



# MALDEF





2008-2009 MALDEF ANNUAL REPORT

# MALDEF

ABOUT MALDEF:  
AN ORGANIZATION TO  
ADVANCE THE CIVIL RIGHTS OF  
THE LATINO COMMUNITY



In 1968, out of a national and multi-racial civil rights movement, attorneys Pete Tijerina, Albert Pena, Roy Padilla, Mario Obledo, and James De Anda created an organization to protect the constitutional rights of the Latino community. With the support of the NAACP Legal Defense Fund, they founded the Mexican American Legal Defense and Educational Fund (MALDEF). With a generous start-up grant from the Ford Foundation, MALDEF quickly gained recognition as the “law firm of the Latino community.” Throughout our 41 year history, MALDEF has promoted social change through advocacy, communications, community education, and litigation in the areas of education, equal opportunity employment, immigrant rights, and political access.

MALDEF celebrated our 40th Anniversary in 2008. As we go into 2009 and begin MALDEF’s next 40 years, we know that by 2050, one in four Americans will be of Latino descent. The U.S. Census Bureau projects that the Latino population will grow from 35.6 million to 102.6 million by this time. As the numbers of Latinos compound, however, so have the civil rights violations against and opportunities for Latinos. MALDEF knows that the need for an organization to advance the civil rights of Latinos is as critical as at our founding. In conducting our work towards societal equity, MALDEF advances the constitutional civil rights of all Americans.

In Fiscal Year 2008-2009, MALDEF was headed by President and General Counsel John Trasviña and governed by a 33-member national Board of Directors. Headquartered out of our National Office in Los Angeles, MALDEF operated five regional offices, including in Atlanta, Chicago, Los Angeles, San Antonio, and Washington, D.C. In October 2008, MALDEF closed our Sacramento Office, and in April 2009, MALDEF closed our Atlanta Office.

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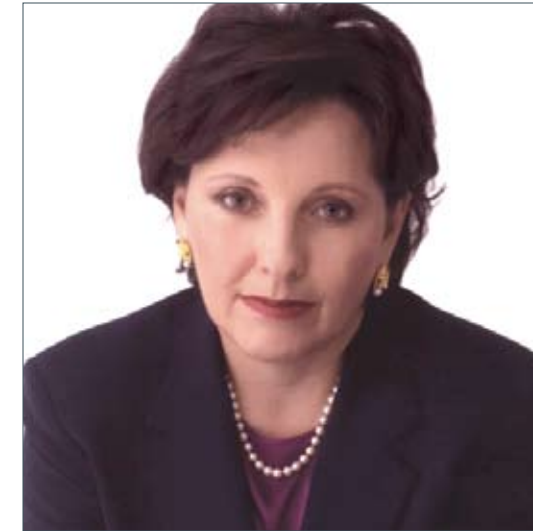
civil rights



## IN RECOGNITION OF MALDEF'S FORMER PRESIDENT AND GENERAL COUNSEL JOHN TRASVIÑA

MALDEF would like to thank John Trasviña for his dedicated service as our President and General Counsel from 2006-2009. A native of San Francisco, California, John Trasviña began his legal career at MALDEF in 1985 as a legislative attorney in Washington, D.C. He went on to work as Counsel for U.S. Senator Paul Simon. In 1997, President Bill Clinton appointed him Special Counsel for Immigration Related Unfair Employment Practices, making him the highest-ranking Latino attorney at the U.S. Department of Justice. He returned to MALDEF in 2005. After he became President and General Counsel in 2006, John Trasviña led the organization during a time of historical significance, including the immigrant rights marches across the United States on May 1, 2007, and the election of the first African American President of the United States, Barack Obama, in 2008.

On May 1, 2009, the U.S. Senate unanimously confirmed John Trasviña as Assistant Secretary for Fair Housing and Equal Opportunity in the Obama Administration. The Office of Fair Housing and Equal Opportunity (FHEO) administers and enforces federal laws and establishes policies to ensure that all Americans have equal access to the housing of their choice. MALDEF congratulates John Trasviña on his appointment and wishes him success as he continues to further the goals of access and equality for all.



## MESSAGE FROM THE CHAIR OF THE MALDEF BOARD OF DIRECTORS

Thank you for your support of MALDEF in our 41st year advancing the civil rights of our nation's 50 million Latinos.

Like most Americans, MALDEF passed through a period of great challenge this past year. Along with national economic strife came a shocking 40% rise in hate crimes against Latinos, many of those crimes horrifying murders, as well as the media's often dismaying portrayal of Latinos. Through all this, MALDEF weathered the economic storm and rose to the challenge of coming out in defense of hate crimes victims and speaking out for civil rights. With support like yours, MALDEF is not only intact, but eager to expand at a time when so much civil rights work by others has had to retract.

With the passionate leadership of our committed staff, including President and General Counsel John Trasviña, who has now gone on to serve us in the federal government, MALDEF closed 2009 ready to take on the challenges ahead. We face the challenge of working to ensure a complete count of the Latino community in the 2010 Census. Then we will face the decennial opportunity of redistricting and of working to ensure that the Latino community has the ability to elect its representatives of choice. We face the ongoing tasks of policy advocacy in immigration reform and other areas heightened by the goals of our federal administration and the burdens of the economic downturn. Of course, MALDEF is the Latino community's law firm, and it is time to boldly challenge the many recent unconstitutional civil rights regresses in the courts on a major scale.

On behalf of the MALDEF Board of Directors, please join us as we move forward in this period of great change and opportunity for MALDEF, Latinos, and all Americans seeking an equitable opportunity to contribute to our society.

Sincerely,

Patricia Madrid  
MALDEF Board Chair

recognition





## MALDEF LITIGATION HIGHLIGHTS

Often described as the “law firm of the Latino community”, MALDEF promotes social change through advocacy, communications, community education, and litigation. MALDEF’s litigation focuses in four areas: **1. education, 2. employment and equal opportunity, 3. immigrant rights, and 4. political access.** Following are selected highlights of MALDEF’s litigation in 2008-2009.

## EDUCATION

### GONZALEZ V. CITY OF ALBUQUERQUE, NEW MEXICO

ALBUQUERQUE POLICE DEPARTMENT AND PUBLIC SCHOOLS ADOPT NEW PROCEDURES FOLLOWING MALDEF’S LITIGATION AGAINST DEPARTMENT, SCHOOL DISTRICT, AND BORDER PATROL FOR DETAINING STUDENTS AND VIOLATING THEIR CONSTITUTIONAL RIGHTS.

In March 2004, with no evidence of a violation of a school code or criminal law, local police in Albuquerque stopped three undocumented high school students while they were on school grounds. With the help of school officials, the boys were seized, interrogated, searched, and ultimately turned over to the United States Border Patrol. MALDEF filed a lawsuit on behalf of the students and an Albuquerque parent organization alleging that Albuquerque Public Schools (APS) administrators, officers of the Albuquerque Police Department, and a Border Patrol Agent violated the students’ constitutional rights.

In July 2006, MALDEF procured wide-reaching changes to school policy in settlement of the plaintiffs’ claims against APS. In addition to monetary damages, the school district agreed to implement new board policies, training, and procedural directives that would guarantee the right of all students to attend the public schools regardless of immigration status. In August 2007, MALDEF secured policy changes in a settlement with the Albuquerque Police Department, including the adoption of new police procedures that strictly prohibit officers from inquiring into the immigration status of individuals during routine traffic stops and other situations. The new policy also prohibits police officers from questioning or detaining minors near or on public school grounds on any immigration-related matter. MALDEF continues to monitor the City’s compliance with the police training provisions in the settlement agreement.

### UNITED STATES V. STATE OF TEXAS

MALDEF’S LEGAL CHALLENGE IN THIS FOUNDATIONAL BILINGUAL EDUCATION CASE RESULTED IN A SIGNIFICANT RULING ON THE RIGHTS OF ENGLISH LEARNERS.

Following a federal court order mandating that several Texas school districts desegregate and remedy past discrimination against minority students in 1972, MALDEF intervened on behalf of the League of United Latin American Citizens (LULAC) and the American GI Forum of Texas to ensure that Latino and English Language Learner (ELL) students receive equal educational opportunities. MALDEF has closely monitored the districts on behalf of our clients to ensure compliance with the law. In February 2006, MALDEF challenged Texas’ failure to monitor and supervise bilingual and ELL programs throughout Texas to ensure equal educational opportunities for all students, including ELL students. On July 30, 2007, U.S. District Judge William Wayne Justice denied all the relief MALDEF requested. However, a year later, on July 25, 2008, in the most comprehensive legal decision concerning the civil rights of English language learners in the last 25 years, Judge Justice threw out his earlier opinion in its entirety and found that Texas had violated the rights of ELL students under the Equal Educational Opportunities Act. The federal court ordered Texas to submit a new monitoring plan and a new or modified language program for secondary ELL students. The state has appealed the decision to the Fifth Circuit.

