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CAUSE NO. 2014-44974

JARED WOODFILL,
STEVEN F. HOTZE, MD
F.N. WILLIAMS, SR. and
MAX MILLER,
Plaintiffs

* IN THE DISTRICT COURT
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* HARRIS COUNTY, TEXAS
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*
* 152ND JUDICIAL DISTRICT

VS.

ANNISE D. PARKER, MAYOR;
ANNA RUSSELL, CITY
SECRETARY; AND CITY OF
HOUSTON,
Defendants.

ORAL & VIDEOTAPED DEPOSITION OF
ANNA RUSSELL
VOLUME 1 of 1
OCTOBER 6, 2014



The Oral & Videotaped Deposition of Anna
Russell, produced as a witness at the instance of the
Plaintiffs, and duly sworn, was taken in the
above-styled and numbered cause on October 6, 2014, from
10:08 a.m. to 12:00 p.m., before Carrie L. Milam, CSR in
and for the State of Texas, reported by machine
shorthand at the law offices of Norton Rose Fulbright,
1301 McKinney Street, Suite 5100, Houston, Texas,
pursuant to the Texas Rules of Civil Procedure and the
provisions stated in the record or attached hereto.

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Mr. Robin Bear, Videographer
Mr. Jared Woodfill

* * * * *

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* * * * *

1 THE VIDEOGRAPHER: The time is eight
2 minutes after 10:00 a.m. We're on the record.

3 ANNA RUSSELL,
4 having been first duly sworn, testified as follows:

5 PRELIMINARY PROCEEDINGS

6 THE COURT REPORTER: Is this deposition
7 being taken by the Texas Rules?

8 MR. TAYLOR: It is.

9 THE COURT REPORTER: And is the witness
10 going to read and sign?

11 MR. ADAMS: She is. You can send it to me.

12 THE COURT REPORTER: Okay.

13  EXAMINATION
14 News of Katy, Texas

14 QUESTIONS BY MR. ANDY TAYLOR:

15 Q Please --

16 MR. KAPLAN: Counsel --

17 Q (By Mr. Taylor) -- state your name.

18 A Anna Russell.

19 MR. KAPLAN: I'm sorry, counsel. This is
20 Alex Kaplan from Susman Godfrey for the City of Houston.
21 Can we have an agreement that an objection from one
22 defense counsel is a good objection for all defense
23 counsel, so we don't have a chorus of objections? Is
24 that all right with you?

25 MR. TAYLOR: Yes.

1 MR. KAPLAN: Thank you.

2 Q (By Mr. Taylor) Please state your name.

3 A Anna Russell.

4 Q Good morning, Ms. Russell. My name is Andy
5 Taylor, and I represent the Plaintiffs in this case.
6 And we're here to take your sworn testimony in a case
7 involving a referendum petition which is seeking to
8 repeal the enforcement of a particular law that the City
9 Council passed called the Equal Rights Ordinance. I
10 think some people call it the Houston Equal Rights
11 Ordinance, and they use an acronym of HERO. I just
12 refer to it as the Equal Rights Ordinance.

13  Do you understand what I'm talking about?

14 A Yes, sir.

15 Q Have you ever given a deposition before?

16 A Yes.

17 Q How many times?

18 A Only once before.

19 Q Are you familiar with how a deposition, you
20 know, goes forward and what the rules are, as far as the
21 fact that you're under oath and even though we're here
22 in a law firm's office, it's just the same, solemn oath
23 that you would have taken had you been in the courtroom,
24 in person, with the jury listening?

25 A I -- that's correct. I understand that.

1 Q So, it's more informal today; but it's just as
2 solemn an oath and just as formal as if you were sitting
3 in front of the Judge and jury. So, we understand each
4 other in that regard?

5 A Yes, sir.

6 Q All right. If you don't understand a question
7 that I ask of you, will you stop me and tell me so that
8 I can fix it and make it more understandable, if
9 possible?

10 A I prefer that we do that.

11 Q Yes, ma'am. Because at the end of the day,
12 there will be a written transcript of your testimony, as
13 well as a videotape, and we want it to be accurate. So,
14 both of us will do our level best to be as clear and
15 concise and understandable as possible; is that fair?

16 A That's true.

17 Q All right. Some other housekeeping rules,
18 first of all, in a normal conversation that's not in a
19 deposition setting, it's very routine to interrupt one
20 another, to anticipate what somebody's about to say or
21 ask, because you know where they're going, and you might
22 jump in and say something and it's a free-flowing back
23 and forth.

24 That doesn't work very well in a deposition
25 setting because the court reporter is charged with the

1 responsibility of accurately typing done 100 percent of
2 what's said. And if we're going back and forth and
3 interrupting each other, it makes for a very choppy
4 transcript and makes her job very difficult to
5 completely and accurately transcribe the conversation.

6 So, I'm going to do my best not to
7 interrupt you; and I would ask that you do your best not
8 to interrupt me, simply because it'll make for a better
9 transcript and an easier transition for the court
10 reporter; is that fair?

11 A That's fair. I understand.

12 Q Okay. Then, let's get to it.

13  (Exhibit 1 was marked.)
The logo for 'Covering Katy' features a red star with a white outline and a blue shadow, positioned above the text 'Covering Katy' in a large, red, serif font. Below this, the text 'News of Katy, Texas' is written in a smaller, black, cursive font.

14 Q (By Mr. Taylor) I want to show you what's been
15 marked as Exhibit 1. This is just a true and correct
16 copy of your Notice of Oral and Videotaped Deposition.

17 You're well aware that we requested you to
18 come here today and give oral testimony, are you not?

19 A Yes, I am.

20 Q And is that a copy of the depo notice that you
21 received?

22 A Yes.

23 (Exhibit 2 was marked.)

24 Q (By Mr. Taylor) Okay. The subject matter --
25 and you can now put that document down. That's all I

1 wanted to ask you. The subject matter that we're going
2 to be discussing today, in part, is an ordinance that
3 I've marked as Exhibit 2. And it's City of Houston
4 Texas Ordinance No. 2014-530, and that's this Equal
5 Rights Ordinance.

6 Do you recognize that document?

7 A Yes, I do.

8 Q Okay. Do you understand that it's that
9 Ordinance that is the subject of my client's referendum
10 petition that they're seeking to repeal the enforcement
11 of? Do you understand that?

12 A Yes, I do.

13  (Exhibit 3 was marked.)
News of Katy, Texas

14 Q (By Mr. Taylor) And just as an example, I'm
15 going to hand you what's been marked as Exhibit 3. This
16 is a blank page of the referendum petition that my
17 clients submitted to your office. Do you recognize
18 that --

19 MR. ADAMS: Objection -- I'm sorry.

20 Q -- document, that form?

21 MR. ADAMS: Objection to form.

22 Q (By Mr. Taylor) Do you recognize this piece of
23 paper?

24 A I thought he objected.

25 MR. ADAMS: Yeah, you can answer unless I

1 tell you not to, Ms. Russell.

2 A I would have to say yes; but I'd like to
3 compare it with one that was signed, to be sure that it
4 was the same thing.

5 Q (By Mr. Taylor) Sure, understood. Okay.
6 Let's move on.

7 (Exhibit 4 was marked.)

8 Q (By Mr. Taylor) I want to show you what's been
9 marked as Exhibit 4.

10 MR. TAYLOR: And just to speed things up,
11 I'll add the stickers later, because these --

12 THE COURT REPORTER: Sure.

13 MR. TAYLOR: -- numbers are gonna now true
14 up and match with what I'm intending --

15 THE COURT REPORTER: Okay.

16 MR. TAYLOR: -- to mark later. Okay?

17 Q (By Mr. Taylor) So, let's -- let's start over.
18 I'm going to show you what's been marked as Exhibit 4
19 and ask if you recognize that document.

20 A Yes, I do.

21 Q What is Exhibit 4?

22 A It is a memo prepared from me to the Mayor and
23 members of City Council, relative to -- the subject is
24 "Referendum Petition." And under that, it says,
25 "Ordinance 2014-530."

1 Q Who prepared the first two pages of Exhibit 4?

2 A My -- I did and my staff.

3 Q On Page 2, underneath your signature on the
4 left-hand side, are the capital initials "AR." Is that
5 referring to you?

6 A That's me, yes.

7 Q What does "PJ" refer to?

8 A Pat Jefferson, who is an employee in my office.

9 Q Did you type the first two pages of Exhibit 4
10 yourself?

11 A No, I did not.

12 Q Who did?

13 A Pat Jefferson.

14 Q How did Ms. Jeffers- -- is Pat Jefferson a man
15 or a woman?

16 A It -- it's a man -- it's a woman. I'm sorry.

17 Q Okay. How did Ms. Jefferson know what words to
18 type?

19 A I had provided a draft for her to type from.

20 Q And the draft that you provided, was that in
21 handwriting or in some other form?

22 A Part of it was prepared from a prior memo that
23 I had written with alterations.

24 Q The prior memo, would it be fair to say that
25 you used that as an initial template for the document

1 that ultimately became part of Exhibit 4?

2 A Yes.

3 Q Okay. What subject matter was that prior memo
4 about?

5 A It was with reference to a referendum petition.

6 Q Do you remember the year?

7 MR. ADAMS: Objection, form.

8 A I believe maybe in 1996. I'm not sure.

9 Q (By Mr. Taylor) Do you remember the subject
10 matter of that referendum petition?

11 A I don't recall.

12 Q Do you recall if that referendum petition got
13 on the ballot or not?

14 A No, I don't.

15 Q Is the template document that you used still in
16 existence?

17 A Probably not.

18 Q How did you get ahold of that document in the
19 first instance when you were using it as a template for
20 this case?

