

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

SIMON BALDERAS, §  
GILBERT Z. TORRES, and §  
TEXAS LULAC, §  
Plaintiffs, §

vs. §

STATE OF TEXAS; RICK PERRY, in §  
his official capacity as Governor of the §  
State of Texas; BILL RATLIFF, in his §  
official capacity as Acting Lieutenant §  
Governor of Texas; James E. "PETE" §  
LANEY, in his official capacity as §  
Speaker of the Texas House of §  
Representatives; HENRY CUELLAR, §  
in his official capacity as Secretary for §  
the State of Texas; MOLLY BETH §  
MALCOLM, in her official capacity §  
as Chair of the Texas Democratic §  
Party; and SUSAN WEDDINGTON, §  
in her official capacity as Chair of the §  
Texas Republican Party, §  
Defendants. §

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

AUG - 1 2001

DAVID J. MALAND, CLERK  
BY  
DEPUTY

Civil Action NO. 6:01-CV158

**ORIGINAL ANSWER OF DEFENDANT JAMES E. "PETE" LANEY**

Comes now Defendant James E. "Pete" Laney, in his official capacity as Speaker of the Texas House of Representatives and files this his Original Answer to Plaintiffs' First Amended Complaint, as follows:

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1.
2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2.
3. Defendant admits the allegations in Paragraph 3.

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4. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4.

5. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5.

6. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 6.

7. Defendant admits the allegations in Paragraph 7.

8. Defendant admits the allegations in Paragraph 8.

9. Defendant admits the allegations in Paragraph 9.

10. Defendant admits the allegations in Paragraph 10.

11. Defendant admits the allegations in Paragraph 11.

12. Defendant admits the allegations in Paragraph 12.

13. Defendant admits the allegations in Paragraph 13.

14. Defendant admits the allegations in Paragraph 14.

15. Defendant admits the allegations in Paragraph 15.

16. Defendant admits the allegations contained in the first sentence of Paragraph 16.

The Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in the second sentence of Paragraph 16.

17. Defendant admits the allegations contained in the first sentence of Paragraph 17.

The Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in the second sentence of Paragraph 17.

18. Defendant admits the allegations contained in the first sentence of Paragraph 18. The Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in the second sentence of paragraph 18.

19. Defendant admits the allegations in Paragraph 19.

20. Defendant admits the allegations in Paragraph 20.

21. Defendant denies the allegations in Paragraph 21.

22. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 22.

23. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 23.

24. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 24.

25. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 25.

26. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 26.

27. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 27.

28. Defendant admits the allegations in Paragraph 28, except that Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegation that Plaintiff Balderas resides in the Fifth Congressional District of Texas.

29. Defendant admits the allegations in Paragraph 29, except that Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegation that Plaintiff Torres resides in the Twenty Third Congressional District of Texas.

30. Defendant admits the allegations in Paragraph 30, except that Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations that Plaintiff Balderas resides in the Second Senatorial District of Texas.

31. Defendant admits the allegations in Paragraph 31, except that Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegation that Plaintiff Torres resides in the Forty Third State Representative District of Texas.

32. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 32.

33. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 33.

34. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 34.

35. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 35.

36. The Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 36.

37. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 37.

38. Defendant denies the allegations in Paragraph 38.

39. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 39.

40. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 40.

41. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 41.

42. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 42.

43. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 43.

44. Defendant denies the allegations in Paragraph 44.

45. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 45(a)-(h).

#### **DEFENSES**

45. Should the Court determine that it should impose a new congressional plan for the State of Texas that meets the requirements of the United States and Texas constitutions, then this Defendant would propose that the Court adopt plan number 01021-C, being the plan for congressional redistricting that was passed by the House Committee on Redistricting with the recommendation that it be adopted by the full house.

#### **PRAYER FOR RELIEF**

This Defendant requests judgment of the Court as follows:

1. That upon final hearing, judgment be entered in favor of this Defendant to the effect that Plaintiffs take nothing against this Defendant and that this Defendant be discharged, recovering its cost of court;
2. Should the Court determine that it should impose a new congressional plan for the State of Texas that meets the requirements of the United States and Texas constitutions, then this Defendant would propose that the Court adopt plan number 01021-C, being the plan for congressional redistricting that was passed by the House Committee on Redistricting with the recommendation that it be adopted by the full house; and
3. Such other and further relief to which this Defendant may be justly entitled.

Respectfully submitted,

GRAY & BECKER, P.C.  
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Telecopier: (512) 482-0924

By: 

RICHARD E. GRAY, III  
State Bar No. 08328300

ATTORNEYS FOR DEFENDANT  
JAMES E. "PETE" LANEY

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above instrument has been served via certified mail, return receipt requested, on the 30<sup>TH</sup> day of July, 2001, upon the following counsel of record:

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