

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

TERRY PETTEWAY, THE  
HONORABLE DERRECK ROSE,  
MICHAEL MONTEZ, SONNY  
JAMES and PENNY POPE,

*Plaintiffs,*

v.

GALVESTON COUNTY, TEXAS,  
and HONORABLE MARK HENRY,  
in his official capacity as Galveston  
County Judge,

*Defendants.*

Civil Action No. 3:22-cv-57

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

GALVESTON COUNTY, TEXAS,  
GALVESTON COUNTY  
COMMISSIONERS COURT, and  
HONORABLE MARK HENRY, in  
his official capacity as Galveston  
County Judge,

*Defendants.*

Civil Action No. 3:22-cv-93

DICKINSON BAY AREA BRANCH  
NAACP, GALVESTON BRANCH  
NAACP, MAINLAND BRANCH  
NAACP, GALVESTON LULAC  
COUNCIL 151, EDNA COURVILLE,  
JOE A. COMPIAN, and LEON  
PHILLIPS,

Civil Action No. 3:22-cv-117

*Plaintiffs,*

v.

GALVESTON COUNTY, TEXAS,  
HONORABLE MARK HENRY, in  
his official capacity as Galveston  
County Judge, and DWIGHT D.  
SULLIVAN, in his official capacity as  
Galveston County Clerk

*Defendants.*

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**DEFENDANTS’ MOTION FOR AN EXTENSION OF  
THE APRIL 28, 2023 DISPOSITIVE MOTIONS DEADLINE AND  
REQUEST FOR AN EXPEDITED RULING**

Defendants Galveston County, Texas, the Galveston County Commissioners Court, County Judge Mark Henry, and County Clerk Dwight Sullivan (“Defendants”) respectfully move the Court to extend the time for the parties to file their Motions for Summary Judgment, currently set for Friday, April 28, 2023. Specifically, Defendants seek to extend the deadline to **one week after the last deposition is taken or June 2, 2023, whichever date is earlier.**

Discovery is ongoing and has been reasonably extended in this case due to circumstances beyond the control of any party. Although Plaintiffs have indicated that they could agree to an extension of the dispositive motions to May 12, 2023 or one week after the last deposition is taken, whichever is earlier, Plaintiffs object to Defendants’ request.

1. Pursuant to Federal Rule of Civil Procedure 56(b), parties have up to 30 days after the close of discovery for the filing of a Motion for Summary Judgment, unless a local rule or the court orders a different deadline.
2. On July 15, 2022, the Court issued a Docket Control Order instructing that all

dispositive motions be filed by April 28, 2023 (seven days after the close of discovery). *See* ECF 66.

3. The Docket Control Order also set a docket call for June 9, 2023. ECF 66.
4. On a joint motion of the parties, however, the Court subsequently established August 7, 2023 as the date certain for trial to begin in this case. ECF 117.
5. The parties have conducted extensive discovery to date, but a substantial amount of discovery remains to be done. Particularly, there are pending privilege issues under consideration by Magistrate Judge Edison. ECF 102 and 103; *see also* ECF 104 (referring Plaintiffs' Motions to Compel Discovery to Magistrate Judge Edison).
6. Additionally, the parties have not yet completed deposition discovery. On the parties' agreement and the Court's permission, several depositions of key fact and expert witnesses will be taken after discovery closed on April 21, 2023. *See, e.g.*, ECF 133 and 134.
  - a. For example, due to scheduling conflicts, Professor Alford is unable to sit for a deposition until April 27, 2023 (one day before the current deadline for dispositive motions).
  - b. Additionally, a witness's family emergency prompted the parties to reschedule the deposition of Plaintiff Dickinson Branch NAACP to Wednesday, April 26, 2023.
  - c. Commissioner Holmes' deposition has also been postponed until after his documents are produced and any privilege dispute concerning them is resolved (Commissioner Holmes' counsel has agreed to provide a privilege log to

Defense counsel early this week).