21 A It was a record in the office.

22 Q Is that record retrievable?

23 A Yes.

24 Q What would I call it, if I wanted to send a
25 request for it?

1 A A report of a referendum petition filed in
2 1996, I believe is the date.

3 Q Do you recall, sitting here now, what portions
4 of the template document you kept and which parts you
5 discarded?

6 A I don't recall.

7 Q How many drafts did you go through before you
8 actually signed the document?

9 MS. RAMSEY: Objection, form.

10 A Probably two.

11 Q (By Mr. Taylor) Are the drafts still in
12 existence? We're talking about in 2014, the drafts that
13 ultimately became part of Exhibit 4.

14 A I don't believe they are.

15 Q Do you remember what changes were made from one
16 draft to the other?

17 A One of the changes was to add the last
18 paragraph on Page 2.

19 Q Where it says, and I quote, "According to the
20 City Attorney's office"?

21 A Yes.

22 Q All right. So, the first draft that you
23 provided did not make reference to any work done by the
24 attorney -- City Attorney's office; is that --

25 A That's --

1 Q -- correct?

2 A -- correct.

3 MR. ADAMS: Objection, form. And let me
4 get my objections before you answer.

5 THE WITNESS: Pardon?

6 MR. ADAMS: Let me get my objections in.

7 THE WITNESS: I'm sorry.

8 MR. ADAMS: It's okay.

9 THE WITNESS: I'm sorry.

10 Q (By Mr. Taylor) So, would it be fair to say
11 that your first draft ended -- and if you'll look at
12 Page 2, Ms. Russell, to assist in asking this
13 question -- ended after the sentence that begins, "As of
14 July 27"? Is that where the draft would have stopped?

15 MR. ADAMS: Objection, form. You can
16 answer. You can answer.

17 THE WITNESS: Oh.

18 A Yes.

19 Q (By Mr. Taylor) I know you don't have the
20 draft in front of you. So, all I can do is ask your
21 memory.

22 And here is my question: Do you recall if
23 any of the words in the first draft were different than
24 the words that are in this actual signed document, other
25 than the paragraph you've already identified?

1 A No.

2 Q "No," meaning you don't remember; or "No,"
3 meaning there's no different word?

4 A There's no different words.

5 Q What was the approximate date of your first
6 draft?

7 A August the 1st.

8 Q What was the approximate date of your second
9 draft?

10 A August the 4th.

11 Q Between August the 1st, when your first draft
12 was completed, and August the 4th, when your second
13 draft was completed, did you, personally, do any further
14 review or study or work on this referendum petition?

15 MR. ADAMS: Objection --

16 A No, sir.

17 MR. ADAMS: Objection, form.

18 Q (By Mr. Taylor) Would it be fair to say that
19 by August 1st, 2014, you, Anna Russell, the City
20 Secretary for the City of Houston, had completed your
21 analysis?

22 MR. ADAMS: Objection, form. You can
23 answer.

24 A Yes.

25 Q (By Mr. Taylor) What prompted you to prepare a

1 second draft three days later?

2 A A request of the City Attorney.

3 MR. TAYLOR: May I refer to you as Teddy?

4 MR. ADAMS: Yeah.

5 MR. TAYLOR: Is that okay? I didn't know
6 if you -- if --

7 MR. ADAMS: No, that's --

8 MR. TAYLOR: -- that's too informal or not.

9 MR. ADAMS: That's what I go by.

10 MR. TAYLOR: Teddy, am I going to be
11 allowed to ask the witness questions about conversations
12 with the City Attorney's office; or is that out of
13 bounds on privileged grounds?

14 MR. ADAMS: You can ask. We're not going
15 to -- if you can agree it's not a global waiver of
16 privilege, you can ask about those conversations.

17 MR. TAYLOR: When you say "global waiver,"
18 here's the quandary that puts me in. I need to know,
19 you know, 100 percent of what the City Attorney's office
20 was telling Ms. Russell, not just part of it.

21 MR. ADAMS: Yeah, I --

22 MR. TAYLOR: So --

23 MR. ADAMS: -- understand that; but I don't
24 want that to be construed, if we let you do that, to
25 allow inquiry to anything other than what conversations

1 Anna Russell might have had with the City Attorney's
2 office.

3 MR. TAYLOR: I'm not sure how to evaluate
4 that. Let's do this. Let's just go on a Q and A and
5 see where we end up.

6 MR. ADAMS: Okay. I'll tell you what.
7 I'll use my understanding on that and object if I think
8 we're going further afield than that.

9 MR. TAYLOR: Fair enough.

10 MR. ADAMS: All right.

11 Q (By Mr. Taylor) Sorry for the back and forth
12 with the lawyers, but we're just trying to get the rules
13 of engagement down so we don't violate any privileges.

14 So, explain to me, as best you can -- and
15 feel free to refer to any discussions or exchanges of
16 written information with the City Attorney's office --
17 as to why the second draft was created, instead of just
18 sticking to the first draft.

19 A The City Attorney asked if I would have any
20 objections to adding a paragraph related to his
21 findings, attached to his memo of August the 4th.

22 Q To which you said what?

23 A I had no objections. I made a couple of
24 changes. I said, "After review of" -- "by the City
25 Secretary," I think, were the words that I added. Other

1 than that, I didn't make any changes to his request.

2 Q Then, let's focus on that last paragraph, in
3 particular, on Exhibit 4, if you don't mind. It's there
4 in front of you; and it starts with the words,
5 "According to the City Attorney's office."

6 Tell me, specifically -- and you can read
7 it out loud: What words did you either add or subtract
8 from that paragraph?

9 A I added, "Reviewed by the City Secretary."

10 Q And other than those five added words, is the
11 text of the last paragraph on Page 2 of Exhibit 4 the
12 same as what the City Attorney's office had supplied to
13 you to add?

14 A As I recall, yes.

15 Q Would it be fair to say that, when you
16 completed your work on August the 1st, that you were not
17 privy to the work product from the City Attorney's
18 office about what they thought with respect to the
19 validity of the petition?

20 A I don't --

21 MS. RAMSEY: Objection, form.

22 MR. ADAMS: Objection, form. You can
23 answer.

24 A I don't believe I was.

25 Q (By Mr. Taylor) Once this paragraph was added

1 on Page 2 of Exhibit 4, was an attachment also added to
2 Exhibit 4?

3 A The copy of the memo from the City Attorney was
4 added.

5 Q Okay. Look at the third page of the document,
6 if you will.

7 A (Witness complies.)

8 Q Is that something that you attached to your
9 memo, or did that come from the City Attorney's office?

10 A I attached that.

11 Q Okay. Just giving an illustrative example of a
12 single page of the referendum petition, and you happened
13 to pick Page 1?

14 A Yes.

15 Q Was there any particular reason why you picked
16 this page, other than the fact it just happens to be the
17 first page of the multi-page referendum petition?

18 A I just chose it because it was Page 1, as an
19 example.

20 Q Okay. Turn the page, please.

21 A (Witness complies.)

22 Q Is that a copy of a cover memo from David
23 Feldman, the City Attorney for the City of Houston, to
24 you, dated August 4, 2014?

25 A Yes.

1 Q And you received this piece of paper on August
2 the 4th?

3 A That's correct.

4 Q And you know that because you've got a
5 "Received" stamp on this piece of paper, don't you?

6 A Yes.

7 Q And then, turn the page again, if you don't
8 mind.

9 A (Witness complies.)

10 Q Now, these pages are not Bates labeled. So,
11 I'm gonna just refer to it generically. So, from this
12 page -- and we are, one, two, three, four, five pages
13 deep into Exhibit 4. Okay?

14 So, from Page 5 all the way to the end of
15 the document, can you confirm that everything that I
16 just referenced is what came from the City Attorney's
17 office on August the 4th that was attached to your memo?

18 A Yes, sir.

19 Q Let's go back to your memo now on Page 1. I
20 want to -- I want to visit not only with what you said
21 here but also the process of how you went about
22 evaluating the referendum petition. And let's see,
23 first of all, if we can agree on a couple of dates.

24 As I understand it, the referendum petition
25 was filed with your office on July 3rd, 2014. Is that

1 your memory?

2 A That's correct.

3 Q Is it also your memory that a clock started to
4 tick from the moment of filing until the moment of your
5 doing your work as City Secretary, that there's a
6 timeframe for that?

7 MR. ADAMS: Objection, form. You can
8 answer.

9 Q (By Mr. Taylor) I'm just asking if you know
10 that one way or the other.

11 A Yes.

12 Q What is that timeframe?

13 A  30 days.
The logo for "Covering Katy" is overlaid on the text. It features a red house icon with a blue roof, followed by the text "Covering Katy" in a large, red, serif font. Below this, in a smaller, blue, cursive font, is the text "News of Katy, Texas".

14 Q When did you get started?

15 A My staff started working on the petitions
16 immediately, once they were filed.

17 Q On July 3rd?

18 A Correct.

19 Q And can you identify how many members of your
20 staff were a part of the team?

21 A At the time we checked them, nine, including
22 myself.

23 Q Do you have the names of those nine individuals
24 off the top of your head, where you could say them out
25 loud?

1 A It's my entire staff.

2 Q Okay. I just don't know their names. And I'm
3 not --

4 A I don't -- I don't --

5 Q -- asking --

6 A I don't know if I can repeat all their names
7 right now or not.

8 Q Okay.

9 MR. TAYLOR: Teddy, can you just send me
10 the names of the staffers?

11 MR. ADAMS: We'll get that for you.

12 MR. TAYLOR: Thank you.

13 MR. ADAMS: Yeah, just send me a letter so
14 I don't forget, or an e-mail.

15 MR. TAYLOR: Okay.

16 Q (By Mr. Taylor) Describe for us, in broad,
17 general terms, once the referendum petition was filed,
18 how your office reviewed and triaged the petition.