### UNITED STATES V. CHICAGO PUBLIC SCHOOLS

MALDEF CONTINUES TO MONITOR CHICAGO PUBLIC SCHOOLS AND FIGHTS FOR CONTINUED FOCUS ON IMPROVING INEQUITIES IN SEGREGATED SCHOOL SYSTEM.

The federal government entered into a desegregation consent decree with the Chicago Public Schools (CPS) in 1980 to create greater educational opportunities for the City’s minority students. MALDEF and our partners have kept a close watch on the situation ever since. In February 2008, the government filed a motion to enforce provisions of the consent decree after the Chicago Board of Education repeatedly failed to provide services to ELL students. During the court hearing, MALDEF attorneys joined the case and introduced the testimony of a parent who described the months that her son went without any bilingual education services. One student described how she tutored another student who did not speak English because there were no bilingual services at the school. MALDEF presented closing arguments urging the federal judge not to release CPS from complying with the consent decree. After the hearing, MALDEF, with the American Civil Liberties Union, submitted a post-hearing brief showing how the CPS remains segregated and how there still exist severe inequities in the services received by ELL students versus other students.



## MALDEF LITIGATION HIGHLIGHTS

### EMPLOYMENT AND EQUAL OPPORTUNITY

#### COLINDRES V. QUIETFLEX MANUFACTURING COMPANY

MALDEF CONTINUES TO ENSURE EQUITABLE OPPORTUNITIES TO WORKPLACE PROMOTION FOLLOWING SUCCESSFUL LITIGATION.

In 2001, MALDEF filed a Title VII class action lawsuit representing approximately 78 Latino employees of Quietflex, a Houston company that manufactures air conditioning ducts. In January 2007, the parties entered into a final consent decree regarding workplace standards that awarded MALDEF's clients \$2.8 million, although the company did not admit liability. The consent decree included an agreement between the defendants and the plaintiffs to develop a test that will be used to allow employees to transfer into more desirable departments at the plant. In November 2007, MALDEF requested that the District Court order Quietflex to create a test that complies with the consent decree. On April 3, 2009, MALDEF and Quietflex settled upon a revised testing model, one that includes an opportunity for test takers who come close to passing to retake the test.

#### GUTIERREZ V. PARAGON SCHMID BUILDING PRODUCTS

MALDEF WINS CLASS ACTION LAWSUIT ON BEHALF OF CONSTRUCTION WORKERS DENIED FAIR PAY UNDER CALIFORNIA WAGE AND HOUR LAWS.

In March 2007, MALDEF joined a class action lawsuit brought on behalf of construction workers in California seeking to recover millions of dollars in unpaid wages under state wage and hour laws. The plaintiffs, mostly Latino workers, install gutters, fireplaces, insulation, and other construction products at numerous locations throughout California. The defendants are several subsidiaries of Masco Corporation, a Fortune 200 company that owns approximately 20 different installation yards throughout California. On March 9, 2009, MALDEF and co-counsel achieved a settlement of \$8.5 million on behalf of the workers.

#### RICCI V. DESTEFANO

MALDEF SUBMITS AMICUS BRIEF IN HIGHLY-PUBLICIZED EMPLOYMENT CASE.

MALDEF, along with other civil rights organizations, submitted an amicus brief in this case brought by non-minority firefighters challenging the decision by the City of New Haven, Connecticut to not utilize firefighter promotional exams that have a disparate negative impact on Latino and African American applicants. In our brief, filed on March 25, 2009, MALDEF argued that compliance with Title VII of the Civil Rights Act of 1964 is a compelling state interest and that the petitioners' constitutional arguments, if accepted, would call into question the constitutionality of Title VII's disparate impact provision as applied to public employers.

### IMMIGRANT RIGHTS

#### MULTI-ETHNIC IMMIGRANT WORKERS V. CITY OF LOS ANGELES

MALDEF SETTLES MAJOR CLASS ACTION LAWSUIT FOR HUNDREDS OF COMMUNITY MEMBERS INJURED BY THE LOS ANGELES POLICE DEPARTMENT DURING THE MAY DAY MARCH FOR IMMIGRATION REFORM.

On May Day, 2007, thousands of community advocates and local residents gathered in cities across the United States to march in support of immigration reform. In Los Angeles, the Los Angeles Police Department (LAPD) declared a gathering of marchers in a local park an "unlawful assembly" and used excessive force against the peaceful group. Officers in riot gear entered the park and shoved men, women, and children alike with batons and indiscriminately shot foam bullets and other munitions. MALDEF and a coalition of private attorneys filed a class action lawsuit against the City of Los Angeles and the LAPD on behalf of those injured in the incident. After lengthy settlement discussions, the Los Angeles City Council approved a settlement of \$12.9 million for the plaintiffs on February 4, 2009.

#### VICENTE V. BARNETT

MALDEF WINS IN TRIAL FOR LATINO VICTIMS OF ARIZONA 'VIGILANTE'.

MALDEF brought this lawsuit on behalf of 16 Latino plaintiffs for injuries inflicted upon them by Cochise County, Arizona rancher Roger Barnett. Barnett engaged in a campaign to hunt and detain those whom he presumes are Latino immigrants, against their will – and at gunpoint. MALDEF argued the case before a jury in February 2009. MALDEF prevailed on behalf of several of our clients for their claims of assault and intentional infliction of emotional distress. The Arizona jury ordered Roger Barnett to pay over \$73,000 in compensatory and punitive damages.

#### VASQUEZ V. CITY OF FARMERS BRANCH, TEXAS

MALDEF DEFEATS FIRST ANTI-IMMIGRANT HOUSING ORDINANCES IN TEXAS.

MALDEF successfully sued Farmers Branch, the first city in Texas to pass an anti-immigrant ordinance requiring landlords of apartment complexes to verify that every person living in an apartment in the city was a U.S. citizen or "eligible immigrant". MALDEF challenged the constitutionality of the ordinance on behalf of landlords and tenants and successfully blocked enforcement with a preliminary and then permanent injunction. In 2009, the city enacted another anti-immigrant ordinance requiring all renters to obtain a "residential occupancy license" and all adult non-U.S. citizen renters to provide information demonstrating their legal status. MALDEF, along with the ACLU Immigrants Rights Project, and the ACLU of Texas, filed a new lawsuit, *Reyes vs. City of Farmers Branch*, challenging the constitutionality of the new ordinance under state and federal laws. The ordinance is temporarily enjoined until the case is resolved. MALDEF continues to monitor and oppose anti-immigrant local ordinances around the nation in places as varied as Cherokee County, Georgia; Valley Park, Missouri; Farmers Branch, Texas; Prince William County, Virginia; Cobb County, Georgia; and, Carpentersville, Illinois. The alarming number of state and local ordinances enacting localized "immigration regulation" only highlight the need for a solution to our nation's federal immigration law.



## POLITICAL ACCESS

**NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NUMBER ONE V. U.S. ATTORNEY GENERAL ALBERTO GONZALEZ**  
MALDEF GOES BEFORE THE U.S. SUPREME COURT — AND WINS — IN A RULING TO UPHOLD SECTION 5 OF THE VOTING RIGHTS ACT.

Congress enacted the Voting Rights Reauthorization and Amendments Act of 2006, finding that voting discrimination continues to persist in the United States and that the temporary provisions of the Voting Rights Act are still necessary to ensure equal political access today. Days after the Voting Rights Reauthorization and Amendments Act was signed into law, a municipal utility district in Austin, Texas challenged its constitutionality. MALDEF intervened in the case on behalf of Latino voters who reside in the municipal utility district. The District Court three-judge panel hearing the case unanimously upheld the provisions of the Voting Rights Act at issue, namely, Section 5, which requires officials in jurisdictions in areas with a history of serious voting discrimination to obtain preclearance from the federal government before altering their voting systems, and requires them to bring a challenge to seek relief from the preclearance requirement once conditions have improved in the jurisdiction. The municipal utility district appealed to the U.S. Supreme Court. MALDEF filed an Appellee merits brief, written in collaboration with the NAACP LDF. The U.S. Supreme Court upheld Section 5 and affirmed that jurisdictions affected by it must continue to seek release, regardless of size.

### **ESCOBEDO V. ROGERS**

MALDEF MOUNTS AN EXTENSIVE NATIONAL VOTER PROTECTION CAMPAIGN IN THIS HISTORIC ELECTION YEAR AGAINST VOTER INTIMIDATION TACTICS AND UNCONSTITUTIONAL VOTER VERIFICATION PROCEDURES TARGETING LATINOS.

In the fervor of the historic presidential election of November 2008, some Latino voters experienced intimidation and harassment. When several Latinos in Albuquerque, New Mexico reported intimidation by local residents who publicly accused them of fraudulent voter registration, releasing their personal information to the media, and seeking them out at their homes, MALDEF stepped in to seek an injunction against the activities against them. Although the court would not award an injunction, MALDEF was able to expose the activities and, as a result, harassment against Latinos in the area abated in time for Election Day 2008.

