

No. D-1-GN-20-001610

TEXAS DEMOCRATIC PARTY AND GILBERTO	§	IN THE DISTRICT COURT
HINOJOSA, IN HIS CAPACITY AS CHAIRMAN OF	§	
THE TEXAS DEMOCRATIC PARTY, JOSEPH	§	
DANIEL CASCINO AND SHANDA MARIE	§	
SANSING,	§	
<i>Plaintiffs,</i>	§	
	§	
and	§	
	§	
ZACHARY PRICE, LEAGUE OF WOMEN VOTERS	§	
OF TEXAS, LEAGUE OF WOMEN VOTERS OF	§	
AUSTIN-AREA, MOVE TEXAS ACTION FUND,	§	TRAVIS COUNTY, TEXAS
WORKERS DEFENSE ACTION FUND,	§	
<i>Plaintiffs-Intervenors</i>	§	
	§	
v.	§	
	§	
DANA DEBEAUVOIR, IN HER CAPACITY AS	§	
TRAVIS COUNTY CLERK,	§	
<i>Defendant.</i>	§	
	§	
STATE OF TEXAS,	§	
<i>Intervenor.</i>	§	201st JUDICIAL DISTRICT

OBJECTIONS TO DECLARATIONS

Intervenor State of Texas respectfully submits its Objections to portions of the Declarations submitted to the Court in support of Plaintiffs' Brief in Support of Its Application for Temporary Injunction and Intervenor-Plaintiffs' Memorandum in Support of Application for Temporary Injunction and Response to the State of Texas's Plea to the Jurisdiction in the above-styled cause.

The declarations are attached hereto with Intervenor's objections indicated in blue text next to numbered paragraph to which they apply. Per the parties' agreement, Intervenor does not object to the parties submitting declarations in lieu

of live witness testimony at the hearing scheduled for April 15, 2020, but files these Objections directed toward the weight that the Declarations ought to be afforded.

Respectfully submitted,

KEN PAXTON
Attorney General of Texas

JEFFREY C. MATEER
First Assistant Attorney General

RYAN L. BANGERT
Deputy First Assistant Attorney General

DARREN L. MCCARTY
Deputy Attorney General for Civil Litigation

THOMAS A. ALBRIGHT
Chief for General Litigation Division

/s/ Michael R. Abrams
ANNE MARIE MACKIN
Texas Bar No. 24078898
Michael R. Abrams
Assistant Attorneys General
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
(512) 463-2798 | FAX: (512) 320-0667
anna.mackin@oag.texas.gov
michael.abrams@oag.texas.gov

**ATTORNEYS FOR INTERVENOR
STATE OF TEXAS**

CERTIFICATE OF SERVICE

I certify that that on April 14, 2020, this document was filed electronically via the Court's CM/ECF system, causing electronic service upon all counsel of record.

Chad W. Dunn
General Counsel
State Bar No. 24036507
Brazil & Dunn, LLP
4407 Bee Caves Road, Suite 111
Austin, Texas 78746
(512) 717-9822 Tel.
(512) 515-9355 Fax
chad@brazillanddunn.com

K. Scott Brazil
State Bar. No. 02934050
Brazil & Dunn, LLP
13231 Champion Forest Drive, Suite 406
Houston, Texas 77069
(281) 580-6310 Tel.
(281) 580-6362 Fax
scott@brazilanddunn.com

Dicky Grigg
State Bar No. 08487500
Law Office of Dicky Gregg, P.C.
4407 Bee Caves Road, Suite 111
Austin, Texas 78746
(512)474-6061 Tel.
(512)582-8560
dicky@grigg-law.com

Martin Golando
The Law Office of Martin Golando, PLLC
State Bar No. 24059153
N. Saint Mary's, Suite 700
San Antonio, Texas 78205
(210) 892-8543
martin.golando@gmail.com

ATTORNEYS FOR PLAINTIFFS

Joaquin Gonzalez

Texas Bar No. 24109935
Joaquin@texascivilrightsproject.org
Mimi Marziani
Texas Bar No. 24091906
mimi@texascivilrightsproject.org
Rebecca Harrison Stevens
Texas Bar No. 24065381
Beth@texascivilrightsproject.org
TEXAS CIVIL RIGHTS PROJECT
1405 Montopolis Drive
Austin, Texas 78741
(512) 474-5073 Telephone
(512) 474-0726 Facsimile

Edgar Saldivar
Texas Bar No. 24038188
esaldivar@aclutx.org
Thomas Buser-Clancy
Texas Bar No. 24078344
Tbuser-clancy@aclutx.org
Andre Segura
Texas Bar No. 24107112
asegura@aclutx.org
ACLU FOUNDATION OF TEXAS, INC
P.O. Box 8306
Houston, Texas 77288
(713) 325-7011 Telephone
(713) 942-8966 Fax

Sophia Lin Lakin
New York Bar No. 5182076
slakin@aclu.org
Dale E. Ho
New York Bar No. 4445326
dho@aclu.org
AMERICAN CIVIL LIBERTIES UNION
125 Broad Street, 18th Floor
New York, NY 10004
(212) 519-7836 Telephone
(212) 549-2654 Fax

ATTORNEYS FOR INTERVENOR-
PLAINTIFFS

Sherine Thomas
Sherine.Thomas@traviscountytexas.gov
Leslie Dippel
Leslie.Dippel@traviscountytexas.gov

ATTORNEYS FOR DANA DEBAEUVOIR
IN HER CAPACITY AS TRAVIS COUNTY CLERK

/s/ Michael R. Abrams
MICHAEL R. ABRAMS
Assistant Attorney General

Exhibit 1

TEXAS DEMOCRATIC PARTY, et. al	§	IN THE DISTRICT COURT
	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
and	§	
	§	
ZACHARY PRICE, LEAGUE OF	§	
WOMEN VOTERS OF TEXAS,	§	
LEAGUE OF WOMEN VOTERS	§	
AUSTIN AREA, MOVE TEXAS	§	
ACTION FUND, WORKERS DEFENSE	§	
ACTION FUND,	§	TRAVIS COUNTY, TEXAS
	§	
	§	
<i>Intervenor-Plaintiffs,</i>	§	
	§	
v.	§	
	§	
DANA DEBEAUVOIR	§	
	§	
<i>Defendant,</i>	§	
	§	
and	§	
	§	
STATE OF TEXAS	§	
	§	
<i>Intervenor-Defendant.</i>	§	201st JUDICIAL DISTRICT

DECLARATION OF ZACHARY PRICE

1. My name is Zachary Price, my date of birth is January 22nd, 1998, and my address is
7007 Reese Lane Austin, TX 78757.
2. I am a resident of Austin, Texas and a student at the University of Texas at Austin.
3. I am a registered voter in Travis County, Texas.