- d. The parties have also agreed to postpone the depositions of Thomas Bryan and Dalton Oldham Jr. until the Court has issued a ruling on Plaintiffs' Motions to Compel Discovery. ECF 102 and 103; *see also* ECF 104 (referring Plaintiffs' Motions to Compel Discovery to Magistrate Judge Edison).
  - e. Finally, depending on the Court's ruling on the Plaintiffs' Motions to Compel Discovery, the depositions of Judge Henry, Commissioner Giusti, Commissioner Apffel, and Nathan Sigler may be reopened.
  - f. The testimony from the delayed depositions is potentially probative and important to the issues that will be raised on summary judgment.
7. This means that four depositions are pending as of this filing, with a potential for an additional five depositions—nine total—that are dependent on the Court's ruling on Plaintiffs' Motions to Compel. ECF 102 and 103.
  8. The operative Docket Control Order setting the dispositive motions deadline on April 28, 2023 does not take into account these outstanding discovery issues. Therefore, Defendants request that the Court set a new dispositive motions deadline to one week after the last deposition is taken or June 2, 2023, whichever date is earlier.
  9. Defendants have conferred with each of the Plaintiffs in this consolidated action.
    - a. Counsel for the NAACP Plaintiffs has indicated that they object to the relief sought in this Motion.
    - b. Earlier today, Defendants requested that counsel for the United States state their position on the relief requested in this Motion. Defendants have not received a

response from counsel for the United States and it is therefore believed that counsel for the United States object to the relief requested.

- c. Earlier today, Defendants requested that counsel for the Petteway Plaintiffs state their position on the relief requested in this Motion. Defendants have not received a response from counsel for the Petteway Plaintiffs and it is therefore believed that counsel for the Petteway Plaintiffs object to the relief requested.

10. Plaintiffs have instead suggested that the deadline to file for summary judgment be within one week of the last deposition or May 12, 2023, whichever is earlier. Plaintiffs have also suggested that the remaining deadlines on the Docket Control Order be adjusted. *See Ex. A.*

11. However, given the number of depositions remaining, Defendants believe that discovery will not be completed by May 12, 2023.

WHEREFORE, Defendants respectfully request that the Court extend the time for the parties to file their Motions for Summary Judgment from April 28, 2023 to one week after the last deposition is taken or June 2, 2023, whichever is earlier.

DATE: April 25, 2023

HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC

By: /s/ Dallin B. Holt

Dallin B. Holt  
Attorney in Charge  
Texas Bar No. 24099466  
S.D. of Texas Bar No. 3536519  
Jason B. Torchinsky\*  
Shawn T. Sheehy\*  
*\*admitted pro hac vice*  
dholt@holtzmanvogel.com  
jtorchinsky@holtzmanvogel.com  
ssheehy@holtzmanvogel.com  
15405 John Marshall Hwy  
Haymarket, VA 2019  
P: (540) 341-8808  
F: (540) 341-8809

*Counsel for Defendants*

Respectfully Submitted,

GREER, HERZ & ADAMS, L.L.P.

Angie Olalde  
Fed. ID No. 690133  
State Bar No. 24049015  
aolalde@greerherz.com  
Joseph Russo  
Fed. ID No. 22559  
State Bar No. 24002879  
jrusso@greerherz.com  
Jordan Raschke  
Fed. ID No. 3712672  
State Bar No. 24108764  
jraschke@greerherz.com  
2525 S. Shore Blvd. Ste. 203  
League City, Texas 77573  
(409) 797-3262 (Telephone)  
(866) 422-4406 (Facsimile)

*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I certify that on April 25, 2023, a true and correct copy of the foregoing was served via email upon all counsel of record.

/s/ Dallin B. Holt  
Dallin B. Holt

**CERTIFICATE OF CONFERENCE**

On April 24, 2023 and April 25, 2023, undersigned counsel communicated by electronic mail with counsel for the Parties concerning the relief requested in this Motion. (Ex. A). On behalf of all Plaintiffs, Ms. Sarah Chen, represented that Plaintiffs could agree to an extension of the summary judgment deadline along with other amendments to the Docket Control Order. Plaintiffs, however, proposed the dispositive motions deadline be moved to one week after the final deposition is taken or May 12, 2023, whichever date is earlier. Ms. Chen, on behalf of the NAACP Plaintiffs, objected to the relief sought in this Motion.

