

9/26/2014 4:34:23 PM

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



OFFICE of the ATTORNEY GENERAL
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September 26, 2014

VIA ELECTRONIC FILING

Ms. Amalia Rodriguez-Mendoza
District Clerk, Travis County
Heman Marion Sweatt Travis County Courthouse
1000 Guadalupe St., 3rd Floor
Austin, Texas 78701

Re: **Defendants' Request For Preparation Of The Clerk's Record**
The Texas Taxpayer & Student Fairness Coalition, et al. v. Michael Williams, Commissioner of Education, in his official capacity, et al.
Cause No. D-1-GN-11-003130
In the 200th Judicial District Court, Travis County, Texas

Dear Ms. Rodriguez-Mendoza:

Defendants Michael Williams, in his official capacity as Commissioner of Education; Susan Combs, in her official capacity as Texas Comptroller of Public Accounts; the Texas State Board of Education; and the Texas Education Agency are appealing the final judgment signed by the Court on August 28, 2014, in this cause. This appeal is a direct appeal to the Supreme Court of Texas. TEX. GOV'T CODE § 22.001(c); TEX. R. APP. P. 57. A copy of the notice of appeal is attached to this letter at Appendix A.

In accordance with Texas Rules of Appellate Procedure 34.5 and 57.1, Defendants request that you prepare a certified copy of the clerk's record in this cause and transmit the record to the Supreme Court of Texas. My legal assistant, Sabrina Wycoff, has attempted to contact your office to arrange for payment of the fees associated with this request.

The clerk's record must be filed in the Supreme Court by December 26, 2014. TEX. R. APP. P. 26.1(a), 35.1(a). The Court signed the final judgment on August 28, 2014. Thus, the deadline to perfect an appeal is November 26, 2014. TEX. R. APP. P. 26.1(a)(4) (requiring that a notice of appeal be filed within 90 days after the signing of the judgment when any party files a timely request for required findings of fact and conclusions of law). Defendants timely filed their notice of appeal on September 26, 2014. App. A. Because Texas Rule of Appellate Procedure 26.1(a) applies to this appeal, the appellate record must be filed in the appellate court within 120 days of the signing of the judgment, or by December 26, 2014. TEX. R. APP. P. 35.1(a).

POST OFFICE BOX 12548, AUSTIN, TEXAS 78711-2548 TEL: (512) 463-2100

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Defendants request that the clerk's record include all items listed in Texas Rule of Appellate Procedure 34.5(a) and, specifically, the following papers or documents:

1. Caption
2. Docket Sheet
3. 10/10/11 Plaintiffs' Original Petition and Request for Declaratory Judgment (Texas Taxpayer and Student Fairness Coalition)
4. 11/07/11 Defendants' Original Answer (Texas Taxpayer)
5. 12/09/11 Plaintiffs' (Calhoun County ISD) Original Petition
6. 12/13/11 Plaintiffs' (Edgewood ISD) Original Petition
7. 12/22/11 Plaintiffs' (Fort Bend ISD) Original Petition
8. 01/03/12 Defendants' Original Answer (Calhoun County ISD)
9. 01/17/12 Letter from Judge Livingston
10. 01/23/12 Defendants' Original Answer (Edgewood ISD)
11. 01/23/12 Defendants' Original Answer (Fort Bend ISD)
12. 02/24/12 Plea in Intervention of the Efficiency Intervenors
13. 03/27/12 Agreed & Unopposed Motion to Consolidate for Filing Purposes, Discovery, and Trial
14. 03/28/12 Defendants' Original Answer to the Plea in Intervention of the Efficiency Intervenors
15. 04/02/12 Order Granting Agreed & Unopposed Motion to Consolidate for Filing Purposes, Discovery, and Trial
16. 04/10/12 Letter from J. Christopher Diamond
17. 04/11/12 Letter from Toni Hunter to Judge Dietz
18. 04/16/12 Scheduling Order