19 A The first thing we did was number the pages so
20 it could -- the petition could be identified as to what
21 we received, as -- as the petition, as delivered.

22 Once the pages were numbered, we do a
23 review sheet showing the page -- they also numbered how
24 many people -- how many signatures, I'm sorry, were to
25 be checked on each page. So, other than the page

1 number, we added a number of signatures on each page to
2 be checked. We have a review sheet where we list the
3 page number, and the number of signatures to be checked
4 for each page of the petition.

5 Q Okay. What else?

6 A And one of the first things we had to do with
7 the first three boxes, the circulator of the petition
8 had put a number of the pages in separate envelopes. It
9 took us two and a half hours just to get the pages out
10 of the envelopes so we could number them and identify
11 them.

12 And then, my staff started verifying the
13 signatures to determine whether they were qualified
14 voters, registered in the City of Houston.

15 Q Anything else?

16 A Pardon?

17 Q Anything else? You're generally describing the
18 process by which your staff evaluated the referendum
19 petition pages and you've given me -- I've written down
20 five separate things that were done, and I just wanted
21 to know if there was anything else.

22 Where we left off was your staff checked to
23 see if the signers were qualified voters registered in
24 the City of Houston.

25 A And --

1 Q That's where we stopped.

2 A That's true. And then, from our check sheets,
3 excuse me, we were able to verify the number of
4 signatures that were qualified voters in the City of
5 Houston and those that were not registered voters. And
6 we used that for a final tally.

7 Q When you -- and before I ask some detailed
8 questions, have you now told me all of the steps?

9 A That's basically --

10 MR. ADAMS: Objection, form.

11 A -- all of them.

12 Q (By Mr. Taylor) Okay. When you were trying to
13 determine if somebody was validly registered to vote,
14 what documents would you refer to to answer that
15 question?

16 A We had contacted the Tax Assessor and Collector
17 and obtained a list that was put on the computer system
18 of voters in the City of Houston. And we used that list
19 to verify whether or not they were registered voters in
20 the City.

21 Q Besides the list coming from the Tax
22 Assessor/Collector, were there any other documents to
23 which you would refer to determine whether or not a
24 signer on the referendum petition was or was not a
25 validly registered voter?


1 MS. RAMSEY: Objection, form.

2 A We used a review sheet, which listed a number
3 of items that it was my understanding required to check
4 the petition for the signers.

5 Q (By Mr. Taylor) Could you be more specific?
6 When you say "some items," what are you referring --

7 A Well --

8 Q -- to?

9 A -- it listed -- our review sheet listed the
10 page number, the number of -- the line number of the
11 person we were checking, whether or not they were -- had
12 that sign -- there's one column that says that it was
13 not signed.  There was one column that had a place if --
14 if it was not dated.

15 And there's, like, 10 columns on the review
16 sheet. I can't recall all of them. But we checked to
17 see if they were dated prior to a certain date and
18 whether or not they were signed, whether they had a
19 signed -- had a printed signature and they had an
20 address. And all of those things were checked by verbal
21 review of the petition itself and that particular
22 signer.

23 Q When you say "verbal review," what do you mean?

24 A A visual review.

25 Q Okay.

1 A I'm sorry.

2 Q Okay. I'm with you now. These review sheets
3 that you've made reference to, do they still exist?


4 A Yes.

5 Q Was there a single review sheet for a single
6 signed entry on a referendum petition, or did it cover
7 more ground than that?

8 MR. ADAMS: Objection, form.

9 Q (By Mr. Taylor) Let me ask a better question.
10 So, let's say -- just look at Page 1 of the referendum
11 petition that's attached as Page 3 to Exhibit 4 --

12 A Yes.

13 Q  the document that you pulled out and
14 attached to your memo. If -- we're talking
15 hypothetically now; but if one of your reviewers was
16 charged with the review of the first page of the
17 referendum petition, this particular page has the number
18 "10" written down at the bottom left. Do you see that?

19 A Yes, sir.

20 Q That's one of the numbers that your staff would
21 have put on the document?

22 A Yes, sir.

23 Q And what they're intending to convey by that
24 number is that there are potentially 10 signed petition
25 signatures here that we need to assess and review? Is

1 that the purpose of the --

2 A Yes.

3 Q -- notation?


4 A Yes, sir.

5 Q And you already told us that the -- you
6 numbered every page; and that is shown on this
7 representative example on the top right-hand side,
8 00001, correct?

9 A Correct.

10 Q Your staff attached that number?

11 A Correct.

12 Q Okay. Besides the number in the two places I
13 showed you,  did they also write down the numbers to the
14 left of the Voter Certificate Number column, where it
15 goes one, two, three, all the way down to 10? Is that
16 something your staff added?

17 A Yes, sir.

18 Q And was the -- was the protocol that if there
19 was a line drawn through a signature that you wouldn't
20 list it in the count? Is that what was going on here?

21 A Yes, sir.

22 Q And was that a decision that you, personally,
23 made; or how did you come to make that choice?

24 A Not to...

25 Q Not to evaluate a signature that had a line

1 drawn through it.

2 A I told my staff to ignore them. I presumed
3 that the circulator of the petition had already marked
4 through them when they were filed. We did not mark
5 through anyone's name.

6 Q So, you made the assumption that if there was a
7 marking through a particular lined signature block, that
8 that must be something that the petitioners weren't
9 asking you to evaluate; so, you didn't evaluate it? Is
10 that fair?

11 A That's correct.

12 Q Are there any other markings on this one
13 representative example, Page 1 of the referendum
14 petition, that would have come from staff, besides what
15 we've already discussed?

16 A No, sir.

17 Q So, just continuing to use this as an example,
18 the very first one, it says, "Voter Certificate
19 No. 1108713719." Do you see that?

20 A Yes, sir.

21 Q Would somebody in your staff check to see if
22 that cert. number matched a registered number on the
23 list that the voter registrar had supplied?

24 MR. ADAMS: Objection, form.

25 A Yes.

1 Q (By Mr. Taylor) And if that cert. number was
2 on the list, then what would you do? Make a marking on
3 the review sheet or what?

4 A Well, if -- if they had -- yes, that's true.

5 Q Okay. Now, what would you do if you had a
6 voter certificate number but one or more pieces of
7 information to the right of that column was missing?
8 How would you handle that?

9 A If the person who apparently signed that line
10 did not match the number, we would just -- we would say
11 that they were not qualified voters in the City of
12 Houston.

13 Q  What if they had signed it but left something
14 else out in one of those columns? How would you handle
15 that?

16 A If they had failed to put a date of signature,
17 it would have been listed as not -- not being counted as
18 a qualified voter in the City.

19 Q What if they had left off their street number
20 and name? How would you handle that?

21 A Their street number and name of the street?

22 Q Correct.

23 A Is that what you said?

24 Q Right. I'm quoting verbatim the column that's
25 right in the middle of the form. After "Last,"

1 referring to last name, it says, and I quote, "Street
2 Number and Name."

3 So, I'm asking, let's assume that all the
4 other information is on the columns but that one's
5 missing. It's blank. How would you handle that?

6 A Well, if the address did not match the voter
7 certificate but the name matched, it probably would have
8 been counted, assuming maybe the person had moved.

9 Q What if it was actually blank, though? So,
10 it's not that it's filled in and it's wrong --

11 A If they're --

12 Q -- it's just not filled in at all. How would
13 you handle that?

14 A The address -- the street number, it would have
15 been not counted.

16 Q Okay. What about the ZIP code? What if you
17 had everything across the lines here except the ZIP code
18 how would -- how would that have been handled?

19 A If they could be identified with other
20 information without the ZIP code and were determined
21 that they were registered and a -- in the City of
22 Houston, it would have been counted as a registered
23 voter.

24 Q Okay. What if they left off either their first
25 name or their middle initial or their last name? What

1 if that was missing?

2 MS. RAMSEY: Objection, form.

3 Q (By Mr. Taylor) How would you handle that?

4 A I don't know how to answer that question,
5 because a lot of people do not sign petitions or
6 correspondence the way they're registered. We would
7 have to make a determination if the other information
8 corresponded and make a decision whether or not we felt
9 they were really a registered voter in the City of
10 Houston.

11 Q Understood. The actual signature on the
12 document --

13 A Uh-huh.

14 Q -- other than you just noticing that it's
15 there, that it exists, did you do anything beyond that?

16 MR. ADAMS: Objection, form. You can
17 answer it.

18 A No.

19 Q (By Mr. Taylor) So, in other words, you didn't
20 evaluate whether the signature was legible, did you?

21 A Well, it also provided a place for a printed
22 signature. So, hopefully, one of the two could be read.

23 Q Right. But just on the signed signature line,
24 you weren't deciding whether to count or not count a
25 particular voter's signing of the referendum petition

1 based on whether the signature was legible or not,
2 right?

3 MS. RAMSEY: Objection, form.

4 A If the voter certificate that was written on
5 the petition appeared to be near the signature, it would
6 have been counted.

7 Q (By Mr. Taylor) Let me get at it this way.
8 Let's just look at the first example here that we were
9 talking about a minute ago. This particular person
10 filled out the column of their first name, their last
11 name, and their middle initial, correct?

12 A Right.

13 MS. RAMSEY: Objection, form.

14 Q (By Mr. Taylor) And so, it says Gerald W.
15 Towne. Is that what it looks like to you?

16 A That's right.

17 Q Okay. Now, that's pretty legible, isn't it?
18 You can -- you can read that and appreciate and
19 understand the name --

20 A Yeah.

21 Q -- wouldn't you agree?

22 A Yes.

23 Q But if you go over to the signature line,
24 that's a little more difficult, isn't it? Can you tell,
25 looking at that, just you, Anna Russell, despite all

1 your experience over the years as City Secretary, that
2 that signature says Gerald W. Towne? Can you tell?