/s/ Shawn T. Sheehy  
Shawn T. Sheehy



# **EXHIBIT 1**

---

**From:** Shawn Sheehy  
**Sent:** Tuesday, April 25, 2023 12:37 PM  
**To:** Sarah Chen  
**Cc:** Mateo Forero; Sharon Norwood; Dallin Holt; Joseph Russo; Angela Olalde; Jonathan Lienhard; Elizabeth Holcombe; Jason Torchinsky; Jordan Raschke Elton; Adrienne Spoto; Alexandra Copper; Bernadette Reyes; Chad Dunn; DaWuan Norwood; Garrett, Kathryn; Gear, Bruce (CRT); Hani Mirza; Hilary Harris Klein; Jayaraman, Tharuni (CRT); Joaquin Gonzalez; Mancino, Richard; Mark Gaber; Neil Baron; Newkirk, Zachary (CRT); Nickolas Spencer; Orion de Nevers; Silberstein, Andrew; Simone Leeper; Smith, K'Shaani (CRT); Sonni Waknin; Valencia Richardson; Vall-Ilobera, Diana; Wake, Brittany (CRT); Zachary Dolling; Zhu, Molly; Meza, Catherine (CRT)  
**Subject:** RE: FW: Summary Judgment Deadline

Sarah,

Would you please be more specific as to what you mean by "the schedule?" Are you referring to the remaining schedule on the Docket Control Order?

I don't mind meeting and conferring concerning the remainder of the schedule on the current DCO.

But given that the summary judgment deadline is this Friday, we need to file this motion to extend the summary judgment deadline and we intend to do so by 1pm central. Im happy to do a brief meet and confer on the summary judgment deadline between now and 12:30pm central.

Thank you,

**Shawn Sheehy**  
**Holtzman Vogel Baran Torchinsky & Josefiak PLLC**  
**Mobile:**  
202-941-6421

**Washington DC Office**  
2300 N Street, NW, Ste 643-A  
Washington, DC 20037  
(202) 737-8808

**Virginia Office**  
15405 John Marshall Highway  
Haymarket, VA 20169  
(540) 341-8808



copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above email address. Thank you.

DISCLAIMER

Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Holtzman Vogel, PLLC would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

---

**From:** Sarah Chen <schen@texascivilrightsproject.org>

**Sent:** Tuesday, April 25, 2023 12:25 PM

**To:** Shawn Sheehy <ssheehy@holtzmanvogel.com>

**Cc:** Mateo Forero <mforero@holtzmanvogel.com>; Sharon Norwood <snorwood@holtzmanvogel.com>; Dallin Holt <dholt@holtzmanvogel.com>; Joseph Russo <jrusso@greerherz.com>; Angela Olalde <aolalde@greerherz.com>; Jonathan Lienhard <jlienhard@holtzmanvogel.com>; Elizabeth Holcombe <eholcombe@holtzmanvogel.com>; Jason Torchinsky <jtorchinsky@holtzmanvogel.com>; Jordan Raschke Elton <jraschkeelton@greerherz.com>; Adrienne Spoto <Adrienne@scsj.org>; Alexandra Copper <ACopper@campaignlegalcenter.org>; Bernadette Reyes <bernadette@uclavrp.org>; Chad Dunn <chad@brazilanddunn.com>; DaWuan Norwood <dnorwood@campaignlegalcenter.org>; Garrett, Kathryn <KGarrett@willkie.com>; Gear, Bruce (CRT) <Bruce.Gear@usdoj.gov>; Hani Mirza <hani@texascivilrightsproject.org>; Hilary Harris Klein <hilaryhklein@scsj.org>; Jayaraman, Tharuni (CRT) <Tharuni.Jayaraman@usdoj.gov>; Joaquin Gonzalez <joaquin@texascivilrightsproject.org>; Mancino, Richard <RMancino@willkie.com>; Mark Gaber <MGaber@campaignlegalcenter.org>; Neil Baron <neil@ngbaronlaw.com>; Newkirk, Zachary (CRT) <Zachary.Newkirk@usdoj.gov>; Nickolas Spencer <nas@naslegal.com>; Orion de Nevers <OdeNevers@campaignlegalcenter.org>; Silberstein, Andrew <ASilberstein@willkie.com>; Simone Leeper <SLeeper@campaignlegalcenter.org>; Smith, K'Shaani (CRT) <k'shaani.smith@usdoj.gov>; Sonni Waknin <sonni@uclavrp.org>; Valencia Richardson <VRichardson@campaignlegalcenter.org>; Vall-Ilobera, Diana <DVall-Ilobera@willkie.com>; Wake, Brittany (CRT) <Brittany.Wake@usdoj.gov>; Zachary Dolling <Zachary@texascivilrightsproject.org>; Zhu, Molly <MZhu@willkie.com>; Meza, Catherine (CRT) <Catherine.Meza@usdoj.gov>

