

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

SHANNON PEREZ, *et al.*,

*Plaintiffs,*

v.

GREG ABBOTT, *et al.*,

*Defendants.*

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

**QUESADA PLAINTIFFS' NOTICE REGARDING REMAINING ISSUES**

Pursuant to this Court's request, *see* ECF No. 1586, the Quesada Plaintiffs note the following issues that remain to be decided in this case:

1. The Quesada Plaintiffs' Motion for Discovery-Related Attorneys' Fees remains pending, and is not moot. Counsel for the Quesada Plaintiffs contacted Defendants' counsel in an effort to resolve this short of further Court action but were unsuccessful in resolving the matter. The briefing can be found at ECF No. 1539 (Motion), ECF No. 1554 (Opposition), and ECF No. 1556 (Reply Brief). The Quesada Plaintiffs respectfully request that the resolution of their motion for discovery-related fees not be delayed pending resolution of other remaining issues.

2. The Quesada Plaintiffs intend to seek attorneys' fees, expenses, and costs for securing the judicial relief this Court ordered in 2012 imposing a new congressional plan. This relief was confirmed by this Court's determination, following a full trial on the merits, that the prior (2011) plan violated Section 2 of the Voting Rights Act and the Fourteenth Amendment of the U.S. Constitution. Moreover, the Supreme Court has described the 2012 opinion and order—

which resolved the merits of the Quesada Plaintiffs' malapportionment claim and Section 5 enforcement claim—as “a careful analysis of all the claims, [ ] provid[ing] a detailed examination of individual districts.” *Abbott v. Perez*, Slip Op. at 28. Under the relevant case law, the Quesada Plaintiffs are prevailing parties entitled to fees. The Quesada Plaintiffs request that the Court set a briefing schedule related to plaintiffs' entitlement to attorneys' fees.

Dated: August 29, 2018

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that on this 29th day of August, 2018, I served a copy of the foregoing on counsel of record via the Court's CM/ECF system.

/s/ Mark P. Gaber  
Mark P. Gaber