19. 04/20/12 Rule 11 Agreement between parties
20. 04/27/12 Agreed Order to Clarify the April 2, 2012 Order to Consolidate & Sever
21. 04/30/12 Rule 11 Agreement Regarding Depositions
22. 05/04/12 Edgewood Plaintiffs' Motion for Special Exceptions as to Intervenor's Amended Plea in Intervention
23. 05/07/12 Notice of Hearing (Edgewood Plaintiffs' Motion for Special Exceptions as to Intervenor's Amended Plea in Intervention)
24. 05/21/12 Rule 11 Agreement Regarding Depositions
25. 05/29/12 Rule 11 Agreement re: extension for Edgewood ISD discovery Responses (RFP's and RFA's)
26. 06/06/12 Stipulated Protective Order Governing Educational Records
27. 06/08/12 Plaintiffs' Designation of Focus Districts for Trial and Other Purposes
28. 06/11/12 Calhoun County ISD Plaintiffs' Designation of Focus Districts
29. 06/11/12 Plaintiffs' Supplemental Designation of Focus Districts for Trial and Other Purposes
30. 06/12/12 Fort Bend ISD Plaintiffs' Designation of Districts for Trial
31. 06/14/12 Texas Taxpayer and Student Fairness Coalition's Notice of Intent to Comply with Protective Order and FERPA Notice
32. 06/21/12 Advisory to the Court
33. 06/22/12 Edgewood Plaintiffs' Plea to the Jurisdiction and Motion to Dismiss As To Intervenor's Second Amended Plea in Intervention
34. 06/22/12 Plaintiffs' Response to Defendants' Advisory to the Court
35. 06/28/12 Letter from Judge Dietz re trial procedures
36. 07/02/12 Defendants' Designation of Districts for Trial

37. 07/10/12 Calhoun County Plaintiffs' Notice of Intent to Comply with Protective Order and FERPA Notice
38. 07/16/12 Notice of Hearing on Edgewood Plaintiffs' Plea to the Jurisdiction
39. 07/19/12 Edgewood Plaintiffs' Supplemental Brief in Support of Plea to the Jurisdiction and Motion to Dismiss As To Intervenor's Second Amended Plea in Intervention
40. 07/20/12 Defendant's Original Answer (Texas Charter School Association)
41. 07/20/12 Efficiency Intervenors' Response to Edgewood Plaintiffs' Plea to the Jurisdiction
42. 07/25/12 Edgewood Plaintiffs' Notice of Intent to Comply with Protective Order and FERPA Notice
43. 07/27/12 Yolanda Canales, et al.'s First Amended Plea to the Jurisdiction and Motion to Dismiss as to Intervenor's Second Amended Plea in Intervention
44. 08/15/12 Rule 203.2 Certificate (Mark P. Hurley)
45. 08/16/12 Rule 11 Agreement letter between parties to amend scheduling order
46. 08/17/12 Efficiency Intervenors' Response to Edgewood's First Amended Plea to the Jurisdiction
47. 08/17/12 Order Granting Agreed and Unopposed Motion to Consolidate for Filing Purposes, Discovery and Trial
48. 08/20/12 Letter from Judge Dietz
49. 08/24/12 All Parties' Agreed Motion for Bifurcated Trial
50. 08/28/12 Brief on Law of the Case (Texas Taxpayer and Student Fairness Coalition Plaintiffs)
51. 08/28/12 The Efficiency/Equity Standard (Letter Brief from J. David Thompson, attorney for Fort Bend ISD Plaintiffs)

52. 08/29/12 Order Granting Agreed Motion for Bifurcated Trial
53. 08/29/12 Suitability and Efficiency Brief (State Defendants)
54. 09/06/12 Defendants' Unopposed Motion to Substitute Party Defendant and Modify The Style of the Case
55. 09/19/12 Order Granting Unopposed Motion to Substitute Defendant and Change Style
56. 09/19/12 Order Denying Edgewood Individual Plaintiffs' Plea to the Jurisdiction
57. 09/21/12 Letter from Judge Dietz re proposed findings of fact and conclusions of law
58. 10/11/12 Joint Motion for Leave to Amend Disclosures
59. 10/15/12 Calhoun County ISD Plaintiffs' Designation of Deposition Testimony
60. 10/15/12 Calhoun County ISD Plaintiffs' Proposed Witness List
61. 10/15/12 Calhoun County ISD Plaintiffs' Trial Exhibit List
62. 10/15/12 Defendants' Designation of Deposition Testimony
63. 10/15/12 Edgewood Plaintiffs' Designation of Trial Experts and Witnesses
64. 10/15/12 Efficiency Intervenors' Trial Witness List, Exhibit List, and Deposition Excerpts
65. 10/15/12 Fort Bend ISD Plaintiffs' Witness List
66. 10/15/12 Calhoun County ISD Plaintiffs' Master Deposition Exhibit List
67. 10/15/12 Texas Taxpayer & Student Fairness Coalition Plaintiffs' Designation of Trial Witnesses
68. 10/18/12 Edgewood ISD Plaintiffs' Amended Deposition Designations
69. 10/18/12 Efficiency Intervenors' Supplemental Exhibit List and Deposition Excerpts