4. If Texas were not suffering from a public health crisis caused by the COVID-19 global pandemic, I would not be eligible to vote by mail: I am not 65 or older; I will be in Travis County (my county of residence) during the voting period for the July 14, 2020 elections; I am not incarcerated in jail, and I do not have a disability other than the COVID-19-related disability that I explain further below. [Legally Conclusory, Calls for Speculation](#)
5. Because of the ongoing COVID-19 public health crisis, I am currently practicing social distancing measures as recommended by public health officials and mandated by local, state, and federal authorities. This includes not leaving my house unless absolutely necessary, avoiding gatherings of more than ten people at all times, and keeping six feet or more away from people when I must be in public.
6. I want to vote in the 2020 Primary Election Runoff and the July 14 Special Election. I do not want to vote in person because I do not want to risk catching COVID-19 or inadvertently infecting others if, unbeknownst to me, I am an asymptomatic carrier. I understand that all individuals, including myself, can contract COVID-19, and that the effects can be devastating, even deadly. I also understand that gathering in large crowds is an unsafe practice that creates a risk of contracting COVID-19. I believe that during this ongoing COVID-19 outbreak I, along with everyone else, have a physical condition that prevents me from appearing at the polling place on Election Day without a likelihood of injuring my health. [Calls for Speculation, Legally Conclusory, Lack of Foundation, Improper Opinion, Not Readily Controvertible](#)
7. I want to vote by mail and to send in my application as soon as possible but cannot find any official guidance to clarify that I qualify to vote by mail under the present circumstances. I am not sure whether my ballot will be accepted and counted if I attempt to vote by mail. I understand that I face potential disenfranchisement and/or criminal

liability if it were found that I applied for a mail ballot despite knowingly not meeting the statutory guidelines for eligibility. I am not willing to face criminal prosecution or risk my health, so there is a severe risk that I will not be able to vote at all if I cannot vote by mail in the upcoming elections. [Legally Conclusory, Calls for Speculation, Argumentative](#)

8. If I have authoritative guidance clarifying that I am able to legally apply for a mail ballot under the current circumstances, I will apply for a mail-in ballot now so that I can:

- a. ensure I receive my ballot in a timely fashion, [Calls for Speculation, Relevance](#)
- b. have enough time to track my mail application and ballot,
- c. have enough time to contact and follow up with the County if my ballot does not arrive or is not received by the County, and
- d. have enough time to take whatever additional steps might be necessary to ensure my ballot is counted, including canceling and re-ordering a ballot if necessary.

9. I have attempted to vote by mail before, when I was out of the county for the entirety of the voting period, and I found it extremely difficult to obtain my ballot in a timely manner. The whole process of applying for a ballot and voting by mail has numerous steps, and I found that I did not receive my ballot until substantially after I turned in my application. I do not know what caused the delay in receiving my ballot; however, this was under normal circumstances. Thus, I know that all of the follow-up work I describe in paragraph 8 is likely to be necessary, and I want to have plenty of time to follow through to make sure my ballot is cast and counted properly. If there are many people applying to vote by mail at the last minute, I am extremely worried that ballots (including mine if I am forced to wait until the last minute) will not arrive in time to be counted.

[Relevance, Calls for Speculation, Argumentative, Not Readily Controvertible](#)

I declare under penalty of perjury that the facts stated above are true and correct to the best of my personal knowledge. Statements in declaration not within declarant's personal knowledge

Executed in Travis County, State of Texas, on 13th day of April, 2020.

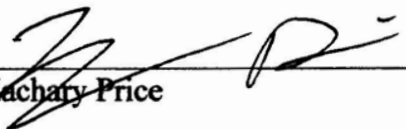

Zachary Price

Exhibit 2

TEXAS DEMOCRATIC PARTY, et. al

Plaintiffs,

and

ZACHARY PRICE, LEAGUE OF
WOMEN VOTERS OF TEXAS,
LEAGUE OF WOMEN VOTERS
AUSTIN AREA, MOVE TEXAS
ACTION FUND, WORKERS DEFENSE
ACTION FUND,

Intervenor-Plaintiffs,

v.

DANA DEBEAUVOIR

Defendant,

and

STATE OF TEXAS

Intervenor-Defendant.

IN THE DISTRICT COURT

TRAVIS COUNTY, TEXAS

201st JUDICIAL DISTRICT

DECLARATION OF GRACE CHIMENE

1. My name is Grace Chimene, my date of birth is 11, 25,1959. I am the President of the League of Women Voters of Texas ("LWVTX") and my work address is 1212 Guadalupe Stree # 107 Austin Texas _____.
2. LWVTX is a non-profit, volunteer-based organization with its main offices in Austin, Texas. LWVTX is a non-partisan organization whose mission includes empowering voters, defending democracy and envisioning a democracy where every person has the

desire, the right, the knowledge and the confidence to participate. LWVTX has 33 chapters covering 39 Texas counties, including Travis County, with approximately 3000 individual members across the state, many, if not the vast majority of whom, are registered voters in Texas.

3. LWVTX educates voters statewide about the availability of mail ballots and explains the eligibility rules, procedures and deadlines related to mail ballots.
4. It is LWVTX's understanding that were Texas not presently suffering a public health crisis due to the COVID-19 pandemic, many, if not most, registered Texas voters who do not otherwise qualify to vote by mail, would not be eligible to vote by mail under the "disability" category. These are just the voters LWVTX would educate on the availability of vote by mail if it had authoritative guidance that says all registered voters can use the disability category of eligibility to vote by mail during the COVID-19 pandemic, LWVTX is not able to do so. [Calls for Speculation, Lack of Personal Knowledge, Lack of Foundation, Legally Conclusory](#)
5. Because of the ongoing COVID-19 public health crisis in Texas, LWVTX would proactively engage voters who might not otherwise qualify to vote by mail and encourage them to do so if there were authoritative guidance indicating that it would be permissible for them to vote by mail due to the widespread pandemic conditions and that their votes will be counted if they vote by mail. [Calls for Speculation](#)
6. In my experience, LWVTX needs 4-6 at a minimum to change/update public education materials and circulate to our members and the public to get the word out and work with voters to make sure they are able to cast a ballot that counts. [Argumentative](#)
7. LWVTX members also routinely get asked voting-related questions from the public. With the circumstances created by COVID-19, LWVTX has been continuously receiving

questions from individuals who are asking about voting by mail -- both about their eligibility to do so and the process and timeline for doing so. Due to uncertainty around how the government officials will interpret the disability language in the mail ballot laws, LWVTX is unable to accomplish its mission of answering voters' questions and providing them with the resources they need in order to safely and securely cast a ballot that gets counted. Hearsay, Legally Conclusory, Argumentative

8. LWVTX has received communications from members of the public indicating that, due to the COVID-19 public health crisis, they believe that without the ability to vote by mail they will be unable to exercise their fundamental right to vote in the upcoming elections without risking their health. Hearsay, Not Readily Controvertible
9. I understand LWVTX faces potential criminal liability if it encourages these voters to vote by mail and later these voters are found to not qualify to vote by mail. The requested relief is necessary for LWVTX so that it can plan, prepare, and execute a voter education strategy that includes advising all registered voters, including LWVTX members, that they can vote by mail during the ongoing COVID-19 public health crisis. Legally Conclusory, Improper Opinion
10. Based on my personal knowledge of numerous LWVTX members across Travis County, and Texas as a whole, I know that there are individual members (including myself) who would not otherwise be eligible to vote by mail outside of the circumstance of this pandemic. This is because they are not 65 years or older, do not otherwise meet the definition of being disabled in the mail ballot law, do not have plans to be away from their county on election day, and are not confined in jail. Legally Conclusory, Calls for Speculation
11. Due to the ongoing COVID-19 public health crises, LWVTX members statewide, including me, are observing social distancing measures recommended by public health

officials and mandated by local, state, and federal authorities. This includes not leaving the house unless absolutely necessary, avoiding gatherings of more than ten people at all times, and keeping six feet or more away from people it's be in public.

