

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

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MARC VEASEY, *et al.*,

Plaintiffs,

v.

RICK PERRY, *et al.*,

Defendants.

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Civil Action No. 2:13-cv-193 (NGR)

UNITED STATES OF AMERICA,

Plaintiff,

TEXAS LEAGUE OF YOUNG VOTERS  
EDUCATION FUND, *et al.*,

Plaintiff-Intervenors,

TEXAS ASSOCIATION OF HISPANIC  
COUNTY JUDGES AND COUNTY  
COMMISSIONERS, *et al.*,

Plaintiff-Intervenors,

v.

STATE OF TEXAS, *et al.*,

Defendants.

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Civil Action No. 2:13-cv-263 (NGR)

TEXAS STATE CONFERENCE OF NAACP  
BRANCHES, *et al.*,

Plaintiffs,

v.

NANDITA BERRY, *et al.*,

Defendants.

Civil Action No. 2:13-cv-291 (NGR)

BELINDA ORTIZ, *et al.*,

Plaintiffs,

v.

STATE OF TEXAS, *et al.*,

Defendants

Civil Action No. 2:13-cv-348 (NGR)

**NOTICE OF PENDING MATTERS AND SUBMISSION OF PROPOSED ORDERS**

To facilitate resolution of the numerous motions to quash now pending before this Court, the United States hereby provides the Court with notice of the relevant pleadings in table form, along with proposed orders (1) resolving document subpoenas in a manner consistent with this Court's prior rulings and (2) resolving deposition subpoenas in accordance with the procedures set out in *Perez v. Perry*, No. 5:11-cv-360 (W.D. Tex. Aug. 1, 2011) (three-judge court) (ECF No. 102).

**DOCUMENT SUBPOENAS**

**1. Motions to Quash Identical to ECF No. 251**

The U.S. District Court for the Western District of Texas has transferred thirty motions to quash subpoenas duces tecum to this Court. Twenty-eight are identical in substance to the

motion to quash already resolved by this Court. *See* 5/1/14 Minute Order; 5/15/14 Minute Order; *see also* Mot. to Quash (ECF No. 251).

**Table 1: Motions to Quash Identical to ECF No. 251**

<b>Movant</b>	<b>Docket</b>	<b>Mot. to Quash</b>	<b>Opposition</b>
Rep. Charles Anderson	2:14-cv-227	ECF No. 1	ECF No. 8
Colby Beuck	2:14-cv-214	ECF No. 1	ECF No. 8
Sen. Brian Birdwell	2:14-cv-211	ECF No. 1	ECF No. 8
Rep. Dwayne Bohac	2:14-cv-213	ECF No. 1	ECF No. 8
Rep. Betty Brown	2:14-cv-205	ECF No. 1	ECF No. 8
Rep. Wayne Christian	2:14-cv-206	ECF No. 1	ECF No. 8
Rep. Tom Craddick	2:14-cv-228	ECF No. 1	ECF No. 8
Lt. Gov. David Dewhurst	2:14-cv-230	ECF No. 1	ECF No. 8
Sen. Robert Duncan	2:14-cv-212	ECF No. 1	ECF No. 8
Sen. Troy Fraser	2:14-cv-231	ECF No. 1	ECF No. 8
Rep. John Garza	2:14-cv-219	ECF No. 1	ECF No. 8
Sen. Joan Huffman	2:14-cv-220	ECF No. 1	ECF No. 8
Rep. Larry Gonzales	2:14-cv-215	ECF No. 1	ECF No. 8
Rep. Harvey Hilderbran	2:14-cv-217	ECF No. 1	ECF No. 8
Rep. Linda Harper-Brown	2:14-cv-207	ECF No. 1	ECF No. 8
Bryan Hebert	2:14-cv-208	ECF No. 1	ECF No. 8
Rep. Brian McCall	2:14-cv-232	ECF No. 1	ECF No. 8
Janice McCoy	2:14-cv-233	ECF No. 1	ECF No. 8
Rep. Geanie Morrison	2:14-cv-218	ECF No. 1	ECF No. 8
Rep. Aaron Peña	2:14-cv-234	ECF No. 1	ECF No. 8
Rep. Debbie Riddle	2:14-cv-222	ECF No. 1	ECF No. 8
Rep. David Simpson	2:14-cv-223	ECF No. 1	ECF No. 8
Rep. Todd Smith	2:14-cv-221	ECF No. 1	ECF No. 8
Speaker Joe Strauss III	2:14-cv-224	ECF No. 1	ECF No. 8
Rep. Van Taylor	2:14-cv-210	ECF No. 1	ECF No. 8
Rep. Raul Torres	2:14-cv-209	ECF No. 1	ECF No. 8
Rep. Jeff Wentworth	2:14-cv-235	ECF No. 1	ECF No. 8
Rep. Beverly Woolley	2:14-cv-236	ECF No. 1	ECF No. 8

## 2. Motions to Quash Identical to ECF No. 251 Plus Time to Comply

The motion to quash filed by Representative Leo Berman contains an additional issue related to the reasonableness of time afforded to comply. This issue is now moot because more than 14 days have passed since service of the subpoena to Representative Berman.

