

documents are privileged and must be deleted by Plaintiff. The now verifiably false positions Texas Tech has taken have been oral and written representations to multiple judges.

While counsel for Plaintiff has complied with Defendant's snap-back request, Dolcefino asserts that many of the documents subject to the request are not privileged, and Defendant has yet to establish that they are. To the extent that any of the documents could be considered privileged, Defendant has waived privilege in at least four ways: (a) Defendant failed to timely snap back the allegedly privileged documents; (b) the allegedly privileged documents are subject to the crime-fraud exception as set forth herein; (c) Defendant failed to properly redact the allegedly privileged documents; and (d) Defendant failed to properly log the allegedly privileged documents.

Therefore, Plaintiff respectfully requests that the Court overrule Defendant's privilege objections and order Defendant to produce all documents subject to Defendant's snap-back request.

II. Background

On June 20, 2019, Dolcefino served Texas Tech with Plaintiff's Written Discovery Requests, including twenty-three requests for production, two interrogatories, and twelve requests for admissions (collectively, the "Requests").¹

On July 29, 2019, Defendant served its *Objections and Responses to Plaintiff's Written Discovery Requests* (the "Responses"), a true and correct copy of which is attached as **Exhibit A**. Defendant later provided a privilege log in which Defendant very loosely described the withheld documents and privileges asserted in the Responses. On November 7, 2019, Defendant provided

¹ Plaintiff had previously served its original set of written discovery requests on April 24, 2018. However, on June 4, 2018, the Trial Court granted, in part, Defendant's Second Amended Plea to the Jurisdiction dismissing Plaintiff's claims brought pursuant to the Uniform Declaratory Judgment Act. On June 20, 2019, Plaintiff served Defendant with a revised set of written discovery requests consistent with the Trial Court's Order.

its *Amended Privilege Log for TTU Response to Dolcefino's Request for Production*, a true and correct copy of which is attached as **Exhibit B**.

On August 13, 2019, Defendant served a supplemental production, consisting of pages Bates-labeled 000001-001051.

On November 7, 2019, Defendant served a supplemental production. Defendant describes these files as consisting of 6,011 pages and as consisting of files labeled as follows:

“R-27 & R-28 withheld docs-bates numbered”;
“R-30 combined and bates numbered”;
“R-33 withheld docs-bates numbered”;
“R-35 & R-36 withheld docs-bates numbered”;
“R-37 withheld docs-bates numbered”;
“R-40 withheld docs-bates numbered”
“R-41 withheld docs-bates numbered”;
“R-42 & R 43 withheld docs-bates numbered”;
“R-44 withheld docs-bates numbered”;
“R-45 withheld docs-bates numbered”; and
“R-Supp combined and bates labeled.”

On November 14, 2019, the Parties attended a hearing on several motions filed by Defendant. At the hearing, Plaintiff's counsel repeatedly stated that Plaintiff had just been served with over a thousand pages of new documents from Defendant and that Plaintiff's counsel's office had yet to review them. Defendant was put on notice in open court on November 14, 2019, that such documents had been produced.

Twelve days later, by letter dated November 26, 2019, a true and correct copy of which is attached as **Exhibit C**, Defendant's counsel wrote to Plaintiff's counsel that Defendant was “exercising [its] right under Texas Rule of Civil Procedure 193.3(d) to preserve the privilege and confidentiality of” documents that Defendant had previously produced to Plaintiff. *See Ex. C*. The letter demanded that Plaintiff and its counsel return the documents to the Office of the Attorney General and “destroy any and all copies” by December 4, 2019. *See Ex. C*. The letter also

demanded that Plaintiff remove all content published from these documents across all publicly available media and refrain from future publication of the content. *See Ex. C.*

III. Argument & Authorities

Defense counsel's snap-back letter of November 26, 2019 purports to assert privilege over certain documents previously produced to Plaintiff. *See Ex. C.* The Court should overrule Defendant's privilege objections and order Defendant to produce all withheld documents for any one or all of the following four reasons, each of which is discussed further below: (a) Defendant failed to timely snap back the allegedly privileged documents; (b) Defendant must produce the allegedly privileged documents pursuant to the crime-fraud exception; (c) Defendant failed to properly redact the allegedly privileged documents; and (d) Defendant failed to properly log the allegedly privileged documents.

A. Failure to Timely Snap Back.

Texas Rule of Civil Procedure 193.3(d) provides for preservation of privilege through its snap-back provision, which allows for a producing party to assert privilege over inadvertently produced privileged information, as long as the assertion is made within ten days of the producing party's discovery of the production:

Privilege not waived by production. A party who produces material or information without intending to waive a claim of privilege does not waive that claim under these rules or the Rules of Evidence if—*within ten days* or a shorter time ordered by the court, after the producing party actually discovers that such production was made—the producing party amends the response, identifying the material or information produced and stating the privilege asserted. If the producing party thus amends the response to assert a privilege, the requesting party must promptly return the specified material or information and any copies pending any ruling by the court denying the privilege.

Tex. R. Civ. P. 193.3(d) (emphasis added).

“A snap-back motion or amendment that is filed more than ten days after the movant discovers that a privileged document has been produced is untimely, and snap-back relief should

be denied in that instance.” *In re FEDD Wireless LLC.*, 567 S.W.3d 470, 478 (Tex. App.—Houston [14th Dist.] 2019, orig. proceeding) (citing *In re Samson Lone Star, LLC*, No. 06-10-00050-CV, 2010 WL 3008670, at *2–3 (Tex. App.—Texarkana Aug. 3, 2010, orig. proceeding) (mem. op.)). The ten-day period begins to run “from the date the party first became aware that privileged information was disclosed.” *In re FEDD*, 567 S.W.3d at 478 (citing Tex. R. Civ. P. 193.3, cmt. 4; *Paxton v. City of Dallas*, 509 S.W.3d 247, 255 n.40 (Tex. 2017); *In re AEP Tex. Cent. Co.*, 128 S.W.3d 687, 693 (Tex. App.—San Antonio 2003, orig. proceeding)).

Defendant was informed, multiple times, in open court on November 14, 2019 that new production had just been provided to Plaintiff. To show that the ten days began to run any later than November 14, 2019, Defendant would need to present legally sufficient evidence to support a finding that Defendant did not become aware of the documents’ production until a later date. *See In re FEDD*, 567 S.W.3d at 479. Defendant has not presented, and cannot present, any such evidence.

Because Defendant’s snap-back letter was not sent until November 26, 2019, twelve days after discovery that the allegedly privileged documents had been produced, Plaintiff’s snap back was untimely, snap-back relief should be denied, and Defendant has waived any claim of privilege. *See In re FEDD*, 567 S.W.3d at 479–480.

B. Crime-Fraud Exception.

The crime-fraud exception to the attorney-client privilege provides that the privilege does not apply in instances where “the lawyer’s services were sought or obtained to enable or aid anyone to commit or plan to commit what the client knew or reasonably should have known to be a crime or fraud.” Tex. R. Evid. 503(d)(1).

The party claiming the crime-fraud exception bears the burden of establishing a prima facie case of fraud, which can be satisfied by presenting evidence in the form of the documents themselves. *Cigna Corp. v. Spears*, 838 S.W.2d 561, 569 (Tex. App.—San Antonio 1992, no writ).

Here, Plaintiff has sought documents related to any completed investigation by Texas Tech into events connected to the firing of Coach Leach. Throughout this lawsuit and previously, Texas Tech has continuously maintained that there was never a completed report regarding the Leach “investigation.” Specifically, counsel for Defendant made the following statement in multiple representations to this Court, Judge Sowder and to the Plaintiff: *See, e.g.,* Def.’s Advisory to the Court, filed on May 8, 2019; Def.’s Second Am. Plea to the Jurisdiction, filed on Apr. 30, 2018, at 7 (“*However, TTU does not have a completed investigation report regarding Leach’s mistreatment of Adam James as the completion of the report was interrupted by the litigation ensuing upon Coach Leach’s termination.*”).

The documents that Defendant produced and then snapped back, however, show that this statement by Defendant is patently and verifiably false. Indeed, the snapped-back documents show that, long before this litigation, and even before Coach Leach’s firing in 2009, there had been a completed investigation into these very allegations against Coach Leach. Coach Leach was fired on December 30, 2009, and documents snapped back by Defendant establish the report stemming from the investigation was completed the next day, on December 31, 2009.

Texas Tech claims that it inadvertently produced documents reflecting this reality, thereby not only undercutting its own arguments to the Court but revealing that its previous statements to Dolcefino and to the Court had been false. Then, to make matters worse, Texas Tech used a snap-back request to ask that Dolcefino delete the very documents it had previously claimed did not exist.

Despite the absurdity of Tech’s snap-back request, Plaintiff’s counsel has deleted the documents. However, it will be necessary that the Court review the snap-backed documents themselves in order to make a determination as to Tech’s fraud. In order to facilitate such a determination, Plaintiff Dolcefino provided a secured drive containing the snapped-back documents to the Court just before deleting them from the company’s servers pursuant to Defendant’s request.

C. Failure to Properly Redact and Produce.

While Plaintiff has deleted the documents subject to the snap-back request, there were several indications in the deleted documents that they did not accurately corresponded with those that had been redacted and produced to Plaintiff previously in response to TPIA Request Nos. 27, 30, and 37.² To the extent that Defendant failed to properly redact and produce these documents, privilege with respect to these items has been waived. *See* Tex. R. Civ. P. 193.3 (a)–(b); *In re Maher*, 143 S.W.3d 907, 915 (Tex. App.—Fort Worth 2004, no pet.) (holding that it was an abuse to discretion for a court to find documents privileged even though they had been improperly described in a privilege log).

There are many bases for privilege asserted in Defendant’s responses to these requests, including a deliberative process privilege, various exceptions recognized by Chapter 552 of the Texas Government Code, attorney-client privilege, and a privileged based on the Family Educational Rights and Privacy Act (“FERPA”).

But the allegedly privileged material subject to the snap-back letter revealed at least three problems with the redaction and production of the documents partially withheld by Defendant. Specifically, the redacted documents had included: (1) documents that should have been produced

² The facts stated here are based on information and belief and on the recollection of legal staff at Dolcefino Communications, LLC.

in their entirety; (2) redactions of information that was not privileged; and (3) redactions of information that was not personal or confidential as stated in the privilege log.

1. REQUESTS 27 & 30: Redaction of documents that should have been produced in their entirety.

For example, the documents subject to the snap-back included a December 29, 2009 email from Kelly Overly to Kent Hance and others discussing a statement Kelly Overly was going to send to donors. This email was sent to Jodey Arrington as well. While these emails were produced in redacted form, they should have been produced in their entirety in response to TPIA Request Nos. 27 and 30.

2. REQUEST 37: Redaction of non-privileged information.

In response to Request No. 37, only two pages of emails were ever produced to Plaintiff after the Attorney General ruled on this issue. The first page of emails had a heavily redacted statement from then-Regent Jerry Turner sent to then-Regent Larry Anders, Kent Hance, and Guy Bailey. In the unredacted version, Turner sought to call attention to certain sections of the regents' rules and certain portions of Coach Leach's contract seemingly to advise ways in which Coach Leach could be fired. The redacted version of the email we received simply says "Let me call your attention to [...] Also, please refer to [...] of the attached contract, [...] JET". While the information may have been protected under Section 552.111, it was not privileged and was therefore improperly redacted.

3. SUPPLEMENTAL REQUEST: Redaction of non-confidential information in telephone logs.

Finally, in response to Plaintiff's supplemental request for telephone logs, there was redacted information described in the privilege log as follows: "*No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request.*"

But much of this information appears to be improperly redacted because it seems to reflect business calls rather than calls of a personal nature. These improper redactions included, for example, approximately twenty calls between Regent Lawrence Rick Francis and other regents or other Texas Tech representatives. Additionally, legal staff at Dolcefino recalls in particular several entries among the redacted information that were dated August 17, 2018, which were later revealed to be calls by regents to other regents, in addition to dozens of other improperly redacted calls.

D. Failure to Properly Log.

To the extent that the items referenced in Defendant's snap-back letter were not properly logged into a privilege log or withholding statement, privilege with respect to these items has been waived. *See* Tex. R. Civ. P. 193.3 (a)–(b); *In re Maher*, 143 S.W.3d 907, 915 (Tex. App.—Fort Worth 2004, orig. proceeding) (holding that it was an abuse to discretion for a court to find documents privileged even though they had been inadequately described in a privilege log).

Here, the information subject to Defendant's snap-back letter reveals that Texas Tech failed to properly log the following categories of documents in response to TPIA Request Nos. 27, 30, 33, 35 & 36, 37, 40, 42 & 43, 44, and 45.³

Again, there are many bases for privilege asserted in Defendant's responses. In response to all but two of these requests, Defendant asserts a deliberative process privilege and various exceptions recognized by Chapter 552 of the Texas Government Code. In response to most, Defendant also asserts privilege on the bases of attorney-client privilege and FERPA.

But, as detailed in the chart below, the allegedly privileged material subject to the snap-back letter revealed two primary problems with the privileges Texas Tech had asserted and the documents it had produced. First, many of the documents subject to the snap-back had not been

³ The facts stated here are based on information and belief and on the recollection of legal staff at Dolcefino Communications, LLC.

produced at all in response to the TPIA requests. Second, where attorney-client privilege was asserted in response to the requests, often the communications withheld turned out not to involve any attorneys, or if they did involve attorneys, often the communications did not contain any information that could be seen as related to or facilitating legal advice or legal services.

