

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

THE TEXAS TAXPAYER & STUDENT FAIRNESS COALITION, et al.	§	IN THE DISTRICT COURT
	§	
Plaintiffs	§	
	§	
	§	
vs.	§	200 <sup>th</sup> JUDICIAL DISTRICT
	§	
MICHAEL L. WILLIAMS, COMMISSIONER OF EDUCATION, IN HIS OFFICIAL CAPACITY, et al.	§	
	§	
	§	
Defendants.	§	TRAVIS COUNTY, TEXAS

**EFFICIENCY INTERVENORS' SUPPLEMENTAL OBJECTIONS TO EXHIBITS AND  
OBJECTIONS AND COUNTER-OFFERS TO DEPOSITION EXCERPTS**

In response to exhibits and deposition excerpts offered by the parties in this case, the Efficiency Intervenors provide the following objections:

To the extent parties cross-offer any of the following exhibits, and particularly when a different exhibit number is used, a single objection to a document is incorporated for every iteration of that exhibit as designated by any party.

**MASTER EXHIBIT LIST**

Efficiency Intervenors object to the following articles on the basis of hearsay, hearsay within hearsay, and no predicate laid for its admission –

- 496 (Gilcrease – The Effect of School District Size on the Deployment of Staff)
- 1066 (Blincoe - Picus Article)
- 1067 (Blincoe - 21<sup>st</sup> Century Report)
- 1081 (Lopez - The Process of Becoming)
- 1107 (Izquierdo - Defining an Adequate Education)
- 1157 (Duncombe – Defining District Needs)
- 1158 (Duncombe – Are Education Cost Functions Ready for Prime Time)
- 1312-1325 (Odden articles)
- 1331 (Casey – The Economic Impacts of Texas School District Capital Spending)
- 1332 (Casey – The Need to Amend the “50-Cent Debt Texas”)

Efficiency Intervenors object to the following expert reports on the basis of hearsay, hearsay within hearsay, and no predicate laid for its admission -

- 164 (Witte – Impact of School Facilities)
- 219 (Knight – The Education Advantages property wealthy districts have)
- 1031 (Lesley – Money Still Matters)

1039 (Colbert Expert Report)  
1065 (Blincoe Dissertation and Report)  
1068 (Facilities: Fairness & Effects)  
1079 (Schanzenbach Expert Report)  
1080 (Lopez Expert Report)  
1083 (Lopez Expert Report)  
1085 (Pompa Expert Report)  
1104 (Izquierdo Expert Report)  
1109 (Pierce Expert Report)  
1110 (Pierce Report)  
1122 (Vigdor Expert Report)  
1123 (IDRA Report)  
1161 (Kallison Report)  
1335 (Moak Report)

### **TEXAS TAXPAYER & STUDENT FAIRNESS COALITION'S EXHIBITS**

Efficiency Intervenors object to the following expert reports on the basis of hearsay, hearsay within hearsay, and no predicate laid for its admission –

3187 (Pierce Expert Report)  
3188 (Baker Report)  
3190 (Colbert Report)  
3190-A (Colbert Supplemental Report)  
3195 (Lesley Report)  
3223 (Lesley expert report deposition exhibit)  
3224 (Colbert expert report deposition exhibit)  
1328 (Casey Report)  
1142 (Duncombe Report)  
1143 (Duncombe Supplemental Report)  
1334 (Moak Report)  
1336 (Moak Supplemental Report 1)  
1339 (Moak Supplemental Report 2)  
1340 (Moak Supplemental Report 3)

Efficiency Intervenors object to the following articles on the basis of hearsay, hearsay within hearsay, and no predicate laid for its admission– 2000 (Issue Paper – Klein).

The Efficiency Intervenors object to the admission of discovery responses as they are not proper exhibits, they are hearsay, or hearsay within hearsay, and no predicate has been laid for their admission – 3210 (Intervenors' Answers to TTSFC Interrogatory Nos. 16, 17, 18, 20).

### **CALHOUN COUNTY EXHIBITS**

Efficiency Intervenors object to the following expert reports on the basis of hearsay, hearsay within hearsay, and no predicate laid for its admission –

5500 (Harris Report)

5520 (Odden Report)

Efficiency Intervenors object to the following articles on the basis of hearsay, hearsay within hearsay, and no predicate laid for its admission –

5548-5567 (Various Articles)

5569-5575 (Various Articles)

5598 (Baker Article).

The Efficiency Intervenors object to the admission of Efficiency Intervenors' discovery responses as they are not proper exhibits, they are hearsay, or hearsay within hearsay, and no predicate has been laid for their admission – 5637, 5638, 5641, 5645, 5646

### **EDGEWOOD EXHIBITS**

Efficiency Intervenors object to the following expert reports on the basis of hearsay, hearsay within hearsay, and no predicate laid for its admission –

4000 (Cortez Expert Report)

4222 (Barnett Report/Article)

4223 (Barnett Report/Article)

Efficiency Intervenors object to the following articles on the basis of hearsay, hearsay within hearsay, and no predicate laid for its admission –

4023 (Article – American Youth Policy Forum)

4187 (Lopez article)

4188 (Lopez article)

4197 (Cortez article/study)

4199 (Cortez Colorado data)

4200 (Cortez article/report)

4203-4209 (Various articles)

### **FORT BEND EXHIBITS**

Efficiency Intervenors object to the following expert reports on the basis of hearsay, hearsay within hearsay, and no predicate laid for their admission –

1328 (Casey Amended Report)

1142 (Duncombe Report)

1143 (Duncombe Supplemental Report)

1334 (Moak Report)

1336 (Moak Supplemental Report 1)

1339 (Moak Supplemental Report 2)

1340 (Moak Supplemental Report 3)

323 (Revised Corrected Moak Report)

325 (Revised Corrected Moak Supp. Report 1)

326 (Revised Corrected Moak Supp. Report 3)

330 (Murdock Report)

331 (Murdock Supplemental Report)



**CERTIFICATE OF SERVICE**

I hereby certify that, on the 19<sup>th</sup> day of October 2012 a true and correct copy of the above and foregoing has been served by email on the following:

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/s/

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