

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

LULAC, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, in his official capacity as
Governor of Texas, *et al.*,

Defendants.

Case No. 3:21-CV-00259-DCG-JES-JVB
[Lead Case]

**JOINT RESPONSE TO COURT ORDER SCHEDULING PRELIMINARY
INJUNCTION HEARING**

The Court's Order setting the Preliminary Injunction Hearing directed the parties to "confer and file an agreed schedule" setting several deadlines. *See* ECF 1146 at 4. Counsel for all parties have conferred by e-mail and videoconference and have reached agreements as described below. The parties jointly request the Court enter the order filed herewith which provides for the following deadlines:

- | | |
|--|--------------------|
| 1. Deadline for Defendants to file motions to dismiss | September 8, 2025 |
| 2. Deadline for Defendants to file their response(s) to Plaintiffs' motions for preliminary injunction | September 17, 2025 |
| 3. Deadline for Defendants to provide expert disclosures | September 17, 2025 |
| 4. Deadline for Plaintiffs to provide rebuttal expert Disclosures | September 23, 2025 |
| 5. Deadline for Plaintiffs to file their reply briefs in support of their motions for preliminary injunction | September 24, 2025 |
| 6. Deadline for parties to file their witness and exhibit lists | September 24, 2025 |

The parties further wish to advise the Court on the agreements regarding various issues:

First, in order to streamline presentation and not duplicate proceedings from the earlier trial in this case, the parties intend to rely upon evidence in the record from the trial.

Second, certain Plaintiffs are producing additional expert analysis, this weekend. Plaintiffs' view is that given the time between now and the scheduled hearing, Plaintiffs should not be limited to the expert analysis they pulled together in a few days in the time they had to file motions for preliminary injunction. Defendants object to newly provided expert testimony and argue that it leaves the state without sufficient time to prepare for the hearing. No agreement on this dispute has been reached and state defendants will raise the matter with the Court at the appropriate time.

Third, the parties have discussed logistics over the videos of the legislative proceedings. Plaintiffs today provided all parties the videos they intend to use at the trial. The state has asked its vendor to transcribe the legislative videos. It is not yet known when the transcription project will be completed. The state has committed to providing Plaintiffs the transcriptions on a rolling basis, as they become available. For all the transcripts Plaintiffs receive by September 17, they should be able to sync with the videos and, when played in court, can be identified by exhibit number, page/line, and minutes/seconds. This will allow other parties to track in real time whether they wish to make offers around those videos for optional completeness purposes. After September 17, Plaintiffs will have to prepare their potential video excerpts utilizing the videos that remain that are not synced to a transcript. For those videos, Plaintiffs will only be able to identify on the record the minutes/seconds played in court along with the exhibit number for the video. Plaintiffs have prepared a shared folder that contains all the videos which has been shared with Defendants and can be shared with the Court as directed.

Fourth, the parties, as ordered, have provided a deadline to disclose exhibits and witnesses with the understanding that it is likely additional materials may be discovered after this deadline.

.September 5, 2025

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CERTIFICATE OF SERVICE

I certify that the foregoing was served on all counsel of record on September 5, 2025 via the Court's CM/ECF system.

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