



GOVERNOR GREG ABBOTT

TREVOR W. EZELL  
General Counsel

(512) 463-3329  
Trevor.Ezell@gov.texas.gov

January 20, 2026

**Via E-Filing**

Mr. Blake Hawthorne, Clerk  
Supreme Court of Texas

Re: No. 25-0674, *In re Abbott*

Dear Mr. Hawthorne:

I write to notify the Court of new information released by the Texas Ethics Commission (“TEC”) and a *Texas Tribune* report that reinforce the Governor’s argument that Wu abdicated his office when he solicited or accepted money for “withholding” his “vote or official influence.” Gov.BOM.7–9, 54–56 (quoting TEX. CONST. art. XVI, § 41); see Renzo Downey, *Texas House Democrats Raised Record-Breaking \$2.2 Million in 2025*, TEX. TRIB. (Jan. 15, 2026), <https://perma.cc/T37Q-BAC4>.<sup>†</sup>

As the Governor has explained, Wu abdicated his legislative duties in exchange for money. Cognizant that indefinite flight from the State would be costly, Wu met for weeks with Democrat leaders and negotiated monetary support from donors. A statement by the spokesman for Beto O’Rourke’s PAC, Powered by People, made the terms of the exchange clear:

We essentially said, “Hey, if you [Texas House Democrats] do this [break quorum], and we hope you do, we’ll have your back on it, including an initial amount to get you off the ground. . . . *As soon as you do it, we’ll fundraise for you*, email, text, online social media, and everything that comes in goes toward that effort.”

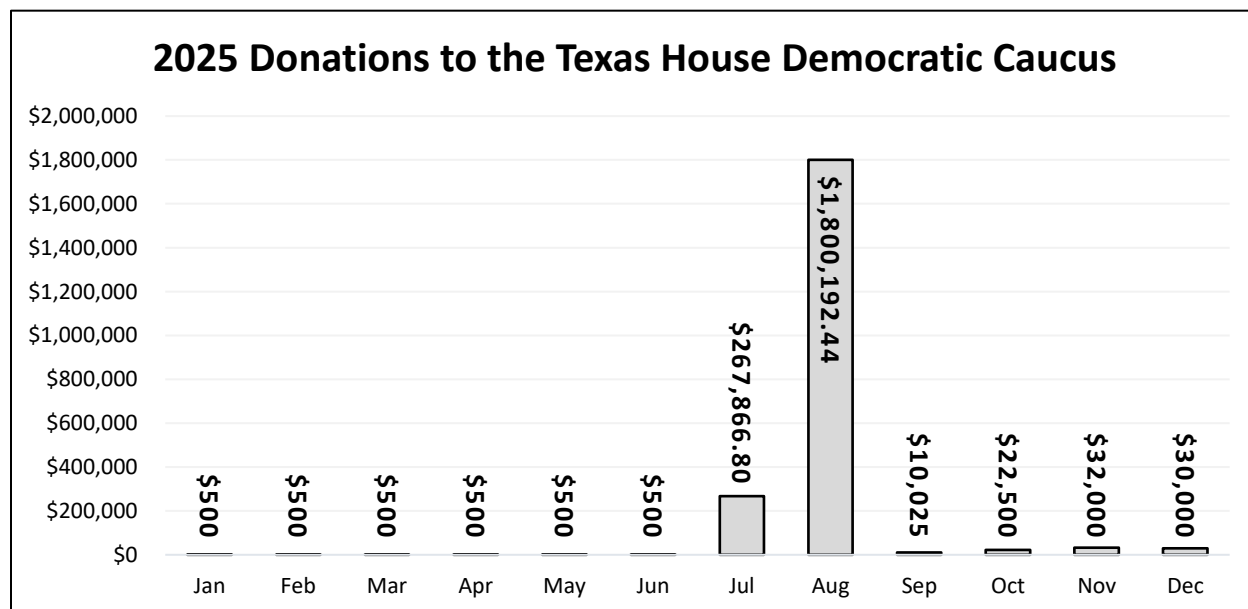
---

<sup>†</sup> Copies of these materials are attached in an appendix for inclusion in the record pursuant to Texas Rule of Appellate Procedure 52.7(b).

Gov.BOM.7 (citing QR.00070–00071). Put simply, funds and resources would flow to Wu and the House Democrats (*quid*) in exchange for (*pro*) fleeing the State and abdicating their legislative duties (*quo*).