12. The lack of authoritative guidance on whether they are able to vote by mail under the present circumstances leaves many LWVTX members with no realistic opportunity to exercise their fundamental right to vote in upcoming elections, including the July special election and runoff elections. Without the option vote by mail, many League members will be faced with the untenable choice of disenfranchisement or risking their health and safety and the health and safety of their loved ones on the one hand or risking that their ballot will not be counted and/or criminal liability on the other. [Argumentative, Legally Conclusory, Calls for Speculation](#)

13. LWVTX cannot currently advise all of its members to apply for mail ballots without authoritative guidance indicating that it would be permissible for them to vote by mail due to the widespread pandemic conditions. LWVTX cannot encourage its members to vote by mail if their ballots will not be accepted and tabulated. LWVTX also cannot risk exposing itself or its members to potential criminal liability by encouraging members to apply for mail ballots if it is later determined they are in fact not eligible to do so. LWVTX seeks to be able to advise its members that they can apply to vote by mail so that they are able to safely vote in all upcoming elections during this public health crisis. Without authoritative guidance that says all registered voters can use the disability category of eligibility to vote by mail during the COVID-19 pandemic, LWVTX is not able to do so. [Relevance, Argumentative, Not Readily Controvertible](#)

14. I want to vote in the 2020 Primary Election Runoff and the July 14 Special Election. I do not want to vote in person because I do not want to risk catching COVID-19 or

inadvertently infecting others if, unbeknownst to me, I am an asymptomatic carrier. I understand that all individuals, including myself can contract COVID-19, and that the effects can be devastating, even deadly. I also understand that gathering in large crowds is an unsafe practice that creates a risk of contracting COVID-19. I believe that during this ongoing COVID-19 outbreak I, along with everyone else, have a physical condition that prevents me from appearing at the polling place on Election Day without a likelihood of injuring my health. [Lack of Foundation, Legally Conclusory, Improper Opinion, Calls for Speculation, Not Readily Controvertible](#)

15. In addition to being the President of LWVTX, I am also a member of LWVTX.

16. Were Texas not suffering a public health crisis due to the COVID-19 global pandemic, I would not be eligible to vote by mail: I am not 65 or older, I will be in Travis County during the voting period for the July 14, 2020 election, I am not incarcerated in jail, and I do not have a disability other than the COVID-19-related disability. [Calls for Speculation, Legally Conclusory](#)

17. I believe I have a COVID-19-related "disability" as that word is defined in Section 82.002 of the Texas Election Code because I cannot vote in person during the COVID-19 pandemic without risking my health. [Legally Conclusory, Improper Opinion, Lack of Foundation, Not Readily Controvertible](#)

18. If I have authoritative guidance clarifying that I am able to legally apply for a mail ballot under the current circumstances, I will apply for a mail-in ballot now so that I can:

- a. ensure I receive my ballot in a timely fashion, [Calls for Speculation, Relevance](#)
- b. that I have enough time to track my mail application and ballot,
- c. have enough time to contact and follow up with the County if my ballot does not arrive or is not received by the County, and
- d. have enough time to take whatever additional steps might be necessary to ensure my ballot is counted.

19. In my time with LWVTX, I have encountered numerous individuals who have encountered problems or delays when voting by mail. These have included individuals who have applied for ballots by mail but never received them; received their ballots after the election was over; received their ballots without enough time to send them back before election day; and people who have had to go vote in person because their applications or ballots were not properly processed. These issues are avoidable if individuals submit their applications to vote by mail far in advance and routinely check in with the county to confirm the status of their applications and ballots. I, and other LWVTX members I know, will be encouraging voters to submit any mail ballot applications as soon as possible to give themselves enough time to check in with the county and cure any problems, particularly if there is expected to be an increase in mail ballot applications due to COVID-19. [Hearsay, Relevance, Argumentative, Not Readily Controvertible](#)

I declare under penalty of perjury that the facts stated above are true and correct to the best of my personal knowledge. [Statements contained in declaration are not within declarant's personal knowledge](#)

Executed in Travis County, State of Texas, on 12 day of April, 2020.

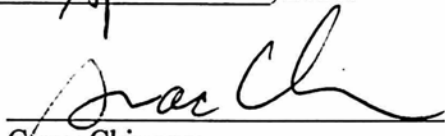

Grace Chimene

Exhibit 3

TEXAS DEMOCRATIC PARTY, et. al

Plaintiffs,

and

ZACHARY PRICE, LEAGUE OF
WOMEN VOTERS OF TEXAS,
LEAGUE OF WOMEN VOTERS
AUSTIN AREA, MOVE TEXAS
ACTION FUND, WORKERS DEFENSE
ACTION FUND,

Intervenor-Plaintiffs,

v,

DANA DEBEAUVOIR

Defendant,

and

STATE OF TEXAS

Intervenor-Defendant.

IN THE DISTRICT COURT

TRAVIS COUNTY, TEXAS

201st JUDICIAL DISTRICT

DECLARATION OF JOYCE LEBOMBARD

1. My name is Joyce LeBombard, my date of birth is 05/24/1962. I am the President of the League of Women Voters Austin Area ("LWV-AA") and my work address is 3908 Avenue B, Austin TX 78751.

2. LWV-AA is a non-profit, volunteer-based organization with its main offices in Austin, Texas. LWV-AA is a non-partisan organization whose mission includes empowering voters, defending democracy and envisioning a democracy where every person has the desire, the right, the knowledge and the confidence to participate. LWV-AA has members in the Austin and many, if not the vast majority of whom, are registered voters in Texas.
3. LWV-AA educates voters in the Austin Area about the availability of mail ballots and explains the eligibility rules, procedures and deadlines related to mail ballots.
4. It is LWV-AA's understanding that were Texas not presently suffering a public health crisis due to the COVID-19 pandemic, many, if not most, registered Texas voters who do not otherwise qualify to vote by mail, would not be eligible to vote by mail under the "disability" category. These are just the voters LWV-AA would educate on the availability of vote by mail if it had authoritative guidance that says all registered voters can use the disability category of eligibility to vote by mail during the COVID-19 pandemic, LWV-AA is not able to do so. [Lack of Foundation, Calls for Speculation, Lack of Personal Knowledge, Legally Conclusory](#)
5. Because of the ongoing COVID-19 public health crisis in Texas, LWV-AA would proactively engage voters who might not otherwise qualify to vote by mail and encourage them to do so if there were authoritative guidance indicating that it would be permissible for them to vote by mail due to the widespread pandemic conditions and that their votes will be counted if they vote by mail. [Calls for Speculation](#)
6. LWV-AA members also routinely get asked voting-related questions from the public. Due to uncertainty around how the government officials will interpret the disability language in the mail ballot laws, LWV-AA is unable to accomplish its mission of educating voters about election laws concerning vote-by-mail and providing them with the resources they

need in order to safely and securely cast a ballot that gets counted. Already, LWV-AA has seen confusion from individuals due the State's lack of clarity around whether people will be allowed to vote-by-mail due to COVID-19 without consequence, even though normally they would not be allowed to vote-by-mail. [Hearsay, Legally Conclusory, Argumentative](#)

