

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

STATE OF TEXAS,

Plaintiff,

v.

ERIC H. HOLDER, JR., in his
Official capacity as Attorney General
of the United States,

Defendant.

Case No. 1:12-cv-00128
(DST, RMC, RLW)

**PLAINTIFF'S NOTICE OF OBJECTIONS TO
DEFENDANT'S TRIAL EXHIBITS**

Plaintiff, the State of Texas, respectfully submits this Notice of its objections to trial exhibits offered by Defendant, Eric H. Holder, Jr., in his official capacity as Attorney General of the United States. Plaintiff's objections are stated in the attached Exhibit 1.

Dated: July 17, 2012

Respectfully submitted.

GREG ABBOTT
Attorney General of Texas

DANIEL T. HODGE
First Assistant Attorney General

JONATHAN F. MITCHELL
Solicitor General

/s/ Patrick K. Sweeten
PATRICK K. SWEETEN
Assistant Attorney General
ADAM W. ASTON
Principal Deputy Solicitor General
ARTHUR C. D'ANDREA
Assistant Solicitor General
MATTHEW H. FREDERICK
Assistant Attorney General

209 West 14th Street
P.O. Box 12548
Austin, Texas 70711-2548
(512) 936-1695

ADAM K. MORTARA
JOHN M. HUGHES
Bartlit Beck Herman Palenchar & Scott LLP
54 W. Hubbard Street, Suite 300
Chicago, IL 60654
Tel: (312) 494-4400
Fax: (312) 494-4440

Counsel for the State of Texas

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document is being served by CM/ECF and/or electronic mail on July 17, 2012 on the following:

Elizabeth Stewart Westfall
Jennifer Lynn Maranzano
Daniel J. Freeman
Bruce I. Gear
Meredith E.B. Bell-Platts
U.S. DEPARTMENT OF JUSTICE
Civil Rights Division, Voting Section
950 Pennsylvania Avenue, NW
NWB-Room 7202
Washington, DC 20530
(202) 305-7766/Fax: (202) 307-3961
Email: elizabeth.westfall@usdoj.gov
Email: daniel.freeman@usdoj.gov
Email: bruce.gear@usdoj.gov
Email: jennifer.maranzano@usdoj.gov
Email: Meredith.Bell-Platts@usdoj.gov
Counsel for the United States

Chad W. Dunn
BRAZIL & DUNN
4201 FM 1960 West, Suite 530
Houston, TX 77068
(281) 580-6310
Email: chad@brazilanddunn.com

J. Gerald Hebert
Attorney at Law
191 Somerville Street, #405
Alexandria, VA 22304
Telephone: 703-628-4673
hebert@voterlaw.com
Counsel for Eric Kennie, Anna Burns, Michael Montez, Penny Pope, Marc Veasey, Jane Hamilton, David De La Fuente, Lorraine Birabil, Daniel Clayton, and Sergio Deleon

Ezra D. Rosenberg
Michelle Hart Yeary
DECHERT LLP
902 Carnegie Center, Suite 500
Princeton, NJ 08540
(609) 955-3200/Fax: (609) 955-3259
Email: ezra.rosenberg@dechert.com
Email: michelle.yeary@dechert.com

Jon M. Greenbaum
Mark A. Posner
Robert A. Kengle
LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW
1401 New York Avenue, NW, Suite 400
Washington, DC 20005
(202) 662-8325
Email: jgreenbaum@lawyerscommittee.org
Email: mposner@lawyerscommittee.org
Email: bkengle@lawyerscommittee.org

Myrna Perez
Ian Arthur Vandewalker
Wendy Robin Weiser
THE BRENNAN CENTER FOR JUSTICE AT NYU LAW SCHOOL
161 Avenue of the Americas, Floor 12
New York, NY 10013-1205
(646) 292-8329/Fax: (212)463-7308
Email: myrna.perez@nyu.edu
Email: ian.vandewalker@nyu.edu
Email: wendy.weiser@nyu.edu

Robert Stephen Notzon
1507 Nueces Street
Austin, TX 78701-1501
(512) 474-7563
Fax: (512) 852-4788
Email: robert@notzonlaw.com

Victor L. Goode
NAACP National Headquarters
4805 Mt. Hope Dr.
Baltimore, Maryland 21215-3297
(410) 580-5120
Email: vgoode@naacpnet.org

Jose Garza
Law Office of Jose Garza
7414 Robin Rest Dr.
San Antonio, Texas 98209
(210) 392-2856 (phone)
Email: garzpalm@aol.com

Gary L Bledsoe
Law Office of Gary L. Bledsoe and Associates
316 West 12th Street, Suite 307
Austin, Texas 78701
(512) 322-9992
Email: garybledsoe@sbcglobal.net
*Counsel for Texas State Conference of NAACP Branches, Mexican American
Legislative Caucus of the Texas House of Representatives*

