

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

TEXAS TAXPAYER & STUDENT
FAIRNESS COALITION, *et al.*,

Plaintiffs,

VS.

MICHAEL WILLIAMS, TEXAS
COMMISSIONER OF EDUCATION, *et al.*,

Defendants

IN THE DISTRICT COURT OF

Consolidated Case:

FORT BEND INDEPENDENT SCHOOL
DISTRICT, *et al.*,

Plaintiffs,

VS.

MICHAEL WILLIAMS, TEXAS
COMMISSIONER OF EDUCATION, *et al.*,

Defendants.

TRAVIS COUNTY, TEXAS

200TH JUDICIAL DISTRICT

**ISD PLAINTIFFS' JOINT REPLY TO DEFENDANTS' SUPPLEMENTAL RESPONSE
TO PLAINTIFFS' AND INTERVENORS' REQUESTS FOR ATTORNEYS' FEES**

TO THE HONORABLE JUDGE OF THE COURT:

Plaintiffs Fort Bend ISD, *et al.*, ("FBISD Plaintiffs"), Calhoun County ISD, *et al.*, ("CCISD Plaintiffs"), Texas Taxpayer & Student Fairness Coalition, *et al.*, ("TTSFC Plaintiffs"), and Edgewood ISD, *et al.*, ("Edgewood Plaintiffs") (collectively, the "ISD Plaintiffs") file this Reply to State Defendants' Supplemental Response to Plaintiffs' and Intervenors' Request for Attorneys' Fees ("State's Supplemental Response") and respectfully request that the Court award the full amount of attorneys' fees requested by the ISD Plaintiffs and overrule the Defendants' objections.

I. INTRODUCTION

The ISD Plaintiffs seek declarations under the Uniform Declaratory Judgment Act that the State's school finance system violates article VII, section 1, including a declaration concerning which clause/constitutional standard is violated and in what manner. Specifically, the FBISD Plaintiffs, the CCISD Plaintiffs, the TTSFC Plaintiffs, and the Edgewood Plaintiffs all seek declarations that the system is not adequately funded and *therefore* fails to suitably provide the resources necessary for a general diffusion of knowledge. *See* FBISD Plaintiffs' Seventh Amended Petition at ¶ 157, [*hereinafter* FBISD Petition]; CCISD Plaintiffs' Third Amended Petition at ¶ 73 [*hereinafter* CCISD Petition]; TTSFC Plaintiffs' Ninth Amended Original Petition and Request for Declaratory Judgment at ¶ 66 [*hereinafter* TTSFC Petition]; *see also* CCISD Petition at ¶ 75 (requesting declaration that school districts must be able to finance the cost of meeting the constitutional mandate of adequacy within the range of taxing authority not subject to a tax ratification election); Edgewood Plaintiffs' Third Amended Petition at ¶¶ 109-10 [*hereinafter* Edgewood Petition] (requesting declaration that system is inadequate and unsuitable for low income and English Language Learner students). The FBISD Plaintiffs and CCISD Plaintiffs also seek a declaration that the school finance system is not structured, operated, or funded so that it can accomplish a general diffusion of knowledge and is therefore unsuitable. FBISD Petition at ¶ 163; CCISD Petition at ¶ 77. The Edgewood Plaintiffs also seek a declaration that the current public school finance system is inadequate and unsuitable for the provision of a general diffusion of knowledge for the Plaintiff districts and the districts where individual Plaintiffs reside at a tax rate of \$1.04. Edgewood Petition at ¶ 118; *see also* Edgewood Petition at ¶ 90 (averring that the current school finance system under Chapter 42 for low income and ELL students is arbitrarily structured and funded so that school districts are not

