NOTICE SENT: FINAL INTERLOCUTORY NONE
DISP PARTIES:
DISP CODE: CVD / CLS
REDACT PGS:
JUDGE JKD CLERK IAT

DC BK12233 PG643

CAUSE NO. D-1-GN-11-003130

Filed in The District Court of Travis County, Texas
AUG 17 2012 BP
At 10:00 Am
Amalia Rodriguez-Mendoza, Clerk

THE TEXAS TAXPAYER & STUDENT FAIRNESS COALITION, et al; CALHOUN COUNTY ISD, et al; EDGEWOOD ISD, et al; FORT BEND ISD, et al. Plaintiffs	§	IN THE DISTRICT COURT
JOYCE COLEMAN, et al Intervenors	§	
vs.	§	200th JUDICIAL DISTRICT
ROBERT SCOTT, COMMISSIONER OF EDUCATION, IN HIS OFFICIAL CAPACITY; SUSAN COMBS, TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, IN HER OFFICIAL CAPACITY; TEXAS STATE BOARD OF EDUCATION, Defendants.	§	TRAVIS COUNTY, TEXAS

Unofficial copy Travis Co. District Clerk Velva L. Price

ORDER GRANTING AGREED AND UNOPPOSED MOTION TO CONSOLIDATE FOR FILING PURPOSES, DISCOVERY AND TRIAL

On this day came on to be heard Defendants' Agreed and Unopposed Motion to Consolidate for Filing Purposes, Discovery and Trial.

The Court having reviewed the Motion and any argument of counsel for the parties finds that these suits involve common issues of law and fact and relate substantially to the same subject matter; that similar evidence will be material, relevant and admissible in all suits; and State defendants will be able to more effectively and economically defend against the claims of unconstitutionality against the Texas public school finance system if all the claims are in one suit as opposed to six suits.

Therefore, the Court ORDERS that Cause No. D-1-GN-12-001923, *Mario Flores, et al. v. Robert Scott, et al.,* is consolidated with Cause No. D-1-GN-11-003130, *the Texas Taxpayer & Student Fairness Coalition, et al., v. Robert Scott, Commissioner of Education, et al.,* in the District Court of Travis County, Texas 250th Judicial District, the Honorable John K. Dietz, presiding.

The Consolidation of these cases is with the understanding that the parties do not intend for this consolidation to be construed as limiting the right of any party to present evidence or examine witnesses relevant to any issue in the consolidated cases. Further, it is understood that if the Court denies any motion for summary judgment or a plea to the jurisdiction to any of the claims of any of the parties, including interveners, filed by the State Defendants, and that denial is subject to an interlocutory appeal and stay pursuant to TEX. CIV. PRAC. & REM. CODE section 51.014(a)(8) or any other law, should the State Defendants appeal, the challenged claim shall be severed from the remaining claims, and the State Defendants and other parties unequivocally agree they will not seek to stay the consolidated proceedings, including discovery and trial.

This consolidation is neither without prejudice to any of the above-named plaintiffs' challenging the present or future intervention of any party into any of the aforementioned lawsuits, nor does it constitute any waiver by Edgewood I.S.D., et al., to challenge the court's jurisdiction to hear the claims of the Mario Flores plaintiffs or filing special exceptions to said petition. This consolidation does not modify or rescind the current Scheduling Order deadline of May 15, 2012 regarding the striking of interventions as it applies to the Efficiency Intervenors.

The Court ORDERS the Clerk to consolidate the above named cases under Cause No. D-1-GN-11-003130.

SIGNED.

Unofficial copy Travis Co. District Clerk Velva L. Price

August 17, 2012

JUDGE PRESIDING

AGREED:

Shelley Dahlberg for Defendants, and with permission for
David Thompson, Mark Trachtenberg, David Hinojosa,
and Robert Schulman for Plaintiffs, and Chris Diamond for intervenors.

AGREED AS TO FORM ONLY:

by Shelley Dahlberg w/ permission

Toni Hunter
Counsel for Texas Taxpayer Plaintiffs

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