MALDEF LITIGATION  
HIGHLIGHTS





## MALDEF COMMUNITY EDUCATION PROGRAMS AND POLICY ANALYSIS AND ADVOCACY HIGHLIGHTS

MALDEF promotes social change through advocacy, communications, community education, and litigation. Following are highlights of MALDEF's community education and advocacy in 2008-2009.

## PARENT SCHOOL PARTNERSHIP PROGRAM

SINCE 1989, MALDEF'S PARENT SCHOOL PARTNERSHIP (PSP) PROGRAM HAS SERVED PARENTS AND COMMUNITY LEADERS THROUGHOUT THE NATION BY PROVIDING THEM TRAINING TO BECOME CHANGE AGENTS IN THEIR COMMUNITIES.

MALDEF's PSP Program comprises a 12-session course that provides Latino parents an in-depth understanding of their rights and responsibilities as parents in the American public education system. By the end of the course, the parents complete group projects where they develop their own strategies for undertaking the issues they want to address at their children's schools. Examples of issues selected by parents include improved college preparation, curriculum enhancement, and increasing community involvement at their local schools.

In 2008-2009, hundreds of Latino parents graduated from MALDEF's Parent School Partnership Program. Several hundred more graduated from similar programs taught by MALDEF-certified trainers at partner organizations. The PSP Program continues to engage past parent participants through our Alumni Affairs Program, which hosts various educational events throughout the year on issues such as employment/job training, healthcare, housing, and immigration reform. In addition, this year MALDEF launched an Alumni Newsletter for past parent participants to stay connected to our organization and each other.

## DOMESTIC VIOLENCE PREVENTION PROGRAM

MALDEF CONTINUES TO ADDRESS AN ISSUE OF INCREASING URGENCY IN THE LATINO COMMUNITY: DOMESTIC AND TEEN DATING VIOLENCE.

MALDEF's Domestic Violence Prevention Program comprises a 10-session course offered to a variety of Latino organizations, student groups, and other community members. The course addresses issues such as recognizing domestic violence as a crime; identifying warning signs of abuse; understanding cultural aspects of abuse; and learning legal remedies and resources available to the Latino community. MALDEF's course is customized depending on the audience, and may be provided for a bilingual audience, for various age groups, and is always culturally-sensitive. With this curriculum and over the course of this year, MALDEF provided domestic and teen dating violence "Know Your Rights" education to thousands of Latino community members.

MALDEF worked with various other community organizations in these efforts, including as part of the Los Angeles Domestic Violence Prevention Collaborative, in partnership with the Asian Pacific American Legal Center and the Los Angeles Urban League. With our partners, MALDEF helped create a multi-lingual resource directory for community members. This directory is a resource to help ensure that victims of domestic violence have the ability to swiftly transition into a safe and stable environment. In addition, MALDEF maintains a bilingual Information Line (1-866-NO-ABUSO) that provides information on community resources offering assistance, including legal options for undocumented victims of abuse. MALDEF advertised this Information Line as part of our major bus-ad public awareness campaign, "Stand Up for Respect", in observance of Domestic Violence Awareness Month, reaching millions of viewers traveling throughout the highest Latino-populated areas in the Los Angeles area.

## LIDER PROGRAM FOR CIVIC EDUCATION AND FINANCIAL LITERACY

MALDEF's Liderazgo Inmigrante de Desarrollo Educativo Responsable or Immigrant Leadership for Responsible Education and Development (LIDER) Program was established in 2005 to provide Latinos in Southern California with a 12-session course in civic engagement, financial literacy, entrepreneurship, and professional business planning. This year, MALDEF graduated hundreds



of participants in the LIDER Program, and equipped participants with the skills necessary to realize their personal and professional goals, whether by building up their savings, launching a small business, or helping to build sustainable community organizations.

In addition, in response to the national housing crisis, and the Latino community's strong identity with home ownership as part of the American Dream, MALDEF began conducting a series of foreclosure prevention workshops in January 2009. By March 2009, we had provided educational resources to hundreds of Latinos experiencing home ownership issues, including the inability to make housing payments and foreclosure, reverse mortgages, refinancing needs, and industry fraud. Affected Latinos sought information from MALDEF, and made thousands of phone calls to MALDEF's offices within a very short period of time. As a result, our educational workshops drew capacity crowds this year and continue to do so as we go into the new year.

## MALDEF PROTECTS TOP TEN PERCENT PLAN IN TEXAS

MALDEF led the promotion and protection of diversity at state universities in Texas by advocating for SB 175 to maintain the "Top Ten Percent Plan". The Top Ten Percent Plan allows for graduates in the top 10 percent of their high school classes to receive automatic admission to the Texas public college or university of their choice, without needing to account for the ranking of the high school, standardized test scores, or other traditional admissions factors that penalize students from schools and families with fewer resources. As a result of the Top Ten Percent Plan, the University of Texas is more reflective of the ethnic, racial and geographic make-up of Texas than ever before in its history. However, the University of Texas put tremendous pressure on state legislators to cap the Top Ten Percent Plan because of increasing applications from across the state under the plan. MALDEF led a coalition of national civil rights organizations in opposing plans to undermine the success of the top ten percent plan. Fortunately, the Governor of Texas signed SB 175 into law this year. This concludes an extensive effort by MALDEF over the past seven years to preserve a proven method of maintaining diversity at Texas public universities, especially the flagship universities of Texas A&M and the University of Texas at Austin.

## MALDEF WEBSITE / TRUTH IN IMMIGRATION WEBSITE

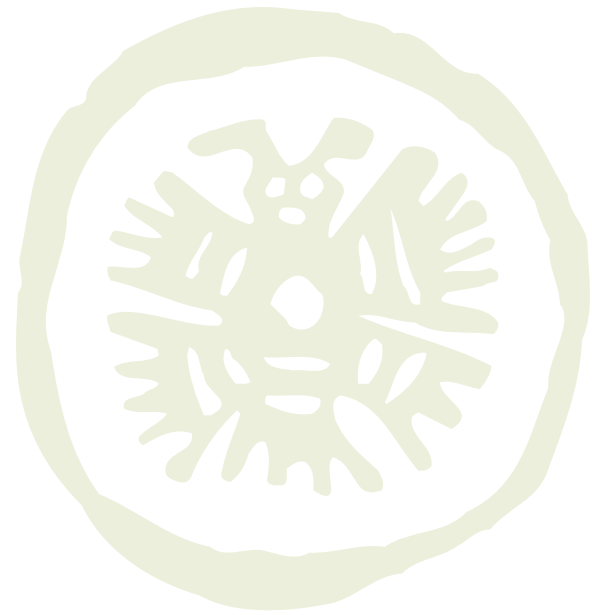
MALDEF was able to improve advocacy efforts through an upgrade of our organizational website, [www.maldef.org](http://www.maldef.org), and a new immigrant rights and advocacy website, [www.truthinimmigration.org](http://www.truthinimmigration.org). The Truth in Immigration website serves as a watchdog for countering misinformation reported about immigrants and in turn serves to provide accurate research about immigrants. For example, MALDEF issued a written rebuttal to a misleading report by the Center for Immigration Studies and a video rebuttal to an inaccurate CBS News report. MALDEF continues to closely monitor the national immigration debate and works to ensure that the information disseminated to the public is verified and, if necessary, made accurate through this website.

## MALDEF / FRIED, FRANK, HARRIS, SHRIVER & JACOBSON LLP FELLOWSHIP

For many years now, the law firm of Fried, Frank, Harris, Shriver & Jacobson LLP has provided MALDEF with recently-graduated attorney fellows committed to serving MALDEF. Through the Fried, Frank, Harris & Jacobson LLP Fellowship, the law firm trains attorney fellows for two years, and then pays their salaries while the fellows serve MALDEF for two subsequent years. At the end of their four-year commitment, the fellows may interview to return to the firm or to stay on as permanent staff at MALDEF. This year, MALDEF was supported by two Fried, Frank, Harris, Shriver & Jacobson LLP Fellows, one in the Los Angeles Regional Office and one in the San Antonio Regional Office.



MALDEF COMMUNITY EDUCATION  
PROGRAMS AND POLICY ANALYSIS  
AND ADVOCACY HIGHLIGHTS



# MALDEF

## LAW SCHOOL SCHOLARSHIP PROGRAM

Today's law students will be tomorrow's Latino civil rights advocates, and MALDEF stands by our founders' vision that our community's lawyers can and should be among America's leaders. The MALDEF Law School Scholarship Program awards scholarships to law school students of any race or ethnicity based upon three primary factors: demonstrated involvement in and commitment to serve the Latino community through the legal profession; academic and professional achievement; and financial need. Through our scholarship program, MALDEF seeks to support the attorneys who will serve the Latino community for the next generation.