reasonably able to afford all students, especially low income and ELL students, access to the educational opportunity necessary to accomplish a general diffusion of knowledge). In addition, the FBISD Plaintiffs, TTSFC Plaintiffs, and Edgewood Plaintiffs seek declarations that the system is inefficient and inequitable because it does not provide substantially equal access to funds up to the level of a general diffusion of knowledge. *See* FBISD Petition at ¶ 160; TTSFC Petition at ¶ 66; Edgewood Petition at ¶ 108 (seeking declaration that system is financially and quantitatively inefficient); *see also* Edgewood Petition at ¶ 14 (seeking declaration that the equalization provisions, including the cap on tax rates and recapture, remain essential components of a school finance system so long as the Legislature continues to rely on local property values). In addition, the TTSFC Plaintiffs seek a declaration that not only is the system inefficient and inequitable because it does not provide substantially equal access to funds up to the level of a general diffusion of knowledge, but that the amount of local supplementation in the system has become so great that it, in effect, destroys the efficiency of the entire system.

Each of the ISD Plaintiffs also seek declarations that the school finance system prevents districts from exercising meaningful discretion in setting their tax rates, and therefore violates article VIII, section 1-e. *See* FBISD Petition at ¶ 161; CCISD Petition at ¶ 70; TTSFC Petition at ¶ 67; *see also* Edgewood Petition at ¶¶ 87, 92 (seeking a declaration that low-wealth districts, including the Edgewood Districts, have been forced to tax at or near the \$1.17 cap and have no meaningful discretion).

Following the conclusion of the initial trial on the merits, the Court orally ruled in the ISD Plaintiffs' favor—including an oral pronouncement of each of the requested declarations—on February 4, 2013. *See* RR45:176-78. The ISD Plaintiffs then each submitted their initial fee requests and affidavits to the Court in late February and early March 2013. The State objected to

these fee requests—arguing that the “redundant remedies” doctrine compels the Court to deny Plaintiffs’ fee request *in toto* and also lodging objections to certain categories of time entries. In a communication to counsel on August 2, 2013, the Court informed the parties of its tentative rulings on these objections, reducing each of the ISD Plaintiffs’ initial fee requests by varying amounts. In summary, given the extensive number of parties, witnesses, exhibits, and preparation necessary for the trial, the Court declined the State’s invitation to rule that only one attorney could effectively represent each of the ISD Plaintiffs’ group each day during trial. Likewise, the Court declined the State’s invitation to rule that any attorneys’ fees related to the Intervenors’ or the Charter School Plaintiffs’ claims were unnecessary. The Court further declined to strike fees for expert witnesses who were subsequently withdrawn when that decision had not been made when the fees were incurred. In general, the Court adjusted the attorneys’ fee awards for amounts the Court has deemed inequitable or unjust to recover, such as time directed at recruiting districts, public relations, or technology training or time that is insufficiently described. The Court noted favorably the ISD Plaintiffs’ efforts to submit fee requests that have been stripped of extraneous time.

After the reopening of the evidence and the completion of the second phase of the trial, the ISD Plaintiffs submitted updated fee requests and supporting affidavits for time incurred from March 2013 forward. The ISD Plaintiffs did not challenge this Court’s prior proposed rulings on the State’s objections; each plaintiff group reduced their fee request for the first phase of trial to correspond with the Court’s tentative rulings and did not include any requests for the types of fees from the second phase of the trial that the Court indicated would not be allowed. The State then filed its Supplemental Response to the requests for the fees incurred from March 2013 forward. As with their first response, the State argues that the requests should be denied

based on the “redundant remedies” doctrine, or, in the alternative, reduced based on objections to certain specific time entries. For the reasons detailed below and in the prior briefing, each of these arguments fail, and equity and justice demand that the ISD Plaintiffs be reimbursed for the full amount of their amended fee requests, the entirety of which are reasonable and necessary.¹

II. ARGUMENT

A. **The Texas Supreme Court and the Third Court of Appeals repeatedly have held that the UDJA is the appropriate vehicle for asserting constitutional challenges and that attorneys’ fees can be awarded to the challengers.**

