

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LEAGUE OF UNITED LATIN AMERICAN
CITIZENS, et al.,

Plaintiffs,

v.

GREG ABBOTT, et al.,

Defendants.

Civil Action

Lead Case No.:

3:21-CV-00259-DCG-JES-JVB

CECILIA GONZALES, et al.,

Plaintiffs,

v.

JANE NELSON, et al.,

Defendants.

Consolidated Case No.:

1:21-CV-00965-DCG-JES-JVB

DECLARATION OF DAVID R. FOX

I, David R. Fox, am over the age of eighteen and am fully competent to make this declaration. I have personal knowledge of the facts stated herein and declare the following to be true and correct:

1. I am an attorney admitted to practice law in the District of Columbia and the United States District Court for the Western District of Texas. I am a partner at the law firm of Elias Law Group LLP, and I represent the Gonzales Plaintiffs in this action.

2. I respectfully submit this declaration in support of the Gonzales Plaintiffs' motion for a preliminary injunction.

3. Attached hereto as **Exhibit A** is a true and correct copy of a document titled “Special Tabulation of Citizen Voting Age Population (CVAP) from the 2019-2023 American Community Survey” for Plan 2333, as marked as Joint Trial Exhibit 903.

4. Attached hereto as **Exhibit B** is a true and correct copy of a document titled “Plan Overlap Population Analysis – Congressional Districts PLANC2193 Compared with PLANC2333 2024 General Election,” as downloaded from the Texas Legislative Council’s website.

5. Attached hereto as **Exhibit C** is a true and correct copy of a document titled “Special Tabulation of Citizen Voting Age Population (CVAP) from the 2019-2023 American Community Survey” for Plan 2193, as downloaded from the Texas Legislative Council’s website.

6. Attached hereto as **Exhibit D** is a true and correct copy of SB 4’s legislative history from the Texas Legislature’s 89(1) session, as downloaded from the website of Texas Legislature Online.

7. Attached hereto as **Exhibit E** is a true and correct copy of Andrew Schneider and Blaise Gainey’s article for KUT News as updated on August 20, 2025, titled “Texas Legislature’s Second Special Session Begins as Quorum-Breaking Democrats Plan Return,” as downloaded from KUT News’s website at <https://www.kut.org/texas/2025-08-15/gov-abbott-instructs-texas-legislature-to-begin-second-special-session-at-noon-on-friday>.

8. Attached hereto as **Exhibit F** is a true and correct copy of a proclamation signed by Governor Abbott on August 15, 2025.

9. Attached hereto as **Exhibit G** is a true and correct copy of SB 4’s legislative history from the Texas Legislature’s 89(2) session, as downloaded from the website of Texas Legislature Online.

10. Attached hereto as **Exhibit H** is a true and correct copy of HB 4's legislative history from the Texas Legislature's 89(2) session, as downloaded from the website of Texas Legislature Online.

11. Attached hereto as **Exhibit I** is a true and correct copy of a document titled "American Community Survey Estimated Population Analysis Congressional Districts - PLANC2333 2020 Census Population with 2019-2023 American Community Survey Estimates," as downloaded from the Texas Legislative Council's website.

12. Attached hereto as **Exhibit J** is a true and correct copy of the May 20, 2022 expert report of Stephen Ansolabehere, marked as the Gonzales Plaintiffs' Trial Exhibit 6.

13. Attached hereto as **Exhibit K** is a true and correct copy of the March 31, 2025 second supplemental expert report of Stephen Ansolabehere, marked as the Gonzales Plaintiffs' Trial Exhibit 9.

14. Attached hereto as **Exhibit L** is a true and correct copy of a document titled "Special Tabulation of Citizen Voting Age Population (CVAP) from the 2015-2019 American Community Survey" for Plan 2193, as marked as Joint Trial Exhibit 899.

15. Attached hereto as **Exhibit M** is a true and correct copy of a comparison packet titled "U.S. Congressional Districts Proposed Plan PLANC2333 with U.S. Congressional Districts 119th Congress (2025–2026) PLANC2193," as downloaded from the Texas Legislative Council's website.

16. Attached hereto as **Exhibit N** is a true and correct copy of a document titled "Incumbents by District" for Plan 2333, as downloaded from the Texas Legislative Council's website.

17. Attached hereto as **Exhibit O** is a true and correct copy of a document titled “Election Analysis Congressional Districts - PLANC2333 2024 General Election,” as downloaded from the Texas Legislative Council’s website.

18. Attached hereto as **Exhibit P** is a true and correct copy of a document titled “Election Analysis Congressional Districts - PLANC2193 2024 General Election,” as marked as Joint Trial Exhibit 942.

19. Attached hereto as **Exhibit Q** is a true and correct copy of an August 20, 2025 post on X by user @Burrows4TX, which upon information and belief is an account owned by Speaker of the Texas House Dustin Burrows, as downloaded from X’s website at <https://x.com/burrows4tx/status/1958318084021801464?s=46>.

20. Attached hereto as **Exhibit R** is a true and correct copy of a statement issued by Governor Abbott on August 20, 2025, as downloaded from the Office of the Governor’s website.

21. Attached hereto as **Exhibit S** is a true and correct copy of an announcement by Governor Abbott on June 23, 2025, as downloaded from the Office of the Governor’s website.

22. Attached hereto as **Exhibit T** is a true and correct copy of a document titled “Special Tabulation of Citizen Voting Age Population (CVAP) from the 2019-2023 American Community Survey” for Plan 2331, as downloaded from the Texas Legislative Council’s website.

23. Attached hereto as **Exhibit U** is a true and correct copy of a comparison packet titled “U.S. Congressional Districts Proposed Plan PLANC2333 with U.S. Congressional Districts Proposed Plan PLANC2331,” as downloaded from the Texas Legislative Council’s website.

24. Attached hereto as **Exhibit V** is a true and correct copy of a document titled “Election Analysis Congressional Districts - PLANC2331 2024 General Election,” as downloaded from the Texas Legislative Council’s website.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed in Washington, DC on August 24, 2025.

/s/ David R. Fox
David R. Fox