3 A After checking many petitions, I would say that
4 it's very legible. It's Gerald Towne.

5 Q Okay. So, you can? You can look at this and
6 say that "That really does look like Gerald Towne to
7 me," right?

8 A Yes.

9 Q But let me ask sort of a deeper question.
10 Let's presume that you or one of your staff persons
11 reviewing these petitions couldn't tell who had signed
12 it. They just weren't sure if that said "Gerald" or
13 maybe it said, "K. W. Tow," T-o-w, or something else,
14 maybe they just -- they just flat out couldn't tell, but
15 they do have the benefit of the first name, the middle
16 initial, and last name. That's clear. It's easy to
17 read.

18 And they do have the benefit of the voter
19 cert. number. They can look that up. Then, they can
20 compare and contrast it to the list of registered voters
21 that the Tax Assessor/Collector's office had given.

22 And so, in that hypothetical circumstance
23 where you just can't tell what the signature actually
24 says, but you can figure out the name, because it's
25 printed here, what would your office do with respect to

1 whether that one would be counted or not?

2 MR. ADAMS: Objection, form. You can
3 answer.

4 A My staff is not bashful. They would ask other
5 staff members, "Who do you think signed this line? Who
6 do you think signed Line 1?" And they might discuss it.
7 One of them might even say, "Oh, it's Gerald Towne."
8 And they would then go for it.

9 Q (By Mr. Taylor) Okay. "Go for it" meaning
10 include it in the count?

11 A Yes.

12 Q These review sheets, would there be a single
13 review sheet for all of Page 1 of the referendum
14 petition, or could there be more than one review sheet?

15 A There -- there could be -- a review sheet may
16 contain more than one page. I think there were maybe --
17 I'm -- I don't recall for sure, but maybe 20 on a page.

18 Q Are the review sheets -- I think I already
19 asked this, but I want to make sure -- still in
20 existence?

21 A Oh, yes, sir.

22 Q And are they in electronic form or --

23 A No.

24 Q -- not? Paper form?

25 A Paper form.

1 Q How much quantity of paper are we talking
2 about, like, if you got all the review sheets and either
3 stacked them on the table or put them in banker's boxes,
4 as we like to refer to boxes?

5 A Maybe two and a half reams, maybe. I'm just
6 guessing.

7 Q I understand. I'm not holding you to that
8 accuracy. I just wanted to get a general ballpark idea
9 of how much quantity we're talking about.

10 So, if I wanted to sort of evaluate the
11 review process and the decisions that were ultimately
12 made by you or those working under your supervision,
13 direction, and control, I could go and review those
14 review sheets. Would that be a fair statement?

15 MR. ADAMS: Objection, form. You can
16 answer.

17 A Yes, you could.

18 MR. TAYLOR: Okay. I will just make a note
19 that I'm going to ask for that, if I haven't already.

20 Q (By Mr. Taylor) If you will, Ms. Russell, look
21 at the first page of the exhibit that we're talking
22 about, Exhibit 4. And what you told me was that, as
23 soon as the referendum petition was filed on July the
24 3rd, your staff got started.

25 There is a date at the top of the second

1 page, if you'll look at that. It says, "As of July 27."
2 Now, why is that date in the document?

3 A I wanted to verify that we had completed our
4 review of the petitions within the 30-day period.

5 Q Okay. So, let me clarify something we talked
6 about before. I got the impression that August 1 was
7 the date not only that you had prepared your first draft
8 of your work but also the completion date for the work
9 that your office had permitted.

10 And I'm wondering now if that second part
11 of what I just said is not correct, that what is more
12 correct is that the review process by you and your staff
13 actually wasn't completed on August the 1st; but it was
14 completed on July the 27th; is that right?

15 A We had completed our review on July the 27th.

16 Q Okay. Other than creating the first draft,
17 what else did you do, if anything, from July 27th,
18 through August the 1st, with respect to the referendum
19 petition?

20 A I would have to look at the date. I don't
21 recall what -- what day of the week it was. And that
22 would help me answer that question better.

23 Q Understand. I can tell you that August 1st was
24 a Friday. August 4th was a Monday. Does that help?

25 A Yes. Thank you.

1 Q So, do you think you did anything else, you
2 and/or your staff, to review the referendum petition
3 between the date July 27th and Friday, August 1st, or
4 not?

5 A The staff had finished by that Friday.

6 Q By Friday, August 1st?

7 A Well, no. And my letter says July the 27th.
8 So, they had finished it by July the 27th.

9 Q Okay. I think we're communicating; but let me
10 ask it one more time, just to make triple sure, okay,
11 because August 1 is a Friday. August 4 is a Monday.
12 So, July 27 --

13 A I understood -- I understood differently --

14 Q Yes. So --

15 A -- from what you said before.

16 Q Yes, ma'am. So, I just want to nail this down.
17 It wasn't Friday, August 1; but it was July 27, whatever
18 day of the week that was, of 2014, that marks the date
19 that you and your office had completed its review of the
20 referendum petition?

21 A That's correct.

22 Q When it says, in that same sentence referencing
23 July 27th, it "had been verified with a margin" --
24 within "a margin of error," what does that mean?

25 A It means that we had determined that 17,846

1 signatures appearing on the petition contained correct
2 information, as required, being signature, printed name,
3 voter registration number, residence address, and date
4 of signing. So, they were registered voters inside the
5 City of Houston.

6 Q But when you say, "with a margin of error,"
7 what are you trying to say there?

8 A Under -- if you read my letter, it says that
9 10 percent -- let me find it -- "10 percent of the total
10 vote cast for Mayor" would have been 17,269 signatures,
11 which is what I understood the Charter required be
12 qualified voters in the City of Houston. And to -- we
13 did more signatures in case the staff made any errors.
14 That was our margin of error.

15 Q Okay. Now I understand what you're saying.
16 Let me put it in my words; but it's your testimony, not
17 mine. So, tell me if this is a fair way of saying it.

18 Rather than stopping the work of the City
19 Secretary's office, the moment you hit 17,269 verified
20 signatures, you continued until you had verified 17846
21 signatures, at which point you stopped your review; is
22 that true?

23 MS. RAMSEY: Objection, form.

24 A That's correct.

25 Q (By Mr. Taylor) Now, the total number of

1 signatures your office reviewed was 19,177; is that
2 right?

3 A That's correct.

4 Q We know that there were more signatures
5 submitted than that, right?

6 A Yes.

7 Q Why did you not review 100 percent of all of
8 the submitted signatures?

9 A I felt it was a -- would have been a waste of
10 manpower and resources when we had reached the number
11 that I understood was required by the Charter.

12 Q Right. It'd be sort of like if a school
13 teacher's grading an exam and is -- it's just a
14 pass/fail course. There's no A, B, C, D, E, F, just
15 pass/fail; and if pass is a 70, the teacher just stops
16 grading the paper once they hit 70 because there's
17 really no reason to see if they scored higher than a 70
18 because it's pass/fail.

19 MS. RAMSEY: Objection, form.

20 Q (By Mr. Taylor) Is that a way of thinking
21 about this?

22 A I'm not --

23 MR. ADAMS: Objection, form.

24 A I'm not familiar with what teachers do.

25 Q (By Mr. Taylor) Sure. Well, let's talk about

1 from your perspective. The pass/fail for you, according
2 to your testimony, was 17,269. 17,269, that's a pass.
3 Anything lower than that's a fail, right?

4 MS. RAMSEY: Objection, form.

5 A The 17,269 was what was -- what I understood
6 was required by the Charter of 10 percent of the total
7 votes cast for Mayor in the last election.

8 Q (By Mr. Taylor) Right. Now, have you, since
9 July 27th of this year, attempted to review or otherwise
10 verify any additional signatures beyond the 19,177
11 signatures your office looked at in the past?

12 A No, sir.

13 Q  And why not?

14 A Because I had reported in the memo of August
15 the 1st that there were 17,846 signatures appearing on
16 the petition that were qualified voters in the City of
17 Houston.

18 Q Do you have any understanding as to whether or
19 not, now -- and we are past 30 days from the date the
20 referendum petition was first filed with your office.
21 So, it was filed on July the 3rd. 30 days would have
22 been sometime in early August. And now, we're already
23 fast-forward to October, well beyond the 30-day
24 timeframe.

25 I'm not asking you for a legal conclusion.

1 I'm just asking you for what you understand is your job
2 as City Secretary.

3 Now, in October, does your office have the
4 authority to review the remaining signatures or not?

5 MR. ADAMS: Objection --


6 MR. KAPLAN: Objection --

7 MR. ADAMS: -- form.

8 MR. KAPLAN: -- form.

9 A We may have the authority, but it -- I feel
10 it's not necessary.

11 Q (By Mr. Taylor) Okay. And why is it not
12 necessary?

13 A  Because we have determined the number of
14 signatures being 17,846 signatures being qualified
15 voters of the City of Houston.

16 Q Is there anyone else in the City Government,
17 besides you, the City Secretary, that is charged with
18 the responsibility of counting and verifying these
19 signatures?

20 MS. RAMSEY: Objection, form.

21 A It's my understanding that the Charter provides
22 that the City Secretary determine the number of
23 qualified voters who sign the petition in the City.

24 Q (By Mr. Taylor) And based on that
25 understanding, you did that; and the result of your work

1 was that 17,846 signatures had been validated. And that
2 was more than the minimum number necessary, correct?

3 MR. ADAMS: Objection, form.

4 MS. RAMSEY: Objection, form.

5 A That's correct.

6 Q (By Mr. Taylor) Okay. Did you or your office
7 do any kind of an evaluation or review of the bottom
8 portion of the referendum petition pages, which I would
9 refer to as a circulator affidavit?

