

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

TEXAS STATE LULAC;  
VOTO LATINO,

Plaintiffs,

v.

BRUCE ELFANT, in his official capacity as the  
Travis County Tax Assessor-Collector;  
JACQUELYN CALLANEN, in her official  
capacity as the Bexar County Elections  
Administrator; ISABEL LONGORIA, in her  
official capacity as the Harris County Elections  
Administrator; YVONNE RAMÓN, in her official  
capacity as the Hidalgo County Elections  
Administrator; MICHAEL SCARPELLO, in his  
official capacity as the Dallas County Elections  
Administrator; LISA WISE, in her official capacity  
as the El Paso County Elections Administrator,

Defendants,

and

KEN PAXTON, in his official capacity as Attorney  
General of Texas; LUPE TORRES, in their official  
capacity as Medina County Election Administrator;  
TERRIE PENDLEY, in her official capacity as the  
Real County Tax-Assessor Collector,

Intervenor-Defendants.

Case No. 1:21-cv-00546-LY

**SUPPLEMENTAL APPENDIX TO PLAINTIFFS TEXAS STATE LULAC AND VOTO  
LATINO'S RESPONSE TO INTERVENOR-DEFENDANT KEN PAXTON'S MOTION  
FOR SUMMARY JUDGMENT**

Under Local Rule CV-7(c)(1), Plaintiffs Texas State LULAC and Voto Latino submit this Supplemental Appendix to its Response to Intervenor-Defendant Ken Paxton's Motion for Summary Judgment, filed contemporaneously herewith.

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**Deposition Transcripts**

Lupe Torres 30(b)(6) Deposition Excerpts .....Suppl. App. 001

Voto Latino 30(b)(6) (Maria Teresa Kumar) Deposition Excerpts.....Suppl. App. 004

RETRIEVED FROM DEMOCRACYDOCKET.COM

Dated: May 23, 2022

Respectfully submitted,

/s/ Uzoma N. Nkwonta

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**CERTIFICATE OF SERVICE**

On May 23, 2022, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Western District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Christopher D. Dodge

Christopher D. Dodge

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UNITED STATES DISTRICT COURT  
 WESTERN DISTRICT OF TEXAS  
 AUSTIN DIVISION

TEXAS STATE LULAC; VOTO )  
 LATINO, )

Plaintiffs, )

-vs- )

BRUCE ELFANT, in his )  
 official capacity as the )  
 Travis County Tax )  
 Assessor-Collector, et )  
 al. )

Case No.

1:21-cv-00546-LY

Defendants, )

and )

KEN PAXTON, in his )  
 official capacity as )  
 Attorney General of )  
 Texas, et al., )

Intervenor- )  
 Defendants. )

VIDEOTAPED RULE 30(b)(6) DEPOSITION OF  
 INTERVENOR-DEFENDANT LUPE TORRES  
 BY AND THROUGH ITS DESIGNEE  
 GUADALUPE TORRES  
 APRIL 8, 2022  
 1:04 P.M.

REPORTED BY:

DEBRA SAPIO LYONS, RDR, CRR, CRC, CCR, CLR, CPE

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1 Q. Okay. So does that impose any  
2 obligation on your office?

3 A. Yes.

4 Q. Okay. And so what do you have to  
5 do when a voter attempts to register but they  
6 supply, as it says here, "a commercial post  
7 office box or similar location" for their  
8 address?

9 A. So we would send that -- that voter  
10 a notice of incomplete. They're not allowed  
11 to -- to have a commercial post office box or a  
12 similar --

13 Q. Okay. And is -- I apologize for  
14 interrupting you.

15 I think you said that a voter is  
16 not allowed to have a commercial post office  
17 box. Was there something else you were going to  
18 say?

19 A. Yeah, I was just basically -- you  
20 know, or a similar location that does not  
21 correspond to a residence.

22 Q. Okay. Is that -- is that something

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1 new that SB 1111 does, impose that post office  
2 box requirement?

3 MS. HUNKER: Objection, form.

4 MS. AL-FUHAID: Objection, form.

5 THE WITNESS: No, I think that's --  
6 that's -- that I know of, I think that's  
7 been a while. It's --

8 BY MR. JONES:

9 Q. Okay.

10 A. It's been law for a while.

11 Q. Okay. So I'm going to refer to  
12 this as the "post office box provision." And  
13 this is the last time I'm going to create a new  
14 term for you to remember.

15 A. Okay.

16 Q. Is that okay?

17 A. I guess, yeah.

18 Q. All right. So how does your office  
19 determine whether a voter's residence address,  
20 referring to the address on the form, is a  
21 commercial post office box?