7. The LWV-AA has received communications from members of the public indicating that, due to the COVID-19 public health crisis, they believe that without the ability to vote by mail they will be unable to exercise their fundamental right to vote in the upcoming elections without risking their health. LWV-AA anticipates as the elections draws nearer, those communications will increase significantly. [Hearsay, Not Readily Controvertible](#)
8. I understand LWV-AA faces potential criminal liability if it encourages these voters to vote by mail and later these voters are found to not qualify to vote by mail. The requested relief is necessary for LWV-AA so that it can plan, prepare, and execute a voter education strategy that includes advising all registered voters, including LWV-AA members, that they can vote by mail during the ongoing COVID-19 public health crisis. [Legally Conclusory, Improper Opinion](#)
9. Based on my personal knowledge of numerous LWV-AA members across Travis County, and Texas as a whole, I know that there are individual members (including myself) who would not otherwise be eligible to vote by mail outside of the circumstance of this pandemic. This is because they are not 65 years or older, do not otherwise meet the definition of being disabled in the mail ballot law, do not have plans to be away from their county on election day, and are not confined in jail. [Legally Conclusory, Calls for Speculation](#)
10. Due to the ongoing COVID-19 public health crises, LWV-AA members, including me, are observing social distancing measures recommended by public health officials and mandated by local, state, and federal authorities. This includes not leaving the house unless

absolutely necessary, avoiding gatherings of more than ten people at all times, and keeping six feet or more away from people when its necessary to be in public.

11. The lack of authoritative guidance on whether they are able to vote by mail under the present circumstances leaves many LWV-AA members with no realistic opportunity to exercise their fundamental right to vote in upcoming elections, including the July special election and runoff elections. Without the option vote by mail, many LWV-AA members will be faced with the untenable choice of disenfranchisement or risking their health and safety and the health and safety of their loved ones on the one hand or risking that their ballot will not be counted and/or criminal liability on the other.

Argumentative, Legally
Conclusory, Calls for Speculation

12. LWV-AA cannot currently advise all of its members to apply for mail ballots without authoritative guidance indicating that it would be permissible for them to vote by mail due to the widespread pandemic conditions. LWV-AA cannot encourage its members to vote by mail if their ballots will not be accepted and tabulated. LWV-AA also cannot risk exposing itself or its members to potential criminal liability by encouraging members to apply for mail ballots if it is later determined they are in fact not eligible to do so. LWV-AA seeks to be able to advise its members that they can apply to vote by mail so that they are able to safely vote in all upcoming elections during this public health crisis. Without authoritative guidance that says all registered voters can use the disability category of eligibility to vote by mail during the COVID-19 pandemic, LWV-AA is not able to do so.

Relevance,
Argumentative, Not
Readily
Controvertible

13. In my experience, LWV-AA needs 6-8 weeks at a minimum to change/update public education materials and circulate to our members and the public to get the word out and work with voters to make sure they are able to cast a ballot that counts.

Argumentative

14. I want to vote in the 2020 Primary Election Runoff and the July 14 Special Election. I do not want to vote in person because I do not want to risk catching COVID-19 or inadvertently infecting others if, unbeknownst to me, I am an asymptomatic carrier. I understand that all individuals, including myself can contract COVID-19, and that the effects can be devastating, even deadly. I also understand that gathering in large crowds is an unsafe practice that creates a risk of contracting COVID-19. I believe that during this ongoing COVID-19 outbreak I, along with everyone else, have a physical condition that prevents me from appearing at the polling place on Election Day without a likelihood of injuring my health. [Lack of Foundation, Legally Conclusory, Improper Opinion, Calls for Speculation, Not Readily Controvertible](#)
15. In addition to being the President of LWV-AA, I am also a member of LWV-AA.
16. Were Texas not suffering a public health crisis due to the COVID-19 global pandemic, I would not be eligible to vote by mail: I am not 65 or older, I will be in Travis County during the voting period for the July 14, 2020 election, I am not incarcerated in jail, and I do not have a disability other than the COVID-19-related disability. [Calls for Speculation, Legally Conclusory](#)
17. I believe I have a COVID-19-related “disability” as that word is defined in Section 82.002 of the Texas Election Code because I cannot vote in person during the COVID-19 pandemic without risking my health, or to my husband’s health because he has a suppressed immune system. [Legally Conclusory, Improper Opinion, Lack of Foundation, Not Readily Controvertible](#)
18. If I have authoritative guidance clarifying that I am able to legally apply for a mail ballot under the current circumstances, I will apply for a mail-in ballot now so that I can: [Calls for Speculation, Relevance](#)
1. ensure I receive my ballot in a timely fashion,
 2. that I have enough time to track my mail application and ballot,

3. have enough time to contact and follow up with the County if my ballot does not arrive or is not received by the County, and
4. have enough time to take whatever additional steps might be necessary to ensure my ballot is counted.

Declaration not based on personal knowledge, not sworn under penalty of perjury
Executed in Travis County, State of Texas, on 12th day of April, 2020.

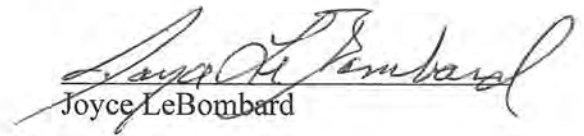

Joyce LeBombard

Exhibit 4

TEXAS DEMOCRATIC PARTY, et. al	§	IN THE DISTRICT COURT
	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
and	§	
	§	
ZACHARY PRICE, LEAGUE OF	§	
WOMEN VOTERS OF TEXAS,	§	
LEAGUE OF WOMEN VOTERS	§	
AUSTIN AREA, MOVE TEXAS	§	
ACTION FUND, WORKERS DEFENSE	§	
ACTION FUND,	§	TRAVIS COUNTY, TEXAS
	§	
	§	
<i>Intervenor-Plaintiffs,</i>	§	
	§	
v.	§	
	§	
DANA DEBEAUVOIR	§	
	§	
<i>Defendant,</i>	§	
	§	
and	§	
	§	
STATE OF TEXAS	§	
	§	
<i>Intervenor-Defendant.</i>	§	201st JUDICIAL DISTRICT

DECLARATION OF EMILY TIMM

1. My name is Emily Timm, my date of birth is June 25, 1981. I am the Co-Executive Director of Workers Defense Action Fund and my work address is 5604 Manor Road Austin, Texas 78723.
2. WDAF is a Texas non-profit corporation, organized under section 501(c)(4) of the Internal Revenue Code, with its principal place of business in Austin, Texas. WDAF

seeks to build civic engagement infrastructure that will engage low-wage workers, people of color and immigrant families in the legislative and electoral processes that impact their lives. WDAF advocates for local, state and federal policies that protect workers, educates voters about their rights, and engages historically under-represented voters in efforts to elect representatives that prioritize the needs of working families. Since its founding in 2013, WDAF has engaged thousands of low-wage workers and voters in Texas in electoral and legislative campaigns.