10 MS. RAMSEY: Objection, form.

11 A No, we did not.

12 Q (By Mr. Taylor) When I use the phrase,
13 "Circulator Affidavit," do you understand, generally,
14 what that is?

15 A I understand.

16 Q And would it be fair to characterize the bottom
17 portion of the form as a circulator affidavit?

18 MR. ADAMS: Objection, form.

19 Q (By Mr. Taylor) Or is there a better way to
20 refer to it?

21 A It's a Circulator's Sworn Affidavit before a
22 notary --

23 Q Okay.

24 A -- that...

25 Q Why is it that you did not evaluate the

1 Circulator's Sworn Affidavit before a notary portion of
2 each page of the referendum petition?

3 MS. RAMSEY: Objection, form.

4 A Because it was always my understanding that a
5 sworn affidavit by a notary, I was not qualified to look
6 beyond that sworn affidavit.

7 Q (By Mr. Taylor) And how did you come to that
8 belief?

9 MS. RAMSEY: Objection, form.

10 A Experience of checking various petitions or
11 affidavits.

12 Q (By Mr. Taylor) Is that still your opinion
13 today?



14 MR. ADAMS: Objection, form.

15 A Yes.

16 Q (By Mr. Taylor) Okay. The fact that the
17 Circulator Affidavit is sworn to under oath, you
18 understand, based on your years of experience as City
19 Secretary, that the person who's signing that is signing
20 it and swearing to it under oath, under penalty of
21 perjury? Is that your understanding?

22 MR. ADAMS: Objection, form.

23 A I'm not sure of the penalty, but I -- it was my
24 understanding they were sworn to.

25 Q (By Mr. Taylor) Right. And so, if somebody's

1 going to swear under oath that certain things are true,
2 you view your role as City Secretary, in reviewing the
3 referendum pages, as to not second-guess that or look
4 beyond that; you just accept it as true. Is that a fair
5 statement?

6 MR. ADAMS: Objection, form.

7 A Yes.

8 Q (By Mr. Taylor) Okay. Now, this referendum
9 petition way back in 1996 that you told us about in the
10 first few minutes of this deposition this morning, do
11 you recall if the process for that referendum petition
12 was essentially or basically the same as the process for
13 this one?



14 A Yes, sir.

15 Q It was about the same?

16 A Yes, sir.

17 Q And you didn't evaluate the sworn Circulator
18 Affidavits before a notary in that 1996 referendum
19 petition matter, did you?

20 A No.

21 MR. ADAMS: Objection, form.

22 A The only thing I did, as I recall, on that one,
23 I did mention whether or not a notary did not have a
24 notary seal, was not signed, or was not dated.

25 Q (By Mr. Taylor) Okay. Beyond that, anything

1 else that you can think of in 1996?

2 A I didn't go beyond what I could see.

3 Q Okay. Now, this draft that you prepared on
4 August 1, was that e-mailed or faxed or scanned or
5 otherwise delivered in any way, shape, or form, to
6 anyone?

7 MR. ADAMS: Objection, form.

8 A I don't recall.

9 Q (By Mr. Taylor) Do you recall if the August 1
10 memo draft was printed?

11 A Yes.

12 Q It was printed?

13 A Yes. The logo for 'Covering Katy' features the text 'Covering Katy' in a large, red, serif font. Below it, 'News of Katy, Texas' is written in a smaller, blue, sans-serif font. To the left of the text is a graphic element consisting of a blue square and a red triangle.

14 Q What do you recall doing with it once it was
15 printed?

16 A I presume I provided a copy to the Mayor.

17 Q On August 1?

18 A Yes.

19 Q Okay. Is there anything back at your shop that
20 would tie that down? So, for example, if you e-mailed
21 it to the Mayor, would you have, in your e-mail or
22 "Sent" items, proof of that fact?

23 MR. ADAMS: Objection, form.

24 A I don't recall e-mailing it.

25 Q (By Mr. Taylor) Okay. What do you recall, as

1 far as getting it to the Mayor? How would that have
2 happened?

3 A I would have had a copy delivered.

4 Q And who would have delivered the copy?

5 A I have no idea at this point.

6 Q Would it have been a staffer?

7 A Oh, yes.

8 Q Do you recall getting any response or feedback
9 to the August 1 memo after you delivered it, through
10 your staffer, to the Mayor?

11 MS. RAMSEY: Objection, form.

12 A Only Mr. Feld- -- a conversation with
13 Mr. Feldman.

14 Q (By Mr. Taylor) Did he call you or see you in
15 person?

16 A He saw me in person.

17 Q Do you recall if it was on August 1 or not?
18 That was a Friday.

19 A It was on August the 4th.

20 Q Okay. So, that was the following Monday. And
21 was that a morning meeting or an afternoon meeting? Do
22 you remember?

23 A I don't recall. Probably in the morning. I --
24 I don't recall.

25 Q Do -- I'm going to state a fact to see if it'll

1 help, help your memory. Do you know whether or not the
2 Mayor and/or David Feldman held -- had a press
3 conference on Monday, August 4, about this subject?

4 A They did have one.

5 Q And was that press conference at lunchtime or
6 in the afternoon, or do you --

7 A If I recall, it was in the afternoon sometime.

8 Q Okay. So, since you remember that, would it be
9 a fair thing to say that your meeting with Mr. Feldman
10 was in the morning before lunch?

11 A I would think --

12 MR. ADAMS: Objection, form.

13 A  yes.

14 Q (By Mr. Taylor) Okay. Who was part of that
15 conversation, besides Mr. Feldman and yourself? Anyone
16 else there?

17 A The Mayor, Janice Evans of the Mayor's staff;
18 and I don't recall if anyone else was there or not.

19 Q How long did that meeting take?

20 A Maybe 20 minutes.

21 Q Was it during that meeting that you were given
22 a copy of David Feldman's analysis?

23 MR. ADAMS: Objection, form.

24 A I believe so.

25 Q (By Mr. Taylor) Prior to the morning meeting

1 on Monday, August 4, you had not seen, with your own
2 eyes, the David Feldman analysis, had you?

3 MR. ADAMS: Objection, form.

4 A He may have done an earlier one and then asked
5 that I substituted the one of the 4th.

6 Q (By Mr. Taylor) But you're not sure?

7 A I'm not sure.

8 Q Okay. Tell us what you remember happening or
9 being discussed in the 20-minute meeting with the Mayor,
10 Mr. Feldman, Janice Evans, and yourself. And we're
11 talking about Monday, August 4, 2014.

12 A Mr. Feldman asked that I add a paragraph to my
13 August 1 memo.

14 Q Beyond just that one statement, that one
15 sentence you've told us about this 20-minute meeting, do
16 you remember anything else that was discussed?

17 A Not -- no.

18 Q Was there any kind of memorialization of that
19 meeting? Like, did anybody take notes, for example?

20 A No.

21 Q Anybody --

22 A Not that I know of.

23 Q Anybody have a laptop and they're typing away
24 during the meeting?

25 A No, sir.

1 Q You didn't tape-record the meeting?

2 A No.

3 Q And they didn't, to your knowledge?

4 A As far as I know, no.

5 Q Okay. Where was the physical location of the
6 meeting?

7 A In the Mayor's office.

8 Q Were there any disagreements expressed during
9 the meeting?

10 MS. RAMSEY: Objection, form.

11 A Not that I recall. The only request was:

12 Would I have any objection to adding a paragraph to my

13 August 1 memo? And I indicated I would not, with a

14 change. Like I previously told you, I added, "Reviewed
15 by the City Secretary."

16 Q (By Mr. Taylor) Yes. And help me understand
17 why you wanted that addition to be made.

18 A If it was going to be part of my memo, I wanted
19 to have some sort of review to understand or try to
20 understand what his memo was about.

21 Q And did you do any sort of review of the memo?

22 A Yes.

23 Q Tell us about that.

24 A We took the -- his attachment to the -- to his
25 memo. And where it says, "Stamped page number and

1 number of signatures," we pulled those stamped page
2 numbers to see if the number of signatures corresponded
3 with what was on the actual petition on file.

4 Q Okay. So --

5 MR. ADAMS: We've been going about an hour.
6 When you get to a stopping point in the next 10 or 15
7 minutes --

8 MR. TAYLOR: Yes, I will do. Let's just
9 finish briefly this little part of the conversation, and
10 then we'll take a break.

11 Q (By Mr. Taylor) Your review of the David
12 Feldman analysis was to see if a particular referendum
13 page number, because your office staff had put page
14 numbers on there, correctly identified the number of
15 potential signatures that were in play, which is the
16 number that we had talked about earlier that's on the
17 bottom left side of the -- of the single page; is that
18 right?

19 MR. ADAMS: Objection, form.

20 A Yes.

21 Q (By Mr. Taylor) Okay. Beyond that, was there
22 any other kind of review?

23 A No.

24 MR. TAYLOR: We can take a break.

25 MR. ADAMS: Okay.

1 MR. TAYLOR: Thank you.

2 THE VIDEOGRAPHER: Going off the record at
3 13 minutes after 11:00 a.m.

4 (A recess was taken.)

5 THE VIDEOGRAPHER: Beginning of Tape No. 2.
6 We're going back on the record at 11:37 -- 11:27, I'm
7 sorry.

8 Q (By Mr. Taylor) Ms. Russell, we're back on the
9 record after a short break.

10 A Fine.

11 Q I wanted to ask a few questions more about this
12 analysis from David Feldman's office that's attached to
13 Exhibit 4.

14 A Uh-huh.

15 MS. RAMSEY: Objection, form.

16 Q (By Mr. Taylor) And if you wouldn't mind, go
17 to -- I think you're already, there but go to the first
18 page of his analysis. And what it says at the top is,
19 "Exhibit A, List of Ineligible Pages in Referendum
20 Petition for Ordinance No. 2014-530, Page 1 of 26."

