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Amalia Rodriguez-Mendoza
District Clerk
Travis County
D-1-GN-11-003130

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	§	IN THE DISTRICT COURT
JOYCE COLEMAN, et al., Intervenors,	§	
vs.	§	200th JUDICIAL DISTRICT
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, the TEXAS EDUCATION AGENCY, and the STATE OF TEXAS, Defendants	§	TRAVIS COUNTY, TEXAS

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STATE OF TEXAS' MOTION FOR ADMISSION OF SUPPLEMENTAL EXHIBITS

TO THE HONORABLE DAVID PEEPLES, JUDGE PRESIDING OVER RECUSAL PROCEEDING:

On June 20, 2014, this Court ordered the ISD Plaintiffs to disclose *ex parte* correspondence that, at that time, the State had never reviewed. After a brief review of those documents during the lunch break, the State offered State's Exhibits 53–55, which this Court admitted into evidence. At the conclusion of the hearing, the Court set a deadline for Monday, June 23, 2014 at 12:00 PM for the State to file whatever supplemental motions or briefing the might be necessary in light of further review of the recently disclosed documents.

Now, the Office of the Attorney General, on the State of Texas's behalf, offers the following exhibits into evidence in support of its Motion to Recuse. With the exception of State's Exhibit 57, all of these documents were disclosed to the State on June 20, 2014. The State respectfully requests that the Court admit the following exhibits[1]:

- State's Exhibit 56, an email from John K. Dietz to Holly McIntush, dated March 12, 2014;
- State's Exhibit 57, an email from Holly McIntush to Judge Peeples, dated June 17, 2014 and the letter from ISD Plaintiffs' Counsel attached to that email;
- State's Exhibit 58, the entirety of the *ex parte* correspondence disclosed to the State on June 20, 2014;[2] and
- State's Exhibit 59, an email from Holly McIntush to Carol Jenson, dated February 21, 2014.

PRAYER

The State respectfully requests that the Court to admit these exhibits into evidence.

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[1] These exhibits are being sent directly to Judge Peeples for his review *in camera* and will not be included in the public filing, as per the Judge's instructions at the recusal hearing.
[2] State's Exhibit 58 includes State's Exhibits 56 and 59, but the State offers the exhibits separately for the sake of clarity in citing to the evidence in the State's supplemental briefing also filed June 23, 2014.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of June, 2014, the foregoing document was served via electronic mail to the following:

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