

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

TEXAS DEMOCRATIC PARTY; §
BOYD L. RICHIE, in his capacity as §
Chairman of the Texas Democratic Party; §
FRANK JOSEPH; and BRETT §
ROSENTHAL §

Plaintiffs, §

vs. §

Cause No. 3:08-CV-02117-P

DALLAS COUNTY, TEXAS; §
BRUCE SHERBET, in his capacity as §
Election Administrator for Dallas County, §
Texas; §

Defendants. §

**DEFENDANTS' UNOPPOSED MOTION TO EXTEND TIME
TO ANSWER OR OTHERWISE RESPOND TO
PLAINTIFFS' FIRST AMENDED COMPLAINT**

Defendants Dallas County, Texas and Bruce Sherbet, in his capacity as Election Administrator for Dallas County, Texas (“Defendants”) file this Unopposed Motion to Extend Time to File Responsive Pleading or Motion to Dismiss to Plaintiffs’ First Amended Complaint.

On December 1, 2008, Plaintiffs Texas Democratic Party, Boyd L. Richie, in his capacity as Chairman of the Texas Democratic Party, Frank Joseph and Brett Rosenthal (collectively referred to herein as “Plaintiffs”) sued Defendants asserting section 2 and section 5 claims under the Voting Rights Act, 42 U.S. C. § 1973. On December 19, 2008, Plaintiffs filed a First Amended Complaint. Defendants’ current deadline to answer or otherwise respond to the First Amended Complaint is January 9, 2009. The additional time is required to provide Defendants adequate time to file an answer or

otherwise respond. Plaintiffs do not oppose this motion. The parties agree to extend Defendants' time to file an answer or otherwise respond until January 20, 2009.

Respectfully submitted,

By: /s/ E. Leon Carter

E. Leon Carter

Texas Bar No. 03914300

lcarter@munckcarter.com

Jamil N. Alibhai

Texas Bar No. 00793248

jalibhai@munckcarter.com

Tanja K. Martini

Texas Bar No. 24032581

tmartini@munckcarter.com

MUNCK CARTER, P.C.

600 Banner Place

12770 Coit Road

Dallas, Texas 75051

Telephone: 972.628.3600

Facsimile: 972.628.3616

ATTORNEYS FOR DALLAS COUNTY,
TEXAS AND BRUCE SHERBET,
IN HIS CAPACITY AS ELECTION
ADMINISTRATOR FOR DALLAS COUNTY

CERTIFICATE OF CONFERENCE

I, the undersigned attorney, hereby certify to the Court that I have conferred with Chad W. Dunn, counsel for Plaintiffs, concerning the relief requested in this motion, and Mr. Dunn indicated that he does not oppose this motion and agrees to extend Defendants' deadline to respond to Plaintiffs' First Amended Complaint to January 20, 2009.

/s/ E. Leon Carter

E. Leon Carter

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served in accordance with the Federal Rules of Civil Procedure on this 8th day of January, 2009, to the following via ECF:

Chad W. Dunn
K. Scott Brazil
Brazil & Dunn
4201 FM 1960 West, Suite 530
Houston, Texas 77068

Randall Buck Wood
Doug W. Ray
Ray, Wood, & Bonilla
2700 Bee Caves Road
Austin, Texas 78746

Clay L. Jenkins
Jenkins & Jenkins, P.C.
516 West Main Street
Waxahachie, Texas 75165

/s/ E. Leon Carter
E. Leon Carter