21 Do you have that in front of you?

22 A Yes, sir.

23 Q This first category -- and I'm quoting the
24 document -- says, "Invalid pages because Legal was not
25 able to confirm that Circulator also validly signed the

1 petition."

2 Did I read that correctly?

3 A Yes, sir.

4 Q Now, are you in a position, factually, to
5 discuss each of these examples listed in the document
6 and in the chart about whether the pages are invalid
7 because Legal wasn't able to confirm that the Circulator
8 had validly signed the petition; or is that going to be
9 a different person besides you?

10 A I'm -- I did not do that.

11 Q And you haven't studied this. You're not in a
12 position to defend it or to reject it. It's just
13 something outside your knowledge base; is that true?



14 MS. RAMSEY: Objection, form.

15 A Yes.

16 Q (By Mr. Taylor) Okay. So, for example, if I
17 gave you an example of one of the pages of the
18 referendum petition and I said to you, "Why is it that
19 the City Attorney's office refused to count these
20 particular signatures on this particular page?" you
21 wouldn't be in a position to evaluate that or answer
22 that, because that's not the work that you performed; is
23 that right?

24 MS. RAMSEY: Objection, form.

25 A I would answer that you have to ask the City

1 Attorney.

2 Q (By Mr. Taylor) Okay. Fair enough. And in
3 that respect, besides David Feldman, do you know any
4 other individuals in the City Attorney's office that
5 might have factual knowledge about why or why not a
6 particular set of signatures were or were not discarded,
7 besides Mr. Feldman?

8 A A -- an attorney Danielle Folsom.

9 Q Danielle Folsom?

10 A Uh-huh.

11 Q F-o-l-s-o-m?

12 A I'm not sure.

13 Q I think they disclosed --
The logo for 'Covering Katy' is overlaid on the text. It features the words 'Covering Katy' in a large, red, serif font. Below it, 'News of Katy, Texas' is written in a smaller, black, cursive font. To the left of the text is a red star with a blue outline.

14 A Uh-huh.

15 Q -- it in the discovery. Anyone else?

16 A I don't know.

17 Q Okay. How is it that you know Danielle Folsom
18 might have knowledge about this?

19 A She would bring -- she provided us with lists
20 of page numbers that she or her staff assisted --
21 assistants wanted to review.

22 Q Okay.

23 A And --

24 Q So, you just became aware during that process
25 she was involved?

1 A Yes.

2 Q So, would it be fair to say that from July
3 the 3rd to July the 27th, during which time you and your
4 office were performing your review, that, on occasion,
5 members of the City Attorney's office, like Danielle
6 Folsom, would come over and say, "Can I see this? Can I
7 see that?"

8 A Yes, we pulled petition page numbers at their
9 request for them to review.

10 Q Okay. Were you generally conversant with what
11 it is that they were trying to do during that period of
12 time?

13  MS. RAMSEY: Objection, form.
News of Katy, Texas

14 A No.

15 Q (By Mr. Taylor) Prior to the morning of August
16 the 4th, you had not been made aware of any particular
17 signature pages that the City Attorney's office felt
18 were or were not valid, correct?

19 MR. ADAMS: Objection, form.

20 A I'm -- I'm trying to recall whether or not he
21 provided a memo dated the 1st. I'm not sure. I think
22 he updated it on the 4th. I may have had one, but I did
23 not make -- review or look at them.

24 Q (By Mr. Taylor) Okay. I'm not going to go
25 through all these other categories if your answers are

1 going to be the same as what you gave me a few minutes
2 ago and, that is, "You need to ask David Feldman."

3 So, without referencing every single one of
4 these -- but there are multiple categories by which the
5 City Attorney's office said, "Signatures are
6 invalidated" for, just as an example, "because the
7 Circulator's name is illegible."

8 Irrespective of which category we're
9 talking about, would your answer be the same, "That's
10 not something that I did or am knowledgeable about
11 defending or rejecting; that's something you need to ask
12 Mr. Feldman"?

13 A Yeah, you'll --



14 MS. RAMSEY: Objection, form.

15 MR. ADAMS: Objection, form.

16 A -- have to ask Mr. Feldman.

17 Q (By Mr. Taylor) Okay. How many years have you
18 been doing this, Ms. Russell?

19 A Too long.

20 Q Would you be upset with me for asking for an
21 actual number?

22 A No, I have been City Secretary since 1972.

23 Q Okay. And have you had a situation in the past
24 like this one where you and your staff do your work and
25 say that the minimum number of verified signatures has

1 been obtained, and then some, only to find that the City
2 Attorney's office disagrees and says, "The petition is
3 not valid; and, therefore, we can't repeal or suspend
4 the law" or "have a City Council vote" or "have an
5 election"?

6 Factually, have you had that happen to you
7 before in your career?

8 A That --

9 MR. ADAMS: Objection, form.

10 A That was a rather long question. Could you
11 shorten it, please?

12 Q (By Mr. Taylor) Absolutely. Prior to 2014,
13 have you had a situation where you and your staff have
14 verified and certified the minimum number of signatures
15 on a referendum petition that were necessary only to
16 then have the City Attorney's office disagree with you
17 and say, "No"?

18 MR. ADAMS: Objection, form.

19 A No.

20 Q (By Mr. Taylor) Whose job is it, from your
21 perspective, to determine the validity of the signatures
22 on the pages and whether the minimum number of
23 registered voter count has or has not been reached, the
24 City Attorney or the City Secretary?

25 MR. ADAMS: Objection, form.

1 Q (By Mr. Taylor) What is your understanding?

2 MR. ADAMS: I'm sorry. Objection, form.

3 You can answer.

4 A It's my understanding that the Charter says the
5 City Secretary.

6 (Exhibit 5 was marked.)

7 Q (By Mr. Taylor) Let me show you what I've
8 marked as Exhibit 5, Ms. Russell. And I'll represent to
9 you that that's a copy of a press release that the Mayor
10 of the City of Houston sent out on Monday, August 4,
11 2014. Have you ever seen this before?

12 A I have seen it. It was on the City's website.

13 Q Okay. Look at the second from the last
14 paragraph. I'm mentioning this because it might refresh
15 your memory about the 1996 referendum petition that you
16 couldn't remember the subject matter of. Here, it talks
17 about that it was a petition to repeal an affirmative
18 action program. Does that square with your memory?

19 A I -- I don't recall that I would have ever made
20 a statement that a petition had valid signatures to
21 qualify. It's not my job to qualify.

22 MR. TAYLOR: I'm going to object on
23 responsiveness only because the question I asked
24 wasn't -- didn't have anything to do with qualification.

25 Q (By Mr. Taylor) What I was asking is whether

1 or not the second from the last paragraph in Exhibit 5
2 refreshes your memory as to what the subject matter was
3 of the 1996 referendum. What it says here is that it
4 has to do with an affirmative action program.

5 And so, I want to know: Does that square
6 with your memory or not?

7 A With the word "Affirmative Action Program," it
8 was probably correct.

9 Q Okay. Were you in attendance at this press
10 conference that occurred in the afternoon of Monday,
11 following the morning meeting with you and the Mayor and
12 the City Attorney and a staff member of the Mayor's

13 office -- The logo for "Covering Katy" features a red and blue graphic of a pen nib writing on a document, followed by the text "Covering Katy" in a large, red, serif font. Below this, in a smaller, black, cursive font, is the text "News of Katy, Texas".

14 A No.

15 Q -- Janice Evans?

16 A No.

17 Q Why were you not there?

18 A I wasn't asked to be there, and I didn't go.

19 Q Okay. Look at the second from the top
20 paragraph, so, the second paragraph, of this press
21 release. Basically -- I'm not going to quote it, but
22 basically what it's saying is that the number of valid
23 signatures is only 15,249. So, instead of a pass, it's
24 a fail.

25 Do you see that?

1 A I see that.

2 Q Okay. Is there anything that would prevent you
3 and your office, that you know of, to go look at the
4 petition pages that you didn't previously look at to see
5 if your additional review would kick the number higher
6 than 15,249 and equal to or greater than the pass of the
7 pass/fail, which would be 17,269?

8 MR. ADAMS: Objection, form. You can
9 answer.

10 A No.

11 Q (By Mr. Taylor) You could do that, if someone
12 asked you to? In other words, the paper's still there.
13 The expertise is still there. The staff is still there.
14 The resources are still there. You could do it, if you
15 were asked to; is that right?

16 MS. RAMSEY: Objection, form.

17 A I -- I could, but I would object to it.

18 Q (By Mr. Taylor) Right, because you don't think
19 it's necessary, because you've already done it, right?

20 MR. ADAMS: Objection, form.

21 A Correct.

22 Q (By Mr. Taylor) You've already graded the
23 paper of my clients with a pass, not a fail, correct?

24 MR. ADAMS: Objection.

25 A I don't know what teachers do. As I told you

1 before, I'm -- I don't -- I'm not comfortable with the
2 pass/fail.

3 Q (By Mr. Taylor) Fair enough. Fair enough.
4 Then, I won't use that anymore.

5 How long would it take -- if you were asked
6 to review those signature pages that your office did not
7 previously review, and you looked at all of them, how
8 long would that take?

9 A I have no idea.

10 Q Could you ballpark it like days, weeks, months?

11 A I really couldn't say.

12 Q Okay. Well, we know you were able to go
13 through 19,177 in about three weeks, right?

14 A Working weekends and evenings.

15 Q Right. So, if you had the same staff and the
16 same work effort, how long would it take to get the
17 extra ones looked at?