3. WDAF engages in get-out-the-vote efforts. WDAF's normal get-out-the-vote efforts are not feasible under present conditions where person-to-person contact is not possible. It is WDAF's understanding that were Texas not presently suffering a public health crisis due to the COVID-19 pandemic, most registered Texas voters would not be eligible to vote by mail under the "disability" category. If there were authoritative guidance indicating that it is permissible for these voters to vote by mail due to the widespread pandemic conditions and that their votes will be counted if they vote by mail, WDAF would encourage these potential voters to apply for mail ballots. [Legally Conclusory, Calls for Speculation, Lack of Personal Knowledge, Lack of Foundation](#)
4. I understand that under Texas law, employees and members for organizations such as WDAF face potential criminal liability if they encourage voters to vote by mail and later these voters are found to have not qualified to vote by mail. [Legally Conclusory, Improper Opinion](#)
5. It takes WDAF 4-6 months to properly plan, prepare, and execute a successful voter education strategy. If this strategy is going to include advising all registered voters that they can vote by mail during the ongoing public health crisis caused by the COVID-19 pandemic, WDAF must begin that planning and preparation now. [Argumentative Relevance](#)

6. In the lead up to the March 3, 2020 Primary Election, WDAF had 537,544 digital impressions/media impressions. In the lead up to the 2018 General Election, WDAF had 260,428 Digital/media impressions.
7. WDAF will encourage use of vote by mail for those who qualify by contacting voters by phone, text messages, providing educational materials through digital media engagement, including doing all of these activities in Travis County.
8. WDAF employs 4 FT organizing employees. They are phone-banking and developing social media content now that they are not able to do in person outreach. They continue to communicate with voters and the community but are not able to support them to make a plan in the July 14th election because it is unclear if they can encourage people to apply for vote by mail. Their work is severely hampered by the fact that they cannot advise individuals to vote by mail or educate them on what is necessary to successfully do so. Argumentative, Hearsay, Not Readily Controvertible
9. A core part of WDAF's mission is civic engagement. This includes encouraging its members and the broader community to vote in every election and endorsing candidates based on mission-driven criteria. WDAF wants all of its members who are registered voters and other low-propensity voters to be able to vote in all upcoming elections.
10. Based on my personal knowledge of individual WDAF members, I know that there are individual members (including myself) who would not otherwise be eligible to vote by mail outside of the circumstance of this pandemic. This is because they are not 65 years or older, do not meet the definition of being disabled in the mail ballot law (outside of the COVID-19 pandemic), do not have plans to be away from their county on election day, and are not confined in jail. Legally Conclusory, Calls for Speculation

11. Due to the ongoing COVID-19 public health crises, WDAF members statewide are observing social distancing measures recommended by public health officials and mandated by local, state, and federal authorities. This includes not going to public places, avoiding groups of ten or more people, and staying at least six feet away from other people when in public.
12. The lack of authoritative guidance on whether they are able to vote by mail under the present circumstances leaves many WDAF members with no realistic opportunity to exercise their fundamental right to vote in upcoming elections, including the July special election and runoff elections. Without the option to vote by mail, many WDAF members will be faced with the untenable choice of disenfranchisement or risking their health and safety and the health and safety of their loved ones on the one hand or risking that their ballot will not be counted and/or criminal liability on the other. [Argumentative, Legally Conclusory, Calls for Speculation](#)
13. WDAF cannot currently advise all of its members to apply for mail ballots due to the lack of authoritative guidance indicating that it would be permissible for them to vote by mail due to the widespread pandemic conditions. WDAF cannot encourage its members to vote by mail if their ballots will not be accepted and tabulated. WDAF cannot risk exposing its staff or its members to potential criminal liability by encouraging members to apply for mail ballots if they are in fact not eligible to do so. WDAF seeks to be able to advise its members that they can apply to vote by mail so that they are able to safely vote in all upcoming elections during this public health crisis. Without authoritative guidance that says all registered voters can use the disability category of eligibility to vote by mail during the COVID-19 pandemic, WDAF is not able to do so. [Relevance, Argumentative, Not Readily Controvertible](#)
14. I am a member of WDAF.

15. If Texas were not suffering from a public health crisis caused by the COVID-19 global pandemic, I would not be eligible to vote by mail: I am not 65 or older; I will be in Travis County (my county of residence) during the voting period for the July 14, 2020 elections; I am not incarcerated in jail; and I do not have a disability (other than the COVID-19-related disability described above). [Calls for Speculation, Legally Conclusory](#)
16. I want to vote in the 2020 Primary Election Runoff and the July 14 Special Election. I do not want to vote in person because I do not want to risk catching COVID-19 or inadvertently infecting others if, unbeknownst to me, I am an asymptomatic carrier. I understand that all individuals, including myself can contract COVID-19, and that the effects can be devastating, even deadly. I also understand that gathering in large crowds is an unsafe practice that creates a risk of contracting COVID-19. I believe that during this ongoing COVID-19 outbreak I, along with everyone else, have a physical condition that prevents me from appearing at the polling place on Election Day without a likelihood of injuring my health. [Lack of Foundation, Legally Conclusory, Improper Opinion, Calls for Speculation, Not Readily Controvertible](#)
17. I believe I have a COVID-19-related “disability” as that word is defined in Section 82.002 of the Texas Election Code because I cannot vote in person during the COVID-19 pandemic without risking my health. [Legally Conclusory, Improper Opinion, Lack of Foundation, Not Readily Controvertible](#)
18. If I have authoritative guidance clarifying that I am able to legally apply for a mail ballot under the current circumstances, I will apply for a mail-in ballot now so that I can:
- ensure I receive my ballot in a timely fashion, [Calls for Speculation, Relevance](#)
 - have enough time to track my mail application and ballot,
 - have enough time to contact and follow up with the County if my ballot does not arrive or is not received by the County, and

- d. have enough time to take whatever additional steps might be necessary to ensure my ballot is counted, including canceling and re-requesting a ballot if necessary.

19. In our past voter mobilization efforts we have fielded many questions from people who wish to vote by mail about when their ballots will arrive and whether they have been received. Giving as much time to resolve those questions as possible is critically important. Hearsay, Relevance, Argumentative

I declare under penalty of perjury that the facts stated above are true and correct to the best of my personal knowledge. Statements contained in declaration are not within declarant's personal knowledge

Executed in Travis County, State of Texas, on 12th day of April, 2020.



Emily Timm

Exhibit 5

TEXAS DEMOCRATIC PARTY, et. al	§	IN THE DISTRICT COURT
	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
and	§	
	§	
ZACHARY PRICE, LEAGUE OF	§	
WOMEN VOTERS OF TEXAS,	§	
LEAGUE OF WOMEN VOTERS	§	
AUSTIN AREA, MOVE TEXAS	§	
ACTION FUND, WORKERS DEFENSE	§	
ACTION FUND,	§	TRAVIS COUNTY, TEXAS
	§	
	§	
<i>Intervenor-Plaintiffs,</i>	§	
	§	
v.	§	
	§	
DANA DEBEAUVOIR	§	
	§	
<i>Defendant,</i>	§	
	§	
and	§	
	§	
STATE OF TEXAS	§	
	§	
<i>Intervenor-Defendant.</i>	§	201st JUDICIAL DISTRICT

DECLARATION OF HILLIARD DREW GALLOWAY

1. My name is Hilliard Drew Galloway, my date of birth is July 25, 1982. I am the Executive Director of MOVE Texas Action Fund (“MOVE”) and my work address is 1023 North Pine Street, San Antonio, Texas 78202.