Douglas H. Flaum, Michael B. de Leeuw, Adam Harris
FRIED, FRANK, HARRIS, SHRIVER & JACOBSON LLP
One New York Plaza
New York, New York 10004-1980
(212) 859-8000
Email: douglas.flaum@friedfrank.com
Email: michael.deleeuw@friedfrank.com
Email: adam.harris@friedfrank.com

Ryan Haygood, Natasha M. Korgaonkar, Leah C. Aden
Dale E. Ho, Debo P. Adegbile, Elise C. Boddie
NAACP Legal Defense and Educational Fund, Inc.
99 Hudson Street, Suite 1600
New York, New York 10013
(212) 965-2200
(212) 226-7592
Email: rhaygood@naacpldf.org
Email: nkorgaonkar@naacpldf.org
Email: laden@naacpldf.org
Email: dadegbile@naacpldf.org
Email: dho@naacpldf.org
Email: eboddie@naacpldf.org
*Counsel for Texas League of Young Voters Education Fund, Imani Clark,
KiEssence Culbreath, Demariano Hill, Felicia Johnson, Dominique Monday, and
Brianna Williams*

John Kent Tanner
3743 Military Road, NW
Washington, DC 20015
(202) 503-7696
Email: john.k.tanner@gmail.com

Nancy Abudu
Katie O'Connor
Laughlin McDonald
AMERICAN CIVIL LIBERTIES UNION FOUNDATION INC
230 Peachtree Street NW, Suite 1440
Atlanta, GA 30303
(404) 523-2721
Email: nabudu@aclu.org
Email: koconnor@aclu.org
Email: lmcDonald@aclu.org

Arthur B. Spitzer
American Civil Liberties Union of the Nation's Capital
4301 Connecticut Avenue, N.W., Suite 434
Washington, D.C. 20008
(202) 457-0800
Email: artspitzer@gmail.com

Lisa Graybill
Rebecca Robertson
American Civil Liberties Union Foundation of Texas
1500 McGowan Street
Houston, Texas 77004
(713) 942-8146
Email: lgraybill@aclutx.org
Email: rrobertson@aclutx.org

Penda Hair
Kumiki Gibson
Advancement Project
1220 L Street, NW, Suite 850
Washington, DC 20005
(202) 728-9557
Email: phair@advancementproject.org
Email: kgibson@advancementproject.org
*Counsel for Justice Seekers, League of Women Voters of Texas, Texas Legislature
Black Caucus, Donald Wright, Peter Johnson, Ronald Wright, Southwest
Workers Union and La Union Del Pueblo Entero*

Nina Perales
Amy Pedersen
MEXICAN AMERICAN LEGAL DEFENSE & EDUCATIONAL FUND, INC.
110 Broadway, Suite 300
San Antonio, TX 78205
(210) 224-5476
Email: nperales@maldef.org
Email: apedersen@maldef.org
*Counsel for Mi Familia Vota Education Fund, Southwest Voter Registration
Education Project, Nicole Rodriguez, Victoria Rodriguez*

/s/ Patrick K. Sweeten
PATRICK K. SWEETEN
Assistant Attorney General

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

STATE OF TEXAS,

Plaintiff,

v.

ERIC H. HOLDER, JR., in his
Official capacity as Attorney General
of the United States,

Defendant.

Case No. 1:12-cv-00128
(DST, RMC, RLW)

EXHIBIT 1

**PLAINTIFF'S NOTICE OF OBJECTIONS
TO DEFENDANT'S TRIAL EXHIBITS**

Exhibit	First App'x Page #	Last App'x Page #	Document Title	Basis for Objection
DE025	DE-000126	DE-000127	Subject: Re: Election ID Certificate Change Of Address Issue - Email 11 October 2011 from Davio to Smith; Mastracchio; Terry	Hearsay, R. 802
DE082	DE-000549	DE-000549	Citizen Letter: Adkins to Perry - Support VID but need more DMV offices.	Hearsay, R. 802
DE083	DE-000550	DE-000550	Citizen Email to Perry 25 January 2011 Support Bill want it rushed	Hearsay, R. 802
DE089	DE-000680	DE-000681	Email 14 October 2011 from Batheja to Castle re a response Castle made to a media question	Hearsay, R. 802; Relevance, R. 402
DE090	DE-000682	DE-000682	Email 17 October 2011 from Montgomery to Castle requesting the governor's position on border patrol for a news story	Hearsay, R. 802; Relevance, R. 402