The State first repeats its argument that the ISD Plaintiffs could have brought their claims directly under the Texas Constitution and therefore are not entitled to an award of fees under the Uniform Declaratory Judgment Act (UDJA). *See* TEX. CIV. PRAC. & REM. CODE ANN. §§ 37.001-37.011. The ISD Plaintiffs’ response to this faulty argument is largely set forth in the ISD Plaintiffs’ joint reply to the State’s initial response and objections.² As noted in that initial joint reply, on numerous occasions, the Third Court of Appeals has concluded that the UDJA is the appropriate vehicle for challenging the constitutionality of statutes and has determined that attorneys’ fees can be awarded to the challengers. *See, e.g., Local Neon Co. v. Strayhorn*, No. 03-04-00261-CV, 2005 WL 1412171, at *8 (Tex. App.—Austin June 16, 2005, no pet.) (mem. op.) (finding that plaintiffs should be allowed to proceed with challenge to constitutionality of various tax code statutes and rules through declaratory judgment action, and that plaintiffs could seek attorneys’ fees in connection with claims); *State v. Anderson Courier Serv.*, 222 S.W.3d 62,

¹ Some of the ISD Plaintiffs have filed or may yet file supplemental briefing to respond to specific objections made by the State to their respective fee applications not covered here.

² *See* ISD Plaintiffs’ Joint Reply to Defendants’ Second Amended Response to Plaintiffs’ and Intervenors’ Request for Attorneys’ Fees and Objections to Defendants’ Request for Attorneys’ Fees (“ISD Plaintiffs’ Initial Reply”).

66-67 (Tex. App.—Austin 2005, pet. filed) (in successful declaratory judgment action challenging the constitutionality of statute, plaintiffs could have obtained attorneys’ fees had they not waived their request for fees); *Hays Cnty. v. Hays Cnty. Water Planning P’ship*, 106 S.W.3d 349, 362-63 (Tex. App.—Austin 2003, no pet.) (affirming declaration that commissioners’ court violated article V, section 18 of Texas Constitution and affirming trial court’s award of attorneys’ fees); *Bullock v. Regular Veterans Ass’n of U.S. Post No. 76*, 806 S.W.2d 311, 316 (Tex. App.—Austin 1991, no writ) (affirming declaration that Bingo Enabling Act was unconstitutional and affirming trial court’s award of attorneys’ fees); *see also Democracy Coal. v. City of Austin*, 141 S.W.3d 282, 296 (Tex. App.—Austin 2004, no pet.) (holding that “declaratory judgments act may be used to clarify constitutional imperatives.”).

In stating that none of the Third Court cases address the question of the redundant remedies doctrine, the State ignores the cases that distinguish between UDJA claims that seek to declare a statutory scheme unconstitutional, in which attorneys’ fees are allowed, and those that seek a more limited determination of rights, in which attorneys’ fees are not. *See AVE, Inc. v. Comal Cnty.*, No. 03-05-00183-CV, 2008 WL 2065857 at *5-6 (Tex. App.—Austin May 14, 2008, no pet.) (mem. op.) (UDJA counterclaim redundant and attorneys’ fees not allowed *because* county sought declaration *only* that plaintiff’s actions violated local order (an action governed by TEX. LOCAL GOV’T CODE ANN. § 243.010) and *did not* seek declaration that the ordinance was constitutional); *Kuntz v. Khan*, No. 03-10-00160-CV, 2011 WL 182882 (Tex. App.—Austin Jan. 21, 2011, no pet.) (plaintiff not entitled to fees under UDJA because, “[a]lthough she presents several constitutional arguments as to how the Department’s actions affect her individually, she makes no broad constitutional challenge to the entire statutory scheme”); *cf. MBM Fin. Corp. v. Woodlands Op. Co.*, 292 S.W.3d 660, 670 (Tex. 2009)

(plaintiffs sought declarations regarding specific facts relevant to breach of contract claim, not as to constitutionality of statute).³