**Subject:** Re: FW: Summary Judgment Deadline

Shawn,

NAACP Plaintiffs object to the June 2, 2023 deadline. NAACP Plaintiffs would like to meet and confer on the schedule today before you file a motion and can be available anytime this afternoon, and would like to know Defendants' and other Plaintiffs' availability.

Best,  
Sarah

On Tue, Apr 25, 2023 at 10:25 AM Shawn Sheehy <[ssheehy@holtzmanvogel.com](mailto:ssheehy@holtzmanvogel.com)> wrote:

Sarah,

Thank you. We disagree with the May 12<sup>th</sup> deadline. There are at least 4 depositions that still need to occur, one of which will likely result in a discovery dispute concerning documents (Commissioner Holmes), and one that is pending a ruling from the Court, (Tom Bryan). Then there are another potential five depositions tied to how the Court rules on Plaintiffs' Motions to Compel. These include Dale Oldham's deposition and the four depositions that remain open pending resolution of the Motions to Compel.

We therefore propose that the deadline for summary judgment be moved to one week after the last deposition or June 2, 2023, whichever is earlier.

We intend to file the motion with that language by 1pm central time. If we don't hear from Plaintiffs before then, we will note Plaintiffs' objection to Defendants' proposal.

Thank you,

**Shawn Sheehy**  
**Holtzman Vogel Baran Torchinsky & Josefiak PLLC**  
**Mobile:**

202-941-6421

**Washington DC Office**  
2300 N Street, NW, Ste 643-A  
Washington, DC 20037  
**(202) 737-8808**

**Virginia Office**  
15405 John Marshall Highway  
Haymarket, VA 20169  
**(540) 341-8808**



**PRIVILEGED AND CONFIDENTIAL**

This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above email address. Thank you.

**DISCLAIMER**

Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Holtzman Vogel, PLLC would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

---

**From:** Sarah Chen <[schen@texascivilrightsproject.org](mailto:schen@texascivilrightsproject.org)>

**Sent:** Monday, April 24, 2023 5:02 PM

**To:** Shawn Sheehy <[ssheehy@holtzmanvogel.com](mailto:ssheehy@holtzmanvogel.com)>; Mateo Forero <[mforero@holtzmanvogel.com](mailto:mforero@holtzmanvogel.com)>; Sharon Norwood <[snorwood@holtzmanvogel.com](mailto:snorwood@holtzmanvogel.com)>; Dallin Holt <[dholt@holtzmanvogel.com](mailto:dholt@holtzmanvogel.com)>; Joseph Russo <[jrusso@greerherz.com](mailto:jrusso@greerherz.com)>;

Angela Olalde <[aolalde@greerherz.com](mailto:aolalde@greerherz.com)>; Jonathan Lienhard <[jlienhard@holtzmanvogel.com](mailto:jlienhard@holtzmanvogel.com)>; Elizabeth Holcombe <[eholcombe@holtzmanvogel.com](mailto:eholcombe@holtzmanvogel.com)>; Jason Torchinsky <[jtorchinsky@holtzmanvogel.com](mailto:jtorchinsky@holtzmanvogel.com)>; Jordan Raschke Elton <[jraschkeelton@greerherz.com](mailto:jraschkeelton@greerherz.com)>