### 2008-2009 MALDEF LAW SCHOOL SCHOLARSHIP RECIPIENTS

MELISSA C. DEL AGUILA  
CORNELL LAW SCHOOL

SOPHIA J. ALONSO  
RUTGERS SCHOOL OF LAW

DIANA R. BANQUERO  
NORTHWESTERN UNIVERSITY SCHOOL OF LAW

JUSTIN R. CHAPA  
STANFORD LAW SCHOOL

OCTAVIO DURAN  
MICHIGAN STATE UNIVERSITY SCHOOL OF LAW

BENJAMIN J. LOCKE  
NYU SCHOOL OF LAW

BRENDA LOPEZ-ROMERO  
SYRACUSE UNIVERSITY COLLEGE OF LAW

RAZIEH M. TAVAKOLI  
SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

# MALDEF

## COMMUNITY HONOREES

### 28TH ANNUAL CHICAGO AWARDS DINNER JUNE 19, 2008

LIFETIME ACHIEVEMENT AWARD AND COMMUNITY SERVICE AWARD  
BLANCA VARGAS, PRESIDENT OF LULAC OF CICERO AND NATIONAL LULAC CHAPLAIN

CORPORATE SOCIAL RESPONSIBILITY AWARD  
COMCAST

EXCELLENCE IN LEGAL SERVICE AWARD  
DANIEL J. HURTADO, PARTNER AT JENNER & BLOCK LLP

### 10TH ANNUAL WASHINGTON, DC AWARDS DINNER FEBRUARY 24, 2009

CORPORATE SOCIAL RESPONSIBILITY AWARD  
MARRIOTT INTERNATIONAL

COMMUNITY SERVICE AWARD  
ANTI-DEFAMATION LEAGUE (ADL)

EXCELLENCE IN LEGAL SERVICE AWARD  
ALLIANCE FOR JUSTICE (AFJ)

### 24TH ANNUAL SAN ANTONIO AWARDS DINNER SEPTEMBER 18, 2008

CORPORATE SOCIAL RESPONSIBILITY AWARD  
SOUTHWEST AIRLINES

MATT GARCIA PUBLIC SERVICE AWARD  
THE HONORABLE DELIA GARCIA, KANSAS HOUSE OF REPRESENTATIVES

EXCELLENCE IN LEGAL SERVICE AWARD  
NORMA CANTÚ, PROFESSOR OF LAW AND EDUCATION AT THE UNIVERSITY OF TEXAS

### 8TH ANNUAL ATLANTA AWARDS DINNER APRIL 16, 2009

LIFETIME ACHIEVEMENT AWARD  
REV. DR. JOSEPH E. LOWERY, THE COALITION FOR THE PEOPLES' AGENDA

COMMUNITY SERVICE AWARD  
JERRY GONZALEZ, GEORGIA ASSOCIATION OF ELECTED OFFICIALS (GALEO)

EXCELLENCE IN LEGAL SERVICE AWARD  
BONDURANT, MIXSON & ELMORE, LLP

### 34TH ANNUAL LOS ANGELES AWARDS DINNER NOVEMBER 13, 2008

LIFETIME ACHIEVEMENT AWARD  
FRANK J. QUEVEDO, VICE PRESIDENT OF SOUTHERN CALIFORNIA EDISON

MALDEFIAN AWARD  
FORD FOUNDATION

CORPORATE SOCIAL RESPONSIBILITY AWARD  
PRUDENTIAL FINANCIAL

COMMUNITY SERVICE AWARD  
MALDEF TUCSON DESEGREGATION CASE PLAINTIFFS  
MARIA MENDOZA, EDDIE CONTRERAS, SYLVIA CAMPOY, & DR. LEONARD STEVENS



# CONTRIBUTING TO A BRIGHTER FUTURE

## \$150,000+

BP  
The Bill and Melinda Gates Foundation  
The Ford Foundation

## \$100,000+

Anheuser-Busch  
Fried, Frank, Harris, Shriver & Jacobson, LLP  
Open Society Institute  
The Evelyn and Walter Haas, Jr. Fund  
Time Warner

## \$75,000+

Bank of America  
Carnegie Corporation of New York  
Marguerite Casey Foundation  
The Chicago Community Trust  
The Joyce Foundation  
United Way  
Verizon

## \$50,000+

California Community Foundation  
Chicago Lawyer's Committee for Civil Rights Under Law  
Citigroup  
Coca-Cola  
Comcast  
McDonald's  
O'Melveny & Myers, LLP

## \$20,000+

AT&T  
The Annie E. Casey Foundation  
ComEd  
J.M. Kaplan Fund  
Kaiser Permanente  
Gerald LeBeau  
Polk Bros. Foundation  
Prudential Financial  
Semptra Energy  
Sodexo  
Southern California Edison  
Joseph Stern  
Toyota  
John Trasviña  
Univision  
WalMart  
Washington Mutual

## \$10,000+

Blank Rome LLP  
CBS  
Alejandro Caffarelli  
David & Katherine Moore Family Foundation

Maria Echeveste  
Entravision  
Exxon Mobil  
Frank Herrera  
Harrah's  
Honda  
Arturo Jauregui  
Jenner & Block LLP  
Levi Strauss Foundation  
Alex Mestas  
National Education Association  
Northrop Grumman Corp.  
Michael A. Olivas & Agustina Reyes  
Proskauer Rose LLP  
Frank J. Quevedo  
The James Irvine Foundation  
Union Bank of California  
United Parcel Service  
University of California Los Angeles

## \$5,000+

AARP  
Angelo Amador  
Arnold & Porter LLP  
Banco Popular  
BBVA Bancomer USA  
Blum-Kovler Foundation  
California Teachers Association  
David Carrillo  
City National Bank  
Fluor Foundation  
Foley & Ladner LLP  
Domingo Garcia  
Rey Gonzalez  
Colleen Haas  
H-E-B Grocery Company  
Mickey Ibarra  
Los Angeles Times  
Patricia Madrid  
Manatt, Phelps & Phillips LLP  
Marriott  
Mayer Brown LLP  
Munger, Tolls & Olson LLP  
National Council of La Raza  
New Prospect Foundation  
Nielsen  
Ramona's Food Products  
Thomas Reston  
Doug Ring  
RR Donnelley Foundation  
Southwest Airlines  
Sutherland Asbill & Brennan LLP  
The Empowerment Fund  
Universal Studios  
Vinson & Elkins LLP  
Weigart Foundation

## \$2,500+

Abbott Laboratories  
ABC7  
Albertsons  
AltaMed Group, Inc.  
Altria  
American Federation of Teachers  
AztecAmerica Bank  
Bank of the West  
Bromley Communications  
California State University Foundation  
California State University Fullerton  
Covington & Burling  
Diaz Foods  
Drinker Biddle & Reath LLP  
Duane Morris, LLP  
Edison International Employee Contribution Campaign  
Jerry B. Epstein  
Exelon Corporation  
Fox 11/KTTV  
Franczek Sullivan P. C.  
Goldstein, Demchak, Baller, Borgen & Dardarian  
Harris Bank  
Health Care Service Corp  
Hill & Knowlton  
Home Depot  
ING  
International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers  
International Association of Heat & Frost Insulators and Allied Workers  
Katz Law Office LTD  
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Benjamin Hernandez-Stern  
Intercultural Development Research Association  
International Union of Bricklayers and Allied Craftworkers  
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Lewis, Feinberg, Renaker & Jackson, P.C.  
LM Capital Group, LLC  
LULAC National Office  
Methodist Healthcare Ministries of South Texas  
Mexican American Bar Association of San Antonio  
Mexican American Hispanic Physicians Association  
Morgan & Morgan  
Morgan Keegan & Company  
National Organization for Mexican American Rights  
Michelle Niemmietz  
John O'Sullivan  
Maria Saldana  
Shefsky & Froelich  
Katherine Sugg  
TACHE  
Tapert Insurance Company  
TDECU  
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The California Wellness Foundation  
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Jose Martinez  
Zixta Martinez  
Enrique Moreno  
Susana Navarro  
Chon Noriega  
Kevin O'Neill  
Frank Olgin  
Yolanda Orozco  
Patrick Ortiz  
Fernando Pavon  
Charles Pereya-Suarez  
Bradley Phillips  
Edith Ramirez  
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Yvette Rivera  
John Rosales  
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Rosa Salamanca  
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Wellington Webb  
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Angela Zavala

# MALDEF

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## INDEPENDENT AUDITOR'S REPORT

MEXICAN AMERICAN LEGAL DEFENSE  
AND EDUCATIONAL FUND

I have audited the accompanying combined statement of financial position of the Mexican American Legal Defense and Educational Fund (a nonprofit corporation) as of April 30, 2009, and the related combined statements of activities, cash flows, and functional expenses for the year then ended. These financial statements are the responsibility of the Organization's management. My responsibility is to express an opinion on these financial statements based on my audit. Information for the year ended April 30, 2008, is summarized and presented for comparative purposes only and was extracted from the financial statements for that year, on which an unqualified opinion dated September 16, 2008 was expressed.

I conducted my audit in accordance with U.S. generally accepted auditing standards. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for my opinion.

