

April 20, 2012

Hon. Greg Abbott
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Houston, Texas 77027

J. Christopher Diamond
THE DIAMOND LAW FIRM, P.C.
17484 Northwest Freeway
Suite 150
Houston, Texas 77040

Re: *Texas Taxpayer & Student Fairness Coalition, et al., v. Robert Scott, et al.*,
Cause No. D-1-GN-11-003130 [Consolidated Case]

Calhoun County Independent School District, et al., v. Robert Scott, et al.,
Cause No. D-1-GV-11-001917;

Edgewood Independent School District, et al., v. Robert Scott, et al.,
Cause No. D-1-GV-11-001972; and

Fort Bend Independent School District, et al., v. Robert Scott, et al.,
Cause No. D-1-GV-11-002028

Dear Counsel:

This letter is sent pursuant to Rule 11 of the Texas Rules of Civil Procedure, and will confirm that the parties have agreed to the following procedures in connection with the above-captioned litigation:

Haynes and Boone, LLP
Attorneys and Counselors
2323 Victory Avenue, Suite 700
Dallas, Texas 75219
Phone: 214.651.5000
Fax: 214.651.5940
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- Depositions will be taken by agreement, with all parties agreeing in advance upon the dates for depositions. If agreement cannot be reached after good faith efforts, parties reserve the right to take depositions by notice. The parties will use the same court reporting/videographing service for all depositions. The parties will seek to obtain such reporting and videographing services at discount rates, and will coordinate with one another regarding the selection of an appropriate vendor.
- All court filings, discovery requests, discovery responses, and correspondence will be served on the other parties by e-mail.
- Documents will be produced on a rolling basis as soon as they have been located and numbered. If copies are produced, the originals will be made available for inspection upon request.
- All deposition exhibits will be numbered sequentially X-1, X-2, etc., regardless of the identity of the deponent or the side introducing the exhibit and the same numbers will be used in pretrial motions and at trial. In the event of multiple depositions running on the same day, the parties will agree to a protocol for numbering the exhibits used during those depositions (for example, selecting a particular range of previously unused numbers for each deposition).
- Unless otherwise agreed between the producing and receiving parties, the default mode of production for Excel documents will be production both (1) in native Excel format (subject to agreements regarding metadata fields to include in production) and (2) in TIF or PDF format.
- Unless otherwise agreed between the producing and receiving parties, the default mode of production for all other documents will be production in TIF or PDF format.
- The parties will operate under the provisions of Federal Rule of Civil Procedure 26(b)(3) and (4) with respect to the discoverability of expert report drafts and communications between attorneys and experts.
- The production of a privileged document does not waive the privilege as to other privileged documents. Documents that the other side claims are privileged can be snapped back when it is discovered they were produced without any need to show the production was inadvertent.

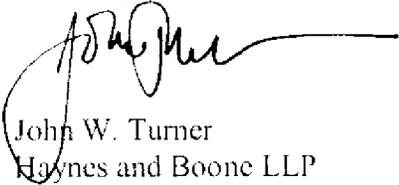
If the foregoing accurately reflects the parties' agreement, please sign where indicated and return the signature pages to me.

haynesboone

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Sincerely,



John W. Turner
Haynes and Boone LLP
Direct Dial: (214) 651-5671
Direct Fax: (214) 200-0780
john.turner@haynesboone.com

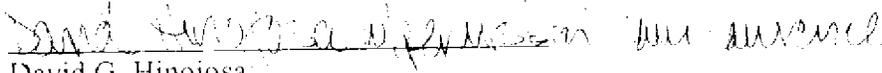
Agreed:

Shelley N. Dahlberg *Shelley N. Dahlberg* *RET # 2405513*
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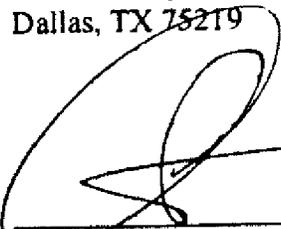
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