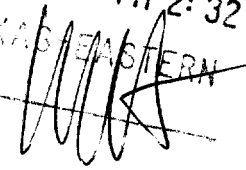


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

FILED-CLERK
U.S. DISTRICT COURT
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TEXAS EASTERN
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
BENTSEN, GREEN, JACKSON LEE, LAMPSON, BELLOW,
GUILLORY, DAVIS and BLAND

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 of Intervenor Bentsen, Green, Jackson Lee, Lampson, Bellow, Guillory, Davis and Bland ("Complaint") and would say as follows:

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LIEUTENANT GOVERNOR BILL RATLIFF'S ORIGINAL ANSWER TO THE COMPLAINT OF INTERVENORS BENTSEN, GREEN, JACKSON LEE, LAMPSON, BELLOW, GUILLORY, DAVIS AND BLAND

I.

INTERVENORS ALLEGATIONS

1. Defendant admits that Intervenors seek the redress identified in Paragraph 1 of the Complaint. With regard to references to census data information contained in Paragraph 1, such data is a matter of public record and is contained in the official 2000 census data. The 2000 census data speaks for itself. To the extent that the Intervenors accurately state the population data contained therein, Defendant admits those allegations. To the extent that Intervenors inaccurately state such data, Defendant denies the allegations. Defendant is without sufficient information to admit or deny the status of Intervenors or the extent of their personal interest, if any, in their respective congressional districts. Defendant denies the remaining allegations contained in Paragraph 1.
2. Defendant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2 of the Complaint.
3. Defendant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3 of the Complaint.
4. Defendant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4 of the Complaint.
5. Defendant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 5 of the Complaint.

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

7. Defendant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 7 of the Complaint.

8. Defendant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8 of the Complaint.

9. Defendant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 9 of the Complaint.

10. Defendant is without information sufficient to form a belief as to the truth of the allegations contained in Paragraph 10 of the Complaint.

11. Defendant admits the allegations contained in Paragraph 11 of the Complaint, except that Defendant denies that Defendant Molly Beth Malcolm and Defendant Susan Weddington have responsibilities under the laws of Texas to redraw congressional districts in Texas.

12. Defendant admits the allegations contained in Paragraph 12 of the Complaint.

13. As to Paragraph 13 of the Complaint, Intervenors attempt to restate certain Constitutional Provisions. The Constitutional Provisions cited by Intervenors speak for themselves. To the extent Intervenors accurately state the contents of the referenced Constitutional Provisions, Defendant admits those allegations. To the extent that Intervenors inaccurately state the contents of the referenced Constitutional Provisions or inaccurately

characterize the referenced Constitutional Provisions, Defendant denies those allegations. Defendant denies all remaining allegations contained in Paragraph 13 of the Complaint.

14. As to Paragraph 14 of the Complaint, Intervenors attempt to restate the contents of a federal statute. The federal statute cited by Intervenors speaks for itself. To the extent that Intervenors accurately state the contents of the referenced federal statute, Defendant admits those allegations. To the extent that Intervenors inaccurately state the contents of the referenced federal statute or inaccurately characterize the referenced federal statute, Defendant denies those allegations. Defendant denies all remaining allegations contained in Paragraph 14.

15. As to Paragraph 15, Intervenors reference certain actions of the President of the United States and data related to the 2000 census, both of which are matters of public record. The public record speaks for itself. To the extent that Intervenors accurately state such facts, Defendant admits the allegations. To the extent that Intervenors inaccurately state the facts or mischaracterize the facts, Defendant denies the allegations. Defendant denies the remaining allegations of Paragraph 15.

16. As to Paragraph 16 of the Complaint, Intervenors attempt to describe Texas's 1990 redistricting efforts and the impact of a 1996 federal court opinion. Both the laws passed establishing new districts based on the 1990 census and the 1996 federal court opinion are matters of public record and speak for themselves. To the extent that Intervenors' allegations accurately describe or characterize the referenced redistricting legislation and/or the referenced 1996 federal court opinion, Defendant admits those allegations. To the extent that Intervenors'

allegations inaccurately describe or characterize the referenced redistricting legislation and/or the referenced 1996 federal court opinion, Defendant denies those allegations. Defendant denies all remaining allegations contained in Paragraph 16.

