

No. 22-50407
c/w No. 22-50648

**UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, et al.,
Plaintiffs-Appellees,
SHEILA JACKSON LEE, et al.,
Intervenor Plaintiffs-Appellees,
v.
GREG ABBOTT,
Defendant,
RYAN GUILLEN, TEXAS HOUSE MEMBER, et al.,
Movants-Appellants.

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, et al.,
Plaintiffs-Appellees,
SHEILA JACKSON LEE, et al.,
Intervenor Plaintiffs-Appellees,
v.
GREG ABBOTT,
Defendant,
TODD HUNTER, TEXAS HOUSE MEMBER, et al.,
Movants-Appellants.

APPELLANTS' STATUS REPORT

Pursuant to this Court's June 17, 2022 order, Appellants submit this monthly status report apprising the Court of the status of the district court proceedings.

1. These appeals arise from ongoing redistricting litigation. They have been consolidated and held in abeyance pending further rulings from the district court.

2. As previously reported, Plaintiffs have deposed various Texas legislators and legislative employees for depositions, over their legislative immunity and privilege objections, in accordance with the district court's order requiring the same. Order 4-5, ECF 282; Order, ECF 340; Order, ECF 409.¹

3. In accordance with the district court's procedure, there are pending motions to permit plaintiffs to use legislatively privileged testimony given by legislators and staff. Deposition transcripts are before the district court for its *in camera* review. U.S. 1st Mot. to Compel, ECF 520; U.S. 2d Mot., ECF 538; Pls. 1st Mot., ECF 521; Pls. 2d Mot., ECF 539; U.S. 3d Mot., ECF 598; LULAC Pls. Joinder, ECF 601; U.S. 4th Mot., ECF 635; LULAC Pls. Mot., ECF 637; Legislators' Resp., ECF 551; Legislators' Resp., ECF 609; Legislators' Resp., ECF 643; U.S. Reply, ECF 565; Pls. Reply, ECF 568; U.S. Reply, ECF 615; U.S. Reply, ECF 656; LULAC Pls. Reply, ECF 662. It is in the interest of all parties and judicial economy to await the district courts' rulings on these motions, which relate to Appellants' arguments about the scope of permissible discovery of legislators.

¹ All references to ECF numbers in this status report refer to the entries in the district court's docket in *LULAC v. Abbott*, No. 3:21-cv-259 (W.D. Tex.).

4. Appellants request that this Court continue to hold these appeals in abeyance. Appellants will file another monthly status report no later than May 8, 2023.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Respectfully submitted,

Dated: April 7, 2023

/s/ Frank H. Chang
TAYLOR A.R. MEEHAN
FRANK H. CHANG
CONSOVOY MCCARTHY PLLC
1600 Wilson Blvd., Suite 700
Arlington, Virginia 22209
(703) 243-9423
taylor@consovoymccarthy.com
frank@consovoymccarthy.com

ADAM K. MORTARA
LAWFAIR LLC
125 South Wacker, Suite 300
Chicago, IL 60606
(773) 750-7154
mortara@lawfairllc.com

*Counsel for Legislators,
Movants-Appellants*

RETRIEVED FROM DEMOCRACYDOCKET.COM

CERTIFICATE OF SERVICE

I filed the foregoing with the Court via ECF, which will electronically notify all parties who have appeared in this case. The document has been scanned and is free of viruses.

Dated April 7, 2023

/s/ Frank H. Chang

Frank H. Chang

*Counsel for Legislators,
Movants-Appellants*

RETRIEVED FROM DEMOCRACYDOCKET.COM