18 MS. RAMSEY: Objection, form.

19 A I -- I -- I wouldn't do it. I would object --

20 Q (By Mr. Taylor) Okay.

21 A -- because the work's been done.


22 Q Fair enough. A couple of other questions, and
23 we're done. I want you to assume that my clients had
24 e-mail communications not only between themselves but
25 pastors in the Houston area who cared about this issue

1 and/or people that attend the churches of those pastors
2 and/or other persons that were just generally interested
3 in the issue and there's a bunch of e-mails by and
4 between all those groups. I just want you to assume
5 that that's true.

6 That's nothing that you had at your
7 disposal when you were calling balls and strikes on the
8 validity of signatures from July 3rd to July 27th,
9 right?

10 MS. RAMSEY: Objection, form.

11 A I don't assume anything.

12 Q (By Mr. Taylor) My point is is you didn't have
13 any e-mail  communications by and between the folks I
14 just described when you and your office staff were doing
15 your work. Isn't that obvious?

16 MR. ADAMS: Objection, form. You can
17 answer.

18 A No.

19 Q (By Mr. Taylor) "No," you didn't have access
20 to it?

21 A I didn't receive any or have access to any.

22 Q And let's just pretend that we printed out
23 every e-mail communication there ever was and handed it
24 to you and your staff. Would that have any relevance,
25 whatsoever, to the review that your staff did?

1 MR. ADAMS: Objection --

2 MS. RAMSEY: Objection.

3 MR. ADAMS: -- form.

4 A No.

5 Q (By Mr. Taylor) And let's talk about financial
6 information, how the coalition, you know, was able to
7 finance its activities, those sorts of things. That has
8 nothing to do with the review that you did, right?

9 MS. RAMSEY: Objection, form.

10 A I have no knowledge of -- of what they did.

11 Q (By Mr. Taylor) Right. But even if we gave
12 you every bank account, every check, every piece of
13 financial information that ever existed on the Planet
14 Earth during this timeframe, that wouldn't have anything
15 to do or bear upon the review that you're doing,
16 correct?

17 A I'm on --

18 MR. ADAMS: Objection, form.

19 MS. RAMSEY: Objection, form.

20 A I'm only required to review the petition that
21 is submitted to the off- -- to my office.

22 Q (By Mr. Taylor) Right. And the premise of
23 this petition, about whether it allows a biological male
24 to enter into the public accommodations, including a
25 restroom for females, whether that's true, whether

1 that's false, that's not anything that bears on your
2 work on whether or not there's a sufficient number of
3 signatures to require the referendum petition to be
4 accepted, right?

5 MR. ADAMS: Objection, form. You can
6 answer.

7 Q (By Mr. Taylor) In other words, you don't
8 worry about the political reasons or the moral or public
9 policy reasons for why somebody may be motivated to sign
10 a petition and try to repeal a law. That's really
11 nothing that you're worrying about, right?

12 MS. RAMSEY: Objection, form.

13 A I don't consider that.



14 MR. TAYLOR: I think we're through. I'm
15 going to check my notes and my pieces of paper real
16 quick.

17 Ms. Russell, thank you for your time; and
18 we'll pass the witness.

19 THE WITNESS: You mean you're through?

20 MR. TAYLOR: I am through. We went from a
21 six-hour planned deposition to about an hour and a half.

22 THE WITNESS: Good.

23 MR. ADAMS: You did too good of a job,
24 Anna.

25 THE WITNESS: Thank you. Thank you.

1 MR. ADAMS: I have some questions.

2 EXAMINATION

3 QUESTIONS BY MR. EDWARD B. "TEDDY" ADAMS, JR.:

4 Q Ms. Russell, I'm Teddy Adams. We've met many
5 times before; is that correct?


6 A That's correct.

7 Q I'm going to ask you an indelicate question,
8 but how old of a woman are you?

9 A I'm 73.

10 Q And you've been City Attorney -- City
11 Attorney -- City Secretary for how long?

12 A Since 1972.

13 Q  During that time, have you had occasion to
14 evaluate various petitions submitted by citizens of the
15 City of Houston?

16 A Yes, sir.

17 Q And in conducting your evaluation, is it
18 typical for you to consult with the City Attorney's
19 office as to what you're supposed to do?

20 A Yes, sir.

21 Q That is, when you have a question about what
22 the requirements are as to the validity of a particular
23 type of petition, do you consult with the City
24 Attorney's office?

25 MR. TAYLOR: I'm going to object on

1 leading, just because you're kind of putting words in
2 her mouth.

3 MR. ADAMS: I'll stand by the question.

4 A Yes.

5 Q (By Mr. Adams) And did you consult with the
6 City Attorney's office as to the requirements that
7 needed to be checked for this Equal Rights Ordinance
8 petition that we've been talking about here today?

9 A Yes, sir.

10 Q Now, the analysis that your office did, can you
11 tell us what you looked at on those petitions?

12 A The --

13  MR. TAYLOR: Objection --

14 A -- review --

15 MR. TAYLOR: -- as to form.

16 A -- sheets had, like, maybe 10 columns that we
17 checked. And part of the columns, maybe three of them,
18 were the tally of what we found were registered voters
19 and what we found were not registered voters to get our
20 grand total tally.

21 Q (By Mr. Adams) In looking at Exhibit No. 4,
22 marked earlier in your deposition today, was the
23 10-column or so check sheet, was what you were checking
24 for reflected in your memo, Exhibit 4 to your deposition
25 here today?

1 A Yes, sir.

2 Q And what were you checking for in your office
3 on that Equal Rights Ordinance petition?

4 A Basically, the signature, the printed name, the
5 voter registration number, residence address, and date
6 of signing.

7 Q And if there were other requirements for a
8 petition to be valid, your office was not checking
9 those; is that right?

10 A That's correct.

11 Q In July of 2014, were you made aware that the
12 City Attorney's office was reviewing the petitions for
13 other validity requirements?

14 A Yes, sir.

15 Q And were you okay with that? Did you acquiesce
16 to the City Attorney's doing that review?

17 A Yes.

18 Q And that review by the City Attorney, is that
19 part of your August 4th, dated August 1st, memo that's
20 attached to your deposition as Exhibit No. 4?

21 A Yes.

22 Q And as to Exhibit No. 4, it's dated August 1st
23 there; is that right?

24 A Right.

25 Q But was that memo submitted to the Mayor and

1 the City Council on August 4th?

2 MR. TAYLOR: Objection to form.

3 A It's my understanding that the Mayor's office
4 did e-mail the memo to the members of council.

5 Q (By Mr. Adams) Let me ask it a different way.
6 When did you complete your finalized memo to the Mayor?

7 A When I completed my memo?

8 Q The one that's attached to Exhibit No. 4, when
9 was that?

10 A On August the 4th.

11 Q It says August the 1st. Why does it say August
12 the 1st when it was completed on August the 4th?

13 A Because we drafted it on August the 1st and did
14 not change it on August the 4th to erect (sic) the date.

15 Q Is it just a typo?

16 A Typo.

17 Q We talked about the fact that, in your tenure
18 as City Secretary, you've seen various petitions; but
19 other than the 1996 petition and the 2014 Equal Rights
20 Ordinance petition, do you recall in the last 40 years
21 seeing any other referendum petitions submitted to the
22 City of Houston?

23 A I don't recall.

24 Q So, the sum total of referendum petitions you
25 said is two?

1 A To the best of my knowledge.

2 Q And the process, if you -- since you can
3 remember, that was applied to the 2014 review of the
4 referendum petition, if that was one of two, at least
5 50 percent of the time, the City Attorney's been
6 involved in that process?


7 A You're referring to the two petitions?

8 Q Well, let me try it a different way --

9 A I --

10 Q -- Ms. Russell. There's two petitions, the
11 1996 and the 2014.

12 A Right.

13 Q  Do you recall one way or another where the City
14 Attorney was involved in the 1996 petition?

15 A They were not.

16 Q The City Attorney was involved in the 2014
17 petition?

18 A Correct.

19 Q So, at least half the time, the City Attorney's
20 been involved?

21 A Yes.

22 Q All right. In the 1996 petition review that
23 your office conducted, you did do some review of the
24 Circulator Affidavit; is that correct?

25 A Yes.

1 Q But in connection with the 2014 petition, the
2 Equal Rights Ordinance, the review of the Circulator
3 Affidavit, who conducted that review?

4 A The City Attorney's office.

5 Q In your August 4th meeting with the City
6 Attorney, the Mayor, and the other individuals you
7 talked about, did anyone put any pressure on you to
8 change anything in your analysis?

9 A No, sir.

10 Q Did the Mayor put any pressure on you to reject
11 or accept the ERO petition that had been submitted?

12 A No.

13 MR. ADAMS: We'll pass the witness.

14 MS. RAMSEY: No questions at this time.

15 MR. KAPLAN: We'll reserve till the time of
16 trial.

17 MR. TAYLOR: I have a few followups, not
18 very many.

19 FURTHER EXAMINATION

20 QUESTIONS BY MR. TAYLOR:

21 Q Your counsel wanted to draw attention to the
22 fact that you, in your tenure, have only looked at two
23 referendum petitions, one in 1996 and another this year.
24 You remember that line of questioning?

25 A Yes.

1 Q But to have a fair and accurate and complete
2 portrayal of your experience over multiple decades as
3 the City Secretary for the City of Houston, isn't it
4 true that you and your office have reviewed for
5 sufficiency purposes many, many, many petitions, albeit
6 maybe not referendum petitions, correct?

7 A Correct.

8 Q So, I can think of one. A couple of years ago,
9 you remember the Kuboshes? And they sponsored a Charter
10 amendment petition, and they got thousands and thousands
11 of signatures. And your office reviewed those
12 signatures to see whether or not the -- they complied
13 with the law. Do you recall that, that fact pattern?

14 A We reviewed that petition to see if they were
15 qualified voters in the City of Houston.

16 Q Right. And you said that that petition was
17 sufficient and so stated and so certified to the City
18 Council and the Mayor, right?