22 A. Well, we usually -- we look it up

UNITED STATES DISTRICT COURT  
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TEXAS STATE LULAC; VOTO §  
LATINO, §

PLAINTIFFS, §

v. §

BRUCE ELFANT, IN HIS §  
OFFICIAL AS THE TRAVIS §  
COUNTY TAX §  
ASSESSOR-COLLECTOR; §  
JACQUELYN CALLANEN, IN §  
HER OFFICIAL CAPACITY AS §  
THE BEXAR COUNTY §  
ELECTIONS ADMINISTRATOR; §  
ISABEL LONGORIA, IN HER §  
OFFICIAL CAPACITY AS THE §  
HARRIS COUNTY ELECTIONS §  
ADMINISTRATOR; YVONNE §  
RAMON IN HER OFFICIAL §  
CAPACITY AS THE HIDALGO §  
COUNTY ELECTIONS §  
ADMINISTRATOR; MICHAEL §  
SCARPELLO, IN HIS §  
OFFICIAL CAPACITY AS THE §  
DALLAS COUNTY ELECTIONS §  
ADMINISTRATOR; LISA WISE, §  
IN HER OFFICIAL CAPACITY §  
AS THE EL PASO COUNTY §  
ELECTIONS ADMINISTRATOR §

DEFENDANTS, §

AND KEN PAXTON, IN HIS §  
OFFICIAL CAPACITY AS §  
ATTORNEY GENERAL OF TEXAS, §  
LUPE C. TORRES, IN HER §  
OFFICIAL CAPACITY AS §  
MEDINA COUNTY ELECTIONS §  
ADMINISTRATOR, AND TERRIE §  
PENDLEY, IN HER OFFICIAL §  
CAPACITY AS REAL COUNTY §  
TAX ASSESSOR-COLLECTOR §

INTERVENOR-DEFENDANTS. §

CASE NO. 1:21-CV-00546-LY

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ORAL AND VIDEOCONFERENCE DEPOSITION OF  
MS. MARIA TERESA KUMAR  
APRIL 5, 2022

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ORAL AND VIDEOCONFERENCE DEPOSITION OF  
MS. MARIA TERESA KUMAR, produced as a witness at the  
instance of the INTERVENOR-DEFENDANT, and duly sworn,  
was taken in the above-styled and numbered cause on  
APRIL 5, 2022, from 11:02 a.m. to 3:00 p.m., before  
Michelle Hartman, Certified Shorthand Reporter and  
Registered Professional Reporter in and for the State of  
Texas, reported by machine shorthand via Zoom  
videoconference, pursuant to the Federal Rules of Civil  
Procedure, the Emergency Orders regarding the COVID-19  
State of Disaster, and the provisions stated on the  
record or attached hereto.



1 deadlines.

2 Q. But in the case of Texas, the scale of the  
3 change was very large, and you also find it confusing  
4 and therefore more difficult to make the updates --

5 A. Correct.

6 Q. -- is that correct?

7 A. Correct.

8 Q. Now, you had talked about your goals  
9 decreasing. I think you said 25 percent?

10 A. Correct, for voter registration.

11 Q. For voter registration.

12 A. Mm-hmm. Yeah.

13 Q. I'm guessing -- this is a similar question  
14 I asked before, but into a different context. How much  
15 of that 25 percent is a result of SB 1111?

16 A. I'd say a large part of it because we have  
17 to be able to retool and focus on college students in a  
18 different way.

19 Q. Sorry, I was taking notes.

20 And so would you say that you were  
21 conducting the same voter education work in 2022 as you  
22 did in 2021, but the content was different?

23 A. I would say it's -- it's very different.

24 Q. It's very different?

25 A. Very different.

1 Q. Are there any other documents that are not  
2 listed that you can identify here with me today that  
3 would substantiate your position?

4 A. Not that I'm aware of.

5 Q. So during -- let me put this down --  
6 during your description of these documents, as well as  
7 earlier in our conversation, you insinuated that the  
8 SB 1111 was enacted in order to inhibit young voters; is  
9 that correct?

10 A. Yes, yes.

11 Q. And what is the basis for this belief?

12 A. The largest population, as far as I  
13 understand, that have both temporary addresses and  
14 temporary and home addresses that they cannot use is  
15 college students. And as a result, we know if you look  
16 at the forecast of how many people are going to turn 18  
17 in Texas in the next -- just this in the last two years,  
18 it's not small. We're talking about close to nearly  
19 three-quarter million. It's a big deal. Those are big  
20 shifts.