The State also misconstrues the ISD Plaintiffs' arguments regarding why *MBM Financial* does not apply to this case. 292 S.W.3d at 660. The State suggests that the ISD Plaintiffs drew a distinction between a statutory fee structure and a common-law fee structure. But that is not the distinction that matters. As both sides agree, *MBM Financial* stands for the proposition that the UDJA cannot be used to recover fees when such fees "are not permitted under the *specific* common-law or statutory claims." *Id.* at 670 (emphasis added), *see also* ISD Plaintiffs' Initial Reply at 7; State's Supplemental Response at 11. The ISD Plaintiffs agree that when a *specific* law—whether common law or statutory—governs the fee recovery for a specific type of claim, courts should look to that scheme. *See, e.g., Jackson v. State Office of Admin. Hearings*, 351 S.W.3d 290, 301 (Tex. 2011) ("allowing Jackson to recover attorneys' fees under the DJA when he cannot meet the requirements for their recovery under the TPIA would frustrate the limits

³ This distinction makes sense because the declaratory relief sought in a challenge to the constitutionality of an entire statutory scheme is essential and cannot be obtained from a suit directly under the Constitution, which allows only for equitable relief. *See* State's Supplemental Response at 10-11 (citing *Cobb v. Harrington*, 190 S.W.2d 709, 713 (Tex. 1945); *cf. University of Texas at Austin v. Ables*, 914 S.W.2d 712, 717 ("declaratory-judgment action upon which they claimed the right requested no greater or different relief than did their claim for damages resulting from age or sex discrimination") (emphasis added). Without the declaratory judgment provided for by the UDJA, the ISD Plaintiffs would not be able to seek or obtain a declaration as to which clause(s) of the Constitution was being violated—e.g. suitability, efficiency, or the requirement that the system achieve a general diffusion of knowledge. Such declarations are essential in a lawsuit such as this one—not merely requested in an attempt to obtain fees, as they were in the cases cited by the State. By way of example, there has been much debate between the ISD Plaintiffs, the State Defendants, and the Intervenor as to the meaning of the requirement for an "efficient system," and injunctive relief barring the operation of the unconstitutional system without any declaratory relief would not "provide a speedy and effective remedy" nor "determin[e] the rights of the parties" under the efficiency clause of Article VII, Section 1. *See Cobb*, 190 S.W.2d at 713. Similarly, a suit directly under the Constitution would not allow for the more specific declarations that school districts must be able to finance the cost of meeting the constitutional mandate of adequacy within the range of taxing authority not subject to a tax ratification election, or that the system is inadequate and unsuitable for specific student populations, or that certain equalization provisions are constitutionally necessary, as requested by some of the plaintiffs. *See* CCISD Petition at ¶ 75; Edgewood Petition at ¶¶ 109, 114. In these ways, the declaratory relief does not "merely duplicate the issues" that would be presented in a claim under the Constitution itself. *See MBM Fin.*, 292 S.W.3d at 670.

established by the TPIA.”); *Underwriters Lloyds of London v. Harris*, 319 S.W.3d 863, 865 (Tex. App.—Eastland 2010, no pet.) (because the plaintiff could not recover its attorney’s fees under CPRC § 38.001 for breach of contract claim, it could not recover them for redundant declaratory judgment claim under UDJA); cf. *Texas Dep’t of Pub. Safety v. Alexander*, 300 S.W.3d 62, 79 (Tex. App.—Austin 2009, pet. denied) (UDJA claim cannot be used to circumvent specific jurisdictional requirements of the Texas Commission on Human Rights Act).

But the State ignores the fact that the only specific law governing constitutional challenges to statutes is the UDJA itself. See *Texas Water Commission v. Lindsey*, 850 S.W.2d 183, 188 (Tex. App.—Beaumont 1992, no writ.) (“Here . . . appellees are attacking the constitutionality of the legislation itself. We believe this to be a primary purpose for the enactment of the Uniform Declaratory Judgment Act.”) (citing and quoting TEX. CIV. PRAC. & REM. CODE ANN. § 37.004).⁴ Therefore, the UDJA’s fee requirements are the proper ones to apply in this case.

