

No. 03-17-00662-CV

**IN THE COURT OF APPEALS
FOR THE THIRD JUDICIAL DISTRICT
AUSTIN, TEXAS**

**IN RE
ROLANDO PABLOS, SECRETARY OF STATE FOR THE STATE OF
TEXAS, AND KEITH INGRAM, DIRECTOR, TEXAS ELECTIONS
DIVISION OF THE SECRETARY OF STATE,
*RELATORS,***

Original Proceeding to Cause No. D-1-GN-17-003451
Pending in the 98th Judicial District Court,
Travis County, Texas,
Honorable Tim Sulak, Presiding

RELATORS' EMERGENCY MOTION FOR TEMPORARY RELIEF

TO THE HONORABLE THIRD COURT OF APPEALS:

Pursuant to Texas Rules of Appellate Procedure 10.3(a)(3) and 52.10(a), Relators, Rolando Pablos, Secretary of State for the State of Texas, and Keith Ingram, Director, Texas Elections Division of the Secretary of State, respectfully request temporary relief in the form of a stay of the trial court proceedings—including the October 16, 2017, temporary injunction hearing and discovery—pending the Court's disposition of Relators' Petition for Writ of Mandamus, which

is also being filed today. Appx. B¹. Due to the scheduled temporary injunction hearing at 9:00 a.m. on October 16, 2017, Relators respectfully request a ruling on this motion before the hearing.

The Court has the power to grant the requested relief. *See* TEX. R. APP. P. 52.10(a) (“The relator may file a motion to stay any underlying proceedings or for any temporary relief pending the court’s action on the petition.”).

A full statement of the relevant facts and proceedings appear in the Petition. Real Parties in Interest the League of Women Voters of Texas, Texas State Conference of the National Association for the Advancement of Colored People (NAACP), and Ruthann Geer (“Plaintiffs”), filed an action against Relators seeking an injunction to prohibit the Secretary of State’s Office from producing publicity available voter information pursuant to Texas Election Code § 18.066 in response to a request from the Presidential Advisory Commission on Election Integrity (the “Commission”). The trial court held a hearing on September 29, 2017, on Relators’ pending Plea to the Jurisdiction and Plaintiffs’ application for a temporary restraining order (“TRO”). Appx. A. The following week, the trial court issued a TRO and set a temporary injunction hearing on October 16, 2017, at 9 a.m. Appx. B. The trial court also notified the parties that “[t]he Court has declined to rule on

¹ “Appx.” refers to the appendix to this motion.

the plea to the jurisdiction without prejudice to consideration of the same at the time of the temporary injunction hearing (or at another time).” Appx. C. Notably, since Travis County operates a central docketing system, in future settings in this case will be made by assignment to a random available district court judge. Appx. D (*see* Travis County Local Rule 1.3). Plaintiffs have also indicated that they intend to seek a deposition of Relator Ingram this week. Appx. E.

Relators’ Petition argues that, under these circumstances, the trial court’s overt refusal to rule on the Plea constitutes an abuse of discretion and requests that the Court compel the trial court to act on the Plea prior to the temporary injunction hearing. Further, unless the Court grants temporary relief, Texas taxpayers will have to bear the costs of defending the action in the trial court and Relators’ sovereign immunity from suit will effectively be lost. *City of Galveston v. Gray*, 93 S.W.3d 587, 591 (Tex. App.—Houston [14th Dist.] 2002, orig. proceeding) (a government unit’s sovereign immunity from suit is effectively lost if jurisdiction is assumed and the unit is subjected to pre-trial discovery and the costs incident to litigation).

Finally, Plaintiffs will not be prejudiced by a stay of the trial court proceedings because the Commission has agreed to toll its request for information pending a district court ruling on the pending Plea to the Jurisdiction. Appx. F. Thus, Relators, can represent that they will not produce the challenged information to the

Commission during the while the Plea to the Jurisdiction is still pending in the trial court.

CONCLUSION AND PRAYER

Relators therefore respectfully request that the Court stay proceedings in the trial court pending its resolution of the Petition for Writ of Mandamus. Furthermore, given the upcoming October 16, 2017, hearing, Relators also request that the Court rule on this emergency motion by October 16, 2017, at 8:30 am.

