

Intervenor-Defendants admit that the Plaintiff is a political subunit of the State of Texas. Except as specifically admitted, the remaining allegations in Paragraph 2 are denied.

3. Admit.

4. Admit.

5. Admit.

6. As to the first sentence, Intervenor-Defendants admit that Plaintiff is a municipal utility district existing within the boundaries of Travis County, Texas. The second sentence is denied, and in particular it is denied that Plaintiff has long been considered a political subdivision under the Voting Rights Act. As to the third sentence, Intervenor-Defendants lack information sufficient to admit or deny, and therefore deny. Except as specifically admitted, the remaining allegations in Paragraph 6 are denied.

7. As to the first sentence, Intervenor-Defendants lack sufficient information to admit or deny whether the Plaintiff has always supported “full and open voting rights for all residents of the district,” and so that allegation is denied. Intervenor-Defendants also deny any implication that the preclearance provisions are unnecessary or improper. As to the second sentence, Intervenor-Defendants admit that Plaintiff seeks through this action to escape its obligations under Section 5 of the Voting Rights Act. Except as specifically admitted, the remaining allegations in Paragraph 7 are denied.

8. Intervenor-Defendants deny that the allegations in this Paragraph fully describe the circumstances under which Texas became covered by Section 5. Intervenor-Defendants submit that 42 U.S.C. §§ 1973b(b) and 1973b(f)(3), and 40 Fed. Reg. 43746 (Sept. 23, 1975), speak for themselves.

9. Intervenor-Defendants admit that Congress reauthorized Section 5 in July 2006, and deny the remaining allegations in this Paragraph.

10. Intervenor-Defendants admit that the District did not exist at the time that Texas was designated as a “covered jurisdiction” and that Texas and its political subunits continue to be covered by Section 5. Intervenor-Defendants deny the remaining allegations in this Paragraph.

11. Intervenor-Defendants submit that Section 5 and the Supreme Court decisions construing that provision speak for themselves, and therefore deny.

12. Deny.

13. Intervenor-Defendants admit that voting changes objected to by the Attorney General cannot be implemented, and deny the remaining allegations in this Paragraph.

14. Intervenor-Defendants admit that the Voting Rights Act contains provisions that authorize “political subdivisions,” as defined by Section 14 of the Voting Rights Act, to bail out from Section 5 coverage. Intervenor-Defendants deny the remaining allegations in this Paragraph.

15. Intervenor-Defendants lack information sufficient to admit or deny, and therefore deny, the allegations in this Paragraph.

16. Deny.

17. Intervenor-Defendants lack information sufficient to admit or deny, and therefore deny, the allegations in this Paragraph.

18. Deny.

19. Deny.

20. Deny.

21. Deny.

22. Deny.

23. Intervenor-Defendants admit that the Supreme Court has upheld the constitutionality of Section 5. Intervenor-Defendants deny the remaining allegations in this Paragraph.

24. Deny.

25. Intervenor-Defendants lack information sufficient to admit or deny, and therefore deny, that there has never been a finding that the District has engaged in discriminatory voting practices. Intervenor-Defendants deny the remaining allegations in this Paragraph.

26. Intervenor-Defendants lack information sufficient to admit or deny, and therefore deny, that the District is a “political subdivision” under state law. Intervenor-Defendants deny the remaining allegations in this Paragraph.

27. Intervenor-Defendants lack information sufficient to admit or deny, and therefore deny, that state lines of governmental authority are not defined by geographic boundaries. Intervenor-Defendants deny the remaining allegations in this Paragraph.

28. Deny.

In response to the paragraph in the prayer for relief in the Plaintiff’s First Amended Complaint, Intervenor-Defendants respond as follows: Intervenor-Defendants deny that the Plaintiff is entitled to any part of the declaratory judgment that it has requested, and further deny that Plaintiff is entitled to any relief in this action. Intervenor-Defendants deny any and all allegations not specifically admitted herein. Pursuant to 42 U.S.C. § 1973l(e) and Fed. R. Civ. P. 54, Intervenor-Defendants (other than Jovita Casares, Angie Garcia, and Ofelia Zapata) request

that the court adjudge all costs against Plaintiff, including reasonable attorneys' fees and expenses.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2007, I caused to be served a copy of the foregoing PRIVATE INTERVENOR-DEFENDANTS' ANSWER TO PLAINTIFF'S FIRST AMENDED COMPLAINT to all counsel of record via the Court's CM/ECF filing system.

/s/ Daniel A. Zibel

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