In my opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Mexican American Legal Defense and Educational Fund as of April 30, 2009 and its changes in net assets, cash flows, and functional expenses for the year then ended, in conformity with U.S. generally accepted accounting principles.

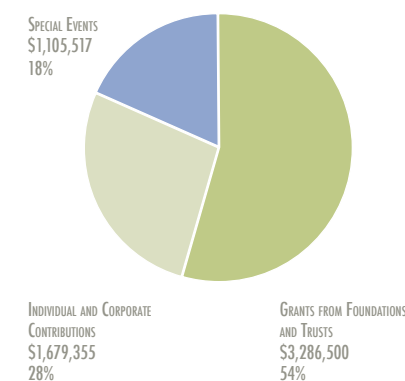
My audit was conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The supporting schedules of functional expenses and the summary of program expenses accompanying the basic financial statements are presented for additional analysis and are not a required part of those statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in my opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Michael W. Duran, C.P.A.

Fullerton, California  
November 19, 2009

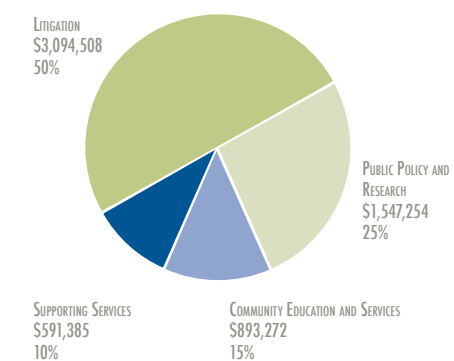
### TOTAL PUBLIC SUPPORT

- GRANTS FROM FOUNDATIONS AND TRUSTS
- INDIVIDUAL AND CORPORATE CONTRIBUTIONS
- SPECIAL EVENTS



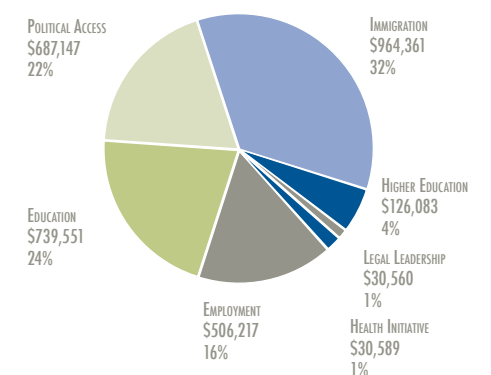
### TOTAL EXPENSE ALLOCATION

- LITIGATION
- PUBLIC POLICY AND RESEARCH
- COMMUNITY EDUCATION AND SERVICES
- SUPPORTING SERVICES



### LEGAL EXPENSE ALLOCATION

- EMPLOYMENT
- HIGHER EDUCATION
- POLITICAL ACCESS
- LEGAL LEADERSHIP
- IMMIGRATION
- HEALTH INITIATIVE





FINANCIAL STATEMENTS

MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND COMBINED STATEMENT OF FINANCIAL POSITION  
April 30, 2009 (WITH SUMMARY INFORMATION FOR PRIOR YEAR)

	UNRESTRICTED	TEMPORARILY RESTRICTED	PERMANENTLY RESTRICTED	TOTAL ALL FUNDS 2009	2008
<b>ASSETS</b>					
CASH AND CASH EQUIVALENTS	\$716,025	\$444,494	\$250,000	\$1,410,519	\$1,574,815
INVESTMENTS	1,408,218	1,134,439	26,406	2,569,063	4,462,708
ACCOUNTS RECEIVABLE	1,020,933			1,020,933	1,851,173
GRANTS AND PLEDGES RECEIVABLE		2,963,454		2,963,454	1,060,425
PREPAID EXPENSES	26,130			26,130	107,664
DEPOSITS	24,318			24,318	24,318
LAND AND BUILDING	10,402,519			10,402,519	10,300,846
DC OFFICE SUITE	1,859,805			1,859,805	1,859,805
FURNITURE AND EQUIPMENT	1,098,138			1,098,138	1,285,638
LAW LIBRARY	217,499			217,499	217,499
LESS: ACCUMULATED DEPRECIATION	(5,044,533)			(5,044,533)	(4,866,070)
<b>TOTAL ASSETS</b>	<b>\$11,729,052</b>	<b>\$4,542,387</b>	<b>\$276,406</b>	<b>\$16,547,845</b>	<b>\$17,878,821</b>
<b>LIABILITIES</b>					
ACCOUNTS PAYABLE	\$252,538	\$		\$252,538	\$264,173
ACCRUED VACATION	151,401			151,401	200,276
DEFERRED LEASE INCENTIVE	10,545			10,545	21,088
DEPOSITS	69,279			69,279	25,961
NOTES PAYABLE, BANK OF AMERICA	1,480,202			1,480,202	1,579,118
NOTE PAYABLE, SMALL BUSINESS ADMIN.	72,008			72,008	79,795
NOTES PAYABLE, CRA	3,940,189			3,940,189	4,164,088
FIDUCIARY AND FELLOWSHIP ACCOUNTS		23,431		23,431	115,136
<b>TOTAL LIABILITIES</b>	<b>5,976,162</b>	<b>23,431</b>	<b>0</b>	<b>5,999,593</b>	<b>6,449,635</b>
<b>NET ASSETS</b>					
DESIGNATED FOR LITIGATION RESERVE	75,744			75,744	74,772
UNDESIGNATED	1,808,565			1,808,565	3,116,536
PLANT FUND	3,868,581			3,868,581	4,196,117
RESTRICTED BY DONORS		4,518,956	276,406	4,795,362	4,041,761
<b>TOTAL NET ASSETS</b>	<b>5,752,890</b>	<b>4,518,956</b>	<b>276,406</b>	<b>10,548,252</b>	<b>11,429,186</b>
<b>TOTAL LIABILITIES AND NET ASSETS</b>	<b>\$11,729,052</b>	<b>\$4,542,387</b>	<b>\$276,406</b>	<b>\$16,547,845</b>	<b>\$17,878,821</b>

FINANCIAL STATEMENTS

MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND COMBINED STATEMENT OF FINANCIAL POSITION  
April 30, 2009 (WITH SUMMARY INFORMATION FOR PRIOR YEAR)

	UNRESTRICTED	TEMPORARILY RESTRICTED	PERMANENTLY RESTRICTED	ROCKEFELLER PROG. RESERVE	TOTAL ALL FUNDS 2009	2008
<b>PUBLIC SUPPORT AND REVENUE</b>						
PUBLIC SUPPORT						
GRANTS FROM FOUNDATIONS AND TRUSTS	\$1,100,649	\$2,185,851	\$	\$	\$3,286,500	\$947,555
INDIVIDUAL AND CORPORATE CONTRIBUTIONS	516,637	1,162,718			1,679,355	1,464,011
SPECIAL EVENTS	1,105,517				1,105,517	1,196,704
<b>TOTAL PUBLIC SUPPORT</b>	<b>2,722,803</b>	<b>3,348,569</b>	<b>0</b>	<b>0</b>	<b>6,071,372</b>	<b>3,608,270</b>
<b>REVENUE</b>						
PROFESSIONAL FEES AND AWARDS	641,478				641,478	1,092,463
MALDEF PROPERTY MANAGEMENT CORP.	(266,010)				(266,010)	(22,649)
INTEREST INCOME	5,809				5,809	65,230
DIVIDEND INCOME	130,483				130,483	101,466
INVESTMENT GAINS (LOSSES)	(1,392,389)		(23,474)		(1,415,863)	(98,189)
OTHER INCOME (EXPENSE)	64,420				64,420	86,599
<b>TOTAL REVENUE</b>	<b>(816,209)</b>	<b>0</b>	<b>(23,474)</b>	<b>0</b>	<b>(839,683)</b>	<b>1,224,920</b>
<b>TOTAL SUPPORT AND REVENUE</b>	<b>1,906,594</b>	<b>3,348,569</b>	<b>(23,474)</b>	<b>0</b>	<b>5,231,689</b>	<b>4,833,190</b>
NET ASSETS RELEASED FROM RESTRICTIONS	2,671,494	(762,589)	(300,000)	(1,608,905)		
<b>EXPENSES</b>						
PROGRAM SERVICES						
LITIGATION	3,094,508				3,094,508	3,215,112
PUBLIC POLICY AND RESEARCH	1,533,458				1,533,458	1,479,808
COMMUNITY EDUCATION AND SERVICES	893,272				893,272	985,245
<b>TOTAL PROGRAM SERVICES</b>	<b>5,521,238</b>				<b>5,521,238</b>	<b>5,680,165</b>
<b>SUPPORTING SERVICES</b>						
MANAGEMENT AND GENERAL	334,429				334,429	374,687
FUNDRAISING AND SPECIAL EVENTS	256,956				256,956	340,211
<b>TOTAL SUPPORTING SERVICES</b>	<b>591,385</b>				<b>591,385</b>	<b>714,898</b>
<b>TOTAL EXPENSES</b>	<b>6,112,623</b>				<b>6,112,623</b>	<b>6,395,063</b>
<b>CHANGE IN NET ASSETS</b>	<b>(1,534,535)</b>	<b>2,585,980</b>	<b>(323,474)</b>	<b>(1,608,905)</b>	<b>(880,934)</b>	<b>(1,561,873)</b>
<b>NET ASSETS AT BEGINNING OF YEAR</b>	<b>7,287,425</b>	<b>1,932,976</b>	<b>599,880</b>	<b>1,608,905</b>	<b>11,429,186</b>	<b>12,991,059</b>
<b>NET ASSETS AT END OF YEAR</b>	<b>\$5,752,890</b>	<b>\$4,518,956</b>	<b>\$276,406</b>	<b>\$0</b>	<b>\$10,548,252</b>	<b>\$11,429,186</b>