Date: October 10, 2017

Respectfully submitted,

KEN PAXTON
Attorney General of Texas

JEFFREY C. MATEER
First Assistant Attorney General

BRANTLEY STARR
Deputy First Assistant Attorney General

JAMES E. DAVIS
Director of Defense Litigation

ANGELA V. COLMENERO
Chief, General Litigation Division

/s/ *Esteban S.M. Soto*

ESTEBAN S.M. SOTO
Assistant Attorney General
State Bar No.24052284
General Litigation Division

P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
Telephone: (512) 475-4054
Facsimile: (512) 320-0667
esteban.soto@oag.texas.gov
ATTORNEYS FOR APPELLANT

MANDAMUS CERTIFICATION/CERTIFICATE OF CONFERENCE

I certify that I have complied with the requirements in Texas Rule of Appellate Procedure 52.10(a) by filing an Advisory with the trial court to notify Respondent that Relators are requesting temporary relief in this Petition, and have emailed that Advisory to counsel of record. I also certified that I conferred with lead counsel for the Real Parties in Interest-Plaintiffs on October 10, 2017, and they indicated that they are opposed to the relief requested in this motion. Plaintiffs asked that the following language be included in the motion: “Plaintiffs take the position that any stay of the TRO would cause irreparable injury. Plaintiffs’ Counsel are still meeting and conferring with Defendants’ Counsel as to whether any agreement can be reached to extend the TRO and move the TI hearing to a later date.”

/s/ Esteban S.M. Soto

ESTEBAN S.M. SOTO
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been sent *via electronic filing and email on October 10, 2017*, to:

Counsel for Real Parties of Interest: Charles W. McGarry
Texas Bar No. 13610650
701 Commerce Street, Suite 400
Dallas, Texas 75202
(214) 748-0800
(214) 748-9449 fax
cmcgarry@ix.netcom.com

Myrna Pérez, Esq.
Douglas Keith, Esq.
Brennan Center for Justice
120 Broadway, Suite 1750
New York, NY 10271
(646) 292-8310 phone
(212) 463-7308 fax
myrna.perez@nyu.edu
wendy.weiser@nyu.edu
douglas.keith@nyu.edu

Daniel T. Donovan, Esq.
Susan M. Davies, Esq.
Michael A. Glick, Esq.
Kirkland & Ellis LLP
655 Fifteenth Street, N.W.
Washington, DC 20005
(202) 879-5000 phone
(202) 879-5200 fax
daniel.donovan@kirkland.com
susan.davies@kirkland.com
michael.glick@kirkland.com

In addition, I certify that a true and correct copy has been send to Respondent *via facsimile (512)854-9332 and regular mail* on **October 10, 2017**.

/s/ Esteban S.M. Soto _____
ESTEBAN S.M. SOTO
Assistant Attorney General

CERTIFICATE OF COMPLIANCE

In compliance with Texas Rule of Appellate Procedure 9.4(i)(2), this brief contains 703 words, excluding the portions of the brief exempted by Rule 9.4(i)(1).

/s/ Esteban Soto

ESTEBAN S.M. OTO

Assistant Attorney General

No. 03-17-00662-CV

IN THE COURT OF APPEALS
FOR THE THIRD JUDICIAL DISTRICT
AUSTIN, TEXAS

IN RE
ROLANDO PABLOS, SECRETARY OF STATE FOR THE STATE OF TEXAS AND KEITH INGRAM, TEXAS ELECTIONS DIVISION OF THE SECRETARY OF STATE,
RELATORS,

RELATORS' EMERGENCY MOTION FOR TEMPORARY RELIEF

Original Proceeding to Cause No. D-1-GN-17-003451
Pending in the 98th Judicial District Court
Travis County, Texas,
Honorable Timothy Sulak, Presiding

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B) October 3, 2017 Order Granting Plaintiffs' Application for Temporary Restraining Order..... Appx. 3-8
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¹ The appendix is paginated on the bottom right corner with the Appx. prefix for clarity of viewing.

