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August 21, 2006

The Hon. William K. Suter
Clerk of the Court
Supreme Court of the United States
1 First Street NE
Washington, D.C. 20543

Re: *Parents Involved in Community Schools v. Seattle Public School District No. 1*,
No. 05-908

Dear Mr. Sutter:

Petitioner, Parents Involved in Community Schools, requests permission to lodge non-record material with the Court pursuant to S. Ct. R. 32(3), which provides that “[a]ny party or *amicus curiae* desiring to lodge non-record material with the Clerk must set out in a letter, served on all parties, a description of the material proposed for lodging and the reasons why the non-record material may properly be considered by the Court.”

Petitioner is an association of parents whose children have been or may be denied admission to the high schools of their choosing because of race. Suggestion has been made by Respondents that there may not be an active case or controversy if Parents no longer has members with school-aged children. *See* Brief in Opposition at pp. 20-21. For the reasons set out in Petitioner’s Brief, this suggestion is incorrect. To remove any possible doubt about this issue, Petitioner seeks to lodge an affidavit from the association’s president, Ms. Kathleen Brose, that identifies some current members of Petitioner whose children would be affected if the District reinstated the race preference at issue in this case. The affidavit is attached to this letter for your consideration.

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August 19, 2006
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Petitioner respectfully requests permission to lodge Ms. Brose's affidavit.

Very truly yours,

Davis Wright Tremaine LLP

A handwritten signature in black ink, appearing to read 'H. J. Korrell', with a long horizontal flourish extending to the right.

Harry J. F. Korrell
Counsel of Record for Petitioners

cc: Mike Madden, Counsel of Record for Respondent

IN THE
Supreme Court of the United States

PARENTS INVOLVED IN COMMUNITY SCHOOLS,
Petitioner,

v.

SEATTLE SCHOOL DISTRICT NO. 1, et al.,
Respondent.

On Writ of Certiorari
to the United States Court of Appeals for the Ninth Circuit

AFFIDAVIT OF KATHLEEN BROSE PURSUANT TO SUP. CT. R. 32.3

Kathleen Brose, being duly sworn, deposes and says:

1. I am the President of the Petitioner in this action, Parents Involved in Community Schools (“Parents”).
2. Parents is an association, incorporated as a nonprofit corporation, whose members are Seattle families with children who have been or in the future may be affected by the District’s race-based student admissions plan. The Organization’s corporate purpose is the well-being of community public schools. To that end, Parents seeks public school placement criteria that satisfy equal protection under the law.

3. Parents' membership includes families with children currently in Seattle School District elementary and middle schools who will likely be affected by the District's race-based plan when applying for high school admission if the District is allowed to use it. Among the membership are the following families:

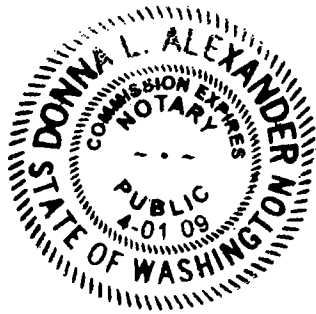
- Kathy and Mike Stanley and their three minor children: a girl entering the 5th grade this fall, a boy entering the 4th grade this fall, and a boy entering the 1st grade this fall. The Stanley family is white and lives in Seattle's Magnolia neighborhood. All three children currently attend school in the Seattle School District.
- Rob and Amy Jammes, and their three minor children: a boy entering the 2nd grade this fall, a boy entering kindergarten this fall, and an infant. The Jammes family is white and lives in Seattle's Magnolia neighborhood. The two older children currently attend school in the Seattle School District.

Dated this 17th day of August, 2006.

Kathleen A. Brose

Kathleen Brose

SUBSCRIBED AND SWORN to before me this 17th day of August, 2006.



Donna L. Alexander
NOTARY PUBLIC in and for the State of Washington
residing at Stanwood
My appointment expires 4-1-09
Print Name Donna L. Alexander