2. MOVE is a Texas nonprofit corporation, organized under section 501(c)(4) of the Internal Revenue Code, with its principal place of business in San Antonio, Texas. MOVE empowers underrepresented youth communities to build a better democracy through civic engagement, leadership development, and issue advocacy. Founded in 2013, MOVE now employs 51 people, and conducts significant mission-driven activities in Travis County.
3. Since its inception, MOVE has worked to expand voter registration and equal access to voting. MOVE actively works to register eligible young people to vote and ensure that they cast a ballot that is actually counted. MOVE informs voters statewide about their ability to cast a mail ballot, explains the rules and deadlines related to mail ballots, and encourages eligible voters to utilize mail ballots if they cannot vote in-person. MOVE encourages and advises young voters in applying for mail ballots when appropriate and follows up with them to ensure they have mailed their ballots in a timely manner. Because MOVE frequently works with college students, encouraging voting by mail is one of MOVE's core activities. [Argumentative](#)
4. Many of the young voters whom MOVE would have encouraged to vote by mail because they were outside of their home county while attending school are now residing in their home counties due to COVID-19 school closures; however, they will still be unable to safely vote in person due to the widespread pandemic conditions. [Argumentative, Calls for Speculation, Legally Conclusory, Improper Opinion](#)
5. MOVE would engage these potential voters through direct outreach and social media and encourage them to apply for mail ballots if there were authoritative guidance indicating that it would be permissible for them to vote by mail due to the widespread pandemic conditions and that their votes will be counted if they vote by mail. [Calls for Speculation](#)

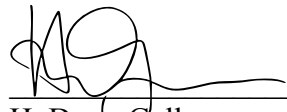
6. I understand that under Texas law, MOVE faces potential criminal liability if it encourages these voters to vote by mail and later these voters are found to not qualify for vote by mail. In my years involved in civic organizing, there have been increasingly severe laws passed regulating voter registration and engagement activity and increasing prosecutions of individuals for activities that fall in legal gray areas. [Legally Conclusory, Improper Opinion, Argumentative, Not Readily Controvertible](#)
7. MOVE cannot continue its education and get out the vote efforts with respect to vote by mail if it is possible that either MOVE or individuals whom it educates could be prosecuted for voting by mail or that those individuals' ballots may not be counted. [Calls for Speculation, Argumentative](#)
8. In my experience, MOVE needs 12 weeks at a minimum to change/update public education materials and circulate to our members and the public to get the word out and work with voters to make sure they are able to cast a ballot that counts. [Argumentative](#)
9. In the lead up the March 3, 2020 Primary Election, MOVE contacted over 102,687 voters.
10. In the lead up to the March 3, 2020 Primary Election, MOVE had over 3,796,929 digital impressions/media impressions. In the lead up to the November 6, 2018 Midterm Election, MOVE had over 1,580,814 many digital impressions/media impressions.
11. In the lead up to the March 3, 2020 Primary Election, MOVE estimates they directly encouraged over 1,000 voters to apply for mail ballots. [Lack of Foundation, Lack of Personal Knowledge](#)
12. MOVE encourages use of vote by mail for those who qualify by doing identifying voters who are eligible to request mail-in ballots, sharing resources on how to obtain, complete, and return a mail-in ballot application, and understand the rules and law pertaining to voting by mail, including actively contacting voters in Travis County.

13. MOVE employs 39 organizing employees. They are communicating with voters on social media and using digital tools like text messaging, relational organizing software, and phone calls now that they are stuck at home due to the COVID-19 pandemic. Their work is severely hampered by the fact that they cannot advise individuals to vote by mail or educate them on what is necessary to successfully do so. [Hearsay, Argumentative](#)

14. MOVE has spoken directly with voters who have had difficulty obtaining mail-in ballots, specifically: learning an unfamiliar system of absentee voting and the pertaining rules and laws; understanding mail-in ballot applications are due by a specific deadline; following up with counties multiple times in order to obtain their ballot; understanding that their signature will be matched to their original voter registration signature; and, ensuring their ballots are mailed by the proper deadline. [Hearsay, Argumentative, Relevance](#)

I declare under penalty of perjury that the facts stated above are true and correct to the best of my personal knowledge. [Statements contained in declaration are not within declarant's personal knowledge](#)

Executed in Bexar County, State of Texas, on 13th day of April, 2020.



H. Drew Galloway

EXHIBIT C

NO. D-1-GN-20-001610

**TEXAS DEMOCRATIC PARTY AND
GILBERTO HINOJOSA, IN HIS
CAPACITY AS CHAIRMAN OF THE
TEXAS DEMOCRATIC PARTY,
JOSEPH DANIEL CASCINO AND
SHANDA MARIE SANSING**

Plaintiffs,

VS.

**DANA DEBEAUVOIR,
IN HER CAPACITY AS TRAVIS
COUNTY CLERK**

Defendant.

IN THE DISTRICT COURT

TRAVIS COUNTY, TEXAS

201st JUDICIAL DISTRICT

George Korbel Declaration

Now comes George Korbel who swears, affirms, declares and deposes as follows:

1. My name is George Joseph Korbel, My date of birth is July 9, 1943 and my address is 220 Gardenview, Castle Hills, Texas in the United State of America. I am 76 years old.
2. I have been a lawyer for 52 years and for the past 49 years I have appeared as either a lawyer or an expert witness in well over 100 voting cases in Texas. These have been in both the state and federal court. The cases have included testimony on racially polarized voting, socio-economic and educational discrimination, gerrymandering, the history of election discrimination in Texas, election fraud as well as the creation and analysis of election districts. I have appeared as an expert and/or a lawyer for both plaintiffs and Defendants.
3. In 1974 I was one of the witness who testified before committees of both houses of US Congress laying out the factual record to support the extension and expansion of the special

provisions of the Federal Voting Rights Act to include Texas. That testimony has been cited by numerous courts in the interpretation of provisions of the act. This has included three by the U.S. Supreme Court.

4. After the 1975 enactment of the extension and expansion of the Voting Rights Act, I was asked by the Federal Election Commission to serve on a committee to determine best practices in the implementation of the language provisions of the Voting Rights Act. Such a document was prepared and became the reference point to the translation of elections into several languages.

5. In 1981, I was called to testify before a Committee of the US House of Representatives considering the factual and legal factors involved in the extension of the Voting Rights Act. I also offered testimony concerning the so called “attorney’s fee” provision of the Voting Rights Act.

6. I have been hired by more than 50 jurisdictions in Texas to draw redistricting plans after the 2000 and 2010 census. I have been involved in well over 100 administrative cases before the US Department of Justice involving the Voting Rights Act. Several of these included election fraud.

7. I have testified to issues involving actions taken by individuals to discourage voting and turn out before Congress as well as in the state and federal courts. In addition, I have taught in university as an adjunct. I have published in academic journals and in governmental studies. A copy of my curriculum vitae is attached as an exhibit to this declaration.