No. _____

IN THE COURT OF APPEALS
FOR THE THIRD JUDICIAL DISTRICT
AUSTIN, TEXAS

IN RE
**ROLANDO PABLOS, SECRETARY OF STATE FOR THE STATE OF
TEXAS, AND KEITH INGRAM, DIRECTOR, TEXAS ELECTIONS
DIVISION OF THE SECRETARY OF STATE,**
RELATORS,

Original Proceeding to Cause No. D-1-GN-17-003451
Pending in the 98th Judicial District Court,
Travis County, Texas,
Honorable Tim Sulak, Presiding

PETITION FOR WRIT OF MANDAMUS

AFFIDAVIT OF ESTEBAN S.M. SOTO

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, personally appeared **ESTEBAN S.M. SOTO**, who being by me duly sworn, deposed the following:

1. “My name is **ESTEBAN S.M. SOTO**. I am over the age of 21 years and am competent to make this Affidavit. All matters stated herein are true and correct and within my personal knowledge.”

2. “I am the Assistant Attorney General representing the Relators Rolando Pablos, Secretary of State for the State of Texas, and Keith Ingram, Director, Texas Elections Division of the Secretary of State, in this Petition for Writ of Mandamus proceeding. I am licensed to practice in the State of Texas, and prepared the Petition for Writ of Mandamus and Appendix and the Mandamus Record, filed with the Petition. All of the documents, statutes, and rules in the attached Appendix and the Mandamus Record are true and correct copies of the documents, statutes, and rules identified or true and correct copies of the documents filed in this action, as those documents exist in our files.”

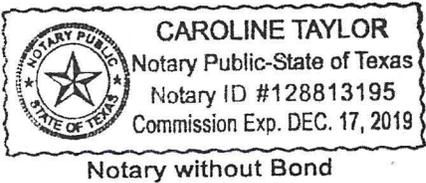
3. “The trial court held a hearing held on September 29, 2017. The hearing lasted approximately one hour. It did not contain testimony adduced in connection with this matter. Nevertheless, Relators requested an expedited transcript of the hearing and I will supplement the Record as soon as I have received the transcript.”

“Further, affiant sayeth not.”



ESTEBAN S.M. SOTO

SUBSCRIBED AND SWORN TO BEFORE ME on this 10th day of October, 2017.





Notary Public - State of Texas
My commission expires: 12/17/19

safeguard the privacy and security of that information. It appears from the facts set forth in Plaintiffs' Second Amended Petition and in the exhibits and sworn affidavits attached to their Application for a Temporary Restraining Order and Temporary Injunction that unless Defendants are immediately restrained from the acts prohibited below, Defendants will commit such acts before a hearing can be held on Plaintiffs' application for a Temporary Injunction. The injury resulting from such acts will be irreparable. If the private information contained in the Texas Computerized Voter Registration List is transmitted without appropriate safeguards, it is likely to become public. The public disclosure of this information without appropriate checks on its use may cause a variety of harms not readily susceptible to monetary measurement, including but not limited to the violation of Plaintiffs' privacy rights, their interests in avoiding commercial solicitation, chilling of their First Amendment rights, and the diminution of their efforts to encourage voting. Having found that Plaintiffs have adequately established, for purposes of obtaining a temporary restraining order, that they have a cause of action and a probable right to relief, and given the potential for immediate and irreparable injury to Plaintiffs, their Application for Temporary Restraining Order is **GRANTED**.

1. **IT IS THEREFORE ORDERED** that Defendants Rolando Pablos and Keith Ingram, their officers, agents, servants, employees, attorneys, and any other persons in active concert or participation with them, shall be restrained from transmitting any data drawn from the below-listed fields of the Texas Computerized Voter Registration List to the Presidential Advisory Commission on Election Integrity, or its members, officers, agents, servants, employees, or attorneys. This order applies to data drawn from the following fields:

- a. COUNTY CODE
- b. PRECINCT
- c. VUID
- d. DOB
- e. PERM HOUSE NUMBER
- f. PERM DESIGNATOR
- g. PERM DIRECTIONAL PREFIX
- h. PERM STREET NAME
- i. PERM STREET TYPE
- j. PERM DIRECTIONAL SUFFIX
- k. PERM UNIT NUMBER
- l. PERM UNIT TYPE
- m. PERM CITY
- n. PERM ZIPCODE
- o. MAILING ADDRESS 1
- p. MAILING ADDRESS 2
- q. MAILING CITY
- r. MAILING STATE
- s. MAILING ZIPCODE

2. **IT IS FURTHER ORDERED** that Defendants Rolando Pablos and Keith Ingram be and hereby are commanded forthwith to comply with this Order from the date of entry until and to the fourteenth (14th) day after entry or until further order of this Court, whichever is less.