**Cc:** Adrienne Spoto <[Adrienne@scsj.org](mailto:Adrienne@scsj.org)>; Alexandra Copper <[ACopper@campaignlegalcenter.org](mailto:ACopper@campaignlegalcenter.org)>; Bernadette Reyes <[bernadette@uclavrp.org](mailto:bernadette@uclavrp.org)>; Chad Dunn <[chad@brazilanddunn.com](mailto:chad@brazilanddunn.com)>; DaWuan Norwood <[dnorwood@campaignlegalcenter.org](mailto:dnorwood@campaignlegalcenter.org)>; Garrett, Kathryn <[KGarrett@willkie.com](mailto:KGarrett@willkie.com)>; Gear, Bruce (CRT) <[Bruce.Gear@usdoj.gov](mailto:Bruce.Gear@usdoj.gov)>; Hani Mirza <[hani@texascivilrightsproject.org](mailto:hani@texascivilrightsproject.org)>; Hilary Harris Klein <[hilaryhklein@scsj.org](mailto:hilaryhklein@scsj.org)>; Jayaraman, Tharuni (CRT) <[Tharuni.Jayaraman@usdoj.gov](mailto:Tharuni.Jayaraman@usdoj.gov)>; Joaquin Gonzalez <[joaquin@texascivilrightsproject.org](mailto:joaquin@texascivilrightsproject.org)>; Mancino, Richard <[RMancino@willkie.com](mailto:RMancino@willkie.com)>; Mark Gaber <[MGaber@campaignlegalcenter.org](mailto:MGaber@campaignlegalcenter.org)>; Neil Baron <[neil@ngbaronlaw.com](mailto:neil@ngbaronlaw.com)>; Newkirk, Zachary (CRT) <[Zachary.Newkirk@usdoj.gov](mailto:Zachary.Newkirk@usdoj.gov)>; Nickolas Spencer <[nas@naslegal.com](mailto:nas@naslegal.com)>; Orion de Nevers <[OdeNevers@campaignlegalcenter.org](mailto:OdeNevers@campaignlegalcenter.org)>; Silberstein, Andrew <[ASilberstein@willkie.com](mailto:ASilberstein@willkie.com)>; Simone Leeper <[SLEEPER@campaignlegalcenter.org](mailto:SLEEPER@campaignlegalcenter.org)>; Smith, K'Shaani (CRT) <[k'shaani.smith@usdoj.gov](mailto:k'shaani.smith@usdoj.gov)>; Sonni Waknin <[sonni@uclavrp.org](mailto:sonni@uclavrp.org)>; Valencia Richardson <[VRichardson@campaignlegalcenter.org](mailto:VRichardson@campaignlegalcenter.org)>; Vall-Ilobera, Diana <[DVall-Ilobera@willkie.com](mailto:DVall-Ilobera@willkie.com)>; Wake, Brittany (CRT) <[Brittany.Wake@usdoj.gov](mailto:Brittany.Wake@usdoj.gov)>; Zachary Dolling <[Zachary@texascivilrightsproject.org](mailto:Zachary@texascivilrightsproject.org)>; Zhu, Molly <[MZhu@willkie.com](mailto:MZhu@willkie.com)>; Meza, Catherine (CRT) <[Catherine.Meza@usdoj.gov](mailto:Catherine.Meza@usdoj.gov)>

**Subject:** Re: FW: Summary Judgment Deadline

Shawn,

Plaintiffs' position is that any changes to the scheduling order should rely on set dates and address all remaining deadlines. We therefore do not agree with your proposal as written.

Instead we propose that the dispositive motion deadline be extended to either, as you suggest, one week after the last scheduled deposition, or two weeks to May 12, whichever is earlier. We propose that oppositions to dispositive motions be due 26 days later to grant additional working days to respond given the Memorial Day holiday; remaining deadlines be extended two or three weeks; and that we request a pretrial conference instead of a docket call in light of our set trial date. The scheduling order would therefore look like this:

### Proposed Amended Scheduling Order

	Current Deadline & Source	Agreed Amended Deadline
Dispositive Motions	4/28/2023 (Doc. 66 ¶ 6)	5/12/2023 (or one week after the last deposition is scheduled, whichever is earlier)
Opposition to Dispositive Motions	5/19/2023 (S.D. Tex. L.R. 7.3-7.4)	6/7/2023 (or 26 days after the dispositive motion is filed)
Reply to Dispositive Motions	5/26/2023 (S.D. Tex. L.R. 7.3-7.4)	6/14/2023 (or 33 days after the dispositive motion is filed)
Pretrial Motions (other than dispositive motions)	5/26/2023 (Doc. 66 ¶ 7)	6/9/2023