70. 10/18/12 Fort Bend ISD Plaintiffs' First Amended Trial Exhibit List
71. 10/19/12 Defendants' Objections to Plaintiffs' Proposed Trial Exhibits
72. 10/19/12 Edgewood Plaintiffs' Trial Exhibit Objections
73. 10/19/12 Efficiency Intervenors' Objections to Exhibits and Objections and Counter-Offer to Deposition Excerpts
74. 10/19/12 Fort Bend ISD Plaintiffs' Objections to Exhibits and Deposition Designations
75. 10/20/12 Calhoun County ISD Plaintiffs' Objections to Deposition Designations
76. 10/20/12 Efficiency Intervenors' Supplemental Objections to Exhibits and Objections and Counter-Offer to Deposition Excerpts
77. 10/22/12 Texas Taxpayer and Student Fairness Coalition's Trial Brief
78. 10/23/12 Calhoun County ISD Plaintiffs' Supplemental Trial Exhibit List
79. 10/29/12 Fort Bend ISD Plaintiffs' Second Amended Deposition Designations
80. 10/29/12 Fort Bend ISD Plaintiffs' Witness List
81. 10/30/12 Defendants' Supplementary Designation of Deposition Testimony
82. 10/30/12 Fort Bend ISD Plaintiffs' Supplemental Trial Exhibit List
83. 10/31/12 Defendants' Amended Exhibits for Admission on 10/31/12
84. 10/31/12 Third Corrected Defendants' Witness List
85. 11/09/12 Fort Bend ISD Plaintiffs' Supplemental Trial Exhibit List
86. 11/15/12 Joint Motion (Plaintiffs') for Leave to Offer Supplemental Expert Report and to Re-Call Dr. William Duncombe
87. 11/19/12 Defendants' Corrected Response to Plaintiffs' Joint Motion for Leave To Offer Supplemental Expert Report and to Re-Call Dr. William Duncombe

88. 11/19/12 Letter from Mary Sisler (attaching Second Corrected Order for Defendants' Response to Plaintiffs' Joint Motion to offer Supplemental Expert Report and to Recall Dr. William Duncombe)
89. 12/18/12 Texas Taxpayer and Student Fairness Coalition's Notice to the Court (de-designating Superintendent Knight)
90. 01/08/13 Fort Bend ISD Plaintiffs' Third Supplemental Trial Exhibit List
91. 01/22/13 Second Supplemental Exhibit List and First Supplemental Deposition Designations by Texas Charter Schools Association Plaintiffs
92. 01/23/13 Edgewood Plaintiffs' Motion to Exclude Intervenors' Non-Retained Expert, Mark Hurley
93. 01/24/13 Edgewood Plaintiffs' First Amended First Supplemental Deposition Designations
94. 01/24/13 Edgewood Plaintiffs' Second Amended Deposition Designations (Exhibit 4224)
95. 01/25/13 Texas Charter School Association Plaintiffs' Submission of Thomas A. Sage Deposition and Exhibits
96. 01/25/13 Defendants' Plea to the Jurisdiction
97. 01/25/13 Second Supplemental Deposition Designation by Texas Charter Schools Association Plaintiffs
98. 01/26/13 Third Supplemental Deposition Designation by Texas Charter Schools Association Plaintiffs
99. 01/28/13 Corrected Exhibit List and Correction to Exhibits Attached to Oral Deposition of Rene Gallegos (Exhibit 9032) by Texas Charter Schools Association Plaintiffs
100. 01/28/13 Defendants' Notice of Withdrawal of Objections
101. 01/28/13 Fourth Supplemental Deposition Designation by Texas Charter School Association Plaintiffs

102. 01/28/13 Rule 11 Agreement Edgewood Plaintiffs, Texas Taxpayer, Fort Bend ISD's and Charter Plaintiffs' Stipulations
103. 01/28/13 Third Supplemental Trial Exhibit List by Texas Charter School Association Plaintiffs
104. 01/29/13 Defendants' Objections to Lack of Fair Notice of Charter Plaintiffs' Legal Claims
105. 01/30/13 Plaintiffs' Trial Brief Regarding Adequacy and Suitability Standards
106. 02/01/13 Edgewood and Texas Taxpayer Plaintiffs' Plea to the Jurisdiction and Motion to Dismiss as to Intervenor's Third Amended Plea in Intervention and Charter School Plaintiffs' Charter Cap Claim
107. 02/01/13 Efficiency Intervenor's Response to Defendants' Plea to the Jurisdiction
108. 02/01/13 Fort Bend ISD and Calhoun County ISD Plaintiffs' Partial Joinder in Edgewood ISD and TTSFC Plaintiffs' Plea to the Jurisdiction and Motion to Dismiss
109. 02/01/13 Trial Brief on the Standard Governing the Constitutional Claims Asserted Under Article VII, Section 1 of the Texas Constitution
110. 02/03/13 Edgewood Plaintiffs' Trial Brief on Efficiency
111. 02/03/13 Fort Bend ISD Plaintiffs' Fourth Supplemental Trial Exhibit List
112. 02/04/13 Court's Ruling
113. 02/04/13 Texas Charter Schools Association Plaintiffs' Motion for Judicial Notice
114. 02/15/13 Edgewood Plaintiffs' Second Amended Exhibit List
115. 02/15/13 Texas Taxpayer's Ninth Amended Master Exhibit List
116. 02/25/13 Defendants' Final Amended Master Exhibit List
117. 02/28/13 Motion for Admission of Exhibit 11354