3. Plaintiffs shall execute and file with the Clerk of the above-entitled Court a bond to Defendants in the sum of \$ 100⁰⁰. Following the filing of the bond, the Clerk shall issue an Temporary Restraining Order in conformity with the law and the terms of this Order.
4. The Hearing on Plaintiffs' Application for Temporary Injunction is hereby set for hearing on the central docket the 16th day of October, 2017 at 9:00 o'clock a.m in the courtroom assigned by the Travis County Court Administrator in the Herman Marion Sweatt Travis County Courthouse in Austin, Texas.

SIGNED this 3rd day of October, 2017 at 11:15 o'clock a.m.



TIM SULAK
JUDGE PRESIDING



DISTRICT CLERK, TRAVIS COUNTY TEXAS - GENERAL/GOVT DIVISION
VELVA L. PRICE

RECEIPT #: G 000081833
RECEIVED OF: MCGARRY CHARLES W
PART. ID: 1029150
BY CLERK: RODRIGUEZ NANCY
CHECKS:

DATE: 10-03-2017

TIME: 15:52:05
MEMO:

CASH	CREDIT	CHANGE	OTHER
\$20.00	\$0.00	\$0.00	\$0.00

CASE NUMBER	EVENT	COURT/JUDGE	TAX NO.	AMOUNT
D-1-GN-17-003451 LEAGUE OF WOMEN V PABLOS ET AL PARTY: LEAGUE OF WOMEN VOTERS OF TEXAS	526	PMT:APPROVAL OF BOND		\$4.00
D-1-GN-17-003451 LEAGUE OF WOMEN V PABLOS ET AL PARTY: LEAGUE OF WOMEN VOTERS OF TEXAS	310	PMT:TRO ISSUANCE		\$16.00
			TOTAL RECEIPT...	\$20.00

PLEASE KEEP THIS RECIEPT FOR YOUR RECORDS
STREET ADDRESS: 1000 GUADALUPE, SUITE 302 AUSTIN, TX 78701
MAILING ADDRESS: P.O. BOX 679003 AUSTIN, TX 78767-9003



DISTRICT CLERK, TRAVIS COUNTY, TEXAS - CASH BONDS
VELVA L. PRICE

RECEIPT #: B 000013293 DATE: 10-03-2017
RECEIVED OF: LEAGUE OF WOMEN VOTERS OF TEXA
PART. ID: 3582313
BY CLERK: CLINT
CHECKS:

TIME: 15:43:02
MEMO:

BOND ID: 000108133

CASH	CREDIT	CHANGE	OTHER
\$100.00	\$0.00	\$0.00	\$0.00

CASE NUMBER	EVENT	COURT/JUDGE	TAX NO.	AMOUNT
D-1-GN-17-003451 LEAGUE OF WOMEN V PABLOS ET AL PARTY: LEAGUE OF WOMEN VOTERS OF TEXAS	547	PMT:TRO CASH BOND		\$100.00
TOTAL RECEIPT...				\$100.00

PLEASE KEEP THIS RECEIPT FOR YOUR RECORDS
STREET ADDRESS: MAILING ADDRESS:
1000 GUADALUPE, SUITE 302 P.O. BOX 679003
AUSTIN, TX 78701 AUSTIN, TX 78767-9003

From: [Megan Johnson](#)
To: [Soto, Esteban](#); [Myrna Perez](#)
Cc: [Green, La Shanda](#); [Taylor, Caroline](#); michael.glick@kirkland.com; [Max Feldman](#); [Pamela Seger](#); [Megan Johnson](#)
Subject: LWV v. Pablos – Proposed TRO Order
Date: Wednesday, October 04, 2017 4:42:51 PM

Counsel,

The Court has declined to rule on the plea to the jurisdiction without prejudice to consideration of the same at the time of the temporary injunction hearing (or at another time).