B. The ISD Plaintiffs requested reimbursement of fees in amounts that are reasonable, necessary, and just.

In the alternative, the State argues that even if attorneys’ fees are permitted in this case under the UDJA, the Court should reduce the fees sought by each ISD Plaintiff to account for time worked on the case that it considers to be unreasonable, unnecessary, or unrecoverable. The question of whether fees are reasonable and necessary is a question of fact. See *Ridge Oil Co., Inc. v. Guinn Investments*, 148 S.W.3d 143, 161 (Tex. 2004). Each of the ISD Plaintiffs

⁴ The State Defendants take issue with this statement from the court of appeals, claiming that the UDJA can only have one primary purpose—“to ‘provide a speedy and effective remedy for the determination of the rights of the parties when a real controversy has arisen and even before the wrong has actually been committed’”—without acknowledging that one of the ways it does so is by allowing an “attack [on] the constitutionality of the legislation itself.” State’s Supplemental Response at 10 (quoting *Cobb*, 190 S.W.2d at 713).

submitted reasonable requests and supporting documentation that already reflect reduced fees to eliminate redundant or excess hours and reduced hourly rates for many of the attorneys involved. See Second Affidavit of Kevin T. O’Hanlon at ¶¶ 15, 18-19 and Exs. B & C; Second Affidavit of George W. Bramblett at ¶¶ 15-18 and Exs. B & C; Affidavit of Richard E. Gray, III at ¶ 7 and Exs. F-G; Supplemental Affidavit of David G. Hinojosa, ¶¶ 12(d) – (g). The affidavits submitted by the ISD Plaintiffs are of the type found to be sufficient to show that fees are reasonable and necessary. See, e.g., *Sundance Minerals, L.P. v. Moore*, 354 S.W.3d 507, 514-15 (Tex. App.—Fort Worth 2011, pet. denied); *McCalla v. Ski River Dev., Inc.* 239 S.W.3d 374, 381-82 (Tex. App.—Waco 2007, no pet.). Defendants do not submit any competing evidence to support their challenge to the reasonableness or necessity of the ISD Plaintiffs’ fee requests, nor do they cite any legal authority for their contention that certain categories of fee requests are by definition unreasonable and/or unnecessary.

Furthermore, most of the categories of objections in the State’s Supplemental Response are the same as those previously lodged and which the Court, in its communication with counsel regarding its proposed final judgment, indicated it planned to overrule. The newly lodged objections should be overruled for the same reasons:⁵

- (1) The State objects that more than one attorney present for meetings or hearings and trial attendance was “duplicative.” Because of the complexity of the issues and number of witnesses and exhibits in the re-opening, it was reasonable for more than one attorney to participate in trial and key trial preparation sessions.

⁵ For a fuller briefing of these issues, see the ISD Plaintiff’s Initial Reply at 10-17.

- (2) The State objects that any attorneys' fees related to the Intervenor's or the Charter School Plaintiffs' claims were unnecessary. As with the initial phase of trial, there was a close relationship between the claims of the Charter School Plaintiffs and the Intervenor and those of the ISD Plaintiffs, so it was necessary that the ISD Plaintiffs actively monitor and participate in the discovery and portion of the trial related to those claims.
- (3) The State objects that the ISD Plaintiffs' billing rates for travel time are unreasonable. Whether to reduce costs for travel, and if so by how much, is within the sound discretion of the court. *See, e.g., Watkins v. Fordice*, 7 F.3d 453, 459 (5th Cir. 1993) (abuse of discretion standard applied). Travel to Austin for depositions and trial preparation and attendance was both necessary and reasonable. In addition, the State regularly truncated the time descriptions in its objections, so as to make it appear as if an attorney billed only for travel, when in fact the attorney also billed for and described the reasonable and necessary meeting or event to which the attorney traveled. *See* Ex. [A] to State's Supplemental Response (denoting truncations with an *).
- (4) The State objects that fees for witnesses who were subsequently withdrawn were "unnecessary" even though the decision to withdraw had not been made when the fees were incurred. This blanket objection ignores the complexity of issues involved in the initial trial and the re-opening, and the reality of how such a complex case unfolds.⁶