8. In this case as well as all other cases, I was asked to testify and give opinions on Texas’ recent history of state criminal enforcement on election crimes and whether or not voters may have a reasonable concern about prosecution if they submit a mail ballot application and check disability for social distancing.

9. It is my conclusion in reviewing this case and recent election crime investigations, that voters should have a reasonable concern about prosecution if they submit a mail ballot application and check disability for social distancing. Other Texans have made similar kinds of statements on mail-ballot applications and have been investigated, arrested, and prosecuted.

The Attorney General's Role in Prosecuting Election Crimes

10. The Office of the Attorney General (OAG) has statewide investigation authority over the election laws of the State. The OAG helps to train and assist local law enforcement and prosecution in working up complex and challenging election fraud cases.

11. An individual may submit an election complaint to the Texas Secretary of State through the use of a form found online. The Secretary of State will refer these complaints to the Office of the Attorney General to investigate the allegations of election fraud. Chapter 273, Texas Election Code, gives the OAG authority to investigate election code violations anywhere in Texas.

12. One need only look at the public statements and actions of the Attorney General to know that voters should have a reasonable fear that they will be prosecuted. This is especially true for women of color. [Argumentative, Lack of Foundation, Unsubstantiated Factual Conclusion, Calls for Speculation, Legally Conclusory, Relevance, Not Readily Controvertible, Improper Opinion](#)

2018 Robstown Prosecutions

13. On March 7, 2018, Attorney General Ken Paxton announced that his office would prosecute of three Robstown residents who were indicted by a San Patricio County grand jury for nine counts of voter fraud during the 2016 election cycle in Nueces County. [Relevance, Lack of Foundation](#)

14. Cynthia Kay Gonzalez was indicted on four counts of election fraud stemming from the May 2016 Nueces County Democratic primary runoff election. The charges against her included illegal voting, a second-degree felony punishable by a prison term of two to 20 years. Rosita

Torres Flores was charged with two counts of voter fraud. She's accused of obtaining an elderly victim's mail-in ballot and using it to vote without the voter's direction during the 2016 general election. Robert Gonzalez was charged with three counts of unlawfully divulging a vote, a third-degree felony. Gonzalez was on the ballot as a candidate for the 2016 Robstown Municipal Utility Board runoff election. He was charged with observing the secret ballot of another voter in a polling place and unlawfully divulging the person's vote. [Relevance, Lack of Foundation](#)

15. The AG announced his intent to prosecute these election workers as part of a larger "voter fraud" initiative.¹ In the end, however, these prosecutions amounted to almost nothing. Robert Gonzalez was acquitted. The AG's office conceded that his office didn't have anything resembling a big case against Ms. Gonzalez or Ms. Torres. Both Ms. Gonzalez and Torres pled to misdemeanors involving unauthorized assistance. [Argumentative, Relevance, Lack of Foundation](#)

16. It has been my experience that all of this din about persons voting illegally and the invalidated investigations surrounding them have a negative effect on voting by Hispanics and African Americans. They are afraid that they will get in trouble for doing something wrong or just don't want to risk it. [Hearsay, Lack of Foundation, Unsubstantiated Factual Conclusion, Argumentative, Relevance](#)

2019 Starr County Prosecution

17. On January 31, 2019, General Paxton announced that the Election Fraud Unit of his office arrested Bernice Annette Garza for using a dead person's identity to vote illegally in the March 1, 2016, Democratic primary election in Starr County. Garza was indicted by a grand jury in Hidalgo County and is charged with voter impersonation, illegal voting, and providing false information on an application for an early voting ballot. [Relevance, Lack of Foundation](#)

18. General Paxton claimed that in 2016, Garza signed and submitted an application for early

¹ <https://www.texasattorneygeneral.gov/news/releases/ag-paxtons-office-prosecute-nine-counts-voter-fraud-nueces-county>

voting ballot by mail for Hortencia Rios, who had been dead for 9 years.² [Relevance, Lack of Foundation](#)

19. However, a short year later, Garza offered DNA evidence that proved that Ms. Garza had not even touched the ballot in question.³ On November 6, 2019, this case was dismissed. See Order of Dismissal, *The State of Texas v. Bernice Annette Garza*, No. CR-0115-19-J (November 6, 2019 10:09 AM). [Relevance, Lack of Foundation](#)

2018 Tarrant County Arrests

20. On October 12, 2018, General Paxton announced that four individuals in Tarrant County were indicted on 30 felony counts of voter fraud and arrested following a lengthy investigation by the Election Fraud Unit of his office. Their names are: Leticia Sanchez, Leticia Tepichin Sanchez, Maria Solis, and Laura Parra.⁴ [Relevance, Lack of Foundation](#)

21. All defendants in the case were charged with state jail felony charges of providing false information on an application for a mail ballot – Sanchez (16 counts), Leticia Sanchez Tepichin (10 counts), Maria Solis (two counts) and Laura Parra (one count). [Relevance, Lack of Foundation](#)

22. There has been no resolution in this case, which is now a 1.5 year prosecution with 4 year-old allegations. [Relevance, Argumentative, Lack of Foundation](#)

23. Also in Tarrant County in 2018, Crystal Mason was sentenced to a 5-year prison term for voting the 2016 election because she was on supervised release for a federal felony. She said she was unaware that she could not vote. In Texas, felons cannot vote until the completion of their full sentence. She was not even registered to vote. But, she was allowed to vote provisionally.

[Hearsay, Relevance, Lack of Foundation, Argumentative](#)

24. She is currently appealing her conviction, in part, because the vote she cast was not even

² <https://www.texasattorneygeneral.gov/news/releases/ag-paxtons-election-fraud-unit-arrests-starr-county-woman-illegal-voting-using-dead-persons-identity>

³ <https://www.valleymorningstar.com/2019/09/28/attorney-dna-proves-woman-didnt-cast-illegal-vote-in-starr-county/>

⁴ <https://www.texasattorneygeneral.gov/news/releases/work-ag-paxtons-election-fraud-unit-results-arrests-4-members-organized-voter-fraud-ring-north-fort>

counted. [Relevance, Lack of Foundation, Argumentative](#)

2018 Jefferson County Arrests

25. On April 27, 2018, General Paxton announced that a grand jury issued indictments against three candidates from the 2016 Jefferson County Sheriff's race for criminal violations for fraud related to campaign contributions in the primary or general election. [Relevance, Lack of Foundation](#)

26. A grand jury in Chambers County indicted 52-year-old Zena Collins Stephens on one count of tampering with a government record, a state jail felony, and two counts of accepting cash contributions exceeding \$100, class A misdemeanors. Stephens was elected sheriff of Jefferson County in November 2016. The grand jury also indicted 67-year-old Ray Elliott Beck on one count of accepting a cash contribution exceeding \$100 and one count of failure to return a political contribution, both class A misdemeanors. In addition, 59-year-old Joseph Sterling Stevenson was indicted on one count of accepting a cash contribution exceeding \$100, a class A misdemeanor. [Relevance, Lack of Foundation](#)

27. Three candidates for the Office or Sheriff of Jefferson County are alleged to have accepted cash campaign contributions from an individual greater than the \$100 amount allowed by law, ordinarily, if proven, a civil administrative matter handled by the Texas Ethics Commission but at most, and rarely, prosecuted as a misdemeanor. All three candidates were indicted, but only Sheriff Stephens was indicted for a felony because she was alleged to have reported the cash in a way on her form that the attorney general found objectionable while at least one of the defendants who did not report it all, was not indicted for the felony. [Relevance, Lack of Foundation](#)

28. Sheriff Stephens filed a motion to quash the indictment, with subsequent amendments. The trial court granted Sheriff Stephens motion to quash, ruling that the attorney general did not have the authority to prosecute alleged Penal Code violations. The State has appealed this ruling. [Relevance, Lack of Foundation](#)

Conclusion

29. General Paxton has frequently publicized the arrests made in connection with voter fraud. AG Paxton has arrested people for illegal assistance and for putting false information on a mail ballot application. He has also attempted prosecute at least one candidate by using a penal code violation for a possible purely technical violation of campaign finance regulations. Given the public statements by General Paxton and his track record, a voter should have a reasonable fear that he or she would face criminal sanction if he or she checked the disability box on a mail ballot application because of the need to social distance.