Regards,
Megan

From: Soto, Esteban [<mailto:Esteban.Soto@oag.texas.gov>]
Sent: Wednesday, October 04, 2017 12:17 PM
To: Myrna Perez; Megan Johnson; Pamela Seger
Cc: Green, La Shanda; Taylor, Caroline; michael.glick@kirkland.com; Max Feldman
Subject: RE: {EXTERNAL} RE: LWV v. Pablos – Proposed TRO Order

Regardless, to rule on the TI the next court will first have to determine whether it has jurisdiction over the matter. To avoid a situation were two courts issue conflicting rulings regarding jurisdiction, we respectfully ask that this Court issue a ruling prior to the TI hearing. Or, let the parties know if it is declining to rule on the Plea.

Thank you,
Esteban

From: Myrna Perez [<mailto:perezm@brennan.law.nyu.edu>]
Sent: Wednesday, October 04, 2017 12:09 PM
To: Soto, Esteban <Esteban.Soto@oag.texas.gov>; Megan Johnson <Megan.Johnson@traviscountytexas.gov>; Pamela Seger <Pam.Seger@traviscountytexas.gov>
Cc: Green, La Shanda <Lashanda.Alexander@oag.texas.gov>; Taylor, Caroline <Caroline.Taylor@oag.texas.gov>; michael.glick@kirkland.com; Max Feldman <feldmanm@brennan.law.nyu.edu>
Subject: RE: {EXTERNAL} RE: LWV v. Pablos – Proposed TRO Order

Plaintiffs' view is that the entirety of the time scheduled for the TI hearing on the 16th will be taken up by witnesses, etc, on the TI hearing.

From: Soto, Esteban [<mailto:Esteban.Soto@oag.texas.gov>]
Sent: Wednesday, October 04, 2017 12:59 PM
To: Megan Johnson <Megan.Johnson@traviscountytexas.gov>; Myrna Perez <perezm@brennan.law.nyu.edu>; Pamela Seger <Pam.Seger@traviscountytexas.gov>
Cc: Green, La Shanda <Lashanda.Alexander@oag.texas.gov>; Taylor, Caroline <Caroline.Taylor@oag.texas.gov>; michael.glick@kirkland.com; Max Feldman <feldmanm@brennan.law.nyu.edu>
Subject: RE: {EXTERNAL} RE: LWV v. Pablos – Proposed TRO Order

Ms. Johnson,

Thank you. My recollection is that the Court stated that it intended to issue an order on the TRO early this week, but I do not remember if the Court gave any indication regarding its order on the Plea to the Jurisdiction. Can you please let us know if the Court intends to rule on the Defendants' pending Plea to the Jurisdiction? Or, alternatively, whether it is declining to rule? I apologize for asking, but, given the short timeframe before the temporary injunction hearing, Defendants need act quickly in order to protect its interest. For instance, my understanding of Local Rules is that the parties need to notice any new motion setting by this Friday, September 6, 2017, to order to have it heard at the date of the TI hearing. Accordingly, if it can, please let us know if the Court intends to rule on the Plea or if it needs additional information.

Thank you,

Esteban S.M. Soto
Assistant Attorney General
General Litigation Division
Office of the Attorney General
300 West 15th Street
Austin, TX 78701
Phone: 512-475-4054
Fax: 512-320-0667
Esteban.Soto@oag.texas.gov

From: Megan Johnson [<mailto:Megan.Johnson@traviscountytexas.gov>]
Sent: Tuesday, October 03, 2017 12:04 PM
To: Soto, Esteban <Esteban.Soto@oag.texas.gov>; Myrna Perez <perezm@brennan.law.nyu.edu>; Pamela Seger <Pam.Seger@traviscountytexas.gov>
Cc: Green, La Shanda <Lashanda.Alexander@oag.texas.gov>; Taylor, Caroline <Caroline.Taylor@oag.texas.gov>; michael.glick@kirkland.com; Max Feldman <feldmanm@brennan.law.nyu.edu>
Subject: RE: {EXTERNAL} RE: LWV v. Pablos – Proposed TRO Order

Counsel,
The Court has signed a Temporary Restraining Order. It is available in our chambers for pickup. The Plaintiffs will need to take care of setting, filing, serving, posting bond, etc.

