

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

SHANNON PEREZ, *et al.*,

*Plaintiffs,*

v.

STATE OF TEXAS, *et al.*,

*Defendants.*

)  
)  
) CIVIL ACTION NO.  
) SA-11-CA-360-OLG-JES-XR  
) [Lead case]

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MEXICAN AMERICAN LEGISLATIVE  
CAUCUS, TEXAS HOUSE OF  
REPRESENTATIVES (MALC),

*Plaintiffs,*

v.

STATE OF TEXAS, *et al.*,

*Defendants.*

)  
)  
) CIVIL ACTION NO.  
) SA-11-CA-361-OLG-JES-XR  
) [Consolidated case]

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TEXAS LATINO REDISTRICTING TASK  
FORCE, *et al.*,

*Plaintiffs,*

v.

RICK PERRY ,

*Defendant.*

)  
)  
) CIVIL ACTION NO.  
) SA-11-CV-490-OLG-JES-XR  
) [Consolidated case]

MARAGARITA V. QUESADA, et al.,	)	
	)	CIVIL ACTION NO.
<i>Plaintiffs,</i>	)	SA-11-CA-592-OLG-JES-XR
	)	[Consolidated case]
v.	)	
	)	
RICK PERRY, et al.,	)	
<i>Defendants.</i>	)	
_____	)	
	)	
JOHN T. MORRIS,	)	CIVL ACTION NO.
	)	SA-11-CA-615-OLG-JES-XR
<i>Plaintiff,</i>	)	[Consolidated case]
v.	)	
	)	
STATE OF TEXAS, et al.,	)	
	)	
<i>Defendants.</i>	)	
_____	)	
	)	
EDDIE RODRIGUEZ, et al.	)	CIVIL ACTION NO.
	)	SA-11-CA-635-OLG-JES-XR
<i>Plaintiffs,</i>	)	[Consolidated case]
v.	)	
	)	
RICK PERRY, et al.,	)	
	)	
<i>Defendants.</i>	)	

**QUESADA PLAINTIFFS’ RESPONSE IN OPPOSITION TO THE DEFENDANTS’  
MOTION TO MODIFY ORDER REGARDING LEGISLATIVE PRIVILEGE**

Plaintiffs MARGARITA V. QUESADA, *et al.*, adopt by reference the response filed by MALC (Dkt. # 939) in opposition to the Defendants’ Motion To Modify Order Regarding Legislative Privilege (Dkt. # 930).

In addition, the Quesada Plaintiffs would note that while Defendants claim in their motion that the “exigencies that might have motivated” this Court’s prior order regarding

legislative privilege “no longer exist,” (Defendants’ Motion at 2), they have not cited any real change of circumstances that would justify modification of that Order. The only claimed circumstances the Defendants can point to is that the discovery schedule is different in 2013 than it was in 2011. But the problem with this argument by Defendants is that the Order entered on August 1, 2011 by this Court regarding whether there should be a blanket grant of legislative privilege (Dkt. # 102) was not based on the length of the discovery schedule, but rather on a common sense procedure for handling issues that might arise during depositions of legislators or legislative staff. This Court’s August 1, 2011 order (Dkt. #102) correctly noted that “any sort of blanket protective order that would insulate witnesses from testifying would be inappropriate.” Order at 5. That observation was correct then and is correct today. The Defendants’ Motion to Modify should be denied.

Respectfully submitted,

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/s/ J. Gerald Hebert  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day of December 2013, I served a copy of the foregoing Response of the Quesada Plaintiffs IN Opposition to the Defendants' Motion to Modify Order Regarding Legislative Privilege on all counsel by filing it in this Court's ECF system. Any attorney not registered in this Court's ECF system was served by regular first-class mail, postage prepaid.

/s/ J. Gerald Hebert  
J. GERALD HEBERT