TPIA Request & documents sought	Privileges asserted	Problem with privilege(s) asserted
<p><u>REQUEST 27</u> Copies of any documents and/or notes obtained or made during the investigation of the alleged mistreatment of Adam James by Mike Leach or any other allegations against Mike Leach <u>and</u> Emails sent or received by Chancellor Kent Hance relating to Mike Leach from September 1, 2009 to February 28, 2010.</p>	<p>Attorney-client privilege</p> <p>Attorney work-product privilege</p> <p>FERPA</p> <p>Deliberative process</p> <p>Tex. Gov't Code Ch .552</p>	<p>Some documents that were subject to the snap-back had not been produced in response to the TPIA requests.</p> <p>Examples of these include:</p> <ul style="list-style-type: none"> • A January 1, 2010 email thread that between Grace Hernandez, Kent Hance, Guy Bailey, Victor Mellinger, and Charlotte Bingham including a proposed affidavit for Steve Pincock. Kent Hance forwards the documents to then-Regents Jerry Turner and Larry Anders and tells them not to forward the email per “our discussions.” A response from Jerry Turner says that the contents of the affidavit are consistent with his recollection of what Charlotte Bingham had told him, but that the trainer had also stated that the team’s doctor advised that Adam James should not get his heart rate up for a week after he stopped having headaches. • One of two forwards of a December 28, 2009 from a lawyer named Todd Berry who simply says “FUCK YOU!!! Tech is once again a laughing stock. Great job people.” Kent Hance forwarded this email twice. Once at 7:28 PM, he forwards to then-Regents Jerry Turner and Larry Anders and says, “This is a classy guy.” While this was produced, a forward of the same email by Hance a second time to Kelly Overly was not. In this withheld email, Hance said: “Is he an alum and has he given?” This question was answered, and then forwarded from Hance to Anders, Turner, Bailey, and Myers. • Most egregiously, a December 30, 2009 email from Grace Hernandez to Charlotte Bingham mentioning that the Chancellor was asking for a report and asking if one had been done or if Bingham had notes so that one could be done. This email was never produced, but seems to establish that Texas Tech fired Leach without investigating. <p>Also, some documents that were subject to the snap-back were not communications involving any persons employed as an attorney by Texas Tech or by any attorney representing Texas Tech. Many of these emails were sent between persons employed by Texas Tech and members of the Board of Regents, with no attorneys representing Texas Tech included as a sender or recipient of the email.</p>

TPIA Request & documents sought	Privileges asserted	Problem with privilege(s) asserted
		<p>Examples of these include:</p> <ul style="list-style-type: none"> • Emails between then-Regent Jerry Turner, Hance, and Russ Bookbinder. While Turner is a licensed attorney in Texas, Texas Tech was not his client. • Emails in which people are working together on the various statements drafted on the firing of Mike Leach. • Emails amounting to status updates on what was airing on television, the status of Leach’s apology and other goings-on.
<p><u>REQUEST 30</u> Copies of Kelly Overly’s resume; Copies of all publicly releasable documents from Kelly Overly’s personnel file; and Copies of any email correspondence between Kelly Overly and Kent Hance for all time.</p>	<p>Deliberative process</p> <p>Tex. Gov’t Code Ch .552</p> <p>Federal law, including 8 U.S.C. § 1342a and 25 U.S.C. § 6103(a)</p>	<p>Some documents that were subject to the snap-back had not been produced in response to the TPIA requests.</p> <p>For example, as discussed in Section III(C) above, there was a December 29, 2009 email from Kelly Overly to Kent Hance discussing a statement to be sent to Texas Tech donors. This email was sent to Jodey Arrington as well. But this email was only produced to Plaintiff with redactions.</p>
<p><u>REQUEST 33</u> PDF copies of all emails between Kent Hance and Jodey Arrington between September 1, 2009 and March 1, 2010, related to Mike Leach, and/or ‘M/L,’ and/or any investigation regarding Adam James.</p>	<p>FERPA</p> <p>Deliberative process</p> <p>Tex. Gov’t Code Ch .552</p>	<p>Some documents that were subject to the snap-back had not been produced in response to the TPIA requests. There are at least two email threads that provide examples of this.</p> <p>First, there was a copy of a Texas Tech Alumni Association statement that had been drafted by its marketing team and its executive committee. Executive Vice President of the Association Bill Dean emailed this statement to Sally Post, who forwarded it to Jodey Arrington, Russ Bookbinder, Pat Campbell, and Victor Mellinger, and some of these recipients then discussed possible changes to the statement.</p> <p>Second, there was an email from donors stating that they were returning their tickets and parking pass to the President’s office because they were embarrassed about the way Texas Tech fired Coach Leach. This email was forwarded from Donna Rogers to Kelly Overly. Overly then sent it to Guy Bailey, Grace Hernandez, Kent Hance, and Jodey Arrington discussing how much money the couple had donated to Tech and deciding that Hance should call them. Arrington responds that Hance would call them and requests information or talking points he would need for the call.</p>

TPIA Request & documents sought	Privileges asserted	Problem with privilege(s) asserted
<p>REQUESTS 35 & 36 Copies of all sent emails between January 1, 2016 and the present, from Texas Tech University Board of Regents member Mickey L. Long which relate to university business; Copies of all email communications between Chancellor Robert Duncan and Texas Tech University Board of Regents member Mickey L. Long between January 1, 2016 and the present.</p>	<p>Attorney-client privilege FERPA Deliberative process Tex. Gov't Code Ch .552</p>	<p>Many documents that were subject to the snap-back had not been produced in response to the TPIA requests. The vast majority of these were not communications involving any persons employed as an attorney by Texas Tech or by any attorney representing Texas Tech, and of those that do involve such attorneys, there are instances of documents being withheld even though no legal services were being provided or facilitated.⁴</p> <p>These include communications so routine and innocuous that they indicate an intention by Texas Tech not to produce documents in discovery, regardless of their privileged status.</p> <p>Examples of these include:</p> <ul style="list-style-type: none"> • Emails sent by Mickey Long to Kirby Hocutt, Lawrence Schovanec, Chancellor Duncan, and/or members of the Board of Regents with links to news articles. • Emails related to Board of Regents meetings, fundraisers, and other events. • Emails between Lawrence Schovanec, Chancellor Duncan and other members of the Board of Regents about how Texas Tech should react to the white supremacist rallies at Charlottesville and the University of Virginia in August of 2017. • Emails dated in May 2016 and June 2016 between regents and the Chancellor's office about the selection of a new President for Texas Tech in May and June of 2016.
<p>REQUEST 37 Copies of all emails sent or received between Texas Tech University Board of Regents member Larry Anders AND OR Jerry Turner, Kent Hance, Charlotte Bingham, between December 10, 2009 and December 31, 2010 which relate to University business. You may redact information made confidential under state law, and information which would be considered legal advice. You may withhold any mass mailings readily available to the public. Digital production is preferred.</p>	<p>Attorney-client privilege FERPA Deliberative process Tex. Gov't Code Ch .552</p>	<p>Many documents that were subject to the snap-back had not been produced in response to the TPIA requests.</p> <p>As discussed in Section III(C) above, only two pages of emails were ever produced to Plaintiff after the Attorney General ruled on this issue.</p> <p>In perhaps the most egregious example of improper logging discussed here, however, the snapped-back documents included dozens of emails between then-Regents Jerry Turner and Larry Anders and Chancellor Kent Hance sent on January 1, 2010 that are not protected by any kind of privilege, and dozens of emails sent directly to or forwarded to the persons named in the request from Texas Tech fans angry about the firing of Mike Leach.</p> <p>Other examples of emails not protected that were nonetheless withheld include:</p>

⁴ There is one communication from General Counsel and Vice Chancellor John Huffaker to Mickey Long simply notifying Long that Huffaker may be sending out a letter of intent related to Texas Tech's broadcast license with a PBS affiliate, but the communication does not serve to facilitate any legal advice.

TPIA Request & documents sought	Privileges asserted	Problem with privilege(s) asserted
		<ul style="list-style-type: none"> December 23, 2009 – then-Regent Larry Anders sent Kent Hance an email complimenting him on his leadership in the Leach matter. December 26, 2009 – then-Regent Jerry Turner sent an email to Kent Hance and then-Regent Larry Anders saying he had heard that Ted Leggit told Kent Hance he had an affidavit from Michael Phy saying Adam James wasn't hurt or just had a mild concussion. Turner then said he hoped Charlotte would come to understand the value of turning interview notes into affidavits. December 30, 2009 – there was an email from then-Regent Nancy Neal to then-Regent Jerry Turner discussing the firing of Leach, whether or not they should pay him, and whether or not they should wait to fire him. December 30, 2009 – there was an email from then-Regent Jerry Turner to Kent Hance with a suggested quote for a press release that Turner then emailed to Mickey Long. December 30, 2009 –there was an email from Sally Post to Kent Hance with a copy of a press release containing a statement from Texas Tech on the termination of Leach. The press release was forwarded to then-Regents Larry Anders and Jerry Turner.
<p><u>REQUEST 40</u> Copies of all email communications between any Chancellor, Vice Chancellor, or Chancellor Emeritus and Texas Tech University Board of Regents member Christopher M. Huckabee between January 1, 2016 and the present; Copies of all email communications between any Chancellor, Vice Chancellor, or Chancellor Emeritus and Texas Tech University Board of Regents member Christopher M. Huckabee between January 1, 2016 and the present.</p>	<p>Attorney-client privilege FERPA Deliberative process Tex. Gov't Code Ch .552</p>	<p>Many documents that were subject to the snap-back had not been produced in response to the TPIA requests.</p> <p>In fact, only two documents were produced by Texas Tech in response to this request: (1) Moving Forward: Annual Report of the Chancellor 2016; and (2) Moving Forward: Update on the Journey Annual Report of the Chancellor 2017</p> <p>But there were many emails not protected by privilege that were nonetheless withheld, including:</p> <ul style="list-style-type: none"> An appraisal report for the Coliseum and Auditorium and the parking lot next to it. An additional FY 2017 TTU System Combined Annual Financial Report. A Tuition and Fee Proposal for Fall 2018 and Fall 2019, along with a similar document for Angelo State University. A Texas Tech University Health Sciences (“TTUHSC”) report updating the status of its Strategic Priorities, along with a similar document for the TTUHSC – El Paso. A presentation on a new experimental sciences building. Documents about the selection of a construction company to undertake various projects like building the new dentistry school, renovating a residence hall, and building a new basketball practice facility. Dozens of emails between Regent Huckabee and Vice Chancellor Michael Molina, in which Huckabee asks and comments about the status of various projects. A congratulatory email to from Huckabee to Patrick Kramer.

TPIA Request & documents sought	Privileges asserted	Problem with privilege(s) asserted
<p><u>REQUESTS 42 & 43</u> Copies of all documents detailing any communications between any staff member of Texas Tech University and any member of the Lubbock Police Department regarding allegations of sexual assault between January 1, 2013 and the present; and Copies of all documents detailing any written complaint and subsequent investigation as well as any completed investigation into allegations of a hostile work environment in the Texas Tech University Biology Department.</p>	<p>These documents are not at issue in this lawsuit. Plaintiff makes no claims in his petition as to Request 42. His petition makes any claim as to Request 42 contingent on TTU may withhold these documents on the basis of the application of the 552.103 (litigation exception).</p>	<p>Many documents that were subject to the snap-back had not been produced in response to the TPIA requests.</p> <p>Specifically, a large portion of the documents related to Request 43 were single-page documents, which had been produced off a reporting platform maintained by Texas Tech, and did not contain any direct or solicited conversation with attorneys, identifying information which couldn't be separated from the content of the report, or any other material which would have qualified for protection under either the TPIA or discovery exceptions.</p> <p>Also, even though many of these documents appeared to have no identifying information whatsoever, to the extent privacy was a concern, the identities could be redacted and are severable from the rest of the information.</p>
<p><u>REQUEST 44</u> Copies of all email communications between any Chancellor, Vice Chancellor, or Chancellor Emeritus and Texas Tech University Board of Regent member Tim Lancaster between January 1, 2016 and the present</p>	<p>Attorney-client privilege FERPA Deliberative process Tex. Gov't Code Ch .552</p>	<p>Many documents that were subject to the snap-back had not been produced in response to the TPIA requests.</p> <p>Examples of these include:</p> <ul style="list-style-type: none"> • Several emails related to meetings of the regents and other events. • Emails with links to news articles. • Several open-carry memos from 2016. • A September 16, 2017 email discussing the status of a fountain that had not been working at a previous game. • Emails containing press releases.
<p><u>REQUEST 45</u> Copies of all email communications between any Chancellor, Vice Chancellor, or Chancellor Emeritus and Texas Tech University Board of Regent member Ron Hammonds between January 1, 2016 and the present</p>	<p>Attorney-client privilege FERPA Deliberative process Tex. Gov't Code Ch .552</p>	<p>Many emails subject to the snap-back were not communications involving any persons employed as an attorney by Texas Tech or by any attorney representing Texas Tech.</p> <p>These include communications so routine and innocuous that they indicate an intention by Texas Tech not to produce documents in discovery, regardless of their privileged status.</p> <p>Examples of these include:</p> <ul style="list-style-type: none"> • A Comprehensive Plan for State Funded Inpatient Mental Health Services dated in August 2017. • A FY 2018 Proposed Budget for Texas Tech. • Several emails related to meetings of the regents. • Several emails dated in January 2018 discussing a new basketball practice facility. • A presentation dated May 2016 about the idea of Texas Tech University Costa Rica.

IV. Conclusion & Prayer

For the foregoing reasons, the Court should grant this Motion, overrule Defendant's objections, and compel the production of the documents snapped back by Defendant by letter dated November 26, 2019. Plaintiff prays for all such further relief to which it may be justly entitled.

Respectfully Submitted,

THE PETTIT LAW FIRM

By: /s/ Julie Pettit

Julie Pettit
State Bar No. 24065971
jpettit@pettitfirm.com
David B. Urteago
State Bar No. 24079493
durteago@pettitfirm.com
Jane Cherry
State Bar No. 24087292
jcherry@pettitfirm.com
2101 Cedar Springs, Suite 1540
Dallas, Texas 75201
Telephone: (214) 329-0151
Facsimile: (214) 320-4076

LYNN PINKER COX & HURST LLP

Michael K. Hurst
State Bar No. 10316310
mhurst@lynnllp.com
John Adams
State Bar No. 24097277
jadams@lynnllp.com
2100 Ross Avenue, Suite 2700
Dallas, Texas 75201
Telephone: (214) 981-3800
Facsimile: (214) 981-3839

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served upon all counsel of record *via electronic service* on December 18, 2019:

/s/ Julie Pettit

Julie Pettit

Counsel for Plaintiff

CERTIFICATE OF CONFERENCE

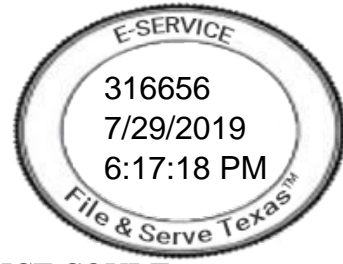
Counsel for movant and counsel for respondent have personally conducted a conference at which there was a substantive discussion of every item presented to the Court in this motion and despite best efforts the counsel have not been able to resolve those matters presented.

Certified on December 18, 2019, by:

/s/ Julie Pettit

Julie Pettit

Counsel for Plaintiff



CAUSE NO. 2018528740

DOLCEFINO COMMUNICATIONS, LLC
DBA DOLCEFINO CONSULTING,
Plaintiff,

IN THE DISTRICT COURT

v.

LUBBOCK COUNTY, TEXAS

TEXAS TECH UNIVERSITY,
Defendant.

99th JUDICIAL DISTRICT

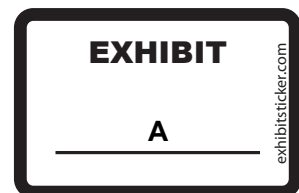
**DEFENDANT’S OBJECTIONS AND RESPONSES TO
PLAINTIFF’S WRITTEN DISCOVERY REQUESTS**

TO: Dolcefino Communications, LLC dba Dolcefino Consulting, by and through its attorneys of record Julie Pettit, The Pettit Law Firm, 3710 Rawlins, Suite 1050, Dallas, TX 75219, and Michael K. Hurst, Lynn Pinker Cox & Hurst, LLP, 2100 Ross Avenue, Suite 2700, Dallas, TX 75201.

Pursuant to Rule 196.2 of the Texas Rules of Civil Procedure, Defendant Texas Tech University (TTU) serves its Objections and Responses to Plaintiff’s Written Discovery Requests as follows:

GENERAL OBJECTIONS

TTU objects to any and all requests for production that are not relevant to the sole issue in this case: whether the information responsive to the ORR requests at issue in this litigation that TTU seeks to withhold are subject to disclosure under the Public Information Act (PIA), which is a question of law. This open records litigation—which relates only to the documents at issue in Letter Rulings OR2018-03986, OR2018-04298, OR2018-08255, OR2018-15322, OR2018-15320, OR2018-15914, OR2018-15985, OR2018-18111, OR2018-16471, OR-16559, OR2019-03138—does not provide an avenue for Plaintiff to propound discovery unrelated to this sole legal issue. Nor does it provide an avenue for Plaintiff to circumvent the PIA and the Attorney General’s Rulings by acquiring the information at issue in this lawsuit through the discovery process and render this case moot. Compliance with such requests would require TTU to violate the law and



the Attorney General's ruling to the extent that they require the production of the actual information at issue in this case. TTU has requested that the Court enter an order protecting TTU from this impermissible discovery, see TTU's Motion for Protective Order filed on July 19, 2019.

TTU objects to any requests that seek discovery of information protected by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g. In its responses to discovery, TTU will comply with the requirements and protections related to FERPA that are provided for by state and federal law.

TTU objects to any requests which seek items which are not in the possession or control of TTU, do not exist, or are not in a recorded or tangible format (e.g., non-recorded oral communications).

TTU objects to Plaintiff's definition of "communication" to the extent that it includes oral communications and utterances that are not in a recorded format, and to the portion of the definition that includes "or any other means of conveying information to another" which is overly broad, vague, and could include communications not in a recorded format.