FINANCIAL STATEMENTS

MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND COMBINED STATEMENTS OF CASH FLOWS  
April 30, 2009, and 2008 FOR THE YEARS ENDED

	2009	2008		2009	2008
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			<b>RECONCILIATION OF CHANGE IN NET ASSETS TO CASH PROVIDED BY OPERATING ACTIVITIES</b>		
CASH RECEIVED FROM GRANTS AND CONTRIBUTIONS FOR PROGRAMS AND SUPPORTING SERVICES	3,062,826	\$2,496,286	CHANGE IN NET ASSETS	(\$880,934)	(\$1,561,873)
CASH RECEIVED FROM SPECIAL EVENTS	1,119,741	1,160,880	ADJUSTMENTS TO RECONCILE CHANGE IN NET ASSETS TO CASH PROVIDED BY OPERATIONS:		
CASH RECEIVED FROM PROFESSIONAL FEES/AWARDS	1,440,005	942,291	CAPITAL CAMPAIGNS & ENDOWMENTS	0	(400,000)
RENTAL INCOME RECEIVED	713,657	599,562	DEPRECIATION	366,021	344,046
INTEREST AND DIVIDEND INCOME	136,292	166,696	AMORTIZATION OF LOAN DISCOUNT	56,101	62,174
MISCELLANEOUS INCOME	64,420	86,599	INTEREST PAID THRU PROG. SERVICE CREDITS	60,000	60,000
	<b>6,536,941</b>	<b>5,452,314</b>	TOTAL PROGRAM SERVICE CREDITS EARNED	(340,000)	(340,000)
			INVESTMENT GAIN	1,415,863	98,189
CASH PAID FOR PROGRAMS AND SUPPORTING SERVICES	(5,897,451)	(6,207,638)	(INCREASE) DECREASE IN:		
CASH PAID FOR RENTAL EXPENSES, EXCLUDING INTEREST	(869,786)	(593,799)	GRANTS & PLEDGES RECEIVABLE	(1,903,029)	484,720
INTEREST PAID	(111,643)	(86,785)	ACCOUNTS RECEIVABLE	830,240	(187,241)
NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES	<b>(341,939)</b>	<b>(1,435,908)</b>	PREPAID EXPENSES	81,534	(89,564)
			DEPOSITS	0	2,448
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			INCREASE (DECREASE) IN:		
NET (ADDITIONS) WITHDRAWALS FROM INVESTMENTS	477,726	2,704,479	ACCOUNTS PAYABLE	(11,635)	16,923
BUILDING & TENANT IMPROVEMENTS	(101,673)	0	ACCRUED VACATION	(48,875)	82,237
PURCHASES OF FURNITURE AND EQUIPMENT	0	(13,041)	DEFERRED LEASE INCENTIVE	(10,543)	(10,543)
DEPOSIT/DOWN PAYMENT ON DC OFFICE	0	(1,009,805)	TENANT AND EVENT DEPOSITS	43,318	2,576
NET CASH PROVIDED (USED) BY INVESTING ACTIVITIES	<b>376,053</b>	<b>1,681,633</b>	<b>NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES</b>	<b>(\$341,939)</b>	<b>(\$1,435,908)</b>
			<b>SCHEDULE OF NONCASH INVESTING AND FINANCING ACTIVITIES</b>		
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>			SERVICE CREDITS APPLIED TO INTEREST	\$60,000	\$60,000
INCREASE (DECREASE) IN B OF A NOTES	(98,916)	(83,198)	CREDITS APPLIED TO CRA NOTE PRINCIPAL	280,000	280,000
PRINCIPAL PAYMENTS ON SBA LOAN	(7,787)	(9,384)	TOTAL PROGRAM SERVICE CREDITS EARNED	<b>\$340,000</b>	<b>\$340,000</b>
INCR (DECR) IN FIDUCIARY/FELLOWSHIP ACCOUNTS	91,705	7,162			
CASH RECEIVED FOR CAPITAL CAMPAIGN	0	79,934	<b>PURCHASE OF DC OFFICE SUITE</b>		<b>\$1,859,805</b>
ENDOWMENTS AND OTHER CAPITAL ADDITIONS	0	400,000	LESS, DOWN PAYMENT & DEPOSIT APPLIED		(1,059,805)
			AMOUNT FINANCED WITH NEW MORTGAGE		\$800,000
NET CASH PROVIDED (USED) BY FINANCING ACTIVITIES	(198,408)	394,514			
NET INCREASE (DECREASE) IN CASH	(164,294)	640,239			
BEGINNING CASH BALANCE	1,574,813	934,574			
<b>ENDING CASH BALANCE</b>	<b>\$1,410,519</b>	<b>\$1,574,813</b>			

NOTES TO FINANCIAL STATEMENTS

**NOTE A - ACCOUNTING PRINCIPLES AND POLICIES**

The financial statements of the Mexican American Legal Defense and Educational Fund (MALDEF), have been prepared on the accrual basis of accounting. The following summary of significant accounting principles and policies is presented to enhance the usefulness of the financial statements to the reader.

**NATURE OF ACTIVITIES**

MALDEF is a national nonprofit organization that seeks to promote and protect the civil rights of Latinos in the areas of education, employment, voting rights, immigration, and language issues. MALDEF also administers scholarships for Latino law students and conducts leadership development and community education programs.

MALDEF is headquartered in Los Angeles and has regional offices in Chicago, San Antonio, and Washington D.C., and a legislative policy office in Sacramento.

**FUND ACCOUNTING**

In order to ensure observance of limitations and restrictions placed on the use of resources available to MALDEF, its internal accounts are maintained in accordance with the principles of fund accounting. Resources for various purposes are classified for internal accounting purposes into funds established according to their nature and purpose.

**FINANCIAL STATEMENT PRESENTATION**

MALDEF presents its financial statements in accordance with Statement of Financial Accounting Standards (SFAS) No. 117, "Financial Statements for Not-for-Profit Organizations." Under SFAS No. 117, the Organization reports its financial position and activities under three broad categories relating to the existence and degree of outside restrictions: "Unrestricted," "Temporarily Restricted," and "Permanently Restricted."

**PUBLIC SUPPORT, REVENUE, AND EXPENSE RECOGNITION**

Public support is recognized as it is received or when an unconditional promise to give has been made to the Organization, and is categorized either as unrestricted, temporarily restricted, or permanently restricted depending on the existence and nature of any donor restrictions. Revenue is recognized as it is earned or as it accrues and Expenses are recognized as they are incurred. Donated assets are recorded when received and at their estimated fair market value.

Support restricted by the donor to a specific program or for a specific period is reported as an increase in temporarily restricted net assets. As the funds are released from their restrictions, they are reported as a transfer to unrestricted net assets. Endowments and other nonspendable grants are reported as an increase in permanently restricted net assets. All investment income, including interest, dividends, gains, and losses, unless specifically restricted by the donor, is recognized as unrestricted. All program and supporting expenses are reported as a reduction in unrestricted net assets.

**ESTIMATES**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

**INVESTMENTS**

MALDEF accounts for and presents its investments in marketable securities in accordance with SFAS No. 124, "Accounting for Certain Invest-

ments Held by Not-for-Profit Organizations." Under SFAS No. 124, the Organization is required to report its investments in marketable securities at fair market value and, accordingly, recognize currently all gains and losses both realized and unrealized.

**ACCOUNTS RECEIVABLE**

Accounts receivable consist principally of court-awarded fees and costs plus amounts due for special events and rents.

Court-awarded fees and costs are recorded when all events have occurred through the legal process to establish MALDEF's right to the funds and the amount can be determined with reasonable accuracy. As of the April 30, 2009, court-awarded fees and costs comprised \$919,973 of the accounts receivable.

**PROPERTY AND EQUIPMENT**

Purchases of land and building, furniture, fixtures, equipment, and capitalized additions to the law library, if any, are recorded at cost. Property and equipment received as donations are recorded at estimated fair market value.

Depreciation of property and equipment is calculated using the straight-line method over the estimated useful lives of the assets.

**INCOME TAXES**

MALDEF is exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code and under Section 23701d of California's Revenue and Taxation Code. Therefore, provisions for Federal and State income taxes are not required on income related to the Organization's exempt purpose.