118. 02/28/13 Notice of Filing (Texas Taxpayer)
119. 03/05/13 Calhoun County ISD Plaintiffs' Notice of Filing of Affidavit in Support of Attorney's Fees
120. 03/05/13 Defendants' Notice of Affidavit Regarding Attorney's Fees and Costs
121. 03/05/13 Defendants' Unopposed Motion for Leave to Designate Expert for Attorney's Fees
122. 03/05/13 Notice of Filing (Fort Bend ISD)
123. 03/05/13 Notice of Filing (Edgewood ISD)
124. 03/05/13 Notice of Filing (Charter School Plaintiffs)
125. 03/05/13 Notice of Filing Affidavits and Motion for Award of Equitable and Just Attorney's Fees and Costs (Efficiency Intervenors)
126. 03/06/13 Notice of Filing (Charter School Plaintiffs) (Exhibits A-L)
127. 03/06/13 Letter from Cynthia A. Pacheco with Exhibit M (pp. 1-57)
128. 03/06/13 Letter from Cynthia A. Pacheco with Exhibit M (pp. 58-115)
129. 03/06/13 Letter from Cynthia A. Pacheco with Exhibit M (pp. 116-173)
130. 03/06/13 Letter from Cynthia A. Pacheco with Exhibit M (pp. 174-228)
131. 03/06/13 Notice of In Camera Filing (Charter School Plaintiffs)
132. 03/12/13 Efficiency Intervenors' Findings of Fact
133. 03/12/13 Letter with Proposed Findings of Fact and Conclusions of Law (Charter School Plaintiffs)
134. 03/12/13 Notice of Filing (Edgewood ISD Plaintiffs - amended affidavit of David Hinojosa)
135. 03/13/13 Letter from Amy L Saberian to Judge Dietz (attaching proposed final judgment)

136. 03/13/13 Motion to Admit Provisionally Admitted Exhibits
137. 03/19/13 Defendants' Amended Request for Findings of Fact and Conclusions of Law
138. 03/21/13 Defendants' Second Amended Response to Plaintiffs' and Intervenors' Requests for Attorneys Fees
139. 03/25/13 Efficiency Intervenors' Response to the Texas School District System Plaintiffs' Proposed Findings of Fact and Conclusions of Law
140. 03/27/13 ISD Plaintiffs' Response to Intervenors' Brief Regarding Proposed Findings of Fact and Intervenors' Proposed Final Judgment
141. 03/28/13 ISD Plaintiffs' Joint Reply to Defendants' Second Amended Response to Plaintiffs' and Intervenors' Requests for Attorneys' Fees and Objections to Defendants' Request for Attorneys' Fees
142. 03/28/13 Notice of Filing of Exhibits 2 and 3 to ISD Plaintiffs' Joint Reply to Defendants' Second Amended Response to Plaintiffs' and Intervenors' Requests for Attorneys' Fees and Objections to Defendants' Request for Attorneys' Fees
143. 04/16/13 Charter School Plaintiffs' Reply to Defendants' Second Amended Response to Plaintiffs' and Intervenors' Requests for Attorneys' Fees and Objections to Defendants' Request for Attorneys' Fees
144. 06/18/13 Calhoun County ISD Plaintiffs' Motion to Reopen the Evidence
145. 06/18/13 Edgewood Plaintiffs' Response to Calhoun County Plaintiffs' Motion to Reopen the Evidence and Motion for Issuance of Declaratory Judgment
146. 06/18/13 Fort Bend ISD Plaintiffs' Response in Support of Calhoun County ISD Plaintiffs' Motion to Reopen the Evidence
147. 06/19/13 Advisory to the Court of Parties' Positions Regarding Re-Opening of the Evidence and Entry of Judgment (with attached exhibit)
148. 06/19/13 Order on Motion to Reopen Evidence
149. 07/17/13 Defendants' Advisory to the Court (with attachments)