TTU objects to Plaintiff's definitions of "identify" and "identification" as overly broad, unduly burdensome, seeking sensitive personal information and seeking irrelevant information which is beyond the scope of discovery, is not reasonably calculated to lead to the discovery of admissible evidence and is not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure. TTU will provide a general description of the document (email, letter, minutes of a meeting) and the name of the person whose identification is sought, but only to the extent that the provision of such description or name does not reveal the information at issue in this lawsuit.

TTU objects to Plaintiff's definition of a verb in any context being construed as the use of the verb in all tenses. TTU will reply reading the verbs utilized according to their plain meaning and the actual tense used.

TTU objects to Plaintiff's definition of a word in the singular to include the word in the plural and vice versa and the definition of a conjunctive to include the non-conjunctive and vice versa. TTU will reply reading the words utilized according to their plain meaning and the actual form used.

TTU objects to Plaintiff's request for a privilege log prior to the receipt of any response from TTU indicating that material or information has been withheld from production and that seeks information beyond that required by Rule 193.3(b). TTU will treat Plaintiff's request as being made on the day that TTU provides any response to Plaintiff indicating that material or information has been withheld and will provide a privilege log that complies with the requirements of 193.3(b) within 15 days of that date.

TTU objects to Plaintiff's request multiple forms of production and for multiple forms of electronic discovery—both native form and electronically Bates-numbered single-page TIFF images with corresponding metadata and respective file loads with specifically delineated searchable metadata fields—as overbroad, unduly burdensome, and not proportional to the needs of litigation in this case. TTU also objects to Plaintiff's request for the manner of form of providing spreadsheets including the use of specific types of file names and linkages and requests related to extractable metadata and text as overbroad, unduly burdensome, and not proportional to the needs of litigation in this case. When providing electronic or magnetic data responsive to the discovery requests, TTU will provide such information in electronic or magnetic media in native form.

**DEFENDANT'S OBJECTIONS AND RESPONSES TO
REQUESTS FOR PRODUCTION**

1. Any and all documents evidencing your search for documents responsive to any and all ORRs forming the basis of this lawsuit.

Response: TTU objects to this request as overbroad, unduly burdensome, harassing, and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, seeking the discovery of attorney-client privileged information, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

TTU is withholding documents responsive to this request on the grounds of attorney-client privilege.

2. Any and all communications evidencing your search for documents responsive to any and all ORRs forming the basis of this lawsuit.

Response: TTU objects to this request as overbroad, unduly burdensome, harassing, and seeking irrelevant information which is beyond the scope of discovery and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

TTU is withholding documents responsive to this request on the grounds of attorney-client privilege.

3. Any and all communications between you and the Open Records Division of the Office of Texas Attorney General regarding or in connection to any and all ORRs forming the basis of this lawsuit.

Response: TTU objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff. TTU also objects to this request to the extent that it is as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling to the extent that it requires the production of the actual information at issue or excerpts of the same provided to the Attorney General either as an attachment to the communication or in the body of the communication. TTU also objects to the request as overbroad and unduly burdensome as it seeks documents already provided to Plaintiff

in redacted form.

Information responsive to this request for production is being withheld pursuant to FERPA, Tex. Gov't Code § 552.114, and the legal bases for exception from disclosure at issue in this lawsuit for each respective request.

Subject to those objections and without waiving the same, TTU is producing redacted copies of all communications between TTU and the Open Records Division of the Office of the Texas Attorney General, regarding or in connection to any and all ORRs forming the basis of this lawsuit, without any portions of the communications or attachments that include the actual information at issue in this lawsuit or excerpts of the same.

4. Any and all documents that you relied on when calculating the costs to produce documents responsive to any and all ORRs forming the basis of this lawsuit.

Response: TTU objects to this request as overbroad, unduly burdensome, harassing, and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, seeking the discovery of attorney-client privileged information, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

TTU is withholding documents responsive to this request on the grounds of attorney-client privilege.

5. Any and all documents that evidence or support your calculation of costs in connection to producing documents responsive to any and all ORRs forming the basis of this lawsuit.

Response: TTU objects to this request as overbroad, unduly burdensome, harassing, and seeking irrelevant information which is beyond the scope of discovery, seeking the discovery of attorney-client privileged information, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

TTU is withholding documents responsive to this request on the grounds of attorney-client privilege.

6. Any and all affidavits and drafts of affidavits of Ronnie Wall relating to this lawsuit and/or Mike Leach.

Response: TTU reads this request as applying to Ronny Wall. TTU objects to this request as overbroad, unduly burdensome, harassing, not reasonably calculated to lead to the discovery of admissible evidence, seeking the discovery of attorney-client and attorney work-product privileged information and seeking irrelevant information which is beyond

the scope of discovery and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU is excepted from disclosure under the bases challenged by Plaintiff. Moreover, the final version of the only responsive affidavits have been served on the Plaintiff in the respective pleadings in this case. There are no affidavits or draft of affidavits of Ronny Wall related to Mike Leach outside of the context of this lawsuit.

TTU is withholding documents responsive to this request on the grounds of attorney-client privilege and attorney-work product.

7. Copies of any documents and/or notes obtained or made during the investigation of the alleged mistreatment of Adam James by Mike Leach or any other allegations against Mike Leach.

Response: This request seeks the actual documents at issue in Plaintiff's ORR R-27 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the attorney-client privilege, attorney work-product, and pursuant to FERPA and constitutional law, the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.114, 552.117 and 552.1235, and the legal bases for exception from disclosure at issue in this lawsuit for this information, including attorney-client privilege, deliberative process privilege, FERPA, and Texas Government Code sections 552.107(1), 552.111, 552.114, 552.117, and 552.1235.

8. Emails sent or received by Chancellor Kent Hance relating to Mike Leach from September 1, 2009 to February 28, 2010.

Response: This request seeks the actual documents at issue in Plaintiff's ORR R-28 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU

that is responsive to the requests at issue in this lawsuit is excepted from disclosure, under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the attorney-client privilege and pursuant to FERPA and constitutional law, and the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.114, 552.117 and 552.1235, and the legal bases for exception from disclosure at issue in this lawsuit as to this information, including attorney-client privilege, deliberative process privilege, and Texas Government Code sections 552.107(1), 552.111, 552.114, 552.117, and 552.1235.

9. Copies of Kelly Overly's resume.

Response: This request seeks the actual documents at issue in Plaintiff's ORR R-30 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU that is responsive to the requests at issue in this lawsuit is excepted from disclosure. TTU has already released this information to Plaintiff on December 15, 2017, in response to a public information request by Plaintiff and no public information was withheld except for sensitive personal information as recognized by Texas law and excepted from release pursuant to Texas Government Code sections 552.117. To the extent that Plaintiff is seeking discovery of the Kelly Overly's sensitive information in the redacted portions of the previously disclosed Kelly Overly's resume, TTU objects on the basis of invasion of Kelly Overly's personal, constitutional, or property rights as recognized by Texas Government Code sections 552.117, and on the basis that such sensitive personal information is irrelevant and beyond the scope of discovery and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU that is responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the withheld under the legal bases for exception from disclosure at issue in this lawsuit for this information, including Texas Government Code section 552.117.

10. Copies of all publicly releasable documents from Kelly Overly's personnel file.

Response: This request seeks the actual documents at issue in Plaintiff's ORR R-30 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery

process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU that is responsive to the requests at issue in this lawsuit is excepted from disclosure. TTU has already released this information to Plaintiff on December 15, 2017, in response to a public information request by Plaintiff and no public information was withheld except for information required to be redacted by FERPA, and sensitive personal information as recognized by Texas law and excepted from release pursuant to Texas Government Code sections 552.117 and 552.136. To the extent that Plaintiff is seeking discovery of the Kelly Overly's sensitive information in the redacted portions of the previously disclosed publicly releasable documents from Kelly Overly's personnel file, TTU objects on the basis of invasion of Kelly Overly's personal, privacy, constitutional, or property rights as recognized by Texas Government Code sections 552.117, 552.130, 552.136, and 552.147, and federal law, and on the basis that such sensitive personal information is irrelevant and beyond the scope of discovery and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU that is responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under personal, privacy, constitutional, or property rights as recognized by Texas Government Code sections 552.117, 552.130, 552.136, and 552.147, and federal law, including 8 U.S.C. §1342a and 25 U.S.C. §6103(a), and under the legal bases for exception from disclosure at issue in this lawsuit for this information, including Texas Government Code sections 552.101, 552.117, 552.130, 552.136, and 552.147, and federal law, including 8 U.S.C. §1342a and 25 U.S.C. §6103(a).

11. Copies of any email correspondence between Kelly Overly and Kent Hance for all time.

Response: This request seeks the actual documents at issue in Plaintiff's ORR R-30 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, not within the possession of TTU, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU that is responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the legal bases for exception from disclosure at issue in this lawsuit for this information, including the deliberative process privilege and Texas Government Code section 552.111.

12. Pdf copies of all emails between Kent Hance and Jodey Arrington between September 1, 2009 and March 1, 2010, related to Mike Leach, and/or 'M/L,' and/or any investigation regarding Adam James.

Response: This request seeks the actual documents at issue in Plaintiff's ORR R-33 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld pursuant to FERPA, the deliberative process privilege and Texas Government Code section 552.111, the privacy rights recognized by Texas Government Code sections 552.114, 552.1235 and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information including Texas Government Code sections 552.103, 552.111, 552.114, 552.1235 and 552.137.

13. Copies of all sent emails between January 1, 2016 and the present, from Texas Tech University Board of Regents member Mickey L. Long which relate to university business.

Response: This request seeks the actual documents at issue in Plaintiff's ORR R-35 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the attorney-client privilege and pursuant to FERPA and constitutional law, the deliberative process privilege and Texas Government Code section 552.111, the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.104, 552.105, 552.1235(a), 552.123, and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information, including documents which were not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, and the exceptions of Texas Government Code sections 552.103, 552.104, 552.105, 552.111, 552.114, 552.1235(a), 552.123, and 552.137, FERPA, and the Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104.

14. Copies of all email communications between Chancellor Robert Duncan and Texas Tech University Board of Regents member Mickey L. Long between January 1, 2016 and the present.

Response: This request seeks the actual documents at issue in Plaintiff's ORR R-36 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the attorney-client privilege and pursuant to FERPA and constitutional law, the deliberative process

privilege and Texas Government Code section 552.111, the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.104, 552.105, 552.1235(a), 552.123, and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information, including documents which were not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, FERPA, and Texas Government Code sections 552.103, 552.104, 552.105, 552.111, 552.114, 552.1235(a), 552.123, and 552.137, and the Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104.

15. Copies of all emails sent or received between Texas Tech University Board of Regents member Larry Anders and or Jerry Turner, Kent Hance, Charlotte Bingham, between December 10, 2009 and December 31, 2010, which relate to university business.

Response: This request seeks the actual documents at issue in Plaintiff's ORR R-37 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the attorney-client privilege and pursuant to FERPA, the deliberative process privilege and Texas Government Code section 552.111, and the privacy rights recognized by Texas Government Code section 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information, including Texas Government Code sections 552.103, 552.111, 552.114, 552.137, FERPA, and the Attorney General's previous ruling in opinion no. 2018-03986 ruling that information could be withheld under Texas Government Code section 552.111.

16. Copies of all email communications between any Chancellor, Vice Chancellor, or Chancellor Emeritus and Texas Tech University Board of Regents member Christopher M. Huckabee between January 1, 2016 and the present.

Response: This request seeks the actual documents at issue in Plaintiff's ORR R-40 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and

seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the attorney-client privilege, the deliberative process privilege and Texas Government Code section 552.111, and pursuant to FERPA and constitutional law and the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.104, 552.105, 552.1235, 552.136 and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information including Texas Government Code sections 552.103, 552.104, 552.105, 552.111, 552.114, 552.1235, 552.136 and 552.137, FERPA, and the Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104.

17. Copies of all email communications between any Chancellor, Vice Chancellor, or Chancellor Emeritus and Texas Tech University Board of Regents member Christopher M. Huckabee between January 1, 2016 and the present.

Response: This request seeks the actual documents at issue in Plaintiff's ORR R-40 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the attorney-client privilege, the deliberative process privilege and Texas Government Code section 552.111, and pursuant to FERPA and constitutional law and the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.104, 552.105, 552.1235, 552.136 and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information including Texas Government Code sections 552.103, 552.104, 552.105, 552.111, 552.114, 552.1235, 552.136 and 552.137, FERPA, and the Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104.

18. Copies of all documents detailing any communications between any staff member of Texas Tech University and any member of the Lubbock Police Department regarding allegations

of sexual assault between January 1, 2013 and the present.

Response: This request seeks the documents responsive to Plaintiff's ORR R-42 in an improper attempt to circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff. Further, Plaintiff has no pending claim in this lawsuit regarding R-42 so R-42 is not at issue in this suit.

Information responsive to this request for production is being withheld under the attorney-client privilege and attorney-work product, deliberative process privilege and Texas Government Code section 552.111, and pursuant to FERPA and constitutional law, the privacy rights of various individuals recognized by the common law, the U.S. Constitution, and Texas Government Code sections 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information including FERPA, Texas Government Code sections 552.101, 552.107, 552.114, 552.137, Texas Rule of Evidence 503, and Texas Education Code section 51.971(c)(1).

19. Copies of all documents detailing any written complaint and subsequent investigation as well any completed investigation into allegations of a hostile work environment in the Texas Tech University Biology Department.

Response: This request includes a request for the documents responsive to Plaintiff's ORR R-43 in an improper attempt to circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process. TTU objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. Plaintiff has no pending claim in this lawsuit regarding R-43 and so R-43 is not at issue in this suit.

Information responsive to this request for production is being withheld under the attorney-client privilege and attorney-work product, deliberative process privilege and Texas Government Code section 552.111, and pursuant to FERPA and constitutional law, the privacy rights of various individuals recognized by common law, the U.S. Constitution, and Texas Government Code sections 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information including Texas Government Code sections 552.101, 552.107, 552.114, 552.137, FERPA, Texas Rule of Evidence 503, and Texas Education Code section 51.971(c)(1).

20. Copies of all email communications between any Chancellor, Vice Chancellor, or Chancellor Emeritus and Texas Tech University Board of Regent member Tim Lancaster between January 1, 2016 and the present.

Response: This request includes a request for the actual documents at issue in Plaintiff's ORR R-44 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the attorney-client privilege, the deliberate process privilege and Texas Government Code section 552.111, and pursuant to FERPA and constitutional law, and the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.104, 552.117, 552.305, and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information including matters which were not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, and the exceptions of Texas Government Code sections 552.103, 552.104, 552.111, 552.114, 552.117, 552.137, FERPA, and the Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104.

21. Copies of all email communications between any Chancellor, Vice Chancellor, or Chancellor Emeritus and Texas Tech University Board of Regent member Ron Hammonds between January 1, 2016 and the present.

Response: This request includes a request for the actual documents at issue in Plaintiff's ORR R-45 request which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the attorney-

client privilege, the deliberate process privilege and Texas Government Code section 552.111, and pursuant to FERPA and constitutional law, and the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.104, 552.117, 552.1235, and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information including information which was not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, and the exceptions of Texas Government Code sections 552.103, 552.104, 552.111, 552.114, 552.117, 552.1235, and 552.137, FERPA, and the Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104.

22. Any documents that provide detailed phone records of Trustees, on any device which Texas Tech University business is conducted, between August 1, 2018 and September 1, 2018. (excluding or redacting any personal phone calls and any other information made confidential under state law).

Response: This request includes a request for some of the documents sought in Plaintiff's ORR request raised in his supplemental petition which is the subject of this litigation. TTU has fully complied with this portion of the PIA request and so these documents are not at issue in this litigation. But to the extent that Plaintiff is seeking the information that he excluded from his request (personal phone calls and other information made confidential under state law), this request is an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling and render this case moot. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the attorney-client privilege, and the legal bases for exception from disclosure at issue in this lawsuit as to this request including information which was not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, and Texas Government Code section 552.107.

