

Case Summaries: February 2020 Board Meeting Closed Session Agenda

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| Style of Case at Supreme Court: | <i>League of United Latin Am. Citizens v. Edwards Aquifer Auth.</i> , No. 19-687 (U.S. pet. for cert. filed Nov. 26, 2019) |
| Style of Case on Appeal: | <i>League of United Latin Am. Citizens v. Edwards Aquifer Auth.</i> , No. 18-50655 (5 th Cir. Aug. 28, 2019) |
| Style of Case in Trial Court: | <i>League of United Latin Am. Citizens v. Edwards Aquifer Auth.</i> , No. 5:12-CV-00620 (W.D. Tex. July 25, 2018) |
| EAA Status in Case: | Party |
| Nature of Case: | Equal Protection (one-person, one-vote) and Voting Rights Act suit |
| Date Filed: | June 21, 2012 |
| Summary of Causes of Action: | LULAC and three individuals sued the EAA and the Texas Secretary of State asserting claims for declaratory and injunctive relief to enforce the Equal Protection Clause of the U.S. Constitution and the Voting Rights Act due to the unequal populations comprising the EAA's single-member districts and the underrepresentation of minority-majority EAA districts. LULAC also challenged the EAA's alleged failure to seek preclearance approval of its 2012 Redistricting Plan prior to its Nov. 2012 election under the Voting Rights Act (dropped by LULAC after the EAA received preclearance). SAWS intervened as a plaintiff on the Equal Protection claim. The City of San Marcos, the County of Uvalde, the City of Uvalde, New Braunfels Utilities and the Guadalupe-Blanco River Authority intervened as defendants. The City of Victoria and current and former EAA directors filed an amicus brief supporting the EAA. |
| Date of Final Disposition in Trial Court: | July 25, 2018 |
| Summary of Trial Court Disposition: | On June 18, 2018, the judge granted the EAA's motion for partial summary judgment and denied Plaintiffs' motion for partial summary judgment, finding that the EAA is a special purpose district with limited purpose and scope to fulfill the EAA Act, and not a general purpose governmental body, and, therefore, the EAA is not subject to OPOV. Further, the judge found that the EAA's directors' districts have a rational basis as they are balanced to reflect the different water interests in the region that are disproportionately impacted by the EAA. The court dismissed LULAC's Section 2 claim without prejudice. |
| Date Appeal Filed: | Aug. 9, 2018 |
| Summary of Issues on Appeal: | LULAC appealed the granting of the EAA's motion for summary judgment. |
| Date of Final Disposition in Appeals Court: | Aug. 28, 2019 |
| Summary of Appellate Court Disposition: | The court of appeals affirmed the district court's decision on all grounds. |
| Date Petition for Writ of Certiorari Filed: | Nov. 26, 2019 |
| Summary of Issues before Supreme Court: | LULAC seeks review of the Fifth Circuit's decision, arguing that the Court should grant review to clarify the scope of one-person, one-vote, decision conflicts with <i>Day</i> , and that the case is an ideal vehicle to address issues. |
| Case Status: | Pending consideration of whether petition for writ of certiorari will be granted |

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| Style of Case in Trial Court: | <i>Gonzales v. Mendez</i> , No. 2018CI18149 (285 th Dist. Ct., Bexar County, Tex. filed Sept. 20, 2018; EAA intervention May 8, 2019) |
| Style of Case on Appeal: | |
| EAA Status in Case: | Party |
| Nature of Case: | Partition lawsuit |
| Date Filed: | September 20, 2018 |
| Summary of Causes of Action: | Suit brought by one alleged heir against other alleged heirs to partition a 191.86-acre tract of land in Bexar County, Texas and associated EAA permitted rights, including rights subject to a VISPO agreement with the EAA. The EAA has intervened in the lawsuit to have the court determine ownership of the interests in the lawsuit, which impact the EAA's VISPO contracts. |
| Date of Final Disposition in Trial Court: | |
| Summary of Trial Court Disposition: | |
| Date Appeal Filed: | |
| Summary of Issues on Appeal: | |
| Date of Final Disposition in Appeals Court: | |
| Summary of Appellate Court Disposition: | |
| Case Status: | Pending |