150. 07/17/13 Defendants' Objections to Scheduling Order
151. 07/18/13 Advisory to the Court Regarding Reopening the Evidence (Fort Bend ISD Plaintiffs)
152. 08/02/13 Rule 11 Agreement regarding scheduling order
153. 08/02/13 Letter from Shelley N. Dahlberg to Judge Dietz
154. 08/07/13 Third Amended Plea in Intervention of the Efficiency Intervenors
155. 08/07/13 Edgewood ISD Plaintiffs' Third Amended Petition
156. 08/12/13 Defendants' Request for Court Reporter
157. 08/15/13 Notice of Withdrawal of Defendants' Request for Findings of Fact and Conclusions of Law
158. 08/26/13 Calhoun County ISD Plaintiffs' Preliminary Designation of Fact Witnesses
159. 08/26/13 Plaintiffs' First Amended Designation of Fact Witnesses (Texas Charter School Association)
160. 08/26/13 Texas Taxpayer & Student Fairness Coalition Plaintiffs' Designation of Trial Witnesses
161. 09/06/13 Efficiency Intervenors' Objection to the Texas School District System Plaintiffs' Attempts to Seal Records
162. 09/10/13 Calhoun County ISD Plaintiffs, Fort Bend ISD Plaintiffs, and TTSFC Plaintiffs' Brief in Support of Reopening the Evidence
163. 09/12/13 Edgewood ISD Plaintiffs' Response Brief to Calhoun County ISD Plaintiffs, Fort Bend ISD Plaintiffs, and TTSFC Plaintiffs' Brief in Support of Reopening the Evidence
164. 09/12/13 State Defendants' First Request to Court to Take Judicial Notice
165. 09/27/13 Efficiency Intervenors' Plea to the Jurisdiction and Motion for Entry of Final Judgment

166. 09/30/13 Notice of Hearing on Efficiency Intervenors' Plea to the Jurisdiction and Motion for Entry of Final Judgment
167. 10/01/13 ISD Plaintiffs' Motion to Take Judicial Notice
168. 10/01/13 Notice of Hearing on ISD Plaintiffs' Motion to Take Judicial Notice
169. 10/02/13 Calhoun County ISD Plaintiffs, Fort Bend ISD Plaintiffs, and TTSFC Plaintiffs' Response to State Defendants' First Request to Court to Take Judicial Notice
170. 10/02/13 Edgewood Plaintiffs' Partial Joinder to Fort Bend ISD's Response to Defendants' First Request to Court to Take Judicial Notice
171. 10/03/13 Calhoun County ISD Plaintiffs, Fort Bend ISD Plaintiffs, and TTSFC Plaintiffs' Response to the Efficiency Intervenors' Plea to the Jurisdiction and Motion for Entry of Final Judgment
172. 10/03/13 Defendants' Joinder of Intervenors' Plea to the Jurisdiction
173. 10/03/13 Defendants' Response to ISD Plaintiffs' Motion to Take Judicial Notice
174. 10/03/13 Efficiency Intervenors' Motion to Take Judicial Notice
175. 10/04/13 Charter School Plaintiffs' Response to the Efficiency Intervenors' Plea to the Jurisdiction and Motion for Entry of Final Judgment
176. 10/04/13 Edgewood Plaintiffs' Response to Intervenors' Plea to the Jurisdiction and Motion for Entry of Final Judgment
177. 10/04/13 Proposed Scheduling Order (signed by Judge Dietz)
178. 10/11/13 Calhoun County ISD Plaintiffs' Third Amended Petition
179. 10/11/13 Fort Bend ISD Plaintiffs' Seventh Amended Petition
180. 10/11/13 Charter Plaintiffs' Fourth Amended Original Petition and Request for Declaratory Judgment
181. 10/11/13 TTSFC Plaintiffs' Ninth Amended Original Petition and Request for Declaratory Judgment

182. 10/14/13 TTSFC Plaintiffs' First Supplemental Designation of Expert Witnesses
183. 10/22/13 TTSFC Plaintiffs' Notice to the Court (de-designating Dr. Freeman)
184. 10/22/13 TTSFC Plaintiffs' Notice to the Court (de-designating superintendents)
185. 10/24/13 Defendants' Motion to Strike Superintendent of Spring Branch ISD from Fort Bend Plaintiffs' Witness List
186. 11/05/13 Defendants' Third Amended Designation of Fact Witnesses for 2014 Trial
187. 11/05/13 Fort Bend Plaintiffs' Response to Defendants' Motion to Strike Superintendent of Spring Branch from Witness List
188. 11/07/13 Amended Scheduling Order
189. 11/12/13 State Defendants' Notice of Rule 11 Agreement (witness designation)
190. 11/15/13 Charter Plaintiffs' Unopposed Motion for Leave to File Fifth Amended Original Petition
191. 11/18/13 Defendants' Designation of Expert Witnesses
192. 11/20/13 Fort Bend ISD Plaintiffs' First Amended Fact Witness List
193. 11/20/13 Order Granting Plaintiffs' Unopposed Motion for Leave to File Fifth Amended Original Petition
194. 11/21/13 Charter Plaintiffs' Fifth Amended Original Petition and Request for Declaratory Judgment
195. 12/09/13 Defendants' Motion to Strike Flores Plaintiffs' Fifth Amended Petition
196. 12/20/13 Rule 11 Agreement (demonstrative exhibits)
197. 12/23/13 Defendants' Motion to Strike Edgewood Plaintiffs' Expert Dr. Roberto Zamora
198. 12/27/13 Charter Plaintiffs' Notice of Intent to Comply with Protective Order and FERPA