23. Any emails sent to any member of Board of Regents relating to Mike Leach, Wayne Dolcefino or Dolcefino Consulting since May 1, 2018.

Response:

This request includes a request for the actual documents at issue in Plaintiff's ORR request raised in his supplemental petition which is the subject of this litigation. TTU objects to this request as an improper attempt to prematurely obtain the actual information at issue in

this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. Compliance with this request would require TTU to violate the law and the Attorney General's ruling and render this case moot. TTU also objects to this request as overbroad and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff.

Information responsive to this request for production is being withheld under the attorney-client privilege and pursuant to FERPA, the deliberative process privilege and Texas Government Code section 552.111, the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.1235, and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit as to this request including information which was not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, and Texas Government Code sections 552.103, 552.107, 552.111, 552.1235, 552.137, and the Attorney General's previous ruling in opinions no. 2018-03986.

DEFENDANT'S OBJECTIONS AND ANSWERS TO INTERROGATORIES

1. Please identify all persons who participated, assisted, or provided information in answering these interrogatories, providing for each person his/her full name, date of birth, address, telephone number, employer, occupation, and which interrogatory or interrogatories the identified person participated, assisted, or provided information in answering.

Answer: TTU objects to this interrogatory as vague, overbroad, unduly burdensome to the extent that it seeks sensitive personal information and seeks irrelevant information that is beyond the scope of discovery and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff. TTU also objects to the interrogatory's request for sensitive personal information on the basis of invasion of Nathan Christopher and Ronny Wall's personal, constitutional, or property rights. Subject to those objections and without waiving the same, TTU provides the following response:

Nathan Christopher
1508 Knoxville Avenue
System Administration Building, Office 309E
Lubbock, TX 79409
806-742-2155
Texas Tech University System
Assistant General Counsel
Assisted with the response to Interrogatories Nos. 1 and 2

Ronny Wall
1508 Knoxville Avenue
System Administration Building, Office 309E
Lubbock, TX 79409
806-742-2155
Texas Tech University System
Senior Associate General Counsel
Assisted with the response to Interrogatories Nos. 1 and 2

2. For each and every document that is responsive to those ORRs now the subject of this lawsuit and which you are withholding pursuant to an exemption under the TPIA, please answer the following:
 - a. Identify the document, and if the document is an email, please include in your response the following:
 - i. The identity of the sender and all recipients;
 - ii. The date and time the email was sent;
 - iii. The subject of the email; and
 - iv. A general description of the substance of the email.
 - b. The exemption that you contend prevents the disclosure of the document, and the factual basis for the application of the exemption.

Answer: TTU objects to this interrogatory as overly broad, unduly burdensome, seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff. To the extent that this interrogatory seeks information that is at issue in this case, TTU also objects to this interrogatory as an improper attempt to prematurely obtain the actual information at issue in this case and circumvent the Texas Public Information Act and the Attorney General's ruling via the discovery process and render this case moot. TTU specifically objects to providing all the information sought in the term "Identify" or "identity" as defined in Plaintiff's Written Discovery Requests as "document" as those definitions are overly broad, unduly burdensome, harassing, and seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure. TTU also objects to Plaintiff's request for the factual basis for the exceptions as it seeks to require TTU to prove its case in discovery and to the extent that it requires the provision of information at issue in this lawsuit.

Furthermore, as to the ORR requests R-35, R-36, R-37, and R-40, R-41, R-42, R-43, R-44 and R-45, Plaintiff's petition only challenges them to the extent that any information is being withheld pursuant to the litigation exception. So information regarding withholding on any other basis is irrelevant. As to R-42 and R-43 no information is being withheld from disclosure pursuant to the litigation exception and so no claim exists by Plaintiff as to these requests—they are not at issue in this lawsuit. For the remaining ORR requests challenged on the basis of the litigation exception (R-35, R-36, R-37, R-40, R-41, R-44, and R-45), the only issue in this case is whether the litigation exception applies to these documents when the basis for the litigation exception was that the same documents were the subject of certain then-pending prior claims in this same PIA litigation, but those claims were subsequently dismissed for want of jurisdiction. This is wholly an issue of law and so this interrogatory as to those ORR requests is overly broad, unduly burdensome, seeking irrelevant information which is beyond the scope of discovery, not reasonably calculated to lead to the discovery of admissible evidence, and not reasonably related to the sole legal issue in this case as to those requests, the applicability of the litigation exception.

Subject to those objections and without waiving the same, TTU provides the following response in the attached **Exhibit 1**.¹

¹ During the course of preparing Exhibit 1, released items without any redactions and non-responsive items were discovered in the gathered and bates-stamped documents. Those items are not being withheld and are not at issue in this lawsuit. They are described by bates-numbers only and noted as released or as non-responsive. Items which were released with redactions are included in Exhibit 1, even where those redactions were explicitly excluded by the scope of the request (e.g., permitting redactions for items made confidential by state law). Because it is unclear whether Plaintiff's petition seeks the redacted information that was excluded by the scope of Plaintiff's requests, those documents are included in Exhibit 1.

**DEFENDANT'S OBJECTIONS AND RESPONSES TO
REQUESTS FOR ADMISSION**

1. Admit documents exist concerning or in connection to any investigation of the alleged mistreatment of Adam James by Mike Leach.

Response: Admit.

2. Admit documents do not exist concerning or in connection to any investigation of the alleged mistreatment of Adam James by Mike Leach.

Response: Deny.

3. Admit documents exist concerning or in connection to any disciplinary action, internal investigation, or complaints regarding Kent Hance since January 1, 2014.

Response: Deny.

4. Admit documents do not exist concerning or in connection to any disciplinary action, internal investigation, or complaints regarding Kent Hance since January 1, 2014.

Response: Admit.

5. Admit documents exist evidencing either the expenses or revenues of the Texas Tech University football team between January 1, 2015, and the present.

Response: Admit.

6. Admit documents do not exist evidencing either the expenses or revenues of the Texas Tech University football team between January 1, 2015, and the present.

Response: Deny.

7. Admit there was an internal investigation by TTU concerning the alleged mistreatment of Adam James by Mike Leach.

Response: TTU objects to this request as seeking irrelevant information which is beyond the scope of discovery and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff. Subject to that objection and without waiving the same, TTU admits that there was an internal

investigation.

8. Admit there was not an internal investigation by TTU concerning the alleged mistreatment of Adam James by Mike Leach.

Response: TTU objects to this request as seeking irrelevant information which is beyond the scope of discovery and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff. Subject to that objection and without waiving the same, TTU denies that there was not an internal investigation.

9. Admit there was a complete investigation concerning the alleged mistreatment of Adam James by Mike Leach.

Response: TTU objects to this request as ambiguous, seeking irrelevant information which is beyond the scope of discovery and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff. Subject to that objection and without waiving the same, TTU admits that there was a complete investigation, though no final report was completed.

10. Admit there was not a complete investigation concerning the alleged mistreatment of Adam James by Mike Leach.

Response: TTU objects to this request as ambiguous, seeking irrelevant information which is beyond the scope of discovery and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff. Subject to that objection and without waiving the same, TTU denies that there was not a complete investigation, though no final report was completed.

11. Admit there was a partial investigation concerning the alleged mistreatment of Adam James by Mike Leach.

Response: TTU objects to this request as ambiguous, seeking irrelevant information which is beyond the scope of discovery and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff. Subject to that objection and without waiving the same, TTU denies that there was a partial investigation, as there was a complete investigation, though no final report was completed.

12. Admit there was not a partial investigation concerning the alleged mistreatment of Adam James by Mike Leach.

Response: TTU objects to this request as ambiguous, seeking irrelevant information which

is beyond the scope of discovery and not reasonably related to the sole legal issue in this case which is whether the information being withheld by TTU responsive to the requests at issue in this lawsuit is excepted from disclosure under the bases challenged by Plaintiff. Subject to that objection and without waiving the same, TTU admits that there was not a partial investigation, as there was a complete investigation, though no final report was completed.

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

JEFFREY C. MATEER
First Assistant Attorney General

DARREN L. MCCARTY
Deputy Attorney General for Civil Litigation

JOSHUA R. GODBEY
Division Chief
Financial Litigation and Charitable Trusts Division

/s/ Cynthia A. Morales
CYNTHIA A. MORALES
Assistant Attorney General
State Bar No. 14417420
Telephone: (512) 475-4470
Email: cynthia.morales@oag.texas.gov

WILLIAM SUMNER MACDANIEL
Assistant Attorney General
Texas State Bar No. 24093904
Telephone: (512) 936-1862
Email: william.macdaniel@oag.texas.gov

Financial Litigation and Charitable Trusts Division
P.O. Box 12548, MC017
Austin, Texas 78711-2548
Facsimile: (512) 477-2348

Counsel for Defendant Texas Tech University

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of July 2019, a true and correct copy of the foregoing Defendant's Responses to Plaintiff's Written Discovery has been served on Plaintiff's counsel via eFileTexas.gov.

Julie Pettit/David B. Urteago/Jane Cherry
THE PETTIT LAW FIRM
3710 Rawlins, Suite 1050
Dallas, Texas 75219

jpettit@pettitfirm.com
durteago@pettitfirm.com
jcherry@pettitfirm.com
Attorneys representing Plaintiff

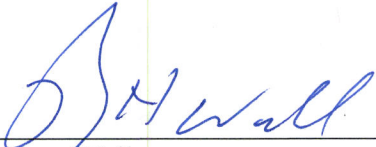
Michael K. Hurst/John Adams
LYNN PINKER COX & HURST LLP
2100 Ross Avenue, Suite 2700
Dallas, TX 75201
mhurst@lynllp.com
jadams@lynllp.com

/s/ Cynthia A. Morales
Assistant Attorney General

VERIFICATION

STATE OF TEXAS §
 §
COUNTY OF LUBBOCK §

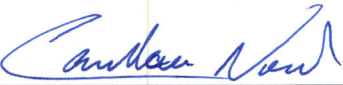
BEFORE ME, the undersigned authority, on this day personally appeared Ronny Wall, the Senior Associate General Counsel of Texas Tech University System, who upon his oath stated that he has personal knowledge of the facts set forth in the foregoing Answers to Plaintiff's Interrogatories and each statement of fact is true and correct.



Ronny Wall
Senior Associate General Counsel

SWORN TO AND SUBSCRIBED before me this 29th day of July, 2019.





Notary Public in and for the
State of Texas

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
1	000001 (R27 & R28) ⁴	Email	Communication for the purpose of giving or receiving legal advice	1/1/2010 6:33 PM	Jerry Turner	Kent Hance; Larry Anders; Pat Campbell	552.107 See description	

¹ Request No. 27 and No. 28 were sent to the Attorney General as one request for ruling, thus the documents associated with these requests were combined and bates stamped with the mark “R27 & R28” followed by the page number.

² The following people are or were attorneys for Texas Tech University System, one of its member universities, or the Board of Regents: (1) Charlotte Bingham; (2) Victor Mellinger; and (3) Pat Campbell.

³ All other names listed are or were employees of Texas Tech System, one of its member universities, or are members of the Board of Regents unless otherwise noted.

⁴ Request No. 28 included duplicate items that were part of Request No. 27. For clarity, this column marks the request number that the document or item was responsive to, whether it was for Request No. 27, Request No. 28, or both.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
2	000002-000005 (R27)	Email thread and attachment	Communication for the purpose of giving or receiving legal advice Draft document protected under the deliberative process exception	1/5/2010 6:14 PM	Russ Bookbinder	Jerry Turner	552.107 552.111 Attorney-client communication with Pat Campbell in part of thread. Email and thread contain discussions about, and attachment of, draft document	
3	000006-000007 (R27 & R28)	Email and attachment	“Latest” Draft document protected under the deliberative process exception	1/5/2010 3:33 PM	Russ Bookbinder	Kent Hance; Jodey Arrington; Otice Green	552.111 Email includes attachment of draft document	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
4	000008-000011 (R27 & R28)	Email thread and attachment	Draft document protected under the deliberative process exception Communication for the purpose of giving or receiving legal advice	1/5/2010 8:07 PM	Russ Bookbinder	Jerry Turner; Kent Hance;	552.107 552.111 Attorney-client communication with Pat Campbell in part of email thread/ Email and thread contain discussions about and attachment of draft document	
5	000012-000014 (R27 & R28)	Email thread and attachment	“Re: <no subject.” Draft document protected under the deliberative process exception Communication for the purpose of giving or receiving legal advice	12/27/2009 7:11 PM	Guy Bailey	Kent Hance;	552.107 552.111 Attorney-client communication with Pat Campbell in part of email thread/ Email and thread contain discussions about and attachment of draft document	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
6	000015-000017 (R27 & R28)	Email thread and attachment	“Fw:<no subject>” Draft document protected under the deliberative process exception	12/27/2009 8:46 PM	Kent Hance	Larry Anders; Jerry Turner	552.111 Email contains attachment of draft document	Released with redactions per 552.111
7	000018 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	12/29/2009 9:20 AM	Charlotte Bingham	Kent Hance	552.107 552.111 See description	
8	000019 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	12/28/2009 11:12 PM	Kent Hance	Charlotte Bingham	552.107 552.111 See description	
9	000020-000021 (R27 & R28)	Email	Communication for the purpose of giving or receiving legal advice	12/29/2009 10:31 AM	Charlotte Bingham	Kent Hance; Guy Bailey; Grace Hernandez; Victor Mellinger	552.107 552.111 See description	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
10	000022-000023 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	12/30/2009 11:04 PM	Grace Hernandez	Kent Hance; Guy Bailey; Charlotte Bingham; Victor Mellinger	552.107 552.111 See description	
11	000024-000025 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	12/30/2009 11:05 PM	Charlotte Bingham	Kent Hance; Guy Bailey; Grace Hernandez; Victor Mellinger	552.107 552.111 See description	
12	000026-000028 (R27 & R28)	Email and attachment	Communication for the purpose of giving or receiving legal advice	12/31/2009 12:27 PM	Grace Hernandez	Kent Hance; Guy Bailey; Victor Mellinger; Charlotte Bingham	552.107 552.111 See description	
13	000029-000030 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	12/31/2009 2:42 PM	Charlotte Bingham	Kent Hance; Guy Bailey; Grace Hernandez; Victor Mellinger	552.107 552.111 See description	Email partially released. Remaining email thread withheld per 552.107 & 552.111
14	000031-000033 (R27 & R28)							RELEASED

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
15	000034 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	1/1/2010 4:55 PM	Grace Hernandez	Kent Hance; Charlotte Bingham	552.107 552.111 See description	
16	000035 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	12/29/2009 9:20 AM	Charlotte Bingham	Kent Hance	552.107 552.111 See description	Duplicate of Item # 7
17	000036- 000037 (R27 & R28)	Email thread	Email forwarded from TTU alumni	12/29/2009 8:32 AM	Kent Hance	Larry Anders; Guy Bailey; Jerry Turner; Gerald Myers	552.114	Released except for redactions under FERPA
18	000038- 000039 (R27)	Email thread	“FW: draft of email from you to top donors and supporters of TTU” Draft email protected under the deliberative process exception	12/29/2009 1:42 PM	Kelly Overley	Jodey Arrington	552.111 Email thread contain discussions about and text of draft email	Released with redactions per 552.111

