

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

TEXAS TAXPAYER & STUDENT
FAIRNESS COALITION, et al.,

Plaintiffs,

VS.

MICHAEL WILLIAMS, Commissioner of
Education, et al.,

Defendants.

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

200TH JUDICIAL DISTRICT

CONSOLIDATED CASE:

CALHOUN COUNTY INDEPENDENT
SCHOOL DISTRICT, et al.,

Plaintiffs,

VS.

MICHAEL WILLIAMS, Commissioner of
Education, et al.,

Defendants.

**CALHOUN COUNTY ISD PLAINTIFFS' OBJECTIONS TO
STATE DEFENDANTS' WITNESS LIST**

The Calhoun County ISD Plaintiffs file this their Objections to State Defendants' Witness List. The Calhoun County ISD Plaintiffs object to any and all testimony from the following witnesses identified on the State Defendants' Witness List: (1) Gloria Zyskowski, (2) Rob Coleman, (3) Susie Coultress, (4) Linda Roska, (5) Sally Partridge, and (6) Justin Porter. None of these witnesses were identified on the State Defendants' latest designation of fact witnesses, as required by the Court's Amended Scheduling Order.

The Court's Amended Scheduling Order required the State Defendants to designate their fact witnesses by September 16, 2013. The State Defendants had included the individuals listed

above as potential witnesses on their Amended Preliminary Designation of Fact Witnesses for 2014 Trial, dated September 17, 2013. (See attached Exhibit A). The State Defendants then *removed* each of these witnesses, except Gloria Zyskowski, from their Second Amended Preliminary Designation of Fact Witnesses for 2014 Trial, dated October 24, 2013. (See attached Exhibit B). The State Defendants then removed all of these witnesses, *including* Ms. Zyskowski, from their Third Amended Designation of Fact Witnesses for 2014 Trial, dated November 5, 2013, which is their latest designation of fact witnesses. (See attached Exhibit C). In reliance on the State Defendants' removal of these witnesses from their witness list, none of these witnesses were deposed.

The Calhoun County ISD Plaintiffs therefore object to the State Defendants' inclusion of these witnesses on their Witness List, when these individuals were not included on the State Defendants' latest designations of fact witnesses.

Respectfully submitted,

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/s/ Michelle C. Jacobs

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Exhibit A

Unofficial copy Travis Co. District Clerk Velve L. Price

(“TEA”), and the State of Texas, designate the following persons who may be called to testify as fact witnesses, either live or by deposition, in the January 2014 trial of this matter:

1. Lisa Dawn-Fisher
2. Shirley Beaulieu
3. Monica Martinez
4. Gloria Zyskowski
5. Shannon Housson
6. Rob Coleman

In the event the scope of the trial extends beyond changes to the law made during the 83rd Texas Legislative Session, Defendants may call the following additional fact witnesses:

7. Susie Coultriss
8. Howard Morrison
9. Linda Roska
10. Sally Partridge
11. Justin Porter

Defendants expressly reserve the right to call as fact witnesses any party or party representative to this suit, and any person designated as a fact witness or called to testify by any other party in this action.

Defendants further reserve the right to designate or call additional witnesses for purposes of rebuttal as contemplated by the Texas Rules of Civil Procedure.

Respectfully submitted,

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Exhibit B

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(“TEA”), and the State of Texas, designate the following persons who may be called to testify as fact witnesses, either live or by deposition, in the January 2014 trial of this matter:

1. Lisa Dawn-Fisher
2. Shirley Beaulieu
3. Monica Martinez
4. Gloria Zyskowski
5. Shannon Housson

Defendants expressly reserve the right to call as fact witnesses any party or party representative to this suit, and any person designated as a fact witness or called to testify by any other party in this action.

Defendants further reserve the right to designate or call additional witnesses for purposes of rebuttal as contemplated by the Texas Rules of Civil Procedure.

Respectfully submitted,

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Exhibit C

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Respectfully submitted,

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