

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

THE TEXAS TAXPAYER & STUDENT §
FAIRNESS COALITION, et al; §
CALHOUN COUNTY ISD, et al; §
EDGEWOOD ISD, et al; §
FORT BEND ISD, et al; §
TEXAS CHARTER SCHOOL §
ASSOCIATION, et al., §

Plaintiffs, §

JOYCE COLEMAN, et al., §
Intervenors, §

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, §

Defendants. §

IN THE DISTRICT COURT

20th JUDICIAL DISTRICT

TRAVIS COUNTY, TEXAS

**DEFENDANTS' SECOND REQUEST FOR FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

TO THE HONORABLE JOHN K. DIETZ:

Defendants, Michael Williams, Commissioner of Education, in his Official Capacity, Susan Combs, Texas Comptroller of Public Accounts, in her Official Capacity, the Texas State Board of Education and the Texas Education Agency ask the Court to file findings of fact and conclusions of law.

INTRODUCTION

1. Plaintiffs, Texas Taxpayer Student Fairness Coalition, *et al*, sued Defendants under Article VII, §1 and Article VIII, § 1-e of the Texas Constitution claiming Texas's school finance system fails to meet those constitutional provisions' minimum standards. Defendants denied the claims.

2. The case was tried to the Court beginning in October, 2012. The Court reopened the evidence for a supplemental evidentiary hearing in January, 2014. That hearing was completed on February 7, 2014.

3. The Court has yet to enter a final judgment.

REQUEST

4. Defendants ask the Court to file findings of fact and conclusions of law, and require the court clerk to electronically mail copies to all parties. TEX. R. CIV. P. 296, 297.

5. Although this request is made before the entry of a final judgment in this matter, it is deemed filed on the day of, but immediately after, the signing of the judgment. TEX. R. CIV. P. 306c; *Pursley v. Ussery*, 982 S.W.2d 596, 599 (Tex. App.—San Antonio 1998, pet. denied); *Vargas v. TDPRS*, 973 S.W.2d 423, 4256 (Tex. App.—Austin 1998, pet. granted, judgment vacated w.r.m.).

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

DANIEL T. HODGE
First Assistant Attorney General

DAVID C. MATTAX
Deputy Attorney General for Defense Litigation

JAMES "BEAU" ECCLES
Division Chief, General Litigation Division

/s/ Shelley N. Dahlberg
SHELLEY N. DAHLBERG
Assistant Attorney General
Texas Bar No. 24012491
General Litigation Division
shelley.dahlberg@texasattorneygeneral.gov

LINDA HALPERN,
Assistant Attorney General
Texas Bar No. 24030166
General Litigation Division

NICHOLE BUNKER-HENDERSON
Assistant Attorney General
Texas Bar No. 24045580
Administrative Law Division

Texas Attorney General's Office
P. O. Box 12548, Capitol Station
Austin, Texas 78711
Phone: (512) 463-2121
Fax: (512) 320-0667

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of May, 2014, I forwarded the foregoing document to all known counsel of record via email:

Richard E. Gray, III
Toni Hunter
Gray & Becker
900 West Ave.
Austin, Texas 78701

Multicultural, Education, Training And
Advocacy, Inc.
Roger L. Rice
240a Elm St., Ste. 22
Somerville, Ma 02144

Randall B. Wood
Doug W. Ray
Ray & Wood
2700 Bee Caves Rd., Suite 200
Austin, Texas 78746

J. David Thompson, III
Philip Fraissinet
Thompson & Horton-LLP
Phoenix Tower, Suite 2000
3200 Southwest Freeway
Houston, Texas 77027

Mark R. Trachtenberg
Haynes and Boone, LLP
1 Houston Center
1221 McKinney Street, Suite 2100
Houston, Texas 77010

Holly G. Mcintush
400 West 15th Street, Suite 1430
Austin, Texas 78701

John W. Turner
Haynes And Boone, LLP
2323 Victory Avenue, Suite 700
Dallas, Texas 75219

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

Mexican American Legal Defense And
Education Fund, Inc.
David G. Hinojosa
Marisa Bono
110 Broadway, Ste. 300
San Antonio, Texas 78205

Craig T. Enoch
Enoch Kever PLLC
600 Congress, Suite 2800
Austin, Texas 78701

Robert A. Schulman
Joseph E. Hoffer
Leonard J. Schwartz
Schulman, Lopez & Hoffer, L.L.P.
517 Soledad Street
San Antonio, Texas 78205-1508

/s/ Shelley N. Dahlberg
Shelley N. Dahlberg
Deputy Chief-General Litigation Division