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
19	000040 (R27)	Email thread	“FW: draft of email from you to top donors and supporters of TTU”	12/29/2009 1:08 PM	Kelly Overley	Jodey Arrington;	552.111 Email thread contain discussions about and text of draft email	Email partially released. Remaining email thread withheld per 552.111
20	000041 (R27 & R28)	Email thread	“Re: draft statement of support for Meyers and Bailey”	12/29/2009 8:41 PM	Kent Hance	Ben Lock	552.117 552.111 Contains personal family information Email and thread contain discussions about and attachment of draft document	Released with redactions per 552.117 & 552.111
21	000042 (R27 & R28)	Email thread	“FW: Mike Leach”	12/30/2009 9:44 PM	Kent Hance	Gerald Myers; Larry Anders; Jerry Turner	552.1235 Contains identity of private donor to institute of higher education	Released with redactions per 552.1235

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
22	000043 (R27 & R28)							NOT RESPONSIVE
23	000044-000046 (R27)	Email thread	Communication for the purpose of giving or receiving legal advice	12/31/2009 2:53 PM	Grace Hernandez	Charlotte Bingham	552.107 552.111 See description	Email partially released. Remaining email thread withheld per 552.107 & 552.111
24	000047 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	1/1/2010 4:55 PM	Grace Hernandez	Kent Hance; Charlotte Bingham	552.107 552.111 See description	Duplicate of Item # 15
25	000048-000050 (R27 & R28)	Email and attachment	Communication for the purpose of giving or receiving legal advice	1/1/2010 10:12 PM	Grace Hernandez	Kent Hance; Victor Mellinger; Charlotte Bingham	552.107 552.111 See description	
26	000051-000053 (R27)							NOT RESPONSIVE

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
27	000054-000055 (R27 & R28)	Email	Communication for the purpose of giving or receiving legal advice	1/5/2010 10:41 AM	Bobby Gleason	Pat Campbell; Kent Hance; Guy Bailey; Gerald Myers; Victor Mellinger	552.107 552.111 See description	
28	000056-000057 (R27 & R28)	Email and attachment	“Latest” Draft document protected under the deliberative process exception	1/5/2010 3:33 PM	Russ Bookbinder	Kent Hance; Jodey Arrington; Otice Green	552.111 Email includes attachment of draft document	Duplicate of Item # 3
29	000058-000060 (R27 & R28)	Email thread w/ attachment	Communication for the purpose of giving or receiving legal advice Draft document protected under the deliberative process exception	1/5/2010 5:47 PM	Russ Bookbinder	Kent Hance; Larry Anders; Pat Campbell; Jodey Arrington; Russell Thomasson	552.107 552.111 Email contains attachment of draft document	Email thread released. Attachment withheld per 552.107 & 552.111
30	000061 (R27 & R28)							NOT RESPONSIVE

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
31	000062 (R27 & R28)							NOT RESPONSIVE
32	000063 (R27)	Email thread	“Re: Saturday Events”	12/30/2009 11:16 PM	Grace Hernandez	Guy Bailey	552.111 Email thread contain discussions about and text of draft document	Released with redactions per 552.111
33	000064 (R27 & R28)	Email	“Confidential” Email containing policy decision of TTU	12/21/2009 9:11 AM	Jerry Turner	Kent Hance; Larry Anders; Guy Bailey	552.111 See description	Released with redactions per 552.111
34	000065-000077 (R27)	Attorney Notes	Attorney work product	No Date No Time	Pat Campbell	N/A	552.107 552.111 See description	
35	000078 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	12/29/2009 9:20 AM	Charlotte Bingham	Kent Hance	552.107 552.111 See description	Duplicate of Item # 7

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
36	000079-000080 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	12/29/2009 10:31 AM	Charlotte Bingham	Kent Hance; Guy Bailey; Grace Hernandez; Victor Mellinger	552.107 552.111 See description	Duplicate of Item # 9
37	000081-000083 (R27)	Email thread	Communication for the purpose of giving or receiving legal advice	12/29/2009 4:56 PM	Victor Mellinger	Charlotte Bingham	552.107 552.111 See description	
38	000084-000086 (R27)	Email thread	Communication for the purpose of giving or receiving legal advice	12/29/2009 6:19 PM	Charlotte Bingham	Victor Mellinger	552.107 552.111 See description	
39	000087 (R27)	Email	Communication for the purpose of giving or receiving legal advice	12/30/2009 5:33 PM	Grace Hernandez	Charlotte Bingham	552.107 See description	
40	000088-000089 (R27 & R28)	Email	Communication for the purpose of giving or receiving legal advice	12/30/2009 10:39 PM	Charlotte Bingham	Kent Hance; Grace Hernandez; Victor Mellinger; Guy Bailey	552.107 552.111 See description	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
41	000090-000091 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	12/30/2009 11:23 PM	Grace Hernandez	Charlotte Bingham; Kent Hance; Victor Mellinger; Guy Bailey	552.107 552.111 See description	
42	000092-000094 (R27)	Email thread	Communication for the purpose of giving or receiving legal advice	12/31/2009 12:03 AM	Grace Hernandez	Charlotte Bingham	552.107 552.111 See description	
43	000095 (R27 & R28)	Email thread	Communication for the purpose of giving or receiving legal advice	12/31/2009 2:42 PM	Charlotte Bingham	Grace Hernandez; Kent Hance; Guy Bailey; Victor Mellinger	552.107 552.111 See description	Email partially released. Remaining email thread withheld per 552.107 & 552.111
44	000096-000098 (R27 & R28)	Email and attachment	Communication for the purpose of giving or receiving legal advice	12/31/2009 12:27 PM	Grace Hernandez	Kent Hance; Charlotte Bingham; Guy Bailey; Victor Mellinger	552.107 552.111 See description	Email released. Attachment withheld per 552.107 & 552.111 Duplicate of Item # 12
45	000099-000116 (R27)	Attorney notes - handwritten	Attorney work product	Unknown	Charlotte Bingham	N/A	552.107 552.111 See description	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 27 – Docs/notes made during investigation of allegations against Mike Leach re Adam Jones

Request No. 28 – Emails to and from Kent Hance re Mike Leach 9/1/09 – 2/28/10¹

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author	Recipient(s) (including cc, bcc)^{2,3}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
46	000117-000120 (R27 & R28)	Email and attachment	Communication for the purpose of giving or receiving legal advice	1/1/2010 10:21 PM	Grace Hernandez	Charlotte Bingham; Kent Hance; Victor Mellinger	552.107 552.111 See description	Duplicate of Item # 25
47	000121-000123 (R27)	Email thread and attachment	Communication for the purpose of giving or receiving legal advice Draft document protected under the deliberative process exception	12/27/2009 5:17 PM	Justin Clark	Guy Bailey	552.107 552.111 Attorney-client communication regarding Charlotte Bingham in part of email thread/ Email thread contains discussions about and attachment of draft document	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
48	R30 000001- 000002	Email thread	“FW: draft of email from to top donors and supporters of TTU” Draft email protected under the deliberative process exception	12/29/09 1:42 pm.	Kelly Overlay	Jodey Arrington	552.111 Email thread contain discussions about and text of draft email	Email partially released. Remaining email thread withheld per 552.111
49	R30 000003	Email thread	“FW: draft of email from to top donors and supporters of TTU” Draft email protected under the deliberative process exception	12/29/09 1:08 pm	Kelly Overlay	Jodey Arrington	552.111 Email thread contain discussions about and text of draft email	Released with redactions per 552.111

⁵ The following people are or were attorneys for Texas Tech University System, one of its member universities, or the Board of Regents: (1) Charlotte Bingham; (2) Victor Mellinger; and (3) Pat Campbell.

⁶ All other names listed are or were employees of Texas Tech System, one of its member universities, or are members of the Board of Regents unless otherwise noted.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
50	R30 000004- 000075	Report of Leave for Kelly Anne Cronin	Leave Report for Vice Chancellor Kelly Anne Cronin from April 1, 2009, as of Nov 8, 2017	11/8/17 (no time)	N/A	N/A	552.136 Contains R# - a personal identification number used by TTU	Released except for R# of Kelly Overlay
51	R30 000076- 000080							RELEASED
52	R30 000081							RELEASED
53	R30 000082	Cover sheet	Cover sheet for TTU Health Sciences Center HR Department Electronic Imaging Scanning Date for Kelly Anne Overlay (“PAF” open records and “I-9” restricted records)	8/6/03 (no time)	N/A	N/A	552.136 552.147 Contains R# - a personal identification number used by TTU. Also contains Social Security number	Released except “Tech ID Number” and SSN are redacted

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
54	R30 000083- 000084	US DOJ Employment Eligibility Verification	US DOJ Immigration and Naturalization Service Employment Eligibility Verification, OMB Form 1115- 0136	7/28/03 (no time)	Kelly Overlay	N/A	552.101 552.117 552.130 552.147 8 USC §1324a(b)(5), (d)(2)(C)-(D) Contains sensitive personal information protected by state law and information made confidential by federal law	Released except contents of first page of document are redacted

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
55	R30 000085	SS Card and TDL for Kelly Overlay	SS Card and TDL for Kelly Overlay	No date No time	N/A	N/A	552.101 552.117 552.130 552.147 Contains home address, date of birth, driver's license number and expiration date, and social security number	Released, but SSN, home address, DOB, driver license number, and expiration date are redacted.
56	R30 000086- 000091	MPIP Premium Change Data	MPIP Premium Change Data for Kelly Overlay	8/20/08 (no time)	N/A	N/A	552.101 552.117 552.136 552.147 Contains sensitive personal information protected by law – see comment	Released, except certification number, SSN, R#, family information, birth dates, home address, home phone, policy numbers are redacted

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
57	R30 000092	TTU Notice of Budgeted Salary	TTU Notice of Budgeted Salary for Kelly Overlay 9/1/03	9/1/03 (no time)	N/A	N/A	552.136 552.147 Contains social security number and account numbers	Released except redaction of SSN and 2 account numbers
58	R30 000093	TTU Notice of Budgeted Salary	TTU Notice of Budgeted Salary for Kelly Overlay 9/1/05	9/1/05 (no time)	N/A	N/A	552.136 552.147 Contains social security number and account numbers	Released except redaction of SSN and 4 account numbers
59	R30 000094	TTU Notice of Budgeted Salary	TTU Notice of Budgeted Salary for Kelly Overlay 9/1/04	9/1/04 (no time)	N/A	N/A	552.117 552.136 552.147 Contains social security number and account numbers	Released except redaction of SSN and 3 account numbers

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
60	R30 000095	TTU Notice of Budgeted Salary	TTU Notice of Budgeted Salary for Kelly Overlay 9/1/06	9/1/06 (no time)	N/A	N/A	552.117 552.136 552.147 Contains social security number and account numbers	Released except redaction of SSN and 4 account numbers
61	R30 000096	TTU Notice of Budgeted Salary	TTU Notice of Budgeted Salary for Kelly Overlay 9/1/07	9/1/07 (no time)	N/A	N/A	552.117 552.136 552.147 Contains social security number and account numbers	Released except redaction of SSN and 3 account numbers

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
62	R30 000097	Cover sheet	TTU Health Sciences Center HR Department Electronic Imaging Scanning Date for Kelly Anne Overlay	9/19/08 (no time)	N/A	N/A	552.117 552.136 552.147 Contains social security number and personal identification number	Released except “Tech ID Number” and SSN are redacted.
63	R30 000098	MPIP Insurance Enrollment	MPIP Insurance Enrollment for Kelly Overlay	No date No time	N/A	N/A	552.117 552.147 Contains social security number	Released except redacted SSN.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
64	R30 000099- 000101	Group Enrollment / Change or Waiver Form	Insurance enrollment form	8/20/08 (no time)	N/A	N/A	552.101 552.117 552.136 552.147 Contains sensitive personal information protected by law –see comment	Released except DOB, SSN, home address family/beneficiary information, policy number, certification number redacted.
65	R30 000102- 000105	Lump sum Vacation Payment Authorization	TT Lump sum Vacation Payment Authorization, Personnel Action Form for Kelly Overlay	10/19/07 11:05 am	N/A	N/A	552.117 552.136 552.147 Contains social security number and account numbers	Released except for redacted SSN and account numbers

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
66	R30 000106- 000109	TTUS Personnel Action Form for Kelly Overlay	TTUS Personnel Action Form for Kelly Overlay	8/31/07 1:20 pm	Alma Melendez	N/A	552.117 552.136 552.147 Contains social security number and account numbers	Released except for redacted SSN and account numbers
67	R30 000110- 000112	TTUS Personnel Action Form for Kelly Overlay	TTUS Personnel Action Form for Kelly Overlay	5/9/07 4:05 pm	Marti Juarez	N/A	552.117 552.136 552.147 Contains social security number and account numbers	Released except for redacted SSN and account numbers

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
68	R30 000113- 000114	Memo	Reclassifying an Existing Position in the Budget	4/20/07 12:07 pm	David W. Pry, SHR Asst VP HR	B. Mittermeyer, MD, Interim President, Health Sciences Center, Finance and Admin.	552.117 552.136 552.147 Contains social security number, personal identification number, and account numbers	Released except for redacted account numbers, SSN, and a Tech ID Number
69	R30 000115							RELEASED
70	R30 000116- 000117	TT Staff Performance Management Instrument	TT Staff Performance Management Instrument for Kelly Overlay	2/22/07 (no time)	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
71	R30 000118- 000120	PAF for Kelly Overlay and cover letter	Personnel Action Form for Kelly Overlay to receive salary increase	6/27/06 (no time)	Fiscal Affairs, Larry Elkins	Mark Lindemood, Vice Chancellor for Institutional Advancement	552.117 552.136 552.147 Contains social security number and account numbers	Released except for redacted SSN and account numbers
72	R30 000121- 000131	Memo with attached position description questionnaire	Memorandum – Request for Reclassification and Salary Increase for Kelly Overlay	6/13/06 (no time)	Jim Brunjes	Mark Lindemood Sharon Bennett	552.136 Contains account number	Released except for an account number
73	R30 000132- 000136	TT Staff Performance Management Instrument	TT Staff Performance Management Instrument for Kelly Overlay	3/31/06 (no time)	TTU HSC Institutional Advancement - El Paso	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
74	R30 000137- 000138	Employment Form	TT Personnel Action Form for Kelly Overlay	7/21/05 (no time)	Peggy Dyess, Office of Development	N/A	552.117 552.136 552.147 Contains social security number and account numbers	Released except for redacted SSN and account numbers.
75	R30 000139- 000141	TT Staff Performance Management Instrument	TT Staff Performance Management Instrument for Kelly Anne Overlay	2/28/05	Sharon Bennett	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN
76	R30 000142	Cover sheet for insurance enrollment form	Cover sheet or insurance information for Kelly Overlay TTU-HSC HR Dep't Electronic Imaging Scanning Data	9/19/03 (no time)	N/A	N/A	552.117 552.136 552.147 Contains social security number and personal identification number	Released except for redacted Tech ID Number and SSN

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
77	R30 000143- 000150	Insurance Multipurpose Form ERS of Texas	Insurance Multipurpose Form ERS of Texas, and insurance documents, for Kelly Overlay	1/20/04 (no time)	Kelly Overlay	N/A	552.101 552.117 552.136 552.147 Contains sensitive personal information protected by law—see comment	Released except for redacted DOB, address, phone, family/beneficiary information, SSN
78	R30 000151	Memo re reclassifying position	Memo – Reclassifying an Existing Position(s) in a Budget, re Kelly Overlay	9/28/04 (no time)	Ricardo Martinez, Wage & Salary Mgr.	David Fry, Asst VP HR	552.136 Contains account number	Released except for redacted account number.
79	R30 000152	Personnel Action Form	Personnel Action Form for merit increase for Kelly Overlay	9/14/04 (no time)	Marti Juarez, Fiscal Affairs	N/A	552.117 552.136 552.147 Contains social security number and account number	Released except for redacted SSN and account numbers.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
80	R30 000153	Employee Crime Victim Election	Employee Crime Victim Election – TT Emp’ee File, for Kelly Overlay	5/19/04 (no time)	TTU Health Sciences Center	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN.
81	R30 000154	Cover sheet	Cover sheet for TTU Health Sciences Center HR Department Electronic Imaging Scanning Date for Kelly Anne Overlay – Employee File	4/29/04 (no time)	N/A	N/A	552.117 552.136 552.147 Contains social security number and personal identification number	Released except for redacted SSN and Tech ID Number
82	R30 000155	Texas State Employment Verification	Texas State Employment Verification for Kelly Overlay 11/01 to 07/03.	8/13/03 (no time)	Lucila [Illegible]	N/A	552.117 552.147 Contains social security number	Released except redacted SSN.
83	R30 000156							RELEASED