17. As to Paragraph 17 of the Complaint, the current population of Texas's existing thirty (30) congressional districts is a matter of public record and is contained in the official 2000 census data. The 2000 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 that information, Defendant denies the allegations. Defendant denies the remaining allegations contained in Paragraph 17.

18. As to Paragraph 18 of the Complaint, the current population of the 25th Congressional District of Texas is a matter of public record and is contained in the official 2000 census data. The 2000 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 such data, Defendant denies the allegations. Defendant denies the remaining allegations contained in Paragraph 18.

19. As to Paragraph 19 of the Complaint, Defendant is without sufficient information to admit or deny the allegations contained therein.

20. As to Paragraph 20 of the Complaint, the current population of the 29th Congressional District of Texas is a matter of public record and is contained in the official 2000 census data. The 2000 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 such data, Defendant denies the allegations. Defendant denies the remaining allegations contained in Paragraph 20.

21. As to Paragraph 21 of the Complaint, Defendant is without sufficient information to admit or deny the allegations contained therein.

22. As to Paragraph 22 of the Complaint, Defendant admits that the Texas Legislature adjourned its regular session *sine die* on May 28, 2001. Defendant admits that the Texas Legislature did not enact any redistricting plan during its regular session. Defendant admits that Governor Rick Perry indicated that he would not likely call a special session for the purpose of passing a congressional redistricting plan. Defendant denies the remaining allegations contained in Paragraph 22.

23. As to Paragraph 23 of the Complaint, Defendant denies the allegations contained therein.

24. As to Paragraph 24 of the Complaint, Intervenors merely incorporate their allegations contained in Paragraphs 1 through 21[sic]. Defendant incorporates his admissions and denials to Paragraphs 1 through 23 in response to Paragraph 24.

25. As to Paragraph 25 of the Complaint, Defendant avers that the allegations contained therein are a question of law or call for a legal conclusion. Therefore, Defendant denies the allegations contained in Paragraph 25.

26. As to Paragraph 26 of the Complaint, Intervenor merely incorporate their allegations contained in Paragraphs 1 through 23[sic]. Defendant incorporates his admissions and denials to Paragraphs 1 through 25 in response to Paragraph 26.

27. As to Paragraph 27 of the Complaint, Defendant avers that the allegations contained therein are a question of law or call for a legal conclusion. Therefore, Defendant denies the allegations contained in Paragraph 27.

28. As to Paragraph 28 of the Complaint, Intervenor merely incorporate the allegations contained in Paragraphs 1 through 25[sic]. Defendant incorporates his admissions and denials to Paragraphs 1 through 27 in response to Paragraph 28.

29. As to Paragraph 29 of the Complaint, Defendant avers that the allegations contained therein are a question of law or call for a legal conclusion. Therefore, Defendant denies the allegations contained in Paragraph 29.

30. As to Paragraph 30 of the Complaint, Intervenor merely incorporate the allegations contained in Paragraphs 1 through 27[sic]. Defendant incorporates his admissions and denials to Paragraphs 1 through 29 in response to Paragraph 30.

31. As to Paragraph 31 of the Complaint, Defendant avers that the allegations contained therein are a question of law or call for a legal conclusion. Therefore, Defendant denies the allegations contained in Paragraph 31.

32. As to Paragraph 32 of the Complaint, Intervenor merely incorporate the allegations contained in Paragraphs 1 through 29[sic]. Defendant incorporates his admissions and denials to Paragraphs 1 through 31 in response to Paragraph 32.

33. As to Paragraph 33 of the Complaint, Defendant avers that the allegations contained therein are a question of law or call for a legal conclusion. Therefore, Defendant denies the allegations contained in Paragraph 33.

34. 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.

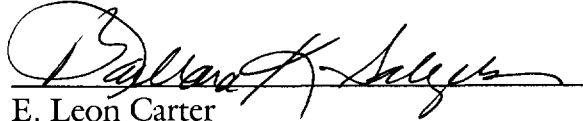
III.

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 take 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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RATLIFF, in his official capacity as Lieutenant
Governor of the State of Texas and President
of the Texas Senate

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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REAL PARTY IN INTEREST

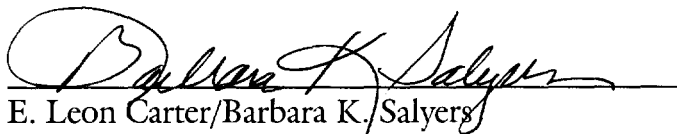
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