**ACCRUED VACATION (PERSONAL LEAVE)**

Paid personal leave time accrues to MALDEF's full-time employees as follows:

- \*For continuous employment from 0- to 48 months - accrue 160 hours per year up to a maximum of 240 unused hours cumulative; and
- \*For continuous employment over 48 months - accrue 200 hours per year up to a maximum of 300 hours cumulative.

Part-time employees earn personal leave time on a pro-rated basis commensurate with their part-time status. Liability for unused vacation/personal leave is accounted for in accordance with Statement of Financial Accounting Standards No. 43, "Accounting for Compensated Absences," promulgated by the Financial Accounting Standards Board.

**NOTE B - COMBINED FINANCIAL STATEMENTS**

MALDEF'S financial statements combine the financial statements of its affiliate "MALDEF Property Management Corp." (MPMC), which was formed as a California corporation on May 3, 1991, for the purpose of acquiring the office building housing MALDEF's national headquarters in Los Angeles.

MPMC is a California public benefit corporation exempt from taxation under Section 501(c)(3) and formed as a supporting organization to MALDEF under Section 509(a)(3). Its exempt purpose is to own, renovate, and operate the building housing MALDEF's national headquarters and provide lease space principally to governmental agencies and organizations which are also exempt under Section 501(c)(3) and which

are dedicated to serving the minority communities within the inner city of Los Angeles. Its activities go beyond merely acting as landlord and extend to facilitating and assisting the programs carried on by its tenants and providing common facilities for their use. In addition, MPMC requires its tenants to participate in a joint council coordinating their activities to best serve the community.

The assets, liabilities, and net income of MPMC are combined with MALDEF's in the combined financial statements. The net income or loss from MPMC's operations is presented as a single line item under the Revenue subheading in the combined statement of activities. All inter-company revenue and expense items have been eliminated. (See Note 0.)

**NOTE C - CASH AND CASH EQUIVALENTS**

Cash and cash equivalents for purposes of the statement of cash flows consists of general checking and savings accounts, including certificates of deposit and money market funds immediately available. As of April 30, 2009, cash and equivalents were as follows:

	MALDEF FUNDS	FIDUCIARY ACCOUNTS	TOTAL
PETTY CASH	\$4,109		\$4,109
GENERAL SAVINGS & CHECKING	1,064,128	23,431	1,087,559
MONEY MARKET FUNDS	278,646		278,646
CERTIFICATES OF DEPOSIT	40,205		40,205
	<b>\$1,387,088</b>	<b>\$23,431</b>	<b>\$1,410,519</b>

The amount of general savings and checking placed with financial institutions and in excess of Federally insured limits at April 30, 2009, was \$606,081.

**NOTE D - INVESTMENTS AND FAIR VALUE MEASUREMENT**

Investments, which consist entirely of publicly traded marketable securities, are stated at fair market value. The cost and market values of investments at April 30, 2009, were as follows:

	COST	MARKET	UNREALIZED G(L)
U.S. TREASURY NOTES & FUNDS	\$282,377	\$282,088	\$(289)
OTHER FIXED INCOME	419,230	418,371	(859)
COMMON STOCKS & EQUITY FUNDS	2,540,787	1,868,604	(672,183)
	<b>\$3,242,394</b>	<b>\$2,569,063</b>	<b>\$(673,331)</b>

The above schedule presents the Organization's fair value measurements of assets measured on a recurring basis as of April 30, 2009. The Market value presented consists entirely of Level 1 Inputs representing quoted prices in active markets for identical assets.

All investment income, including interest, dividends, and gains and losses (both realized and unrealized), flows from the above scheduled investments. Such investment income is reported as unrestricted unless specifically restricted by the donor.

For the year ended April 30, 2009, the investment loss of \$(1,415,863) reported in the combined statement of activities includes investment fees of \$(35,725), and represents the net change in market value of securities held during the year.



## NOTES TO FINANCIAL STATEMENTS

### NOTE E - GRANTS AND PLEDGES RECEIVABLE

Grants and pledges receivable consist of formal grants and other unconditional promises to give to the Organization. The scheduled collection of grants and pledges receivable at April 30, 2009, is as follows:

SCHEDULED TO BE RECEIVED WITHIN ONE YEAR	\$2,282,358
SCHEDULED TO BE RECEIVED IN ONE TO FIVE YEARS	737,689
TOTAL RECEIVABLE	3,020,047
LESS, PLEDGE DISCOUNT AT 3.0% DISCOUNT RATE	(56,593)
<b>CARRYING AMOUNT</b>	<b>\$2,963,454</b>

The Organization has also been pledged \$1,000,000 as a future bequest in support of its work in the area of immigrant rights.

### NOTE F - PROPERTY AND EQUIPMENT

Property and equipment as of April 30, 2009, and the estimated lives used for depreciation, are summarized as follows:

	COST OR BASIS	USEFUL LIFE
LA LAND	\$ 660,000	
LA BUILDING & IMPROVEMENTS	9,406,512	40 Yes.
LA TENANT IMPROVEMENTS	234,334	5-10 Yes.
LA CONSTRUCTION-IN-PROGRESS	101,673	
DC OFFICE BUILDING SUITE	1,859,805	40 Yes.
FURNITURE & EQUIPMENT	1,029,138	5-10 Yes.
TOILE EQUIPMENT NOT IN USE	69,000	
LAW LIBRARY	217,499	10 Yes.
	<b>\$13,577,961</b>	

For the current year, management has written off and removed from the category of furniture and equipment \$187,500 of cost, representing fully depreciated and replaced computer hardware which was being carried on the Organization's books. There was no gain or loss as a result of this write-off.

Depreciation expense for the DC office suite and the Organization's general furniture, fixtures, and equipment for the current year was \$95,979 and is allocated within program and supporting services expenses. Depreciation expense for the LA building and the related furniture, fixtures, and equipment was \$270,040 and is included in the net income or (loss) from MALDEF Property Management Corp. shown in the combined statement of activities.

### NOTE G - ROCKEFELLER PROGRAM RESERVE FUND

In May 1988, MALDEF received a special stabilization grant from The Rockefeller Foundation in support of its litigation activities and establishing a program reserve fund endowment of \$736,963. In April 1994 and January 1999, the Foundation increased the reserve fund with additions of \$371,942 and \$500,000, respectively, raising the total reserve to \$1,608,905.

In September 2008, the Foundation authorized the release of the reserve fund for MALDEF's unrestricted use in support of its current litigation activities.

### NOTE H - NOTES PAYABLE, BANK OF AMERICA

The Organization has a term loan with Bank of America with a current balance of \$708,895. The interest rate on the loan is 6.75% per year and it is secured by all of the Organization's equipment, inventory, receivables, and general intangibles. The loan is to be repaid in monthly installments of \$10,908 through January 10, 2011, at which time all

remaining principal is due.

The Organization's purchase mortgage for its Washington, DC office suite is also with Bank of America. The original loan amount of \$800,000 has been paid down to a current balance of \$771,307. The interest rate on the mortgage is 7.0% per year and it is secured by the office suite. The mortgage is to be repaid in monthly installments of \$6,252 through October 5, 2017, at which time all remaining principal is due.

### NOTE I - NOTE PAYABLE, SMALL BUSINESS ADMINISTRATION

On May 10, 1995, the Small Business Administration (SBA) authorized a loan to MPMC of up to \$189,700 to repair damages caused by the January 1994 Northridge earthquake. Interest on amounts borrowed is at 4.0% per annum. Monthly payments of \$913, principal and interest, began October 18, 1995, and are to continue at the same amount on any remaining balance through the full thirty-year term of the note, which matures on May 18, 2025.

The note is secured by deed of trust but is subordinate to the CRA notes (see below), and MALDEF is guarantor on the note.

A total of \$160,500 was drawn on the note through April 1999 with an additional \$29,200 available. However, no additional funds have been drawn since, and Management believes no further draws will be required. If no further amounts are drawn, the current principal balance of \$72,008 will be fully amortized by January 2017.

### NOTE J - NOTES PAYABLE, CRA

On June 4, 1992, MALDEF's affiliate, MALDEF Property Management Corp. (MPMC) (see Note B, above), entered into an "Owner Participation and Loan Agreement" with The Community Redevelopment Agency of the City of Los Angeles (the "CRA") in connection with the renovation of its newly acquired building. In accordance with the agreement, the CRA provided construction financing of \$4,500,000, consisting of a "Commercial Rehabilitation Loan" for \$2,000,000 and a "Residual Receipts Loan" of \$2,500,000. In addition, accrued interest of \$300,000 through August 1, 1996, was added to the Residual Receipts Loan principal under the agreement, raising the total amount due to \$4,800,000.

On June 28, 2002, the City Council approved a fee-for-service repayment plan for both the Residual Receipts Loan and the Commercial Rehabilitation Loan. Under this plan, expenditures by MALDEF on its educational, healthcare outreach, and public policy programs in the City of Los Angeles, above an established baseline, will be credited toward repayment of principal on the Residual Receipts Loan and interest on the Commercial Rehabilitation Loan.