Exchange Pretrial Materials	6/2/2023 (Doc. 66 ¶ 8; see also Galv. Div. R. Prac. 10, 14 (tying deadlines to docket call))	6/16/2023
Pretrial Filings & Tabbed Binders  - <i>Exhibit list</i>  - <i>Witness list</i>  - <i>Motions in limine</i>  - <i>Deposition designations and objections</i>	6/8/2023 (Doc. 66 ¶ 9; see also Galv. Div. R. Prac. 10, 14 (tying deadlines to docket call))	6/29/2023
Docket Call or Pretrial Conference	6/9/2023 Docket Call (Doc. 66 ¶ 9)	6/30/2023 Pretrial Conference
Trial Date	8/7/2023 (Doc. 117)	8/7/2023

Please advise as to your position on Plaintiffs' proposal.

Separately, I'd like to note that I and Diana Vall-llobera were not on your initial email regarding the deadline and that all counsel of record should be included on correspondence.

Best,

Sarah

**Sarah Xiyi Chen**

Pronouns: she/her

*Attorney, Voting Rights Program*

Texas Civil Rights Project

O: (512) 474-5073 ext. 184

M: (737) 242-0259

[www.txcivilrights.org](http://www.txcivilrights.org)

This email and any files attached are privileged and confidential, and is/are intended only for the individual named. If you are not the intended recipient or otherwise have reason to believe that you have received this message in error, please notify the sender by email and delete this message immediately from your computer. Any other use, retention, dissemination, forwarding, printing, or copying of this message and any attachments is strictly prohibited.

**From:** Shawn Sheehy <[ssheehy@HoltzmanVogel.com](mailto:ssheehy@HoltzmanVogel.com)>

**Sent:** Monday, April 24, 2023 11:24 AM

**To:** Mateo Forero <[mforero@HoltzmanVogel.com](mailto:mforero@HoltzmanVogel.com)>; Jayaraman, Tharuni (CRT) <[Tharuni.Jayaraman@usdoj.gov](mailto:Tharuni.Jayaraman@usdoj.gov)>; 'bernadette@uclavrp.org' <[bernadette@uclavrp.org](mailto:bernadette@uclavrp.org)>; 'chad@brazilanddunn.com' <[chad@brazilanddunn.com](mailto:chad@brazilanddunn.com)>; Garrett, Kathryn <[KGarrett@willkie.com](mailto:KGarrett@willkie.com)>; Gear, Bruce (CRT) <[Bruce.Gear@usdoj.gov](mailto:Bruce.Gear@usdoj.gov)>; 'hani@texascivilrightsproject.org' <[hani@texascivilrightsproject.org](mailto:hani@texascivilrightsproject.org)>; 'joaquin@texascivilrightsproject.org' <[joaquin@texascivilrightsproject.org](mailto:joaquin@texascivilrightsproject.org)>; Mancino, Richard <[RMancino@willkie.com](mailto:RMancino@willkie.com)>; Mark Gaber <[MGaber@campaignlegalcenter.org](mailto:MGaber@campaignlegalcenter.org)>; 'neil@ngbaronlaw.com' <[neil@ngbaronlaw.com](mailto:neil@ngbaronlaw.com)>; Newkirk, Zachary (CRT) <[Zachary.Newkirk@usdoj.gov](mailto:Zachary.Newkirk@usdoj.gov)>; 'nas@naslegal.com' <[nas@naslegal.com](mailto:nas@naslegal.com)>; Orion de Nevers <[OdeNevers@campaignlegalcenter.org](mailto:OdeNevers@campaignlegalcenter.org)>; Polizzano, Michelle <[MPolizzano@willkie.com](mailto:MPolizzano@willkie.com)>; Silberstein, Andrew <[ASilberstein@willkie.com](mailto:ASilberstein@willkie.com)>; Simone Leeper <[SLEEPER@campaignlegalcenter.org](mailto:SLEEPER@campaignlegalcenter.org)>; 'sonni@uclavrp.org' <[sonni@uclavrp.org](mailto:sonni@uclavrp.org)>; Suriani, JoAnna <[JSuriani@willkie.com](mailto:JSuriani@willkie.com)>; Wake, Brittany (CRT) <[Brittany.Wake@usdoj.gov](mailto:Brittany.Wake@usdoj.gov)>; 'Zachary@texascivilrightsproject.org' <[Zachary@texascivilrightsproject.org](mailto:Zachary@texascivilrightsproject.org)>; Zhu, Molly <[MZhu@willkie.com](mailto:MZhu@willkie.com)>; Smith, K'Shaani (CRT) <[K'Shaani.Smith@usdoj.gov](mailto:K'Shaani.Smith@usdoj.gov)>; Berman, Robert (CRT) <[Robert.Berman@usdoj.gov](mailto:Robert.Berman@usdoj.gov)>; Gwen Kelly <[gwen@brazilanddunn.com](mailto:gwen@brazilanddunn.com)>; Valencia Richardson <[VRichardson@campaignlegalcenter.org](mailto:VRichardson@campaignlegalcenter.org)>; Dallin Holt <[dholt@HoltzmanVogel.com](mailto:dholt@HoltzmanVogel.com)>; Sharon Norwood <[snorwood@HoltzmanVogel.com](mailto:snorwood@HoltzmanVogel.com)>; Meza, Catherine (CRT) <[Catherine.Meza@usdoj.gov](mailto:Catherine.Meza@usdoj.gov)>; [hilaryhklein@scsj.org](mailto:hilaryhklein@scsj.org)