199. 01/06/14 Edgewood Plaintiffs' First Supplemental Exhibit List
200. 01/06/14 Efficiency Intervenors' Designation of Trial Witnesses, Deposition Excerpts, and Exhibits
201. 01/06/14 Fort Bend ISD Plaintiffs' Supplemental Deposition Designations
202. 01/06/14 Fort Bend ISD Plaintiffs' Supplemental Trial Witness List
203. 01/06/14 Charter Plaintiffs' Response to Defendants' Motion to Strike Plaintiffs' Fifth Amended Petition
204. 01/06/14 State Defendants' Master Exhibit List
205. 01/06/14 State Defendants' Witness List
206. 01/06/14 TTSFC Plaintiffs' Amended Designation of Expert Witnesses
207. 01/06/14 TTSFC Plaintiffs' Designation of Fact Witnesses
208. 01/07/14 Amended Master Deposition Exhibit List for Second Phase of Trial (All Parties)
209. 01/07/14 Calhoun County ISD Plaintiffs' Designation of Deposition Testimony for Second Phase of Trial
210. 01/07/14 Calhoun County ISD Plaintiffs' Proposed Witness List for Second Phase of Trial
211. 01/07/14 Calhoun County ISD Plaintiffs' Trial Exhibit List for Second Phase of Trial
212. 01/07/14 Efficiency Intervenors' Unopposed Motion for Leave to Late-File Pre-Trial Filing
213. 01/10/14 Notice of Hearing (Defendants' Motion to Strike Flores Plaintiffs' Fifth Amended Petition; and Motion to Strike Edgewood Plaintiffs' Expert Dr. Roberto Zamora)
214. 01/10/14 Rule 11 Agreement (Expert Program Files)

215. 01/13/14 Defendants' Motion to Strike Charter Plaintiffs' Experts Dr. Anthony Rolle and Toni Templeton
216. 01/13/14 Notice of Hearing (Defendants' Motion to Strike Charter Plaintiffs' Experts Dr. Anthony Rolle and Toni Templeton)
217. 01/13/14 Plaintiffs' Anticipated Sequence of Witness Testimony for Trial
218. 01/13/14 Rule 11 Agreement (Dr. Wayne Pierce Data Correction)
219. 01/14/14 Edgewood Plaintiffs' Response to Defendants' Motion to Strike Edgewood Plaintiffs' Expert Dr. Roberto Zamora
220. 01/14/14 Order Granting Efficiency Interveners' Unopposed Motion for Leave to Late-File Pre-Trial Filing
221. 01/16/14 Charter Plaintiffs' Response to Defendants' Motion to Strike Plaintiffs' Experts, Dr. Anthony Rolle and Toni Templeton
222. 01/17/14 Calhoun County ISD Plaintiffs' Objections to Deposition Designations for Second Phase of Trial
223. 01/17/14 Calhoun County ISD Plaintiffs' Objections to State Defendants' Witness List
224. 01/17/14 Calhoun County ISD Plaintiffs' Objections to Trial Exhibits for Second Phase of Trial
225. 01/17/14 Edgewood Plaintiffs' Objections to Trial Exhibits
226. 01/17/14 Fort Bend ISD Plaintiffs' Counter Deposition Designations
227. 01/17/14 Fort Bend ISD Plaintiffs' Objections to Exhibit and Deposition Designations
228. 01/17/14 State Defendants' Objection and Texas Rule of Evidence 104 Motion to Exclude Evidence Related to the 2012-2013 School Year
229. 01/17/14 Supplement to Motion to Strike Edgewood Plaintiffs' Expert Dr. Roberto Zamora
230. 01/21/14 Defendants' Anticipated Sequence of Witness Testimony for Trial