To implement the fee-for-service repayment plan, and as a result of formal negotiations with the CRA, two new promissory notes, collectively referred to as the "Modified Notes," dated May 3, 2005, were executed as the "Interest-Only Note" and the "Residual Receipts Note." The Interest-Only Note is for \$2,180,000, consisting of \$2,000,000 in principal plus \$180,000 in accrued interest through December 31, 2004, and the Residual Receipts Note is for \$3,274,543, consisting of \$2,800,000 in principal plus \$474,543 in accrued interest through March 21, 2002. Both notes are secured by deed of trust and provide restrictions on transfer or refinancing of the property, but carry no prepayment penalties.

The Interest-Only Note states an annual 3.0% simple interest rate, payable by credits earned under the fee-for-service repayment plan with a maximum annual credit of \$60,000. Any unpaid principal and interest

are fully due and payable in ten years, or upon an earlier sale or refinancing of the property.

The Residual Receipts Note provides 0% interest commencing March 22, 2002, and the total of principal and accrued interest through March 21, 2002 is scheduled for repayment over 11.7 years through credits earned under the fee-for-service plan, with a maximum annual credit of \$280,000. If not fully paid sooner through the fee-for-service plan, the Note fully matures on its 40th anniversary.

The accrued interest added to the CRA financing and made part of these Modified Notes has been accounted for as deferred interest to be charged ratably to income as credits are recognized under the fee-for-service repayment plan. Based on an anticipated payment schedule reflecting the maximum annual service credits each year, imputed interest at 2.8% per year will be recognized uniformly over the terms of the notes. Accordingly, the carrying amount of the notes is derived as follows:

	APRIL 30	APRIL 30
	2009	2008
INTEREST-ONLY NOTE	\$2,000,000	\$2,000,000
RESIDUAL RECEIPTS NOTE	2,154,543	2,434,543
<b>REMAINING BALANCE</b>	<b>4,154,543</b>	<b>4,434,543</b>
<b>LESS, UNAMORTIZED DISCOUNT</b>	<b>(214,354)</b>	<b>(270,455)</b>
<b>CARRYING AMOUNT</b>	<b>\$3,940,189</b>	<b>\$ 4,164,088</b>

### NOTE K - SUMMARY OF NOTE MATURITIES

YEAR ENDING	B OF A	CRA	SBA	TOTAL
APRIL 30,	NOTES	NOTES	NOTE	
2010	\$106,668	\$230,142	\$8,187	\$344,997
2011	644,855	236,558	8,521	889,934
2012	23,992	243,154	8,869	276,015
2013	25,890	249,933	9,230	285,053
2014	27,789	256,902	9,607	294,298

### NOTE L - FIDUCIARY AND FELLOWSHIP ACCOUNTS

MALDEF is often selected to act as the custodian of funds raised in certain collaborative efforts of other nonprofit organizations. As the fiscal agent for these cooperative programs, MALDEF holds donated funds in trust to be paid out as directed by the participating organizations. In addition, MALDEF administers certain fellowship programs for which reimbursement is received for interns carried on its payroll.

Amounts held in trust as a fiduciary and reimbursements received in advance under fellowship programs are reported as a restricted liability. Amounts advanced by MALDEF to these collaborative efforts and fellowship programs are included in unrestricted accounts receivable.

### NOTE M - COMMITMENTS AND CONTINGENCIES

#### EMPLOYEE BENEFITS AND INSURANCE COVERAGE

MALDEF employees are provided a full range of employee benefits, including health, life, and disability insurance, and professional liability insurance for attorneys. Coverage commences on the first day of the month following the employee's date of hire.

### OPERATING LEASES

MALDEF leases the office facilities at its regional and satellite offices outside of Los Angeles. The Organization also leases various items of office equipment used at these locations and its national headquarters. As of April 30, 2009, the future minimum rentals due under these operating leases were as follows:

YEAR ENDING	FACILITIES	EQUIPMENT
APRIL 30,		
2010	\$ 194,782	\$ 58,279
2011	172,236	39,682
2012	127,578	39,682
2013	129,924	20,393
2014	132,336	0
	<b>\$ 756,856</b>	<b>\$ 158,036</b>

Facilities rent for the current year was \$203,057, and equipment rental (including month-to-month rentals) was \$75,744. Both expenses have been allocated among program and supporting services.

Excluded from the facilities rent above is MALDEF's lease of its national headquarters in Los Angeles, which is leased from its sponsored affiliate MPMC (see Notes B and O). For the year ended April 30, 2009, MALDEF's lease expense with MPMC, which is eliminated in the combined financial statements, was \$112,896.

### NOTE N - RETIREMENT PLAN

On May 1, 1991, MALDEF adopted a defined contribution tax-deferred annuity plan in accordance with rules provided under Section 403(b) of the Internal Revenue Code. The plan covers all MALDEF employees as they become eligible to participate.

Under the plan, employees may elect to contribute a percentage of their gross salary up to a statutory maximum. MALDEF makes a matching contribution of the first four percent (4.0%) of an employee's elective contribution.

MALDEF's matching contributions for the current year were \$78,716.

### NOTE O - MALDEF PROPERTY MANAGEMENT CORP.

As explained in Note B, MALDEF's financial statements combine the operations of its supporting organization MALDEF Property Management Corp. (MPMC), which was formed to own and operate as a nonprofit center the commercial building housing MALDEF's national headquarters in Los Angeles.

Reported as one line item under the Revenue subheading in the statement of activities is the net loss of \$(266,010) from MPMC's operations. This net loss is comprised of the net rental loss for the year of \$(486,759), interest expense of \$(119,270), and offsetting service credits of \$340,000 earned under the fee-for-service repayment plan with the CRA of Los Angeles (see Note J). (The net rental loss for the year excludes inter-company rent received from MALDEF of \$112,896.)

### LEASING OPERATIONS

MPMC leases out the office space of its entire building under operating leases for varying terms and rates per square foot. As of April 30, 2009, the building is rented at ninety-two percent (92%) of capacity, including the lease to MALDEF, and is leased under operating leases providing

## NOTES TO FINANCIAL STATEMENTS

future minimum rentals as follows:

	YEAR ENDING	UNRELATED	MALDEF
	APRIL 30,	TENANTS	
2010		\$498,602	\$116,300
2011		300,496	116,300
2012		213,909	116,300
2013		221,441	116,300
2014		154,882	116,300
		<b>\$1,389,330</b>	<b>\$581,500</b>

### NOTE P - RESTRICTIONS ON NET ASSETS

Temporarily restricted net assets consist of funds earmarked by donors for specific programs or to be utilized over a designated period. As of April 30, 2009, restricted funds are scheduled for release over the next two fiscal years and are allocated to programs and uses as follows:

EMPLOYMENT	\$119,175
EDUCATION	648,506
IMMIGRATION	486,413
PARENT SCHOOL PARTNERSHIP	587,966
POLITICAL ACCESS	164,827
HIGHER EDUCATION	36,083
SCHOLARSHIP	102,975
LEADERSHIP	87,072
INTERNSHIP	300,000
ACCESS TO JUSTICE	64,734
PUBLIC RESOURCE EQUITY	7,509
HOMETOWN ASSOCIATION	24,496
DOMESTIC VIOLENCE	48,609
CENSUS	700,000
MEDIA	25,054
GENERAL SUPPORT	1,115,538
<b>TOTAL</b>	<b>\$ 4,518,957</b>

Permanently restricted net assets consist of endowments of \$226,406 in support of MALDEF's scholarship program and an endowment of \$50,000 in support of its student loan assistance program.

George Rodriguez is regarded as a “people’s historian”, having captured in spectacular photography some of our nation’s most legendary figures, including history makers as diverse as Cesar Chavez, Dolores Huerta, the Kennedy Family, Michael Jackson, Jim Morrison, Dr. Dre, and Marilyn Monroe. While he is an acclaimed photojournalist in the motion picture, television, and music industries, George Rodriguez regards his favorite work as that of documenting Latino life and civil rights issues. “I have my camera with me every day. I photograph the scenes, and the changes ... the new immigrants, the people. It’s all a part of the story”.

George Rodriguez has been a part of MALDEF’s own history for many years, documenting our organization’s evolution and the Latino community’s simultaneous struggles and successes throughout. When MALDEF opened our non-profit center in downtown Los Angeles, George Rodriguez was one of the first community members to lease a studio there in order to maintain a tie to the civil rights work that underlies so many of his iconic images. “I feel very privileged to have this connection with MALDEF. I’m not exactly a MALDEFian, but I feel good to be a part of MALDEF in a special way”. Then and now, MALDEF considers George Rodriguez a community treasure, and was grateful for the opportunity to showcase some of George Rodriguez’s work in this year’s Annual Report.



## PHOTO ESSAY BY GEORGE RODRIGUEZ







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