⁶ For example, the State objects to the time spent by counsel for the FBISD Plaintiffs on the expert report of

(5) The State also objected to any time entry that included trial attendance during the re-opening and that was for more than five hours. Like the State's proposed seven hour limit during the initial phase, this limit is unreasonable and does not account for preparation and follow-up work that was performed before and after trial each day, as well as during lunch in many cases. In addition, as with travel time, the State's practice of truncating the time descriptions in its objections makes it appear as if an attorney billed only for attending trial, when in fact the attorney noted the additional reasonable and necessary work the attorney was doing — before, during, and after trial. *See* Ex. [A] to State's Supplemental Response (denoting truncations with an *).

In addition, in its Supplemental Response, the State objected to any time spent on attorneys' fees applications as unreasonable because it was "not directly related to representation of clients." *See* Ex. [A] to State's Supplemental Response at 1. As noted above, reasonableness is a question of fact. *Ridge Oil Co.*, 148 S.W.3d at 161. Each of the ISD Plaintiffs has submitted an affidavit in support of the reasonableness of their fee requests, and the State has not proffered any testimony or other evidence to counter those affidavits. Nor has the State pointed the Court to any legal authority for a contention that such time is unreasonable as a matter of law, and the ISD Plaintiffs have searched and found none. Furthermore, the evidence throughout trial and the re-opening showed that the school districts that brought this suit are already underfunded, and thus the ability to potentially recover the fees incurred in this lawsuit is

Dr. Curtis Culwell, who was withdrawn as a testifying expert. *See* Ex. [A] to State's Supplemental Response at 3. However, Dr. Culwell remained a *consulting* expert and the work that he and the attorneys spent reviewing his (ultimately withdrawn) report still informed counsel's strategy in questioning other witnesses and assisted in their representation of their clients at trial.

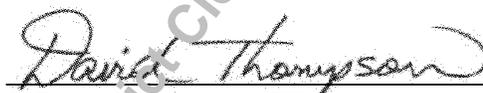
significant for those school districts. Therefore, time incurred in an effort to recover those fees on behalf of the school districts is reasonable and directly related to representation of the clients' interests.

CONCLUSION

For the foregoing reasons, the ISD Plaintiffs respectfully request that the Court grant the full amount of attorneys' fees requested by the ISD Plaintiffs and grant all other appropriate relief.

Respectfully submitted,

THOMPSON & HORTON LLP



J. David Thompson, III
dthompson@thompsonhorton.com
State Bar No. 19950600

Philip Fraissinet
pfraissinet@thompsonhorton.com
State Bar No. 00793749

Phoenix Tower, Suite 2000
3200 Southwest Freeway
Houston, Texas 77027
Telephone: (713) 554-6767
Telecopier: (713) 583- 9668

Holly G. McIntush
hmcintush@thompsonhorton.com
State Bar No. 24065721
Wells Fargo Tower, Suite 1430
400 West 15th St.
Austin, Texas 78701
Telephone: 512-615-2350
Telecopier: 512-682-8860

ATTORNEYS FOR FORT BEND ISD PLAINTIFFS

HAYNES AND BOONE, LLP

/s/ Mark Trachtenberg*

Mark. R. Trachtenberg
State Bar No. 24008169
Haynes and Boone, LLP
1 Houston Center
1221 McKinney St., Suite 2100
Houston, Texas 77010

John W. Turner
State Bar No. 24028085
Haynes and Boone, LLP
2323 Victory Avenue, Suite 700
Dallas, Texas 75218

ATTORNEYS FOR CALHOUN COUNTY ISD PLAINTIFFS

GRAY & BECKER, P.C.