231. 01/21/14 Edgewood Plaintiffs' Motion to Admit Exhibits Not Disputed Based on Admissibility
232. 01/21/14 ISD Plaintiffs' Response to State Defendants' Objection and Texas Rule of Evidence 104 Motion to Exclude Evidence Related to the 2012-2013 School Year
233. 01/21/14 Defendants' Response to Plaintiffs' Objections to Defendants' Exhibits 11366, 11367, and 11368 and Witnesses
234. 01/22/14 Calhoun County ISD Plaintiffs' Objections to Counter-Deposition Designations for Second Phase
235. 01/22/14 Edgewood Plaintiffs' Notice of Rule 11 Agreement (Cavazos exhibits)
236. 01/22/14 Edgewood Plaintiffs' Response to Defendants' Objections to Plaintiffs' Deposition Designations
237. 01/22/14 Edgewood Plaintiffs' Third Supplemental Deposition Designations for Julio Cavazos
238. 01/23/14 Order Denying Defendants' Motion to Strike Flores Plaintiffs' Fifth Amended Petition
239. 01/23/14 Order Denying and Overruling State Defendants' Objection and Texas Rule of Evidence 104 Motion to Exclude Evidence Related to the 2012-2013 School Year
240. 01/28/14 Rule 11 Agreement (Expert Program Files)
241. 01/29/14 Charter School Plaintiffs' First Amended Designation of Trial Experts, Witnesses, and Exhibits
242. 01/30/14 Fort Bend ISD Plaintiffs' Supplemental Trial Exhibit List
243. 02/03/14 Defendants' Objection to Expert Lynn Moak's Edgewood IV Calculation
244. 02/03/14 Fort Bend ISD Plaintiffs' Exhibits to Be Admitted February 3, 2014

245. 02/04/14 Calhoun County ISD's Motion to Strike Certain Trial Testimony of Dr. Wayne Pierce
246. 02/04/14 Order Overruling Defendants' Objection to Expert Lynn Moak's Edgewood IV Calculation
247. 02/06/14 Affidavit of Dr. Albert Cortez Regarding Rebuttal Testimony and Analysis
248. 02/07/14 TTSFC's First Amended Master Exhibit List for Reopening of the Evidence
249. 02/14/14 TTSFC's Response to Calhoun County ISD's Motion to Strike Certain Trial Testimony of Dr. Wayne Pierce
250. 02/18/14 Calhoun County ISD Plaintiffs' Reply in Support of Their Motion to Strike Certain Trial Testimony of Dr. Wayne Pierce
251. 02/21/14 Rule 11 Agreement (fee applications/responses)
252. 02/28/14 TTSFC Notice of Filing (Affidavit of Richard E. Gray, III)
253. 02/28/14 Fort Bend ISD Plaintiffs' Notice of Filing (Second Affidavit of Kevin T. O'Hanlon)
254. 02/28/14 Calhoun County ISD Plaintiffs' Notice of Filing of Second Affidavits in Support of Attorney's Fees
255. 02/28/14 Charter School Plaintiffs' Application For Attorneys' Fee Award (Second Phase)
256. 02/28/14 Edgewood ISD Plaintiffs' Amended Notice of Filing (Affidavit of Roger Rice)
257. 02/28/14 Edgewood ISD Plaintiffs' Notice of Filing (Supplemental Affidavit of David Hinojosa)
258. 02/28/14 Efficiency Intervenors' Notice of Filing Supplemental Affidavit and Motion for Award of Equitable and Just Attorney's Fees and Costs
259. 02/28/14 Supplemental Affidavit of J. Christopher Diamond

260. 02/28/14 Efficiency Intervenors' Supplemental Notice of Filing Affidavit and Motion for Award of Equitable and Just Attorney's Fees and Costs
261. 03/03/14 Charter School Plaintiffs' Memorandum in Support of Application for an Award of Attorneys' Fees (Second Phase)
262. 03/04/14 Charter School Plaintiffs' Opposed Proffer of Lynn Moak Deposition Testimony
263. 03/18/14 State Defendants' Motion to Admit Exhibits, Notice of Withdrawal of Exhibits, and Responses to Objections
264. 03/19/14 Notice of Affidavit (Lisa Dawn-Fisher)
265. 03/20/14 State Defendants' Supplemental Response to Plaintiffs' and Intervenors' Application for Attorneys' Fees
266. 03/20/14 Rule 203.2 Certificate (Toni Templeton)
267. 04/11/14 Calhoun County ISD Plaintiffs' Final Trial Exhibit List for Second Phase of Trial
268. 04/15/14 Final Master Deposition Exhibit List for Second Phase of Trial
269. 04/17/14 Defendants' Supplemental Exhibit to Their March 18, 2014 Motion to Admit Exhibits and Responses to Objections
270. 04/24/14 ISD Plaintiffs' Objections to State Defendants' Exhibits
271. 04/29/14 Calhoun County ISD Plaintiffs' Reply to State Defendants' Supplemental Response to Plaintiffs' and Intervenors' Application for Attorneys' Fees
272. 05/12/14 Defendants' Second Request for Findings of Fact and Conclusions of Law
273. 05/12/14 ISD Plaintiffs' Joint Reply to Defendants' Supplemental Response to Plaintiffs' and Intervenors' Requests for Attorneys' Fees
274. 06/02/14 State of Texas' Motion to Recuse
275. 06/02/14 Order of Referral on Motion to Recuse