**Subject:** Summary Judgment Deadline

\*\*\* EXTERNAL EMAIL \*\*\*

Counsel,

Good morning. The deadline to file motions for summary judgment is this Friday, April 28. Given that we still have depositions outstanding and given that we are waiting for a ruling from the Court on the attorney-client privilege issue, I am writing to seek consent to extend the deadline for motions for summary judgment. Defendants propose to extend the deadline to one week after the last deposition is taken.

Please advise Defendants of your position by 5pm central time today.

Thank you,

**Shawn Sheehy**  
**Holtzman Vogel Baran Torchinsky & Josefiak PLLC**  
**Mobile:**

202-941-6421

**Washington DC Office**

2300 N Street, NW, Ste 643-A  
Washington, DC 20037  
(202) 737-8808

**Virginia Office**

15405 John Marshall Highway  
Haymarket, VA 20169  
(540) 341-8808



**PRIVILEGED AND CONFIDENTIAL**

This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above email address. Thank you.

**DISCLAIMER**

Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Holtzman Vogel, PLLC would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

---

**Important Notice:** This email message is intended to be received only by persons entitled to receive the confidential information it may contain. Email messages to clients of Willkie Farr & Gallagher LLP presumptively contain information that is confidential and legally privileged; email messages to non-clients are normally confidential and may also be legally privileged. Please do not read, copy, forward or store this message unless you are an intended recipient of it. If you have received this message in error, please forward it back. Willkie Farr & Gallagher LLP is a limited liability partnership organized in the United States under the laws of the State of Delaware, which laws limit the personal liability of partners.



**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

TERRY PETTEWAY, THE  
HONORABLE DERRECK ROSE,  
MICHAEL MONTEZ, SONNY  
JAMES and PENNY POPE,

*Plaintiffs,*

v.

GALVESTON COUNTY, TEXAS,  
and HONORABLE MARK HENRY,  
in his official capacity as Galveston  
County Judge,

*Defendants.*

Civil Action No. 3:22-cv-57

---

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

GALVESTON COUNTY, TEXAS,  
GALVESTON COUNTY  
COMMISSIONERS COURT, and  
HONORABLE MARK HENRY, in  
his official capacity as Galveston  
County Judge,

*Defendants.*

Civil Action No. 3:22-cv-93

---

DICKINSON BAY AREA BRANCH  
NAACP, GALVESTON BRANCH  
NAACP, MAINLAND BRANCH  
NAACP, GALVESTON LULAC  
COUNCIL 151, EDNA COURVILLE,  
JOE A. COMPIAN, and LEON  
PHILLIPS,

Civil Action No. 3:22-cv-117

