Mr. Ratliff are outside of the Court's subpoena range and refuse to appear.

Gonzalez Plaintiffs will follow-up this notice with a proper motion and supporting documentation.

Thank you.

Diego

Diego M. Bernal
Staff Attorney
MALDEF
110 Broadway, Suite 300
San Antonio, TX 78205
(210) 224-5476 (ext. 202)
(877) 224-5476 (ext. 202) (toll free)
(210) 224-5382 (fax)
dbernal@maldef.org <mailto:dbernal@maldef.org>

Confidentiality Notice: The information contained in this e-mail and any attachments may be legally privileged and confidential. If you are not an intended recipient, you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please notify the sender and permanently delete the e-mail and any attachments immediately. You should not retain, copy or use this e-mail or any attachment for any purpose, nor disclose all or any part of the contents to any other person.

From: Marisa Bono
Sent: Thursday, July 03, 2008 5:56 PM
To: Diego Bernal
Subject:

Here's what I wrote, but I may sound weird since Ratliff and Quinn are not on the list of witnesses we intend to call???

Please be advised that Gonzalez Plaintiffs intend to file a Motion for Leave to File Amended Exhibit List on Monday, July 7. We recently discovered that Georgia Morrison Flores, Gerri Ratliff, and Michael Quinn will be unavailable to testify at trial, and we intend to use their declarations and depositions as evidence due to their unavailability.

EXHIBIT 13

Marisa Bono

From: Barbara Bailey [Barbara.Bailey@azag.gov] **Sent:** Mon 7/7/2008 8:49 AM
To: Carrie Brennan; Chris Roll; jwilcox@coconino.az.gov; Diego Bernal; Colleen Connor
Cc: Steven Lamar; Marisa Bono; Marisol Perez; Nina Perales
Subject: Re: FRCP 32 Notice
Attachments:

Diego,

With regard to the deposition of Ms. Morrison-Flores, Defendants do not object to plaintiffs' reading in portions of that deposition, however plaintiffs have not properly identified those portions of her deposition that they intend to read. Judge Silver's standing order provides that parties must provide copies highlighted in yellow so that the opposing party may counter-designate by highlighting in blue. Please provide the highlighted copy of that deposition today.

Defendants object to any use of Ms. Morrison-Flores' declarations at trial. Those statements were not subject to cross-examination and their use would be unfair to Defendants.

Finally, with regard to the depositions of Quinn and Ratliff, those depositions are the subject of Defendants' motion in limine. We do not agree to their depositions being admitted at trial.

Thanks,
Barbara Bailey

>>> "Diego Bernal" <dbernal@maldef.org> 7/3/2008 4:29 PM >>>

Dear Counsel,

Pursuant to FRCP 32 Gonzalez Plaintiffs hereby give notice of their intention to present the deposition and declarations of Georgia Morrison-Flores and the depositions of Michael Quinn and Gerri Ratliff in lieu of live testimony. All three witnesses are unavailable for trial.

Counsel for Gonzalez Plaintiffs learned yesterday that Ms. Morrison-Flores' is in extremely poor health and very recently visited the emergency room due to her condition. Her doctor has advised her not to travel and her health will not permit her to come to Phoenix from Yuma.

Mr. Quinn and Mr. Ratliff are outside of the Court's subpoena range and refuse to appear.

Gonzalez Plaintiffs will follow-up this notice with a proper motion and supporting documentation.

Thank you.

Diego

Diego M. Bernal

Staff Attorney

MALDEF

110 Broadway, Suite 300

San Antonio, TX 78205

(210) 224-5476 (ext. 202)

(877) 224-5476 (ext. 202) (toll free)

(210) 224-5382 (fax)

dbernal@maldef.org

Confidentiality Notice: The information contained in this e-mail and any attachments may be legally privileged and confidential. If you are not an intended recipient, you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please notify the sender and permanently delete the e-mail and any attachments immediately. You should not retain, copy or use this e-mail or any attachment for any purpose, nor disclose all or any part of the contents to any other person.

From: Marisa Bono
Sent: Thursday, July 03, 2008 5:56 PM
To: Diego Bernal
Subject:

Here's what I wrote, but I may sound weird since Ratliff and Quinn are not on the list of witnesses we intend to call????

Please be advised that Gonzalez Plaintiffs intend to file a Motion for Leave to File Amended Exhibit List on Monday, July 7. We recently discovered that Georgia Morrison Flores, Gerri Ratliff, and Michael Quinn will be unavailable to testify at trial, and we intend to use their declarations and depositions as evidence due to their unavailability.