276. 06/04/14 Acknowledgment (Judge Stubblefield)
277. 06/04/14 Notice (of Declaration/Verification)
278. 06/09/14 Efficiency Intervenors' Notice of Joinder in State of Texas' Motion to Recuse
279. 06/12/14 ISD Plaintiffs' Response to the State of Texas's Motion to Recuse (Redacted)
280. 06/12/14 ISD Plaintiffs' Response to the State of Texas's Motion to Recuse (Sealed)
281. 06/12/14 Letter from Mark Trachtenberg to Judge Peeples
282. 06/16/14 Charter School Plaintiffs' Response to State of Texas' Motion to Recuse
283. 06/18/14 State of Texas' Amended Motion to Recuse
284. 06/18/14 State of Texas's Objection to Sealing the Pleadings, Evidence, and Closed Proceedings
285. 06/18/14 State's Reply in Support of Motion to Recuse
286. 06/19/14 Reply from Efficiency Intervenors
287. 06/23/14 State Defendants' Supplemental Briefing
288. 06/23/14 State of Texas' Motion for Admission of Supplemental Exhibits
289. 06/23/14 Supplemental Reply from Efficiency Intervenors
290. 06/24/14 Defendants' Renewed Motion to Admit Exhibits and Motion to Admit Additional Exhibits
291. 06/24/14 Order Denying Motion to Recuse
292. 06/25/14 Order on State Defendants' Exhibits
293. 06/27/14 ISD Plaintiffs' Response to Defendants' Renewed Motion to Admit Exhibits and Motion to Admit Additional Exhibits

294. 06/30/14 Edgewood ISD Plaintiffs' Reply to State Defendants' Supplemental Response to Edgewood Plaintiffs' Application for Attorneys' Fees
295. 07/08/14 Order on Defendants' Renewed Motion to Admit Exhibits and Motion to Admit Additional Exhibits
296. 07/17/14 Order on Defendants' Supplemental Exhibits
297. 08/28/14 Final Judgment
298. 08/28/14 Findings of Fact and Conclusions of Law
299. 09/08/14 Intervenor-Plaintiffs' Request for Additional and Amended Findings of Fact and Conclusions of Law
300. 09/08/14 Charter Plaintiffs' Request for Additional and Amended Findings of Fact and Conclusions of Law and Objections to Trial Court's Findings of Fact and Conclusions of Law
301. 09/23/14 Order on Efficiency Intervenors' Request for Additional and Amended Findings of Fact and Conclusions of Law
302. 09/23/14 Order on Charter Plaintiffs' Request for Additional and Amended Findings of Fact and Conclusions of Law and Objections to Trial Court's Findings of Fact and Conclusions of Law
303. 09/26/14 Defendants' Notice of Appeal
304. 09/26/14 Defendants' Request for Preparation of the Reporter's Record
305. 09/26/14 Defendants' Request for Preparation of the Clerk's Record
306. Bill of Costs
307. Clerk's Certificate

If you have any questions regarding this request, please contact me at (512) 936-2872.

Ms. Amalia Rodriguez-Mendoza, District Clerk
Cause No. D-1-GN-11-003130
Defendants' Request for Clerk's Record
September 26, 2014
Page 21

Thank you for your assistance with this matter.

Sincerely,

/s/ Rance Craft

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Assistant Solicitor General
Texas Bar No. 24035655

Attorney for Defendants

RLC/vlc
Enclosure

Unofficial copy Travis Co. District Clerk Velda L. Price

CERTIFICATE OF SERVICE

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Unofficial copy Travis Co. District Clerk/Notary Price

APPENDIX A

Unofficial copy Travis Co. District Clerk Velda L. Price

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

THE TEXAS TAXPAYER & STUDENT	§	IN THE DISTRICT COURT
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,	§	
	§	200th JUDICIAL DISTRICT
vs.	§	
	§	
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; THE TEXAS	§	
EDUCATION AGENCY,	§	
	§	
Defendants,	§	TRAVIS COUNTY, TEXAS

NOTICE OF APPEAL

Defendants Michael Williams, in his official capacity as Commissioner of Education; Susan Combs, in her official capacity as Texas Comptroller of Public Accounts; the Texas State Board of Education; and the Texas Education Agency give notice that they desire to appeal the final judgment signed by the Court on August 28, 2014, in this cause. This appeal is a direct appeal to the Supreme Court of Texas. TEX. GOV'T CODE § 22.001(c); TEX. R. APP. P. 57.

Respectfully submitted.

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First Assistant Attorney General

JONATHAN F. MITCHELL
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