Regards,
Megan

From: Soto, Esteban [<mailto:Esteban.Soto@oag.texas.gov>]
Sent: Monday, October 02, 2017 4:06 PM
To: Myrna Perez; Pamela Seger; Megan Johnson
Cc: Green, La Shanda; Taylor, Caroline; michael.glick@kirkland.com; Max Feldman

Subject: {EXTERNAL} RE: LWV v. Pablos – Proposed TRO Order

Ms. Seger and Ms. Johnson,

Pursuant to the Court’s instructions, Defendants submit the attached letter and proposed order regarding the pending Plea to the Jurisdiction and application for a TRO. My understanding is that the parties are agreed to the form of the proposed order denying the TRO, but not to the form of the three additional orders.

Also, if the Court is scheduling a hearing on the temporary injunction, please be advised that I am scheduled to be out of the office on October 23-24 due to a federal hearing in the Eastern District of Texas, Tyler Division.

Thank you,
Esteban

From: Myrna Perez [<mailto:perezm@brennan.law.nyu.edu>]
Sent: Monday, October 02, 2017 3:20 PM
To: pam.seger@traviscountytexas.gov; Megan.Johnson@traviscountytexas.gov
Cc: Soto, Esteban <Esteban.Soto@oag.texas.gov>; Green, La Shanda <Lashanda.Alexander@oag.texas.gov>; Taylor, Caroline <Caroline.Taylor@oag.texas.gov>; michael.glick@kirkland.com; Max Feldman <feldmanm@brennan.law.nyu.edu>
Subject: LWV v. Pablos – Proposed TRO Order

Ms. Seger and Ms. Johnson,

Per Judge Sulak’s direction at the September 29 hearing in the above-captioned matter, please find attached a cover letter to the Court and Plaintiffs’ proposed temporary restraining order.

As detailed in the cover letter, the parties met and conferred and narrowed the issues in dispute, but were unable to come to agreement on the text of the proposed order. Please let me know if you have any questions.

Thanks much and I am sorry we are sending this over so late in the day.

Myrna Pérez
Director, Voting Rights and Elections Project
Deputy Director, Democracy Program
Brennan Center for Justice at NYU School of Law
120 Broadway
Suite 1750
New York, NY 10271
(w) 646 292-8329 (c) 267 879-1543
myrna.perez@nyu.edu

LOCAL RULES
OF
CIVIL PROCEDURE
AND
RULES OF DECORUM

The District Courts of Travis County, Texas

Effective June 2, 2014

FILE NUMBER D-1-GN-61-121012

IN THE SUPREME COURT OF TEXAS

Filed In The District Court
of Travis County, Texas

Misc. Docket No. 14-9081

APR 22 2014

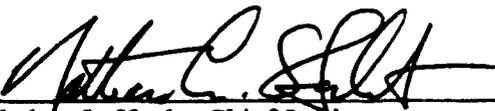
At 2:57 P.M.
Amalia Rodriguez-Mendoza, Clerk

**APPROVAL OF AMENDED LOCAL RULES FOR
DISTRICT COURTS OF TRAVIS COUNTY**

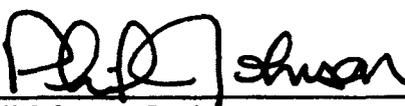
ORDERED that:

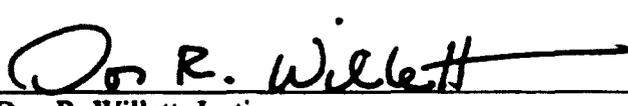
Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court approves the following amendments to the local rules for the District Courts of Travis County.

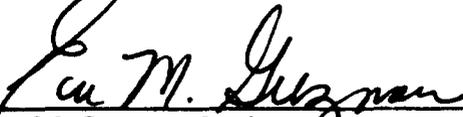
Dated: April 14th 2014.