Argumentative, Lack of Foundation, Improper
Opinion, Legally Conclusory, Unsubstantiated
Factual Conclusion, Not Readily Controvertible,
Calls for Speculation,
Relevance

30. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Bexar County, State of Texas, on the 12th day of April, 2020.

Signed in Bexar County, Texas. On this 12th day of April, 2020.

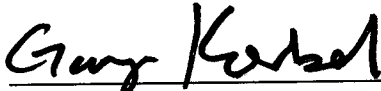

George Korbel

EXHIBIT D

No. D-1-GN-20-001610

TEXAS DEMOCRATIC PARTY AND
GILBERTO HINOJOSA, IN HIS
CAPACITY AS CHAIRMAN OF THE
TEXAS DEMOCRATIC PARTY,
JOSEPH DANIEL CASCINO AND
SHANDA MARIE SANSING,

Plaintiffs

vs.

RUTH HUGHS, IN HER OFFICIAL
CAPACITY AS TEXAS SECRETARY OF
STATE AND DANA DEBEAUVOIR, IN
HER CAPACITY AS TRAVIS COUNTY
CLERK,

Defendants

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

201st JUDICIAL DISTRICT

DECLARATION OF SHANDA SANSING

"My name is Shanda Marie Sansing and execute this declaration in compliance with Texas Civil Practice and Remedies Code section 132.001. My date of birth is February 19, 1960, and my address is 1428 Briarcliff Blvd., Austin, Texas, 78723 in the United State of America.

I am 60 years of age and a resident of Travis County. I am a citizen of the United States.

I am currently a registered voter in Travis County and have been a registered voter in Travis for approximately 35 years.

I voted in person in the Democratic Primary in Travis County on March 3, 2020.

I intend to vote in the Democratic Primary run off to be held on July 14, 2020 in Travis County and want to vote by mail to avoid injuring myself or others.

I am a registered voter of Travis County. I am not over the age of 65, I will not be absent from Travis County on election day and during the regular hours for conducting early voting at the main early voting polling place for that part of the period for early voting by personal appearance. In addition, I have not been determined disabled by the Social Security Administration.

I grew up in Travis County and acquired a Bachelor of Science in Radio, Television and Film in

the School of Communications from the University of Texas at Austin and have always voted in person in state, national and local elections.

I am familiar with and have read articles regarding COVID-19 and regularly watch television depicting the Coronavirus, its spread and general information. I am concerned about the virus for various reasons. Based upon my prior voting history I know that the polling place will likely be a confined area with poll workers and other voters, I will be in close proximity to the poll workers and other voters and I will be touching the voting equipment, the doors to the building, etc. Not only am I concerned that I might acquire the virus, but I am extremely anxious about exposing my family to same. My husband and my daughter are both asthmatics and have compromised respiratory systems. Because of this, I am very vigilant about self-containment. I am fearful of infecting myself or someone else in my family or community.

Calls for Speculation, Argumentative, Not Readily Controvertible, Lack of Foundation

Because of these fears and the likely hood of it injuring my health and the health of my loved ones, I want to vote by mail in the Democratic primary run off on July 14, 2020 as well as the November General Election.

Calls for Speculation, Lack of Foundation, Improper Opinion

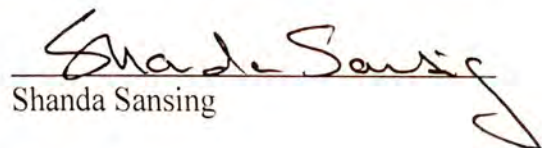
From what I know and have read about this virus, the fear of contamination and spread of this disease will still be a real concern in July, 2020. The state has been prosecuting people for all kinds of activities relative to voting. I recall that about a year ago Ken Paxton announced he was investigating people who registered to vote. Without a court order or some other lawful protection, I am fearful of sending in a vote by mail application because I am unsure if the government will try to investigate me or prosecute me for trying to vote by mail.

Calls for Speculation, Legally Conclusory, Lack of Foundation, Argumentative

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Travis County, State of Texas, on the 12 day of April, 2020.
(Month) (Year)

Signed in Travis County, Texas. On this 12 day of April, 2020.


Shanda Sansing

No. D-1-GN-20-001610

I intend to vote in the Democratic Primary Runoff to be held on July 14, 2020 in Travis County and want to vote by mail to avoid endangering myself and others. I have not been deemed disabled by the Social Security Administration nor am I over 65 years of age. Furthermore, I will not be absent from Travis County on election-day and during the regular hours for conducting early voting at the main early voting polling place for that part of the period for early voting by personal appearance. [Calls for Speculation, Legally Conclusory](#)

I am currently studying Government and History at the University of Texas at Austin, aiming to graduate in May 2022 and have been involved in electoral politics in one way or another since age seven.

I have read extensively about the threat of the coronavirus given my mother's status as immunocompromised and my own issues with asthma. I am particularly concerned about how easily the virus passes and that as a 20-year-old, I am in prime condition to be an asymptomatic carrier. I am also familiar with local shelter-in-place orders and am adhering to them, only leaving my home to occasionally go to the grocery store (wearing gloves and a mask) or to go on walks. Having voted before, I know that the polling place is a confined space in which I have to touch doors, voting equipment, and turn over my ID. These are activities all primed for exposure to the coronavirus. Given how quickly the coronavirus is spreading, I believe it will still be a cause for concern by the July and November elections. Thus, I worry about infecting myself or others at the polling place. [Lack of Foundation, Calls for Speculation, Improper Opinion, Legally Conclusory, Argumentative, Not Readily Controvertible](#)

Because of the high potential of injury to my health, the health of my family, and the health of people in my community, I seek to vote by mail in the 2020 Texas Democratic Primary Runoff. The state has been prosecuting people for all kinds of activities relative to voting. I am aware of Ken Paxton announcing he was investigating all these people who registered to vote. Without a court order or some other lawful protection, I am fearful of sending in a vote by mail application because I do not know if the government will try to investigate me or prosecute me for trying to vote. [Calls for Speculation, Lack of Foundation, Legally Conclusory, Argumentative](#)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Parker County, State of Texas, on the 13th day of April, 2020.
(Month) (Year)

Signed in Parker County, Texas. On this 13th day of April, 2020.


Joseph Cascino