Wu upheld his end of the bargain. New reports from TEC show the outside funding groups upheld theirs. After years of mediocre fundraising, the House Democratic Caucus raised roughly \$2.2 million in 2025—almost \$700,000 more than its previous record the last time the Caucus broke quorum in 2021. *Compare* QR.00417 and QR.00460 (together, totaling \$2,165,584.24 in 2025 contributions), *with* QR.01295 and QR.01330 (together, totaling \$1,492,109.84 in 2021 contributions).

There is no question that this “record-setting year” (as described by the *Texas Tribune*) was tied to Wu’s quorum break. QR.00414. Over 83% of the Caucus’s 2025 donations were collected in the lead-up to the quorum break and during the quorum break itself:



QR.01532–01849. This data shows that the Caucus, after averaging just \$500 per month in contributions, managed to raise \$1,800,454.24 from July 21, 2025, when Wu began discussing the quorum break, through August 18, 2025, when Wu tried returning to an empty seat. *Ibid.*; see Gov.BOM.5 (citing QR.00031), 15–16.

Tellingly, \$1 million came from Powered by People alone: \$250,000 on August 1 (“an initial amount to get you off the ground”), QR.00975; the quorum break commenced on August 3, QR.00086; followed by another \$750,000 on August 11 (financial and other support “as soon as you do it”), QR.00976. *Cf.* Gov.BOM.7. Hakeem Jeffries, the Minority Leader of the U.S. House of Representatives who encouraged the Caucus to flee in his July 31 visit to Austin, QR.00040, also gave the Caucus \$100,000 “during the first week of the quorum break,” QR.00414–00415.

Perhaps knowing exactly what it would look like when the *Texas Tribune* ran this story, Wu hurried to insist that these donations were *not* a “tip” or a “thank you.” QR.00415. Instead, he claims they were merely monetary acknowledgments that quorum breaking “required a lot of resources.” *Ibid.* Of course it requires substantial resources to flee the State indefinitely with enough legislators to make good on a promise to “kill” an entire legislative session. That’s the point: Wu solicited and accepted money specifically to facilitate the withholding of his vote. Any attempt to spin Wu’s “forfeiture of legislative duties in a pay-to-play arrangement” is dishonest. Gov.BOM.16. And “[j]udges are not required to exhibit a naiveté from which ordinary citizens are free.” *United States v. Stanichich*, 550 F.2d 1294, 1300 (2d Cir. 1977) (Friendly, J.).

In any event, Wu’s *post hoc* explanation fails on its own terms, for these donations did more than simply make the House Democratic Caucus whole. Reports indicate the Caucus incurred roughly \$1.5 million in costs from the quorum break. QR.00416. Meanwhile, the Caucus pocketed the remaining \$700,000, which it plans to use to bankroll planning and operations for the 90th Texas Legislature. QR.00414–00415. Maybe that money will be used to employ “more attorneys to sift through bills and plot points of order.” QR.00415. Or maybe the Caucus will dispense with such “legitimate legislative tactics” altogether—to break quorum as before. Gov.Reply.28. After all, quorum breaking, it seems, is good business: Taxpayers lost more than \$1 million for no reason, Gov.BOM.53, but Wu and his colleagues padded their pockets with more than \$2 million in exchange for refusing to do their jobs. If Wu is right that he (and every other legislator) has the “power” to obstruct government—and to profit from it—future legislators would be foolish not to follow his example.

That is why this Court must course correct now. There is no ducking the issue because only this Court has jurisdiction over the petition. Gov.Reply.14–17. Either this Court will embrace the “forfeiture of legislative duties in a pay-to-play arrangement.” Gov.BOM.16. Or it will repudiate it. If the Court has any lingering questions about which way justice lies, counsel once again suggests the Court should set the matter for oral argument. Gov.BOM.iii.

Respectfully submitted.

/s/ Trevor W. Ezell  
TREVOR W. EZELL  
General Counsel  
Texas Bar No. 24109849  
Trevor.Ezell@gov.texas.gov  
Office of the Governor  
P.O. Box 12428  
Austin, Texas 78711  
(512) 936-3329

*Counsel for Greg Abbott, in his  
official capacity as Governor of the  
State of Texas*

### **CERTIFICATE OF COMPLIANCE**

Microsoft Word reports that this document contains 900 words, excluding the exempted portions.

/s/ Trevor W. Ezell  
TREVOR W. EZELL  
*Counsel for Greg Abbott, in his official  
capacity as Governor of the State of  
Texas*

### **CERTIFICATE OF SERVICE**

On January 20, 2026, this document was served electronically on all counsel of record.