DE091	DE-000683	DE-000685	Email 26 May 2010 from Garner to Garner as to a 26 May 2010 press release concerning Rep. Riddle's intention to file ballot security legislation to require PhotoID at TX ballots	Hearsay, R. 802
DE097	DE-000761	DE-000766	King Street Patriots Recommendations for Legislation as to SB-14	Relevance, R. 402; Hearsay, R. 802
DE098	DE-000767	DE-000769	Email 26 May 2010 from English to English as to Rep. Riddle's press release to file ballot security initiative	Hearsay, R. 802
DE099	DE-000770	DE-000772	TCCRI document titled "Voter ID: Supreme Court Gives State New Opportunity to Secure Elections"	Hearsay, R. 802
DE100	DE-000773	DE-000773	Email 21 May 2009 from Adams to Christman Re. Texas Eagle Forum alert as to SB-14	Hearsay, R. 802
DE101	DE-000774	DE-000775	Email 29 March 2009 from Fredricks to Christman as to supporting Voter Photo ID	Relevance, R. 402; Hearsay, R. 802
DE110	DE-000822	DE-000824	8 March 2011 Email from David Duran, Blaine Brunson, Julia Rathgeber, John Opperman and Don Green	Hearsay, R. 802
DE123	DE-000844	DE-000845	31 January 2011 News Release from Senator West as to Texas Voter ID Bill	Hearsay, R. 802
DE132	DE-000864	DE-000864	Email 16 November 2011 from Mendoza to Fields as to DEVRED database	Relevance, R. 402; Hearsay, R. 802
DE144	DE-000934	DE-000941	Immigration Legislation Plan	Relevance, R. 402; Hearsay, R. 802; Authenticity, R. 901
DE154	DE-000959	DE-000959	Email 6 November 2011 from Ebert to Winn as to allegations of illegal voting and lodging a complaint	Hearsay, R. 802
DE202	DE-001283	DE-001287	Subject: Re: FW: SB 14 follow up - Email 28 March 2011 from Trumble to Smith	Relevance, R. 402; Hearsay, R. 802
DE213	DE-001314	DE-001316	Subject: RE: Risk Algorithm: How it works now - Email 14 December 2011 - From Smith to Myers	Relevance, R. 402; Hearsay, R. 802

DE223	DE-001427	DE-001427	Subject: RE: State IDs and voter registration - Email 31 August 2011 from Gipson to Lovelace	Hearsay, R. 802
DE235	DE-001497	DE-001501	Subject: FW: Voter ID & Highlights; OK to share? - Email 11 May 2012 from Logan to same (chain email re Dan Patrick and the Tea Party)	Hearsay, R. 802
DE236	DE-001502	DE-001502	Subject: Joe Straus.. - Email 11 January 2011 from Richard Summer to District24 Taylor (complaining that Straus is not conservative enough)	Relevance, R. 402
DE237	DE-001503	DE-001514	Fraser's (?) 2009 Calendar (Voter ID is an entry in 10 March 2009)	Relevance, R. 402
DE249	DE-001584	DE-001588	Subject: Fiscal Implications of SB 14 - Email 28 March 2011 from Trumble to Arriaga	Relevance, R. 402
DE251	DE-001593	DE-001593	Subject: Legislative Privileged - Email 25 January 2011 from Arriaga to [not listed] (questions and answers for DPS)	Relevance, R. 402
DE259	DE-001622	DE-001622	Subject: FW: Number of voters that do not have an associated TDL/SSN - Email - 25 February 2011 from McGeehan to [not listed]	Relevance, R. 402
DE296	DE-002153	DE-002154	Declaration of Dorothy Mae Tates 3 May 2012	Hearsay, R. 802
DE298	DE-002162	DE-002164	Texas lawmaker suggests Asians adopt easier names - article in Houston Chronicle	Relevance, R. 402; Hearsay, R. 802
DE317	DE-002220	DE-002220	Identification Flow Chart (Abshier US 906)	Hearsay, R. 802; Authenticity, R. 901
DE335	DE-002315	DE-002320	18 May 2009 Email Bonnen to Rogers re interest in the vote against Voter ID bill	Relevance, R. 402; Hearsay, R. 802
DE338	DE-002331	DE-002331	6 March 2011 News Article Bonnen update on Illegal Immigration , Voter ID abd Pro Life Legislation	Relevance, R. 402; Hearsay, R. 802
DE340	DE-002333	DE-002333	30 April 2008 Email Bargas to Bonnen re introducing bill in TX requiring ID for voting	Relevance, R. 402; Hearsay, R. 802
DE344	DE-002337	DE-002340	Internet Fact Check re Dewhurst	Relevance, R. 402; Hearsay, R. 802

DE452	DE-004634	DE-004634	Abbott, GOP Pressing for Required Photo ID; Article in Dallas Morning News 18 May 2008; Mitchell Dep. Ex. 592	Hearsay, R. 802
DE453	DE-004635	DE-004636	AG Fails to Uncover Major Voting Faud; Article in Dallas Morning News 18 May 2008; Mitchell Dep. Ex. 593	Hearsay, R. 802
DE455	DE-004640	DE-004641	Cheap Shot/Rules Change by GOP State Senators to Pass Voter ID; Article in Houston Chronicle 18 January 2009; Patrick Dep. Ex. 169	Hearsay, R. 802
DE514	DE-004996	DE-005011	Legislative Privilege Withholdings by Patrick and Straus	Relevance, R. 402
DE554	DE-005549	DE-005554	Georgia Photo ID Frequently Asked Questions	Relevance, R. 402; Hearsay, R. 802
DE554	DE-005555	DE-006214	DOJ Objection Letters to Texas	Relevance, R. 402