



Moving Texas Forward

Texas Democratic Party

Boyd L. Richie, Chair

November 14, 2008

Mr. John Barnhill
First Assistant
Harris County Attorney
1019 Congress Street, Floor 15
Houston, Texas 77002-1799

BY FAX ONLY: 713-755-8924

Re: Cause No. 4:08-cv-3332, *Texas Democratic Party, et. al. v. Paul Bettencourt, in his capacity as Harris County Tax Assessor Collector and Harris County Voter Registrar*; In the U.S. District Court, Southern District of Texas, Houston Division.

Re: Voice Messages from Paul Bettencourt

Dear Mr. Barnhill:

The *Houston Chronicle* reports in today's edition that Jim Harding, Chairman of the Harris County Early Voting Ballot Board, received phone messages from Harris County Tax Assessor, Paul Bettencourt, concerning activities of the Harris County Early Voting Ballot Board. These messages are highly relevant to legal issues in the above-referenced federal lawsuit. In the event you have come into possession of these messages, we respectfully request that they be preserved and retained by your office. Please advise immediately if you have received the messages, and if you will make them available to me for reproduction, or if such production will require subpoenas.

It has also been reported that Mr. Harding has requested a criminal investigation of Harris County Tax Assessor, Paul Bettencourt, in relation to these messages and other activities. Please advise whether such criminal investigation has been instigated.

Very truly yours,

Chad W. Dunn
General Counsel
Texas Democratic Party
Brazil & Dunn
4201 FM 1960 West, Suite 530
Houston, Texas 77068
281-580-6310

CWD:crw

EXHIBIT "1"



Moving Texas Forward

Texas Democratic Party

Boyd L. Richie, Chair

November 14, 2008

Honorable Jim Harding
Chairman
Harris County Early Voting Ballot Board

BY E-MAIL ONLY

Re: Cause No. 4:08-cv-3332, *Texas Democratic Party, et. al. v. Paul Bettencourt, in his capacity as Harris County Tax Assessor Collector and Harris County Voter Registrar*; In the U.S. District Court, Southern District of Texas, Houston Division.

Re: Voice Messages from Paul Bettencourt

Dear Chairman Harding:

It has been reported that Harris County Tax Assessor, Paul Bettencourt, left voice messages for you over the last several days concerning the activities of the Harris County Early Voting Ballot Board's processing of provisional ballots. These messages are relevant to the above-referenced legal proceeding. We respectfully request that you take all necessary steps to preserve these messages and that you make them available to my office for reproduction. Please call me at the number listed below to arrange duplication.

Please advise immediately if you will require a subpoena in order to produce the messages.

Thank you for your cooperation and thank you for your dedicated service to the voters of Harris County on the Early Voting Ballot Board.

Very truly yours,

Chad W. Dunn
General Counsel
Texas Democratic Party
Brazil & Dunn
4201 FM 1960 West, Suite 530
Houston, Texas 77068
281-580-6310

CWD:crw

EXHIBIT "2"