21 And so, if you are creating legislation  
22 that seems to be so surgical in trying to prevent equal  
23 participation, it is very much at the heart of why we're  
24 contesting SB 1111. We know that over a quarter  
25 million, close to 300,000, Latino youth alone are going

1 to turn 18 by the midterm.

2 We're doing our darndest trying to  
3 explain things to them, but SB 1111 makes it harder  
4 because we can't tell them with a 100 percent guarantee  
5 and certitude that if they register to vote on campus:  
6 One, that they are not in violation of the law if they  
7 register at because it is a temporary address. And if  
8 they are to register to vote using their parents'  
9 address that they are not afoul of the law because they  
10 technically did not reside there when they actually  
11 filled out that application.

12 Q. So if I understood you correctly, it's the  
13 impact that it -- that this law has on college students  
14 to form the basis of your belief?

15 A. The potential impact, yes, the chilling  
16 effect and that we can't communicate freely with  
17 certitude that they will not be in violation.

18 Q. Okay. So the potential impact on college  
19 students and young voters, that's the basis of your --

20 A. In our -- in our material ability to do  
21 our work as well, right, so.

22 Q. And so you also made the insinuation that  
23 the Texas Legislature enacted Senate Bill 1111 in order  
24 to inhibit Latino vote; is that correct?

25 A. Latino youth vote in particular and young



1 people in general just --

2 Q. So is it -- let me see if I understand  
3 this correctly --

4 A. Reason I say that is that 75 percent of  
5 Latinos voted for Biden in the last election that were  
6 young voters versus, I believe, 51 percent of young  
7 white voters voted. So it is --

8 Q. So is it your contention that the bill was  
9 targeted at Latino voters or your contention is that the  
10 bill was targeted at young voters, some of which just  
11 happened to be Latino?

12 A. I would say that it was targeted at young  
13 voters as whole, but in particular young Latino voters,  
14 because they're by definition of their demographics, low  
15 propensity voters. Many of them do not have a history  
16 of voting in the household.

17 So our program where civic education we  
18 oftentimes have to speak to get them involved because  
19 they don't have those conversations neither at school  
20 nor in the household unlike white voters, who often do.  
21 So we try to create a culture of voting and awareness  
22 for a constituency that does not have that, you know,  
23 that knowledge and that built in understanding of how  
24 things work with our democracy.

25 Q. And so the basis of this belief that is

1 also the potential impact that this would have on  
2 college students as well as the effect on your ability  
3 to communicate, correct?

4 A. Correct.

5 Q. I am going to pull up my next exhibit I've  
6 already shared it in chat function.

7 Do you see the document on your screen?

8 A. Yeah, yes.

9 Q. All right. This is the House Journal  
10 specifically for Tuesday, May 25, 2021. Would you agree  
11 with that description?

12 (WHEREUPON, the document was marked for  
13 identification as Exhibit No. 7 and is  
14 attached hereto.)

15 A. Mm-hmm. Yes.

16 Q. So please scroll down.

17 You can see it says SB 1111 on third  
18 reading, correct?

19 A. Yes.

20 Q. All right. Okay. I will present to you  
21 that I cut out the extraneous pages so that this was  
22 manageable. So this is not the entirety of the House  
23 Journal for that day, but rather the portion that  
24 specifically deals with SB 1111. So that's just to  
25 clarify.

1 that they have brought in an onslaught of 50 bills  
2 trying to chill the voter participation of an increase  
3 in an interest in -- in the process along party lines  
4 makes one wonder why? Texas, according to university  
5 studies, is already the hardest to-vote state with the  
6 most restrictions. I mean, dead last.

7 And then see an increase in participation  
8 despite all of those hurdles and to come up with a slew  
9 of legislation to try to prevent that, you know, that  
10 enfranchisement just seems to be at odds with the  
11 purpose of participation. And again, it falls on party  
12 lines. So there is definitely a chilling effect in this  
13 case among young people and particularly young Latinos.  
14 Again, we're expecting 800,000 Latinos to -- to come of  
15 age between the last election in 20 -- in 2024.

16 Q. (BY MS. HUNKER) And so what evidence do  
17 you have a disparate impact on college students or on  
18 Latino voters?

19 A. I think it's been my whole testimony.  
20 We've had to divert resources and retool them and we  
21 have to explain what is happening. I am not clear and I  
22 don't think it -- you know, my counsel couldn't firmly  
23 state either what is actually -- how someone can safely  
24 vote as a college student in the state of Texas now  
25 after this passage.