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
84	R30 000157	Cover sheet	Cover sheet for TTU Health Sciences Center HR Department Electronic Imaging Scanning Date for Kelly Anne Overlay – Employee File	9/3/03 (no time)	N/A	N/A	552.117 552.136 552.147 Contains social security number and personal identification number	Released except for redacted SSN and Tech ID Number
85	R30 000158	House Bill 1 – Appropriations Act – Article IX-75 th Legislative Session	House Bill 1 – Appropriations Act – Article IX-75th Legislative Session – Standards of Conduct statement signed by Kelly Overlay	8/27/03 (no time)	N/A	N/A	552.117 552.147 Contains social security number	Released except redacted SSN.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
86	R30 000159	Cover sheet	Cover sheet for TTU Health Sciences Center HR Department Electronic Imaging Scanning Date for Kelly Anne Overlay – Employee File	8/6/03 (no time)	N/A	N/A	552.117 552.136 552.147 Contains social security number and personal identification number	Released except for redacted SSN and Tech ID Number
87	R30 000160- 000161	TT Personal Biographic Data Form	Personal/Bio Data Form for Kelly Overlay	7/29/03 (no time)	N/A	N/A	552.101 552.117 552.147 Contains sensitive personal information protected by law – see comment	Released except SSN, home address, emergency contact information, and DOB redacted.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
88	R30 000162- 000163	TT Application for Employment or Promotion	Kelly Overlay Application for Employment or Promotion at TTU	4/11/03 (no time)	N/A	N/A	552.117 552.147 Contains home address, home phone, and social security number	Released except redacted SSN, home phone and address
89	R30 000164	Kelly Overlay resume	Kelly Overlay resume	No date No time	N/A	N/A	552.117 Contains home address and phone number	Released except for redacted home address and home phone
90	R30 000165	TT Equal Employment Opportunity and Affirmative Action	TT Equal Employment Opportunity and Affirmative Action form filled out by Kelly Overlay	4/11/03 (no time)	N/A	N/A	552.117 552.147 Contains home address, home phone, and social security number	Released except for redacted SSN, home address and home phone

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
91	R30 000166							RELEASED
92	R30 000167- 000168	Employee's Affidavit	Kelly Overlay affidavit for employment at TT	7/28/03 (no time)	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN.
93	R30 000169							RELEASED
94	R30 000170	Acknowledgment of EEO Training	Acknowledgment of EEO Training signed by Kelly Overlay	7/27/03 (no time)	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN.
95	R30 000171							RELEASED

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
96	R30 000172	Cover sheet	Cover sheet for TTU Health Sciences Center HR Department Electronic Imaging Scanning Date for Kelly Anne Overlay – PAF	8/6/03 (no time)	N/A	N/A	552.117 552.136 552.147 Contains social security number and personal identification number	Released except for redacted SSN and Tech ID Number
97	R30 000173- 000174	PAF	Personnel Action Form for Kelly Overlay initial appointment	7/21/03 (no time)	N/A	N/A	552.117 552.136 552.147 Contains social security number and account numbers	Released except for redacted SSN and account numbers

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
98	R30 000175	Request for Verification of Prior State Employment	Request for Verification of Prior State Employment for Kelly Cronin	5/14/15 (no time)	Stephanie Ortiz, HR Associate at UTPA	TTU, HR	552.117 552.136 552.147 Contains social security number and personal identification number	Released except for redacted SSN and R number.
99	R30 000176	TTU Inter-Agency Employment Verification Transfer Form	TTU Inter-Agency Employment Verification Transfer Form for Kelly Overlay	6/1/10 (no time)	N/A	N/A	552.117 552.147 Contains social security number and agency number	Released except for redacted SSN and Agency number. Document will be released with Agency number, but SSN redacted
100	R30 000177- 000178							RELEASED
101	R30 000179- 000180	Fax cover sheet Request for Verification of Prior Employment	Request for Verification of Prior Employment for Kelly Cronin	5/14/15 3:27 pm	Stephanie Ortiz, HR Associate, UTPA	N/A	552.117 552.147 Contains social security number	Released except redacted SSN

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
102	R30 000181- 000184	Fax cover sheet and request for verification of employment	Fax cover sheet and request for verification of employment for Kelly Cronin	5/6/15 10:28 am	Laura Medlin, First Cal Mortgage	TTU HR	552.136 Contains social security number	Released except redacted R number
103	R30 000185- 000187	Employment Verification Request and TTU response	Employment Verification Request for Kelly Cronin and TTU response	10/27/14 (no time)	Aurico/TTU (Jessica Ma)	TTUS - HR	552.117 552.136 552.147 Contains social security number and personal identification number	Released except for redacted SSN and R number
104	R30 000188- 000198	Letter from IRS to TTU, including envelope from IRS	IRS letter to TTU re Kelly Cronin	8/7/14 (no time)	MP Conway	TTU	552.117 552.136 552.147 Contains social security number and personal identification number	Released except for redacted SSN and R number

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
105	R30 000199	TTU Name and/or SSN Change Form	Name a/d/or SSN Change request form Kelly Cronin	3/19/13 (no time)	Kelly Cronin	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN
106	R30 000200	Social Security Card	Social Security Card for Kelly Ann Cronin	10/31/12 (no time)	SSA	N/A	552.117 552.147 Contains social security number	Released except SSN redacted.
107	R30 000201- 000205	Request for Verification of Employment and TTU Response	Request from Suntrust Mortgage for Verification of Employment of Kelly Overlay and TTU Response	9/6/12 (no time)	Suntrust Mortgage	TTU	552.117 Contains home address	Released except redacted home address.
108	R30 000206	Manual Leave Adjustment Form	Manual Leave Adjustment Form for Kelly Overlay	6/14/11 (no time)	N/A	N/A	552.136 Contains personal identification number	Released except for redacted R number

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
109	R30 000207	Manual Leave Adjustment Form	Manual Leave Adjustment Form for Kelly Overlay	3/8/11 (no time)	N/A	N/A	552.136 Contains personal identification number	Released except for redacted R number
110	R30 000208	Telecommunication Allowance Request	Telecommunication Allowance Request for Kelly Overlay.	1/16/11 (no time)	Kelly Overlay	N/A	552.136 Contains account numbers and personal identification numbers	Released except for redacted R (Tech ID) number and account numbers.
111	R30 000209- 000211	EPAF Preview	EPAF Preview for Kelly Overlay	10/1/10 (no time)	N/A	N/A	552.136 Contains account numbers and personal identification numbers	Released except for redacted R number and account numbers.
112	R30 000212- 000213							RELEASED

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
113	R30 000214	Employment Record Worksheet	Employment Record Worksheet for Kelly Overlay	No date No time	N/A	N/A	552.136 Contains personal identification numbers	Released except redacted R number
114	R30 000215							RELEASED
115	R30 000216	Misc. Deductions Form	Misc. Deductions Form for Kelly Overlay	No date No time	Vicki Ware	N/A	552.136 Contains personal identification number	Released except for redacted R number.
116	R30 000217	Misc. Deductions Form	Misc. Deductions Form for Kelly Overlay	3/26/10 (no time)	Amanda Cotton	N/A	552.136 Contains personal identification number	Released except for redacted R number.
117	R30 000218	Misc. Deductions Form	Misc. Deductions Form for Kelly Overlay	3/26/10 (no time)	Amanda Cotton	N/A	552.136 Contains personal identification number	Released except for redacted R number.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
118	R30 000219							RELEASED
119	R30 000220	Telecommuni- -ation Allowance Request	Telecommunicatio n Allowance Sheet	3/1/10 (no time)	Kelly Overlay	N/A	552.136 Contains personal identification number	Released except for redacted R number
120	R30 000221	Manual Leave Adjustment Form	Manual Leave Adjustment Form for Kelly Overlay	10/16/09 (no time)	Kelly Overlay	N/A	552.136 Contains personal identification number	Released except for redacted R number
121	R30 000222	Application for Leave, November 2008	Application for Leave, November 2008 for Kelly Overlay	No date No time	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN
122	R30 000223	Application for Leave, September 2008	Application for Leave, September 2008 for Kelly Overlay	No date No time	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
123	R30 000224- 000225	PAF	PAF for Kelly Overlay Merit Increase	8/27/08 4:06 pm	Y1D01 Institutional Advancement	N/A	552.136 Contains account numbers	Released except for redacted account numbers
124	R30 000226							RELEASED
125	R30 000227							RELEASED
126	R30 000228	Notice of Budgeted Salary	Notice of Budgeted Salary for Kelly Overlay	9/1/08 (no time)	N/A	N/A	552.136 Contains account numbers	Released except redacted account information
127	R30 000229	Application for Leave, August 2008	Application for Leave, August 2008 for Kelly Overlay	No date No time	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN
128	R30 000230	Summer Enrollment Form, ERS of Texas	Summer Enrollment Form, ERS of Texas, for Kelly Overlay	8/20/08 (no time)	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
129	R30 000231	Group Enrollment / Change or Waiver Form	Group Enrollment / Change or Waiver Form for Kelly Overlay	8/20/08 (no time)	N/A	N/A	552.101 552.117 552.136 552.147 Contains sensitive personal information protected by law—see comment	Released except for redacted SSN, DOB, information about family and beneficiaries
130	R30 000232	Enrollment for life insurance	Enrollment for Life insurance for Kelly Overlay	8/20/08 (no time)	N/A	N/A	552.117 552.136 552.147 Contains sensitive personal information protected by law—see comment	Released except for redacted SSN and family, beneficiary information

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
131	R30 000233	Group enrollment Form	Group enrollment Form for Kelly Overlay	8/20/08 (no time)	N/A	N/A	552.117 552.136 552.147 Contains sensitive personal information protected by law—see comment	Released except for SSN, home address, family and beneficiary information
132	R30 000234	Application for Leave, July 2008	Application for Leave, July 2008 for Kelly Overlay	No date No time	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN
133	R30 000235	Application for Leave, June 2008	Application for Leave, June 2008 for Kelly Overlay	No date No time	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
134	R30 000236	Application for Leave, May 2008	Application for Leave, May 2008 for Kelly Overlay	No date No time	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN
135	R30 000237	Application for Leave, April 2008	Application for Leave, April 2008 for Kelly Overlay	No date No time	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN
136	R30 000238	Application for Leave, March 2008	Application for Leave, March 2008 for Kelly Overlay	No date No time	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN
137	R30 000239	Certificate of Completion	Certificate of Completion for Kelly Overlay for EEO Non-Discrimination Managers	1/4/08 (no time)	N/A	N/A	552.136 552.147 Contains social security number	Released except for redacted Tech ID Number.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
138	R30 000240	Application for Leave, January 2008	Application for Leave, January 2008 for Kelly Overlay	No date No time	N/A	N/A	552.117 552.147 Contains social security number	Released except for redacted SSN
139	R30 000241	Request for Verification of Employment, TTU response	Request for Verification of Employment of Kelly Overlay	12/7/07 (no time)	Carmen Aranda, First Nat'l Bank, El	TTU	552.117 552.147 Contains social security number	Released except redacted SSN

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance

Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
140	R30 000242	Dep't of Homeland Security Employment Eligibility Verification ("I-9")	Dep't of Homeland Security Employment Eligibility Verification for Kelly Overlay	No date No time	N/A	N/A	8 USC §1324a(b)(5), (d)(2)(C)-(D) 552.101 552.117 552.130 552.147 Contains sensitive personal information protected by state law and information made confidential by federal law	All information on form redacted

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
141	R30 000243- 000244	Social Security Card and TDL	Social Security Card and TDL for Kelly Overlay	No date No time	N/A	N/A	552.101 552.117 552.130 552.147 Contains sensitive personal information protected by law – see comment	Released except redacted DOB, Expiration date, SSN, home address, TDL number
142	R30 000245- 000246	TT Personal Biographic Data Form	Personal / Biographic Data Form for Kelly Overlay	10/12/07 (no time)	N/A	N/A	552.101 552.117 552.147 Contains sensitive personal information protected by law – see comment	Released except SSN, home address, emergency contact information, and DOB redacted.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
143	R30 000247	Employee affidavit	Oath of office signed by Kelly Overlay	10/12/07 (no time)	N/A	N/A	552.117 552.147 Contains social security number	Released except redacted SSN
144	R30 0000248	Employee Crime Victim ID Election Texas Tech Personnel File	Employee Crime Victim ID Election Texas Tech Personnel File, signed by Kelly Overlay	10/12/07 (no time)	N/A	N/A	552.117 552.147 Contains social security number	Released except redacted SSN
145	R30 000249	Telecommunication Allowance Request	Telecommunication Allowance Request for Kelly Overlay.	3/1/10 (no time)	Kelly Overlay	N/A	552.136 Contains social security number	Released except for redacted R (Tech ID) number and account numbers.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
146	R30 000250- 000252	PAF	PAF for Kelly Overlay	10/18/07 9:29 am	Terry Moore	N/A	552.117 552.136 552.147 Contains social security number, account numbers, personal identification numbers	Released except redacted SSN, account numbers, Tech ID Numbers
147	R30 000253	PAF	PAF for Kelly Overlay	10/17/07 9:29 am	Terry Moore	N/A	552.117 552.136 552.147 Contains social security number, account numbers, personal identification numbers	Released except redacted SSN, account numbers, Tech ID Numbers

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
148	R30 000254	PAF	PAF for Kelly Overlay	10/18/07 1:09 pm	Terry Moore	N/A	552.117 552.136 552.147 Contains social security number, account numbers, personal identification numbers	Released except redacted SSN, account numbers, Tech ID Numbers

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 30 – Kelly Overlay resume, personnel file and email with Kent Hance								
Item	Page(s)	Document	Subject/Title Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{5,6}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
149	R30 000255	W-4	W-4 for Kelly Overlay	10/12/07	N/A	N/A	26 U.S.C. § 6103(a) 552.101 552.117 552.147 Contains tax return information protected by federal law. Also includes social security number and home address	Released except all information redacted.
150	R30 000256	TT ORP Information Acknowledgment Form	TT ORP Information Acknowledgment Form for Kelly Overlay	1/12/07 (no time)	N/A	N/A	552.117 552.147 Contains social security number	Released except redacted SSN

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 33 – Emails between Kent Hance and Jodey Arrington 9/1/2009 – 3/1/2010								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{7,8}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
151	R33 000001	Email thread	<p>“RE: TTAA Official Statement”</p> <p>Draft document protected under the deliberative process exception</p>	1/6/10 4:32 pm	Jodey Arrington	Russ Bookbinder, Kent Hance	<p>552.103 552.111</p> <p>Email and thread contain discussions about draft document</p> <p>At the time of this PIA request, there was pending litigation (the present case) to which these documents were related</p>	

⁷ The following people are or were attorneys for Texas Tech University System, one of its member universities, or the Board of Regents: (1) Charlotte Bingham; (2) Victor Mellinger; and (3) Pat Campbell.