/s/ Trevor W. Ezell  
TREVOR W. EZELL  
*Counsel for Greg Abbott, in his official  
capacity as Governor of the State of  
Texas*

### Automated Certificate of eService

This automated certificate of service was created by the eFiling system.  
The filer served this document via email generated by the eFiling system  
on the date and to the persons listed below:

Envelope ID: 110272044  
Filing Code Description: Letter/Notice  
Filing Description: Letter Brief  
Status as of 1/21/2026 8:12 AM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Scott Brazil		scott@brazilanddunn.com	1/20/2026 7:54:43 PM	SENT
Kirsten Castaneda	792401	kcastaneda@adjtlaw.com	1/20/2026 7:54:43 PM	SENT
Alexandra Albright	21723500	Aalbright@adjtlaw.com	1/20/2026 7:54:43 PM	SENT
Justin Nelson	24034766	jnelson@susmangodfrey.com	1/20/2026 7:54:43 PM	SENT
Anna Baker	791362	abaker@adjtlaw.com	1/20/2026 7:54:43 PM	SENT
Hannah Roblyer	24106356	hroblyer@adjtlaw.com	1/20/2026 7:54:43 PM	SENT
Wolfgang P.Hirczy de Mino		wphdmphd@gmail.com	1/20/2026 7:54:43 PM	SENT
Stacey Jett		sjett@adjtlaw.com	1/20/2026 7:54:43 PM	SENT
Mandy Patterson		mpatterson@adjtlaw.com	1/20/2026 7:54:43 PM	SENT
Jonathan F.Mitchell		jonathan@mitchell.law	1/20/2026 7:54:43 PM	SENT
Wolfgang pHirczy de Mino		wphdmphd@gmail.com	1/20/2026 7:54:43 PM	SENT
Chad Dunn		chad@brazilanddunn.com	1/20/2026 7:54:43 PM	SENT
Jonathan Fombonne		jonathan.fombonne@harriscountytexas.gov	1/20/2026 7:54:43 PM	SENT
Tiffany Bingham		tiffany.bingham@harriscountytexas.gov	1/20/2026 7:54:43 PM	SENT
Rebecca Gonzalez-Rivas	24145204	bgonzalezrivas@adjtlaw.com	1/20/2026 7:54:43 PM	SENT
Trevor Ezell		trevor.ezell@gov.texas.gov	1/20/2026 7:54:43 PM	SENT
Amy Ruzicka		amy.ruzicka@gov.texas.gov	1/20/2026 7:54:43 PM	SENT
Gene Wu		gene.wu@house.texas.gov	1/20/2026 7:54:43 PM	SENT
Jeri Hamman		jeri.hamman@solidcounsel.com	1/20/2026 7:54:43 PM	SENT
Dana Orsini		dana.orsini@solidcounsel.com	1/20/2026 7:54:43 PM	SENT
Mitch Little		mitch.little@solidcounsel.com	1/20/2026 7:54:43 PM	SENT
Amy Warr		awarr@adjtlaw.com	1/20/2026 7:54:43 PM	SENT
Mimi Marziani		mmarziani@msgpllc.com	1/20/2026 7:54:43 PM	SENT
Joaquin Gonzalez		gonzalez@msgpllc.com	1/20/2026 7:54:43 PM	SENT

### Automated Certificate of eService

This automated certificate of service was created by the eFiling system.  
The filer served this document via email generated by the eFiling system  
on the date and to the persons listed below:

Envelope ID: 110272044  
Filing Code Description: Letter/Notice  
Filing Description: Letter Brief  
Status as of 1/21/2026 8:12 AM CST

#### Case Contacts

Joaquin Gonzalez		gonzalez@msgpllc.com	1/20/2026 7:54:43 PM	SENT
Beth Stevens		bstevens@msgpllc.com	1/20/2026 7:54:43 PM	SENT
Jonathan F.Mitchell		jonathan@mitchell.law	1/20/2026 7:54:43 PM	SENT
John B.Scott		john.scott@scottpllc.net	1/20/2026 7:54:43 PM	SENT
Katy Peaslee		kpeaslee@susmangodfrey.com	1/20/2026 7:54:43 PM	SENT
Gwen Kelly		gwen@brazilanddunn.com	1/20/2026 7:54:43 PM	SENT
Christopher Garza		Christopher.Garza@harriscountytexas.gov	1/20/2026 7:54:43 PM	SENT
Jesse Blakley		Jesse.Blakley@harriscountytexas.gov	1/20/2026 7:54:43 PM	SENT
Eleanor Matheson		eleanor.matheson@harriscountytexas.gov	1/20/2026 7:54:43 PM	SENT
Kevin E.Vickers		filings@vickers.esq	1/20/2026 7:54:43 PM	SENT