**Table 2: Motions to Quash Identical to ECF No. 251 Plus Time to Comply**

<b>Movant</b>	<b>Docket</b>	<b>Mot. to Quash</b>	<b>Opposition</b>
Rep. Leo Berman	2:14-cv-216	ECF No. 1	ECF No. 8

## 3. Motions to Quash Identical to ECF No. 251 Plus Search Terms

The motion to quash filed by the Texas Legislative Council contains an additional issue related to the use of search terms. For the reasons set out in the United States' opposition to the motion to quash (ECF No. 10), use of the search terms would not present an undue burden.

**Table 3: Motions to Quash Identical to ECF No. 251 Plus Search Terms**

<b>Movant</b>	<b>Docket</b>	<b>Mot. to Quash</b>	<b>Opposition</b>
Texas Legislative Council	2:14-cv-226	ECF No. 1	ECF No. 10

## **DEPOSITION SUBPOENAS**

### 4. Motions to Quash Identical to ECF No. 290

Legislators have filed four motions to quash deposition subpoenas in this Court. In addition, the U.S. District Court for the Western District of Texas has transferred two motions to quash deposition subpoenas to this Court. One, filed by Janice McCoy, is identical in substance to the motions to quash already before this Court.

**Table 4: Motions to Quash Identical to ECF No. 290**

<b>Movant</b>	<b>Docket</b>	<b>Mot. to Quash</b>	<b>Opposition</b>
Sen. Dan Patrick	2:13-cv-193	ECF No. 290	ECF No. 309
Sen. Tommy Williams	2:13-cv-193	ECF No. 296	ECF No. 309
Rep. Patricia Harless	2:13-cv-193	ECF No. 312	ECF No. 315
Speaker Joe Strauss III	2:13-cv-193	ECF No. 313	ECF No. 315
Janice McCoy	2:14-cv-237	ECF No. 1	ECF No. 7

**5. Motions to Quash Identical to ECF No. 290 Plus Attorney-Client Privilege**

The sixth motion to quash a deposition subpoena (and the second of the two transferred from the U.S. District Court for the Western District of Texas) pending before this Court was filed by Bryan Hebert, an aide to Lieutenant Governor David Dewhurst. That motion contains an additional issue related to the attorney-client privilege. For the reasons set out in the United States' opposition to the motion to quash (ECF No. 7), the attorney-client privilege is not an adequate ground to quash the deposition.

**Table 5: Motions to Quash Identical to ECF No. 290 Plus Attorney-Client Privilege**

<b>Movant</b>	<b>Docket</b>	<b>Mot. to Quash</b>	<b>Opposition</b>
Bryan Hebert	2:14-cv-225	ECF No. 1	ECF No. 7

**6. Motions Pending Before the Western District of Texas**

Three additional motions to quash remain pending before the U.S. District Court for the Western District of Texas. The United States has moved to transfer those motions to this Court, but the legislators have declined to consent to transfer.

**Table 6: Motions Pending Before the Western District of Texas**

<b>Movant</b>	<b>W.D. Tex. Docket</b>	<b>Mot. to Quash</b>	<b>Mot. to Transfer</b>
Sen. Troy Fraser	1:14-mc-509	ECF No. 1	ECF No. 2
Colby Beuck	1:14-mc-515	ECF No. 1	ECF No. 3
Lt. Gov David Dewhurst	1:14-mc-517	ECF No. 1	ECF No. 2

## 7. Motions Pending Before the Northern District of Texas

Another motion to quash was filed today by Sen. Robert Duncan in the U.S. District Court for the Northern District of Texas. The United States anticipates moving to transfer that motion shortly to this Court.

**Table 7: Motions Pending Before the Northern District of Texas**

<b>Movant</b>	<b>N.D. Tex. Docket</b>	<b>Mot. to Quash</b>	<b>Mot. to Transfer</b>
Sen. Robert Duncan	Unknown	ECF No. 1	To Be Filed

## 8. Legislators Who Have Not Yet Moved To Quash

Finally, two legislators who have received deposition subpoenas have not yet moved to quash. Because the deposition subpoenas served on these individuals set preliminary deposition dates for tomorrow, June 5, 2014, the United States anticipates that those individuals will move to quash shortly.

**Table 8: Legislators Who Have Not Yet Moved To Quash**

<b>Subpoena Recipient</b>	<b>Anticipated Filing District</b>
Sen. Brian Birdwell	N.D. Tex.
Rep. Debbie Riddle	S.D. Tex.

Date: June 4, 2014

KENNETH MAGIDSON  
United States Attorney  
Southern District of Texas

Respectfully submitted,

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/s/ Daniel J. Freeman

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 4, 2014, I served a true and correct copy of the foregoing via the Court's ECF system on the following counsel of record:

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