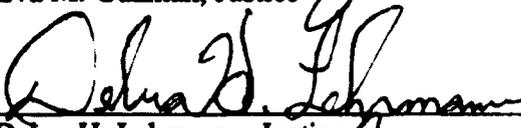

Nathan L. Hecht, Chief Justice

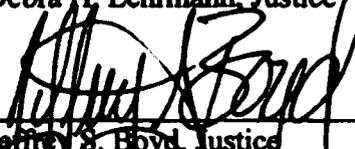

Paul W. Green, Justice

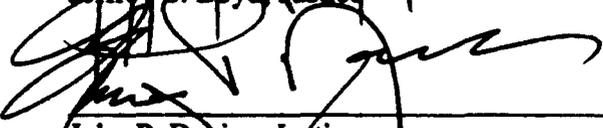

Phil Johnson, Justice


Don R. Willett, Justice


Eva M. Guzman, Justice


Debra H. Lehrmann, Justice


Jeffrey S. Boyd, Justice


John P. Devine, Justice


Jeffrey V. Brown, Justice

CHAPTER 1
GENERAL ORGANIZATION

1.1 District Courts & Cases Governed by These Local Rules

These rules govern procedures in the District Courts hearing civil cases, family cases, and child abuse & neglect cases.

1.2 Central Docket, Family Docket, and CPS Docket and specialized dockets

The primary dockets are the Civil Docket, the Family Docket, and the CPS (DFPS) Docket. All civil cases, other than those on specialized dockets, and all jury trials are set on the Central Docket. See Chapter 21 regarding the setting of family cases and child abuse and neglect cases. The Court Administrator will instruct regarding specialized dockets.

1.3 Any Judge May Conduct Hearing

The District Clerk will file cases by distributing them equally, on a rotating basis, among the District Courts. However, hearings are assigned to available judges without regard to the court in which the case is filed. For all matters, therefore, the District Court identified in the style of the case does *not* mean the judge of that court will conduct the hearing. Unless a case is specially assigned to a particular judge, pursuant to these rules, each hearing in a case may be heard by any judge. For non-jury cases on the Short Central Docket, the Court Administrator assigns the hearings to available judges. For all other matters, the judge calling the docket assigns the hearings.

1.4 Motions Challenging a Prior Ruling

A request to be heard on a motion for new trial or any other motion challenging a prior ruling, except one by default, must be presented to the judge who made the ruling, including a visiting judge.

From: [Myrna Perez](#)
To: [Soto, Esteban](#)
Cc: [Glick, Michael A.](#)
Subject: Depo for Ingram
Date: Thursday, October 05, 2017 4:18:28 PM

Hey, just to give you the heads up, we'd like to informally give you notice that we'd like to depose Ingram on Tuesday.

From: [Williams, Ronald E. EOP/OVP](#)
To: [Lindsey Aston](#)
Subject: RE: September 13 Request
Date: Tuesday, October 10, 2017 10:14:20 AM

Yes, we agree.

Thank you,

Ronald E. Williams II
Policy Advisor, Presidential Advisory Commission on Election Integrity
Office of the Vice President
Phone: 202.881.7807
Email: Ronald.E.Williams@ovp.eop.gov

From: Lindsey Aston [<mailto:LAston@sos.texas.gov>]
Sent: Tuesday, October 10, 2017 11:03 AM
To: Williams, Ronald E. EOP/OVP <Ronald.E.Williams@ovp.eop.gov>
Subject: September 13 Request

Hello,

As discussed, please confirm, by responding to this e-mail, that the Presidential Advisory Commission on Election Integrity will agree to toll its pending request for information, which was submitted by Mr. Ron Williams under Section 18.066 of the Texas Election Code, on September 13, 2017. The request will be tolled pending a District Court ruling on Defendants' pending plea to the jurisdiction in *League of Women Voters of Texas, et al v. Pablos, et al*, Cause No. D-1-GN-17-003451, in Travis County District Court. At the time of the ruling on the plea to the jurisdiction by the District Court, the Commission's request will be renewed, thereby restarting the 15 business days for production contemplated by Section 18.066 of the Texas Election Code.

Regards,

Lindsey (Wolf) Aston
General Counsel
Texas Secretary of State
512-475-2813