

**EXHIBIT NO. 1**

**AFFIDAVIT**

STATE OF TEXAS            )  
  )  
COUNTY OF BEXAR        )

BEFORE ME, the undersigned authority, personally appeared Luis Roberto Vera, Jr., who, being by me duly sworn, deposed as follows:

"My name is Luis Roberto Vera, Jr. I am over 18 years of age and of sound mind and capacity, hereby declare under penalty of perjury that the foregoing is true and correct.

On or about March 6, 2008 I called the Voting Rights Section of the Department of Justice to inquire about submissions made by the State of Texas and/or the Texas Democratic Party (TDP). I was told, as is the usual practice, to submit a request pursuant to the Freedom of Information Act (FOIA). On or about March 6, 2008 I sent a FOIA request electronically to Sarabeth Donovan, civil rights analyst voting section. Specifically the FOIA request asked for,

'1. All submissions by the Texas Democratic Party and/or the State of Texas for all presidential election primaries from the time the Voting Rights Act was extended to Texas.

We are specifically looking for the submission language in regards to the precinct convention (caucus) portion of the presidential primary conducted by the Texas Democratic Party. We are also looking for the submission language in regards to the Spanish language or bi-lingual provisions in compliance with the Voting Rights Act.'

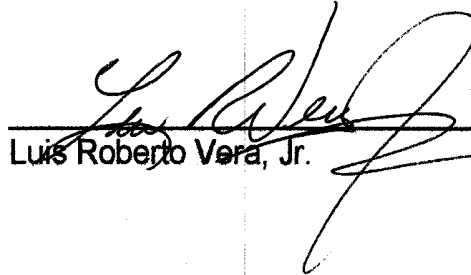
On or about March 10, 2008 I received a call from Sarabeth Donovan to discuss the FOIA request. Ms. Donovan requested that I narrow the request. I had placed a call to the Texas Democratic Party in Austin, TX and spoke to Hector Nieto, communications director. Mr. Nieto confirmed that the dual primary/caucus used in the 2008 primary was last changed and adopted in 1988. I asked if the party had submitted for pre-clearance and I was told that I would need to speak to their attorney. After discussing this with Ms Donovan and that LULAC was looking for a submission by either the State of Texas or the Texas Democratic Party as to the combined primary and caucus system used by the TDP and adopted on or about the year 1988 or after, I submitted a narrower FOIA request to Sarabeth Donovan which stated,

'1) 1988 or after - Submission by the Texas Democratic Party for changes to the Presidential primary including the Precicnt Convention process used in electing delegates.'

From March 10 through March 25, 2008 several phone calls and emails were made to Ms Donovan and I was told the voting rights section was researching the request. On March 24, 2008 I contacted Christopher Coates, acting chief of the voting rights section to ascertain as to why they could not answer the request. Mr. Coates called the next day with Sarabeth Donovan in his office. They both informed me that no submissions were located in their system by either the State of Texas or the Texas Democratic Party in response to my request and/or in regards to changes made in 1988. I requested a letter from Ms Donovan with any information available in their system. On March 25, 2008 Ms Donovan mailed the attached letter specifically answering my request. I also received a CD ROM containing all submission file numbers with a short description of each submission since 1975. There are over 500 pages. The changes made by the Texas Democratic Party in 1988 are not among the data files submitted for pre-clearance as required by sec. 5 of the VRA.

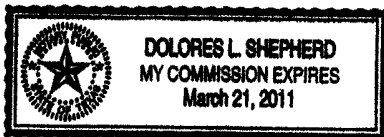
I have exercised due diligence by also contacting the archives section of the Texas Secretary of State in regards to submissions to the voting rights section of the Department of Justice. I was informed that no submissions exist in their system to any changes made by the Texas Democratic Party in 1988 to the combined primary/caucus.

Further affiant sayeth not."

  
Luis Roberto Vera, Jr.

SWORN AND SUBSCRIBED before me, the undersigned authority, on this 9 day of May  
2008.





Notary Public, State of Texas

County of Bexar

My commission expires March 21, 2011.