

IN THE UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 EL PASO DIVISION
 VOLUME 1 OF 9

LULAC, et al.,	) (	EP:21-CR-259-DCG-JES-JVB
	) (	(Lead Case)
Plaintiffs,) (
) (
ROY CHARLES BROOKS, et al.,	) (	EP:21-CV-00991-DCG-JES-JVB
) (
Plaintiffs,) (
) (
vs.	) (	EL PASO, TEXAS
) (
GREG ABBOTT, in his official) (
capacity as Governor of Texas,) (
et al.,) (
	) (	January 25th, 2022
Defendants.	) (	(9:02 a.m. to 12:57 p.m.)
	) (	(2:00 p.m. to 6:00 p.m.)
	) (	January 26th, 2022
	) (	(8:59 a.m. to 12:59 p.m.)
	) (	(2:01 p.m. to 5:43 p.m.)
	) (	January 27th, 2022
	) (	(8:58 a.m. to 12:30 p.m.)
	) (	(1:33 p.m. to 5:53 p.m.)
	) (	January 28th, 2022
	) (	(8:59 a.m. to 10:59 a.m.)
	) (	(1:01 p.m. to 2:31 p.m.)

HEARING ON BROOKS PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION
MASTER INDEX
VOLUME 1 OF 9

FIFTH CIRCUIT JUDGE JERRY EDWIN SMITH
 U.S. DISTRICT JUDGE DAVID C. GUADERRAMA
 U.S. DISTRICT JUDGE JEFFREY V. BROWN

APPEARANCES:

For Brooks Plaintiffs:	Mr. Chad W. Dunn
	Brazil & Dunn
	4407 Bee Caves Road
	Building 1, Ste. 111
	Austin, TX 78746
	(512) 717-9822

1 For Brooks Plaintiffs: Mr. Mark P. Gaber
2 Mark P. Gaber PLLC
3 P.O. Box 34481
4 Washington, DC 20043
5 (715) 482-4066
6 Mark@markgaber.com

7 Mr. Jesse L. Gaines
8 Attorney at Law
9 P.O. Box 50093
10 Fort Worth, TX 76105
11 817-714-9988
12 Gainesjesse@ymail.com

13 Ms. Molly E. Danahy
14 P.O. Box 26277
15 Baltimore, MD 21211
16 (208) 301-1202
17 Danahy.molly@gmail.com

18 Ms. Sonni Waknin
19 10300 Venice Blvd. # 204
20 Culver City, CA 90232
21 732-610-1283
22 Sonniwaknin@gmail.com

23 For Defendants: Mr. Patrick K. Sweeten
24 Mr. Christopher D. Hilton
25 Mr. Eric Hudson
Mr. William Thomas Thompson
Ms. Kathleen Hunker
Ms. Courtney Brooke Corbello
Mr. Jack Buckley DiSorbo
Office of Texas Attorney General
P.O. Box 12548
MC 009
Austin, Texas 78711
(512) 463-4139

26 ALSO PRESENT: Mr. Bryan Christopher

27 Court Reporter: Kathleen A. Supnet
28 El Paso, Texas
29 (915) 834-0573
30 kathi.supnet5303@gmail.com

31 Transcript produced by mechanical stenography, and
32 computer-aided software and computer.

CHRONOLOGICAL INDEX**VOLUME 2 of 9**

JANUARY 25, 2022 (9:02 a.m. to 12:57 p.m.) PAGE VOL.

Announcements. 4 2

PLAINTIFF'S WITNESSES: **DIRECT** **CROSS** **VOIR DIRE** **VOL.**

RICK SVATORA 9 24 -- 2

SERGIO DE LEON 41,59 52,61 -- 2

ROY BROOKS 62 75 -- 2

DR. MATT BARRETO 97 -- -- 2

Court Reporter's Certificate 144 2

VOLUME 3 of 9

PAGE VOL.

JANUARY 25, 2022 (2:00 p.m. to 6:00 p.m.)

Testimony of Dr. Matthew A. Barreto (cont)..... 4 3

Videotaped Deposition of Senator Kel Seliger..... 128 3

Reporter's Certificate..... 168 3

ALPHABETICAL

WITNESSES PAGE

MATTHEW A. BARRETO, Ph.D

Direct Examination (continued) By Mr. Dunn 4 3

Cross-Examination By Mr. Hilton 37 3

Redirect Examination By Mr. Dunn 117 3

Recross-Examination By Mr. Hilton 125 3

SENATOR KEL SELIGER

Examination Offered By Mr. Dunn 128 3

VOLUME 4 of 9

JANUARY 26, 2022, (8:59 a.m. to 12:59 p.m.) PAGE VOL.

<u>PLAINTIFFS' WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>VOIR DIRE</u>	<u>VOL.</u>
SENATOR KEL SELIGER (VIDEOTAPED DEPOSITION)	4	13	--	4
SENATOR BEVERLY POWELL	67	142	--	4
Court Reporter Certificate.			183	4

VOLUME 5 of 9

January 26, 2022 (2:01 p.m. to 5:43 p.m.) PAGE VOL.