/s/ Richard Gray, IV*

Richard E. Gray, III
State Bar No. 08328300
Toni Hunter
State Bar No. 10295900
Richard E. Gray, IV
State Bar No. 24074308
900 West Ave.
Austin, Texas 78701
Telephone: (512) 482-0061
Telecopier: (512) 482-0924

ATTORNEYS FOR THE TTSFC PLAINTIFFS

MEXICAN AMERICAN LEGAL DEFENSE
AND EDUCATION FUND, INC.

/s/ David Hinojosa*

David G. Hinojosa
State Bar No. 24010689
Marisa Bono
State Bar No. 24052874
110 Broadway, Suite 300
San Antonio, Texas 78205
Telephone: (210) 224-5476
Telecopier: (210) 224-5382

ATTORNEYS FOR EDGEWOOD ISD PLAINTIFFS

* *Signed by permission*

Unofficial copy Travis Co. District Clerk Veva L. Price

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been forwarded on this 12th day of May, 2014 to counsel of record in accordance with Rule 21a of the Texas Rules of Civil Procedure, as follows:

Via Electronic Mail:

Greg Abbott
Daniel T. Hodge
David C. Mattax
Beau Eccles
Shelley N. Dahlberg
Texas Attorney General's Office
General Litigation Division
P. O. Box 12548, Capitol Station
Austin, Texas 78711
shelley.dahlberg@texasattorneygeneral.gov
beau.eccles@texasattorneygeneral.gov

Attorneys for Defendants

Richard E. Gray, III
Toni Hunter
Richard E. Gray IV
Gray & Becker, P.C.
900 West Ave.
Austin, Texas 78701
rick.gray@graybecker.com
toni.hunter@graybecker.com

Randal B. Wood
Doug W. Ray
Ray & Wood
2700 Bee Caves Road #200
Austin, Texas 78746
buckwood@raywoodlaw.com
dray@raywoodlaw.com

Attorneys for TTSIC Plaintiffs

David G. Hinojosa
Marisa Bono
Mexican American Legal Defense and Educational Fund, Inc.
110 Broadway, Suite 300
San Antonio, Texas 78746
dhinojosa@maldef.org

Roger L. Rice
Multicultural, Education, Training, and Advocacy, Inc.
240A Elm St., Suite 22
Somerville, MA 02144
r1r24@comcast.net

Attorneys for Edgewood ISD Plaintiffs

Mark. R. Trachtenberg
Haynes and Boone, LLP
1 Houston Center
1221 McKinney St., Suite 2100
Houston, Texas 77010
mark.trachtenberg@haynesboone.com

John W. Turner
Haynes and Boone, LLP
2323 Victory Avenue, Suite 700
Dallas, Texas 75218
john.turner@haynesboone.com

Attorneys for Calhoun County ISD Plaintiffs

J. Christopher Diamond
The Diamond Law Firm, P.C.
17484 Northwest Freeway, Suite 150
Houston, Texas 77040
christopherdiamond@yahoo.com

Craig T. Enoch
Melissa A. Lorber
Enoch Kever PLLC
600 Congress, Suite 2800
Austin, Texas 78701
cenoch@enochkever.com
mlorber@enochkever.com

Attorneys for TREE5 Plaintiff-Intervenors

Robert A. Schulman
Joseph E. Hoffer
Leonard Schwartz
Schulman, Lopez, and Hoffer, L.L.P.
517 Soledad Street
San Antonio, Texas 78205-1508
rschulman@slh-law.com
jhoffer@slh-law.com

Attorneys for Charter School Association Plaintiffs



J. David Thompson

Unofficial copy Travis Co. District Clerk Melva L. Price