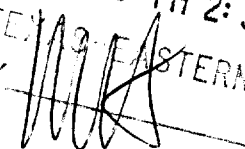


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

FILED-CLERK  
DISTRICT COURT  
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TYLER, TEXAS  
BY 

SIMON BALDERAS, ET AL. §  
v. § NO. 6:01CV158  
STATE OF TEXAS; ET AL. §

J.B. MAYFIELD, ET AL. §  
v. § NO. 6:01CV218  
STATE OF TEXAS; ET AL. §

BRIAN MANLEY §  
v. § NO. 6:01CV231  
STATE OF TEXAS; ET AL. §

This Filing Applies to: Balderas Action

**LIEUTENANT GOVERNOR BILL RATLIFF'S**  
**ORIGINAL ANSWER TO THE COMPLAINT OF INTERVENORS**  
**CONGRESSMEN TOM DeLAY, JOE BARTON AND JOHN CULBERSON**

TO THE HONORABLE UNITED STATES DISTRICT COURT:

COMES NOW, Defendant Bill Ratliff, in his official capacity as Lieutenant Governor of the State of Texas and President of the Texas Senate (hereinafter referred to as "Defendant"), and files this, his Original Answer to the Complaint in Intervention of Congressmen Tom DeLay, Joe Barton and John Culberson ("Complaint") and would say as follows:

I.

**INTERVENORS ALLEGATIONS**

1. Defendant admits the allegations contained in Paragraph 1 of the Complaint.
2. Defendant admits the allegations contained in Paragraph 2 of the Complaint.
3. Defendant admits the allegations contained in Paragraph 3 of the Complaint.
4. Defendant is without sufficient information to admit or deny the allegations contained in Paragraph 4 of the Complaint.
5. Defendant is without sufficient information to admit or deny the allegations contained in Paragraph 5 of the Complaint.
6. Defendant is without sufficient information to admit or deny the allegations contained in Paragraph 6 of the Complaint.
7. Defendant admits the allegations contained in Paragraph 7 of the Complaint, except that Defendant denies that Defendant Mary Beth Malcolm and Defendant Susan Weddington have duties and responsibilities under the laws of State of Texas to redistrict Congressional and State Legislative Districts in Texas.
8. Paragraph 8 of the Complaint recites certain allegations of Plaintiffs made in their complaint. Plaintiffs' allegations as contained in their complaint speak for themselves. To the extent that Intervenors accurately recite the allegations contained in Plaintiffs' complaint, Defendant admits those allegations. To the extent that Intervenors inaccurately state or characterize the referenced allegations, Defendant denies those allegations.

9. Paragraph 9 of the Complaint recites certain allegations of Plaintiffs made in their complaint. Plaintiffs' allegations as contained in their complaint speak for themselves. To the extent that Intervenors accurately recite the allegations contained in Plaintiffs' complaint, Defendant admits those allegations. To the extent that Intervenors inaccurately state or characterize the referenced allegations, Defendant denies those allegations.

10. As to Paragraph 11[sic] of the Complaint, Intervenors recite certain facts related to the practice of the State of Texas with regard to the districts for seats in the United States House of Representatives. The practice of the State of Texas concerning such matters is a matter of public record which speaks for itself. To the extent that Intervenors accurately recite such facts, Defendant admits the allegations contained in Paragraph 11. To the extent that Intervenors inaccurately recite those allegations, Defendant denies the allegations. Intervenors additionally describe the past and current population of Texas based on certain census data. The census data speaks for itself. To the extent that Intervenors accurately state the population data contained therein, Defendant admits those allegations. To the extent that Intervenors inaccurately state or mischaracterize the data, Defendant denies the allegations contained in Paragraph 11. Defendant denies the remaining allegations contained in Paragraph 11.

11. As to Paragraph 12[sic] of the Complaint, Defendant admits that the Texas Legislature adjourned *sine die* on May 28, 2001 without enacting a redistricting plan for the United States House. Defendant further admits that under the Texas Constitution, the Governor has the discretion to call a special session of the Texas Legislature for the purpose of drawing a congressional redistricting map. Defendant admits the existence of a July 3, 2001, letter to the

Texas House Speaker Pete Laney and Lieutenant Governor Bill Ratliff. The content of the letter speaks for itself. To the extent Intervenors accurately state the contents of the letter, Defendant admits those allegations. To the extent such allegations are inaccurately stated, Defendant denies those allegations.

12. As to Paragraph 13[sic] of the Complaint, Defendant admits that there is currently no congressional redistricting plan in place for the State of Texas. Defendant is without sufficient information to admit or deny whether the Congressmen intend to seek re-election in the 2002 election cycle, or the effect of the Court's actions on the Congressmen's re-election campaigns. Defendant denies the remainder of the allegations contained in Paragraph 13 of the Complaint.

13. As to Paragraph 14[sic] of the Complaint, the population growth and number of districts in Texas are matters of public record and speak for themselves. The remainder of the allegations contained in Paragraph 14 of the Complaint call for a legal conclusion or constitute a question of law. Therefore, Defendant denies the remainder of the allegations contained in Paragraph 14.

14. Defendant avers that the allegations contained in Paragraph 15[sic] of the Complaint are a question of law or call for a legal conclusion. Therefore, Defendant denies the allegations contained in Paragraph 15.

15. As to the section of the Complaint entitled "Prayer for Relief," that section is simply a request for relief and requires no response. To the extent that a response is required, Defendant denies all allegations contained therein.

**II.**

Should the Court determine that it must impose a new congressional plan for the State of Texas that meets the requirements of the United States and Texas Constitutions, then Defendant will propose that the Court adopt a plan, drafted by Defendant, as the plan for congressional redistricting. Should the Court determine that the Senate plan adopted by the legislative redistricting board is unconstitutional and that it must impose a State Senate redistricting plan for the State of Texas that meets the requirements of the United States and Texas Constitutions, then Defendant proposes that the Court adopt a plan, drafted by Defendant, as the plan for the State Senate redistricting plan.

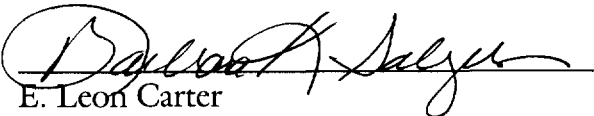
**III.**

**PRAYER FOR RELIEF**

Defendants requests judgment of the Court as follows:

1. That upon final hearing, judgment be entered in favor of this Defendant, that Intervenor takes nothing against this Defendant and that this Defendant be discharged, recovering this costs of court, and such other and further relief, either at law or in equity, to which he may show himself justly entitled.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing was served, via facsimile transmission upon all counsel of record and parties in interest on this 10th day of September, 2001, as follows:

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