19 A No, sir.

20 Q You did not?

21 A I don't certify that a petition is valid or any
22 way -- thing. I certify the number of signatures that
23 were signed on the petition that were qualified voters
24 residing in the City.

25 Q Sure. Let me ask it, then, in a different way,

1 with different words.

2 The red light camera Charter amendment
3 petition that the Kuboshes had presented to your office,
4 your office reviewed those and determined that the
5 number of validly registered voters who had signed it
6 exceeded the necessary minimum number to allow it to go
7 on the ballot; isn't that fair?

8 A That's correct.

9 MS. RAMSEY: Objection, form.

10 Q (By Mr. Taylor) Okay. And do you remember,
11 when the City Council was deliberating what to do, that
12 David Feldman was physically present, as were you, and
13 he said publicly, while the TV cameras were rolling,
14 that, in his judgment, the City had a ministerial
15 obligation, that they had to put it on the ballot,
16 because of the work that you had performed on that
17 amendment? Do you recall that being said?

18 MR. ADAMS: Objection, form.

19 A No, sir.

20 Q (By Mr. Taylor) Okay. I'll represent to you
21 that that's exactly what he said. I'm not quoting him
22 verbatim; but he said there was a ministerial duty and
23 that the City would, in fact, get sued if they didn't
24 put it on the ballot, because of the work that you had
25 done with respect to whether there were valid signatures

1 on that Charter amendment provision or not.

2 In that circumstance, the Mayor didn't
3 disagree or overrule your findings, did she?

4 MR. ADAMS: Objection, form.

5 MS. RAMSEY: Objection, form.

6 MR. KAPLAN: Objection, form.

7 A Not that I recall.

8 Q (By Mr. Taylor) It got on the ballot, didn't
9 it?

10 A There was -- there was an election, yes.

11 Q That's right. Beyond just that one example of
12 how that one worked, red light cameras, got on the
13 ballot, you did your work, there are many other petition
14 examples where you and your staff have done review work
15 for determining if the signatures on the petition comply
16 or don't comply, right?

17 A Right.

18 Q Just -- you know, there's going to be a jury
19 listening to this tape. And I'd just be curious, could
20 you tell the ladies and gentlemen of the jury: How many
21 petitions do you think you and your office have
22 reviewed, in your experience?

23 A 20, 25, maybe 30. I don't know.

24 Q Do you feel like you --

25 A Various forms of petitions.

1 Q Right. Do you feel like you understand how
2 to -- how to do it?

3 MS. RAMSEY: Objection, form.

4 A I think so.

5 Q (By Mr. Taylor) Are you comfortable with the
6 work that you and your staff did on this particular
7 referendum petition? Do you feel like you did a good
8 job?

9 A Yes, I am.

10 Q Okay. The jury might be wondering, since, you
11 know, the Mayor is saying the petition's not valid,
12 whether or not you have any misgivings or whether you're
13 embarrassed or whether you're feeling at all vulnerable
14 about any of the work that you and your staff did on
15 this petition. And I just want to give you a fair
16 chance to answer that question, in case they're
17 wondering.

18 Do you feel like you and your staff did a
19 good job, you're proud of it, and don't feel vulnerable
20 at all?

21 MS. RAMSEY: Objection, form.

22 A I feel like we did our job, and I'm proud of
23 it.

24 MR. TAYLOR: Thank you, ma'am. No further
25 questions.

1 MR. ADAMS: I have a few brief questions,
2 Ms. Russell.

3 FURTHER EXAMINATION

4 QUESTIONS BY MR. ADAMS:

5 Q As City Secretary of the City of Houston, is
6 part of your responsibility to review a whole wide
7 variety of different kinds of petitions?

8 A Correct.

9 Q From -- does that include when people are
10 trying to sign up to run for a City office? Do you
11 review those petitions?

12 A Correct.

13 Q Everything all the way up to a referendum
14 petition, like we're talking about here today with the
15 ERO; is that right?

16 A Correct.

17 Q Do those different petitions have different
18 requirements, depending on what kind of type of petition
19 it is?

20 A Yes.

21 Q So, as to the type of petition we're talking
22 about here today, a referendum petition, among the many
23 types that you've seen in your 40 years, how many
24 referendum petitions have there been?

25 A As I recall, I -- only the two.

1 Q Is that why you went back to your 1996 memo as
2 a template for this 2014 memo?

3 A Yes.

4 Q So, even though that there are dozens of
5 petitions you've reviewed, you've only looked at two of
6 a referendum-type, with whatever requirements that might
7 entail?

8 A That 1996 was the last memo I could locate for
9 a referendum.

10 MR. ADAMS: I'll pass the witness.

11 FURTHER EXAMINATION

12 QUESTIONS BY MR. TAYLOR:

13 Q Have you dealt with any recall petitions?


14 A No.

15 MR. TAYLOR: Nothing further.

16 MS. RAMSEY: Reserve my questions.

17 MR. KAPLAN: I'll reserve questions till
18 the time of trial. Thank you, Ms. Russell.

19 MR. TAYLOR: Thank you, ma'am. We're done.

20 THE WITNESS: Thank you.

21 THE VIDEOGRAPHER: Going off the record at
22 12:00 p.m.

23 (The deposition was concluded at 12:00 p.m.)

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CHANGES AND SIGNATURE

WITNESS NAME:
ANNA RUSSELL

DATE OF DEPOSITION:
OCTOBER 6, 2014

PAGE	LINE	CHANGE	REASON
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1 I, ANNA RUSSELL, have read the foregoing
 2 deposition and hereby affix my signature that same is
 3 true and correct, except as noted herein.


4
 5

ANNA RUSSELL

JOB NO. 194320

6
 7
 8 STATE OF TEXAS)
 9 COUNTY OF HARRIS)

10

11 BEFORE ME, _____, on this day
 12 personally appeared ANNA RUSSELL, known to me (or proved
 13 to me under oath of  _____ or through
 14 _____ (description of identity card
 15 or other document) to be the person whose name is
 16 subscribed to the foregoing instrument and acknowledged
 17 to me that they executed the same for the purposes and
 18 consideration therein expressed.

19 Given under my hand and seal of office this _____
 20 day of _____, 2014.

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NOTARY PUBLIC IN AND FOR

THE STATE OF _____

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CAUSE NO. 2014-44974

JARED WOODFILL,
STEVEN F. HOTZE, MD
F.N. WILLIAMS, SR. and
MAX MILLER,
Plaintiffs

* IN THE DISTRICT COURT
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* HARRIS COUNTY, TEXAS
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* 152ND JUDICIAL DISTRICT

VS.

ANNISE D. PARKER, MAYOR;
ANNA RUSSELL, CITY
SECRETARY; AND CITY OF
HOUSTON,
Defendants.

REPORTER'S CERTIFICATION
ORAL & VIDEOTAPED DEPOSITION OF
ANNA RUSSELL



I, Carrie L. Milam, Certified Shorthand

Reporter in and for the State of Texas, hereby certify
to the following:

That the witness, ANNA RUSSELL, was duly
sworn by the officer and that the transcript of the oral
deposition is a true record of the testimony given by
the witness;

That the deposition transcript was
submitted on _____ to the
witness or to the attorney for the witness for
examination, signature and returned to me by
_____;

1 That the amount of time used by each party
2 at the deposition is as follows:

3 Mr. Taylor - 1:29

4 Mr. Adams - 0:09

5 Ms. Ramsey - 0:00

6 Mr. Kaplan - 0:00

7 That pursuant to information given to the
8 deposition officer at the time said testimony was taken,
9 the following includes counsel for all parties of
10 record:

11 Mr. Taylor, ataylor@andytaylorlaw.com
12 Attorney for Plaintiffs

13 Ms. Ramsey, judith.ramsey@houstontx.gov
14 Attorney for Defendant Annise D. Parker,
15 Mayor News of Katy, Texas

16 Mr. Adams, teddy.adams@nortonrosefulbright.com
17 Attorney for Defendant Anna Russell

18 Mr. Kaplan, akaplan@susmangodfrey.com
19 Attorney for Defendant City of Houston
20
21
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23
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1 I further certify that I am neither counsel
2 for, related to, nor employed by any of the parties or
3 attorneys in the action in which this proceeding was
4 taken, and further that I am not financially or
5 otherwise interested in the outcome of the action.

6 Further certification requirements
7 pursuant to Rule 203 of TRCP will be certified to after
8 they have occurred.

9 Certified to by me this 7th day of
10 October, 2014.

11
12
13 The logo for 'Covering Katy' features a stylized red and blue house icon with a white star on the roof, positioned to the left of the text 'Covering Katy' which is written in a red, cursive font.

14 ~~Carrie News of Katy, Texas~~ Texas CSR 7159

15 Expiration Date: 12-31-15

16 DepoTexas - Firm Registration No. 95

17 Sunbelt Reporting - Firm Registration No. 300

18 13101 Northwest Freeway, Suite 210

19 Houston, Texas 77040

20 281-469-5580

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FURTHER CERTIFICATION UNDER RULE 203 TRCP

The original deposition/errata sheet was/was not returned to the deposition officer signed/unsigned on _____;

If returned, the attached Changes and Signature Page contains any changes and the reasons therefor;

If returned, the original deposition was delivered to _____, Custodial Attorney;

That \$_____ is the deposition officer's charges to the _____ for preparing the original deposition transcript and any copies of exhibits;



That the deposition was delivered in accordance with Rule 203.3, and that a copy of this certificate was served on all parties shown herein on _____ and filed with the Clerk.

Certified to by me this _____ day of _____, _____.

Carrie L. Milam, Texas CSR 7159
Expiration Date: 12-31-15
DepoTexas - Firm Registration No. 95
Sunbelt Reporting - Firm Registration No. 300
13101 Northwest Freeway, Suite 210
Houston, Texas 77040
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