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Travis District
D-1-GN-11-003130

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

THE TEXAS TAXPAYER & STUDENT FAIRNESS COALITION; ALIEF I.S.D., CANUTILLO I.S.D., ELGIN I.S.D., GREENVILLE I.S.D., HILLSBORO, I.S.D., HUTTO I.S.D., LAKE WORTH I.S.D., LITTLE ELM I.S.D., NACOGDOCHES I.S.D., PARIS I.S.D., PFLUGERVILLE I.S.D., QUINLAN I.S.D., SAN ANTONIO I.S.D., STAMFORD I.S.D., TAYLOR I.S.D., VAN I.S.D.; RANDY PITTENGER; CHIP LANGSTON; NORMAN BAKER; BRAD KING; and SHELBY DAVIDSON, as Next Friend of CORTLAND, CARLI AND CASI DAVIDSON,	§	IN THE DISTRICT COURT
Plaintiffs	§	
vs.	§	
MICHAEL WILLIAMS, COMMISSIONER OF EDUCATION, IN HIS OFFICIAL CAPACITY; SUSAN COMBS, TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, IN HER OFFICIAL CAPACITY; TEXAS STATE BOARD OF EDUCATION,	§	200TH JUDICIAL DISTRICT
Defendants.	§	TRAVIS COUNTY, TEXAS

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TEXAS TAXPAYER & STUDENT FAIRNESS COALITION PLAINTIFFS' FIRST SUPPLEMENTAL DESIGNATION OF EXPERT WITNESSES

Pursuant to Rule 194(f), the Scheduling Order entered October 4, 2013, and the Parties' Rule 11 Agreement entered into on August 16, 2012, the Texas Taxpayer & Student Fairness Coalition Plaintiffs hereby supplement their designation of experts in this case.

The following experts may testify at trial either live or by deposition testimony:

1. Dr. Wayne Pierce
   400 West 15th Street, Suite 300
   Austin, Texas 78701

Mr. Pierce will testify regarding the public school finance system in Texas and the impact of the changes made to the system as a result of the actions taken by the 83rd Legislature, including the funding discrepancies between property-poor districts and property-wealthy districts and how those discrepancies were affected as a result of the actions taken by the 83rd Legislature; he will discuss the gaps in funding between these two categories of districts at various percentiles in M&O funding and I&S funding, and how they have changed as a result of the actions of the 83rd Legislature; and he will testify regarding the gaps between these districts at various tax rates and how those gaps have been affected as a result of the actions of the 83rd Legislature. He will testify regarding the tax rates various districts at various percentiles of wealth would have to adopt to achieve various levels of funding and how these required tax rates have changed due to the actions of the 83rd Legislature. He will compare performance levels in various percentiles of district wealth. Mr. Pierce will testify regarding the adverse effects that insufficient weights for Compensatory Education and English Language Learner students has on property-poor districts. Mr. Pierce's opinions are based on TEA data. He may be called as a rebuttal witness on issues raised by the testimony and reports of other witnesses.

Mr. Pierce may also testify about any matter addressed in his written report. A copy of Mr. Pierce's Report along with a copy of his resume, list of publications, and prior testimony will be served in accordance with the Scheduling Order which has been entered in this matter.

Mr. Pierce will also provide his availability for deposition in accordance with the Scheduling Order which has been entered in this matter.

2. Richard E. Gray, III
Gray & Becker, P.C.
900 West Avenue
Austin, Texas 78701
(512) 482-0061

Mr. Gray will testify regarding the reasonableness an necessity of any attorneys' fees and expenses sought and/or incurred by any party in this case. He will testify that the fees sought are customary for work on this type of case in this area. In rendering his opinions, Mr. Gray will review pleadings and documents produced in this case and will base his opinions on his education, experience, and any work performed in this case. He may also testify about the reasonableness and necessity of any expert fees incurred in this case. Mr. Gray has not made any reports in this case at this time.

Mr. Gray's curriculum vitae is attached.

Mr. Gray will be available for deposition at a mutually agreeable time.

In addition to the experts designated above, the TEXAS TAXPAYER & STUDENT FAIRNESS COALITION, ET AL. is sharing the following experts with other Plaintiff groups who will be providing the information required in the Scheduling Order for these experts:

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a. Mr. Lynn Moak
Moak, Casey & Associates, LLP
400 W. 15th St., Suite 1410
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b. Mr. Daniel T. Casey
Moak, Casey & Associates, LLP
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c. Dr. Curtis Culwell
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Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that on October 14, 2013, a true and correct copy of *Plaintiffs' First Supplemental Designation of Expert Witnesses* was served upon the following counsel of record via email pursuant to the agreement of the parties and in compliance with the Texas Rules of Civil Procedure and the Texas Local Rules:

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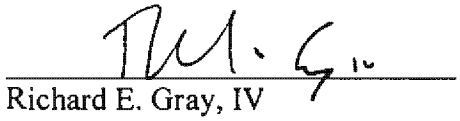

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Richard E. Gray, III -- Preparatory education: Washington and Lee University, B.A. with honors (1973); legal education: University of Texas School of Law, J.D. with honors (1976). Private practice of law with BUTLER, BINION, RICE, COOK & KNAPP, Houston, Texas, specializing in litigation (1976-80); Executive Assistant to Attorney General Mark White (1980-82); has served as Special Counsel to Attorney General Jim Mattox (1983-86) and Special Counsel to Attorney General Daniel Morales (January 1991-92). Admitted to practice before the United States Supreme Court, Texas Supreme Court, United States Court of Appeals for the Fifth Circuit, and the United States District Courts for the Northern, Southern, Eastern, and Western Districts of Texas. Member: Omicron Delta Kappa; American Bar Association; State Bar of Texas; Travis County Bar Association; and American Board of Trial Advocates. Listed in: Who's Who Among Students in American Universities and Colleges; Who's Who in American Law; Who's Who Among Rising Young Americans; "The Best Lawyers in America"; and "Texas Super Lawyers".

Notables:

- Lead counsel for the poor school districts in the school finance litigation case *Edgewood v. Kirby*;
- Represented the State of Texas in the prison reform litigation case *Ruiz v Estelle*;
- Represented the State of Texas in the higher education school finance litigation *GBLAC v. Richards*;
- Represented elected officials in redistricting litigation from1980 to present.

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