VOLUME 6 of 9

JANUARY 27, 2022 (8:58 a.m. to 12:30 p.m.)	PAGE	VOL.
Opening Statement by Defendants.....	5	6
Plaintiffs' Objection to Senator Huffman's Testimony.....	24	6
Defendants' Exhibit Number 59 played.....	62	6
Defendants' Exhibit Number 59 concluded.....	62	6
Defendants' Exhibit Number 59 played.....	64	6
Defendants' Exhibit Number 59 concluded.....	65	6
Defendants' Exhibit Number 59 played.....	66	6
Defendants' Exhibit Number 59 concluded.....	67	6
Defendants' Exhibit Number 59 played.....	67	6
Defendants' Exhibit Number 59 concluded.....	68	6
Defendants' Exhibit Number 59 played.....	72	6
Defendants' Exhibit Number 59 concluded.....	73	6
Defendants' Exhibit Number 59 played.....	75	6
Defendants' Exhibit Number 59 concluded.....	75	6
Defendants' Exhibit Number 59 played.....	77	6
Defendants' Exhibit Number 59 concluded.....	77	6
Defendants' Exhibit Number 61 played.....	79	6
Defendants' Exhibit Number 61 concluded.....	80	6
Defendants' Exhibit Number 65 played.....	90	6
Defendants' Exhibit Number 65 concluded.....	92	6
Defendants' Exhibit Number 65 played.....	94	6
Defendants' Exhibit Number 65 concluded.....	94	6
Defendants' Exhibit Number 65 played.....	95	6
Defendants' Exhibit Number 65 concluded.....	98	6
Defendants' Exhibit Number 65 played.....	101	6
Defendants' Exhibit Number 65 concluded.....	103	6
Defendants' Exhibit Number 65 played.....	103	6
Defendants' Exhibit Number 65 concluded.....	105	6
Defendants' Exhibit Number 65 played.....	106	6
Defendants' Exhibit Number 65 concluded.....	106	6
Defendants' Exhibit Number 65 played.....	107	6
Defendants' Exhibit Number 65 concluded.....	108	6
Defendants' Exhibit Number 65 played.....	109	6
Defendants' Exhibit Number 65 concluded.....	110	6
Defendants' Exhibit Number 65 played.....	112	6
Defendants' Exhibit Number 65 concluded.....	113	6
Defendants' Exhibit Number 65 played.....	117	6
Defendants' Exhibit Number 65 concluded.....	118	6
Defendants' Exhibit Number 65 played.....	119	6
Defendants' Exhibit Number 65 concluded.....	120	6
Defendants' Exhibit Number 65 played.....	120	6
Defendants' Exhibit Number 65 concluded.....	123	6
Defendants' Exhibit Number 65 played.....	124	6

1	JANUARY 27, 2022 (8:58 a.m. to 12:30 p.m.)	PAGE	VOL.
2	Defendants' Exhibit Number 65 concluded.....	126	6
	Defendants' Exhibit Number 65 played.....	127	6
3	Defendants' Exhibit Number 65 concluded.....	127	6
	Defendants' Exhibit Number 65 played.....	127	6
4	Defendants' Exhibit Number 65 concluded.....	128	6
	Reporter's Certificate.....	156	6

ALPHABETICAL

6	WITNESSES	PAGE	VOL.
	SENATOR CECILIA JOAN HUFFMAN		
7	Direct Examination By Mr. Hilton	25	6
	Cross-Examination By Mr. Dunn	129	6

VOLUME 7 of 9

10	JANUARY 27, 2022, (1:33 p.m. to 5:53 p.m.)				PAGE	VOL.
11	<u>DEFENDANTS' WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>VOIR DIRE</u>	<u>VOL.</u>	
12	SENATOR CECELIA					
	JOAN HUFFMAN	4	37	--		7
13						
	DR. JOHN ALFORD	40,148	63	--		7
14						
	KEITH INGRAM	151	--	--		7
15						
	Court Reporter Certificate.				181	7

VOLUME 8 of 9

17	JANUARY 28, 2022 (8:59 a.m. to 10:59 a.m.)	PAGE	VOL.
18	Stipulation as to Exhibits.....	4	8
19	State Rests.....	53	8
	Plaintiffs Close.....	85	8
20	State Close.....	85	8
	Reporter's Certificate.....	86	8

ALPHABETICAL

22	WITNESSES	PAGE	VOL.
23	STACI DECKER		
	Direct Examination Offered By Ms. Hunker	26	8
24	MATTHEW A. BARRETO, Ph.D		
25	Rebuttal Direct Examination By Mr. Dunn	54	8

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

WITNESSES	PAGE	VOL.
Rebuttal Cross-Examination By Mr. Thompson	78	8
Rebuttal Redirect Examination By Mr. Dunn	84	8
BRUCE SHERBET		
Direct Examination Offered By Mr. Sweeten	5	8
VOLUME 9 of 9		
JANUARY 28, 2022, (1:01 p.m. to 2:31 p.m.)	PAGE	VOL.
Closing Argument by Mr. Dunn.	5	9
Closing Argument by Mr. Gaber	23	9
Closing Argument by Mr. Thompson.	34	9
Closing Argument by Mr. Dunn.	60	9
Court Reporter Certificate.	67	9

* * * * *

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter. I further certify that the transcript fees and format comply with those prescribed by the Court and the Judicial Conference of the United States.

Signature: /s/KATHLEEN ANN SUPNET
Kathleen A. Supnet, CSR

February 23, 2022
Date

KATHLEEN A. SUPNET, CSR