⁸ All other names listed are or were employees of Texas Tech System, one of its member universities, or are members of the Board of Regents unless otherwise noted.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 33 – Emails between Kent Hance and Jodey Arrington 9/1/2009 – 3/1/2010								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{7,8}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
152	R33 000002- 000003	Email thread	“FW: Basketball Tickets” Email containing policy decision of TTU	1/6/10 8:17 am	Jodey Arrington	Kelly Overley	552.103 552.111 552.1235 At the time of this PIA request, there was pending litigation (the present case) to which these documents were related See description Contains identity of private donor to institute of higher education	
153	R33 000004- 000006	Email thread	“FW: Emily Jones, Fox Sports SW”	1/7/10 12:14 pm	Jodey Arrington	Russell Thomasson, Russ Bookbinder	552.137 Contains email address of member of the public	Released except 4 email addresses

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 33 – Emails between Kent Hance and Jodey Arrington 9/1/2009 – 3/1/2010								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{7,8}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
154	R33 000007- 000009	Email thread	“FW: My opinion–the Tech football situation”	1/7/10 11:05 am	Kent Hance	Jodey Arrington	552.114 552.137 Contains FERPA protected information and email address of member of the public	Released except email address and FERPA-protected information
155	R33 000010							RELEASED
156	R33 000011- 000012							RELEASED

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 33 – Emails between Kent Hance and Jodey Arrington 9/1/2009 – 3/1/2010								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{7,8}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
157	R33 000013	Email thread	“FW: Coaching Search”	1/6/10 11:38 am	Kent Hance	[redacted], Russ Bookbinder, Jodey Arrington	552.137 552.114 Email contains email address of member of the public. Email thread contains FERPA-protected information and the name and email address of a member of the public.	Released except email addresses and names of private parties and information protected by FERPA
158	R33 000014- 000015	Email thread	“FW: the american statesman editorial today”	1/5/10 3:50 pm	Jodey Arrington	Russ Bookbinder	552.137 Thread contains email addresses of members of the public.	Released except email addresses of private parties
159	R33 000016- 000017							RELEASED

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 33 – Emails between Kent Hance and Jodey Arrington 9/1/2009 – 3/1/2010								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{7,8}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
160	R33 000018- 000021	Email thread	“FW: Emailing: ED GRANEY: Unconventional coach’s ego led to his undoing— Sports- ReviewJournal.co m.htm”	1/5/10 10:12 am	Kent Hance,	Jordan Strebeck, Susie Hance, Ron Hance, Jodey Arrington Russ Bookbinder, Otice Green	552.137 Contains email address of member of the public	Released except email address of private party
161	R33 000022- 000026							RELEASED
162	R33 000027- 000029							RELEASED

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 33 – Emails between Kent Hance and Jodey Arrington 9/1/2009 – 3/1/2010								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{7,8}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
163	R33 000030- 000031	Email thread	“FW: Regarding Mike Leach suspension”	1/4/10 10:06 am	Kent Hance,	Larry Anders, Jerry Turner, Guy Bailey, Gerald Myers, Jodey Arrington, Otice Green, Jordan Strebeck, Russ Bookbinder, Bill Dean, Randy Sanders	552.137 Contains email addresses of members of the public	Released except email addresses of private parties
164	R33 000032- 000034							RELEASED
165	R33 000035- 000036	Email thread	“FW: Mr. Hance”	1/3/10 10:11 pm	Kent Hance	Larry Anders, Jerry Turner, Otice Green, Russ Bookbinder, Jodey Arrington, Jordan Strebeck,	552.137 Contains email addresses of members of the public	Released except email addresses of private parties

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 33 – Emails between Kent Hance and Jodey Arrington 9/1/2009 – 3/1/2010								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{7,8}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
166	R33 000037	Email thread	“Re: Coach Mike Leach”	12/30/09 12:26	Jodey Arrington	Kent Hance	552.137 Thread contains email address of member of the public	Released except email address of private party
167	R33 000038	Email thread	“Re: Fwd: We Support Coach Leach”	12/29/09 4:58 pm	Kent Hance	Jodey Arrington	552.137 Thread contains email address of member of the public	Released except email address of private party

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 35 – Emails to & from BOR to Mickey L. Long re: University Business from 1/1/2016 to present

Request No. 36 – Emails between Chancellor Duncan & Mickey L. Long from 1/1/2016 to present

Item	Page(s)	Document	Applicable Exception(s) to Disclosure	Comment
168	R35 & R36 00001-000208	Emails (some including attachments) and one report	552.103	Other exceptions apply to these documents as asserted in TTU’s briefing to Attorney General’s Office prior to the letter ruling, but Plaintiff’s petition only challenges the withholding of the documents based on the litigation exception. Plaintiff’s petition does not challenge TTU’s withholding of any information responsive to this request that is based on any other exceptions, so only the assertion of 552.103 is relevant to this litigation. Also, because the application of the litigation exception to these documents involves a pure legal question, the unique information as to each specific document is not relevant to the legal issue before the Court.

Request No. 37 – Emails between Larry Anders &/or Jerry Turner, Kent Hance, Charlotte Bingham between 12/10/2009 – 12/31/2010

Item	Page(s)	Document	Applicable Exception(s) to Disclosure	Comment
169	R37 000001- 000108	Emails (some including attachments)	552.103	Other exceptions apply to these documents as asserted in TTU’s briefing to Attorney General’s Office prior to the letter ruling, but Plaintiff’s petition only challenges the withholding of the documents based on the litigation exception. Plaintiff’s petition does not challenge TTU’s withholding of any information responsive to this request that is based on any other exceptions, so only the assertion of 552.103 is relevant to this litigation. Also, because the application of the litigation exception to these documents involves a pure legal question, the unique information as to each specific document is not relevant to the legal issue before the Court.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 40 – Emails from Chancellor, Vice Chancellor, or Chancellor Emeritus to/from Christopher M. Huckabee between 1/1/2016 to present

Item	Page(s)	Document	Applicable Exception(s) to Disclosure	Comment
170	R40 000001 - 001164	Emails (including attachments)	552.103	Other exceptions apply to these documents as asserted in TTU’s briefing to Attorney General’s Office prior to the letter ruling, but Plaintiff’s petition only challenges the withholding of the documents based on the litigation exception. Plaintiff’s petition does not challenge TTU’s withholding of any information responsive to this request that is based on any other exceptions, so only the assertion of 552.103 is relevant to this litigation. Also, because the application of the litigation exception to these documents involves a pure legal question, the unique information as to each specific document is not relevant to the legal issue before the Court.

Request No. 41 – Emails from Chancellor, Vice Chancellor, or Chancellor Emeritus to/from L. Frederick Francis between 1/1/2016 to present

Item	Page(s)	Document	Applicable Exception(s) to Disclosure	Comment
171	R41 000001 - 001573	Emails (including attachments)	552.103	Other exceptions apply to these documents as asserted in TTU’s briefing to Attorney General’s Office prior to the letter ruling, but Plaintiff’s petition only challenges the withholding of the documents based on the litigation exception. Plaintiff’s petition does not challenge TTU’s withholding of any information responsive to this request that is based on any other exceptions, so only the assertion of 552.103 is relevant to this litigation. Also, because the application of the litigation exception to these documents involves a pure legal question, the unique information as to each specific document is not relevant to the legal issue before the Court.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 42 – Communications from TTU to Lubbock Police Department re: sex assault allegations from 1/1/2013 to present

Request No. 43 – Documents of complaints & investigations of hostile work environment in TTU Biology Dept.

Item	Page(s)	Document	Applicable Exception(s) to Disclosure	Comment
172	R42 & R43 000001 - 000504	Emails (including attachments) and handwritten notes	N/A	Plaintiff’s petition only challenges the withholding of these documents based on the litigation exception in 552.103. TTU is not withholding these documents pursuant to 552.103, therefore plaintiff has not alleged any cause of action over these documents. Other exceptions apply to these documents as asserted in TTU’s briefing to the Attorney General’s Office prior to the letter ruling, but Plaintiff’s petition does not challenge the withholding on these exceptions.

Request No. 44 – Emails from Chancellor, Vice Chancellor, or Chancellor Emeritus to/from Tim Lancaster Francis between 1/1/2016 to present

Item	Page(s)	Document	Applicable Exception(s) to Disclosure	Comment
173	R44 000001 - 000523	Emails (including attachments)	552.103	Other exceptions apply to these documents as asserted in TTU’s briefing to Attorney General’s Office prior to the letter ruling, but Plaintiff’s petition only challenges the withholding of the documents based on the litigation exception. Plaintiff’s petition does not challenge TTU’s withholding of any information responsive to this request that is based on any other exceptions, so only the assertion of 552.103 is relevant to this litigation. Also, because the application of the litigation exception to these documents involves a pure legal question, the unique information as to each specific document is not relevant to the legal issue before the Court.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request No. 45 – Emails from Chancellor, Vice Chancellor, or Chancellor Emeritus to/from Ron Hammonds between 1/1/2016 to present

Item	Page(s)	Document	Applicable Exception(s) to Disclosure	Comment
174	R45 000001 - 001165	Emails (including attachments)	552.103	Other exceptions apply to these documents as asserted in TTU’s briefing to Attorney General’s Office prior to the letter ruling, but Plaintiff’s petition only challenges the withholding of the documents based on the litigation exception. Plaintiff’s petition does not challenge TTU’s withholding of any information responsive to this request that is based on any other exceptions, so only the assertion of 552.103 is relevant to this litigation. Also, because the application of the litigation exception to these documents involves a pure legal question, the unique information as to each specific document is not relevant to the legal issue before the Court.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc)^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
175	R-SP 000001- 000003	Call logs	Call logs from 8/1/18 thru 9/1/18	N/A	N/A	N/A	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted
176	R-SP 000004- 000009	Call logs	Call logs of Christopher Huckabee from 8/1/18 thru 9/1/18	N/A	AT&T	N/A	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted

⁹ The November 13, 2018 request which is the subject of the supplemental petition contained the following limitation in reference to its request for phone records of trustees: “Excluding or redacting any personal phone calls and any other information made confidential under state law.”

¹⁰ The following people are or were attorneys for Texas Tech University System, one of its member universities, or the Board of Regents: (1) Charlotte Bingham; (2) Victor Mellinger; (3) Pat Campbell; (4) Ronny Wall; (5) John Huffaker; and (6) Eric Bentley.

¹¹ All other names listed are or were employees of Texas Tech System, one of its member universities, or are members of the Board of Regents unless otherwise noted.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc)^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
177	R-SP 000010- 000014	Call logs	Call logs from 8/1/18 thru 9/1/18	N/A	N/A	N/A	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted
178	R-SP 000015- 000076	AT&T bill summary	AT&T bill; data, text & talk logs from 7/13/18 thru 8/11/18	8/11/18 (No time)	AT&T	John Esparza	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data, redacted
179	R-SP 000077- 000132	AT&T bill summary	AT&T bill; data, text & talk logs from 8/13/18 thru 9/11/18	9/11/18 (No time)	AT&T	John Esparza	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
180	R-SP 000133- 000134	Call logs	Call logs of L Frederick Francis from 8/11/18 thru 9/10/18	N/A	AT&T	N/A	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted
181	R-SP 000135- 000138	Call logs	Call logs of Rick Francis from 8/1/18 thru 8/31/18	N/A	N/A	N/A	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted
182	R-SP 000139- 000180	Call logs	Call logs of L Frederick Francis from 7/10/18 thru 8/10/18	N/A	AT&T	N/A	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc)^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
183	R-SP 000181- 000184	Call logs & report	Call logs of Tim Lancaster from 8/1/18 thru 8/31/18	N/A	Hendrick Medical Center	N/A	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted
184	R-SP 000185- 000190	AT&T bill summary	AT&T bill; data, text & talk logs from 7/26/18 – 8/25/18	8/25/18 (No time)	AT&T	Ronnie Hammonds	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted
185	R-SP 000191- 000197	AT&T bill summary	AT&T bill; data, text & talk logs from 7/26/18 – 8/25/18	7/25/18 (No time)	AT&T	Ronnie Hammonds	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc)^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
186	R-SP 000198- 000248	Call logs	Call logs from 7/5/18 thru 9/4/18	N/A	N/A	N/A	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted
187	R-SP 000249	Email	Communication for the purpose of giving or receiving legal advice	5/1/18 9:52 am	Ben Lock	Rick Francis, Tim Lancaster, John Huffaker, Cindy Conroy, ¹² Pam Light ¹³	552.103 552.107 552.111 Related to pending PIA litigation (present case) See description	

¹² Cindy Conroy, also appearing as Cynthia Conroy, is Regent Francis’s assistant.

¹³ Pam Light is Regent Lancaster’s assistant.

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
188	R-SP 000250- 000252	Email with attachment	Communication for the purpose of giving or receiving legal advice	5/9/18 1:40 pm	Ben Lock	Rick Francis, Tim Lancaster, John Huffaker, Cindy Conroy, Pam Light	552.103 552.107 552.111 Related to pending PIA litigation (present case) See description	
189	R-SP 000253- 000255	Email with attachment	Communication for the purpose of giving or receiving legal advice	5/9/18 4:59 pm	Ben Lock	Rick Francis, John Esparza, Ron Hammonds, Tim Lancaster, J. Michael Lewis, John Huffaker, Chancellor Robert Duncan, Chris Huckabee, John Steinmetz, John Walker, Mickey Long, Jarett Lujan	552.103 552.107 552.111 Related to pending PIA litigation (present case) See description	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
190	R-SP 000256	Email	Interagency email response re TTU policy protected under deliberative process exception	5/11/18 1:54 pm	Ben Lock	Rick Francis, Cindy Conroy	552.103 552.111 Related to pending PIA litigation (present case) Interagency email re TTU policy	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
191	R-SP 000257- 000258	Email	TTU Media clips	7/11/18 5:39 pm	Ben Lock	Chris Huckabee, John Esparza, Ron Hammond, J. Michael Lewis, Tim Lancaster, Mickey Long, John Steinmetz, John Walker, Jane Gilmore, Chancellor Duncan, Lawrence Schovanec, Tedd Mitchell, Kristina Butts, Michael Galyean, Grace Hernandez, Kendra Burris, Brett Ashworth	552.103 Related to pending PIA litigation (present case)	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
192	R-SP 000259- 000260	Email	Communication for the purpose of giving or receiving legal advice	6/14/18 7:26 am	Tim Lancaster	John Huffaker, Rick Francis, Chancellor Duncan	552.103 552.107 Related to pending PIA litigation (present case) See description	
193	R-SP 000261- 000262	Email	Communication for the purpose of giving or receiving legal advice	6/14/18 8:28 am	Rick Francis	John Huffaker, Tim Lancaster, Rick Francis, Chancellor Duncan	552.103 552.107 Related to pending PIA litigation (present case) See description	
194	R-SP 000263- 000269	Email with attachments	Communication for the purpose of giving or receiving legal advice	6/14/18 5:02 pm	John Huffaker	Ronny Wall, Victor Mellinger	552.103 552.107 Related to pending PIA litigation (present case) See description	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹

Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
195	R-SP 000270- 000278	Email with attachment	Communication for the purpose of giving or receiving legal advice	9/5/18 7:37 pm	Ronny Wall	Rick Francis, John Esparza, Ron Hammonds, Christopher Huckabee, Tim Lancaster, John Michael Lewis, Mickey L. Long, John D. Steinmetz, John Walker, Eric Bentley, Tedd Mitchell	552.103 552.107 Related to pending PIA litigation (present case) See description	
196	R-SP 000279- 000282	Email with attachment	Communication for the purpose of giving or receiving legal advice	9/11/18 5:59 pm	Eric Bentley	J. Michael Lewis, Ronny Wall	552.103 552.107 Related to pending PIA litigation (present case) See description	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
197	R-SP 000283- 000300	Email with attachments	Communication for the purpose of giving or receiving legal advice	9/28/18 5:49 pm	Eric Bentley	Tedd Mitchell, Kendra Burris, Ben Lock, Debbie Aguirre	552.103 552.107 Related to pending PIA litigation (present case) See description	
198	R-SP 000301- 000314	Email with attachments	Communication for the purpose of giving or receiving legal advice	8/16/18 1:15 pm	Ronny Wall	Rick Francis; John Esparza; Ronnie Hammonds; Chris Huckabee; Tim Lancaster; John Michael Lewis; John Walker; John D. Steinmetz; Mickey L. Long; Mickey Long; Jane Gilmore John Huffaker	552.103 552.107 Related to pending PIA litigation (present case) See description	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
199	R-SP 000315- 000316	Email thread	Communication for the purpose of giving or receiving legal advice	5/14/18 10:41 am	Ronny Wall	Rick Francis; Tim Lancaster	552.103 552.107 Related to pending PIA litigation (present case) See description	
200	R-SP 000317- 000320	Email and attachment	Communication for the purpose of giving or receiving legal advice	5/9/18 5:18 pm	Ronny Wall	Rick Francis; Tim Lancaster; Cynthia Conroy; Pam Light; John Huffaker; Victor Mellinger	552.103 552.107 Related to pending PIA litigation (present case) See description	
201	R-SP 000321- 000335	Email thread	Communication for the purpose of giving or receiving legal advice	8/20/18 6:02 pm	Ronny Wall	Ron Hammonds	552.103 552.107 Related to pending PIA litigation (present case) See description	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹

Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
202	R-SP 000336- 000337	Email thread	Communication for the purpose of giving or receiving legal advice	5/23/18 11:10 am	Ronny Wall	Ron Hammonds; John Huffaker	552.103 552.107 Related to pending PIA litigation (present case) See description	

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹

Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
203	R-SP 000338- 000340	Email and attachment	Communication for the purpose of giving or receiving legal advice	6/7/18 3:19 pm	John Huffaker	Chris Huckabee; Rick Francis; John B. Walker; John Michael Lewis; John D. Steinmetz; Mickey Long; Ron Hammonds; Tim Lancaster; Chancellor Duncan; Ben Lock; Kristina Butts; Barry Barnett, ¹⁴ Bryan Wick; ¹⁵ Brandon Waddell; ¹⁶ Jack Novak; ¹⁷ Jason Ray ¹⁸	552.103 552.107 Related to pending PIA litigation (present case) See description	

¹⁴ Personal Attorney for TTU Regent Lewis

¹⁵ Attorney for TTU Regent Long

¹⁶ Attorney for TTU Regent Huckabee

¹⁷ Attorney for TTU Regent Steinmetz

Exhibit 1 of TTU Response to Interrogatory No. 2

Request in 1st Supplemental Petition– Phone records of trustees and emails 5/1/2018 -11/6/2018 re Mike Leach, Wayne Dolcefino, or Dolcefino Consulting⁹								
Item	Page(s)	Document	Subject/Title/Description	Date, Time	Author(s)	Recipient(s) (including cc, bcc) ^{10, 11}	Applicable Exception(s) to Disclosure /Factual Basis	Comment
204	R-SP 000341- 000343	Email thread	Communication for the purpose of giving or receiving legal advice	8/20/18 5:56 PM	Ronny Wall	John Esparza	552.103 552.107 Related to pending PIA litigation (present case) See description	
205	R-SP 000344- 000347	Email thread	Communication for the purpose of giving or receiving legal advice	8/21/18 2:32 pm	Ronny Wall	John D. Steinmetz	552.103 552.107 Related to pending PIA litigation (present case) See description	
206	R-SP 000348- 000349	Call Logs	Call logs of Tim Lancaster from 8/1/18 thru 8/31/18	N/A	AT&T	N/A	No information withheld—only redactions were for personal phone calls or private personal information protected as confidential under the PIA or other state law as permitted by the PIA request	RELEASED with non-responsive data redacted

¹⁸ Attorney for TTU Trustee Hammonds

Amended Privilege Log for TTU Response to Dolcefino’s Request for Production^{1,2}

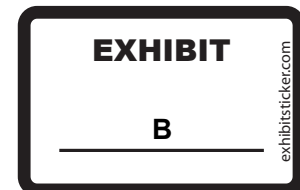
Request for Production 1

Bates Range	Doc Type	Doc Date	Author /Source	Recipient, if Any	Subject Line/Title (blank if attorney-client communication)	Privilege/ Confidentiality Asserted ³
RFP#1 000001-000002	Email thread	November 10, 2017	Ronny Wall	Candace Norrod		Attorney-client privilege

¹ The following people are or were attorneys for Texas Tech University System, one of its member universities, or the Board of Regents: (1) Charlotte Bingham; (2) Victor Mellinger; (3) Pat Campbell; (4) Ronny Wall; (5) John Huffaker; (6) Eric Bentley; and (7) Nathan Christopher. Ann Hartley and Cynthia Morales are attorneys for the Office of the Attorney General who have represented TTU in this proceeding. At all relevant times for the documents at issue, these people acted in their capacities as attorneys in their communications with members or employees or the Texas Tech University System, one of its member universities, or the Board of Regents.

² All other names listed are or were employees of Texas Tech University System or one of its member universities, or are or were members of the Board of Regents or their staff or employees of the Office of the Attorney General working with Assistant Attorney Generals representing Texas Tech on this matter unless otherwise noted.

³ All documents claimed under the attorney-client privilege are communications between attorneys for the Texas Tech University System or one of its member universities, or attorneys for the Board of Regents or Kent Hance, or attorneys with the Office of the Attorney General, or such attorneys’ representatives, and their respective clients who were employees of the Texas Tech University System or one of its member universities or Kent Hance or members of the Board of Regents. These communications were made in furtherance of the rendition of professional legal services and were not intended to be disclosed to third parties but intended to remain confidential between the parties seeking or rendering the legal advice. Such communications were not disclosed to any person not included as an attorney or client or agent of an attorney or client.



RFP#1 000003-000003-A1	Email thread with attachment	November 13, 2017	Ronny Wall	Kent Hance		Attorney-client privilege
RFP#1 000004-000005-A1-A-253	Email thread with attachment	November 13, 2017	Candace Rice	Candace Norrod; Ronny Wall		Attorney-client privilege
RFP#1 000006-000007-A1	Email thread with attachment	November 17, 2019	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000008-000009-A1	Email thread with attachment	January 22, 2018	Sam Segran	Candace Norrod, Ronny Wall		Attorney-client privilege
RFP#1 000010	Email thread	January 23, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000011-000012-A1-A23	Email thread with attachment	April 13, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000013-000014-A1-A2	Email thread with attachment	April 18, 2018	Dailey Fuller	Ronny Wall, Candace Norrod		Attorney-client privilege
RFP#1 000015-000015-A1-	Email thread with attachment	April 12, 2019	Shannan McKinney	Candace Norrod		Attorney-client privilege
RFP#1 000016-000016-A1	Email thread with attachment	April 6, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000017-000019	Email thread	April 10, 2018	Ronny Wall	Charlotte Bingham, Candace Norrod		Attorney-client privilege
RFP#1 000020-000021-A1-A3	Email thread with attachment	April 10, 2018	Charlotte Bingham	Candace Norrod, Ronny Wall		Attorney-client privilege
RFP#1 000022-000023	Email thread	April 12, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege

						(Duplicate of RFP#1 000035-000036)
RFP#1 000024-000024-A1-A3	Email thread with attachment	April 12, 2018	Ronny Wall	John Huffaker, Gary Barnes, Brett Ashworth, Billy Breedlove, Martha Brown, John Opperman, Patrick Kramer, Chancellor Duncan, Kristina Butts		Attorney-client privilege (Duplicate of RFP#1 000037-000037-A1-A3)
RFP#1 000025-000026	Email thread	April 13, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000027-000028	Email thread	April 13, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege (Duplicate of RFP#1 000038-000039)
RFP#1 000029-000030	Email thread	April 13, 2018	Ronny Wall	Brent Ashworth		Attorney-client privilege (Duplicate of RFP#1 000042-000043)
RFP#1 000031-000032	Email thread	April 17, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000033-000033-A1-A7	Email with attachment	April 17, 2018	Ronny Wall	Sam Segran		Attorney-client privilege

						(Duplicate of RFP#1 000048-000048-A1-A7 and RFP#1 000071-000071-A1-A7 and RFP#1 000072-000072-A1-A7)
RFP#1 000034	Email thread	April 20, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000035-000036	Email thread	April 12, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege (Duplicate of RFP#1 000022-000023)
RFP#1 000037-000037-A1-A3	Email thread with attachment	April 12, 2018	Ronny Wall	John Huffaker, Gary Barnes, Brett Ashworth, Billy Breedlove, Martha Brown, John Opperman, Patrick Kramer, Chancellor Duncan, Kristina Butts		Attorney-client privilege (Duplicate of RFP#1 000024-000024-A1-A3)
RFP#1 000038-000039	Email thread	April 13, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege (Duplicate of RFP#1 000027-000028)

RFP#1 000040-000041	Email thread	April 13, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000042-000043	Email thread	April 13, 2018	Ronny Wall	Brent Ashworth		Attorney-client privilege (Duplicate of RFP#1 000029-000030)
RFP#1 000044-000045	Email thread	April 17, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000046-000047-A1-A12	Email thread with attachment	April 19, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000048-000048-A1-A7	Email with attachment	April 17, 2018	Ronny Wall	Sam Segran		Attorney-client privilege (Duplicate of RFP#1 00033-00033-A1-A7 and RFP#1 000071-000071-A1-A7 and RFP#1 000072-000072-A1-A7)
RFP#1 000049	Email thread	April 20, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege (Duplicative of RFP#1 000073)

RFP#1 000050-000051	Email thread	April 23, 2018	Sam Hinkle	Candace Norrod; Kimberly Simon; Ronny Wall		Attorney-client privilege
RFP#1 000051-000053	Email thread	April 23, 2018	Kimberly Simon	Stephen Hinkle; Candace Norrod; Ronny Wall		Attorney-client privilege
RFP#1 000054-000057	Email thread	April 24, 2018	Ronny Wall	Glenn Mellinger; Daniel Ellis		Attorney-client privilege
RFP#1 000058-000059	Email thread	April 26, 2018	Mary Poteet	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#1 000059-000061	Email thread	April 26, 2018	Dawn Payne	Charlotte Bingham; Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#1 000062-000062-A1-A5	Email thread with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000063-000063-A1-A2	Email with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000064-000064-A1	Email thread with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000065-000065-A1-A7	Email thread with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000066-000067-A1-A25	Email thread with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000068-000069- A1-A492	Email with attachment	April 24, 2018	Charlotte Bingham	Ronny Wall; Candace Norrod; Victor Mellinger		Attorney-client privilege

RFP#1 000070-000070-A1-68	Email thread with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000071-000071-A1-A7	Email with attachment	April 17, 2018	Ronny Wall	Sam Segran		Attorney-client privilege (Duplicate of RFP#1 00033-00033-A1-A7 and RFP#1 000048-000048-A1-A7 and RFP#1 000072-000072-A1-A7)
RFP#1 000072-000072-A1-A7	Email with attachment	April 17, 2018	Ronny Wall	Sam Segran		Attorney-client privilege (Duplicate of RFP#1 00033-00033-A1-A7 and RFP#1 000048-000048-A1-A7 and RFP#1 000071-000071-A1-A7)
RFP#1 000073	Email thread	April 20, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege (Duplicative of RFP#1 000049)

RFP#1 000074-000074-A1-A13	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000075-000075-A1-A41	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000076-000076-A1-A370	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000077-000077-A1-A11	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000078-000078-A1-A46	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000079-000079-A1-A34	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000080-000080-A1-A232	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#1 000081-000082-A1	Email thread with attachment	November 13, 2018	Ronny Wall	Eric Bentley		Attorney-client privilege
RFP#1 000083-000085	Email thread	May 29, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#1 000086-000088-A1-A-16	Email thread with attachment	May 30, 2019	Chris Huckabee	Eric Bentley		Attorney-client privilege

RFP#1 000089-000089-A1-A-108	Email thread with attachment	May 30, 2019	J.D. Esparza	Eric Bentley		Attorney-client privilege
RFP#1 000090-000090-A1-A90	Email with attachment	May 31, 2019	Matt Willis	Eric Bentley		Attorney-client privilege
RFP#1 000091-000091-A1-A5	Email thread with attachment	May 31, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#1 000092-000094-A1-A24	Email thread with attachment	May 31, 2019	John M. Lewis	Eric Bentley		Attorney-client privilege
RFP#1 000095-000096-A1-A48	Email with attachment	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#1 000097-000099-A1-A13	Email thread with attachment	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#1 000100-000100-A1-A4	Email thread with attachment	June 4, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#1 000101-000103-A1-A48	Email thread with attachment	June 6, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege

Request for Production 2

Bates Range	Doc Type	Doc Date	Author /Source	Recipient, if Any	Subject Line/Title (blank if attorney-client communication)	Privilege/ Confidentiality Asserted
RFP#2 000001-000002	Email thread	November 10, 2017	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000003-000003-A1	Email thread with attachment	November 13, 2017	Ronny Wall	Kent Hance		Attorney-client privilege
RFP#2 000004-000005-A1-A-253	Email thread with attachment	November 13, 2017	Candace Rice	Candace Norrod; Ronny Wall		Attorney-client privilege
RFP#2 000006-000007-A1	Email thread with attachment	November 17, 2019	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000008-000009-A1	Email thread with attachment	January 22, 2018	Sam Segran	Candace Norrod, Ronny Wall		Attorney-client privilege
RFP#2 000010	Email thread	January 23, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000011-000012-A1-A23	Email thread with attachment	April 13, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege

RFP#2 000013-000014-A1-A2	Email thread with attachment	April 18, 2018	Dailey Fuller	Ronny Wall, Candace Norrod		Attorney-client privilege
RFP#2 000015-000015-A1-	Email thread with attachment	April 12, 2019	Shannan McKinney	Candace Norrod		Attorney-client privilege
RFP#2 000016-000016-A1	Email thread with attachment	April 6, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000017-0000019	Email thread	April 10, 2018	Ronny Wall	Charlotte Bingham, Candace Norrod		Attorney-client privilege
RFP#2 000020-000021-A1-A3	Email thread with attachment	April 10, 2018	Charlotte Bingham	Candace Norrod, Ronny Wall		Attorney-client privilege
RFP#2 000022-000023	Email thread	April 12, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege (Duplicate of RFP#2 000035-000036)
RFP#2 000024-000024-A1-A3	Email thread with attachment	April 12, 2018	Ronny Wall	John Huffaker, Gary Barnes, Brett Ashworth, Billy Breedlove, Martha Brown, John Opperman, Patrick Kramer, Chancellor		Attorney-client privilege (Duplicate of RFP#2 000037-000037-A1-A3)

				Duncan, Kristina Butts		
RFP#2 000025- 000026	Email thread	April 13, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000027- 000028	Email thread	April 13, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege (Duplicate of RFP#2 000038- 000039)
RFP#2 000029- 000030	Email thread	April 13, 2018	Ronny Wall	Brent Ashworth		Attorney-client privilege (Duplicate of RFP#2 000042- 000043)
RFP#2 000031- 000032	Email thread	April 17, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 00033- 00033-A1-A7	Email with attachment	April 17, 2018	Ronny Wall	Sam Segran		Attorney-client privilege (Duplicate of RFP#2 000048- 000048-A1-A7 and RFP#2 000071-000071- A1-A7 and RFP#2

						000072-000072-A1-A7)
RFP#2 000034	Email thread	April 20, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000035-000036	Email thread	April 12, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege (Duplicate of RFP#2 000022-000023)
RFP#2 000037-000037-A1-A3	Email thread with attachment	April 12, 2018	Ronny Wall	John Huffaker, Gary Barnes, Brett Ashworth, Billy Breedlove, Martha Brown, John Opperman, Patrick Kramer, Chancellor Duncan, Kristina Butts		Attorney-client privilege (Duplicate of RFP#2 000024-000024-A1-A3)
RFP#2 000038-000039	Email thread	April 13, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege (Duplicate of RFP#2 000027-000028)
RFP#2 000040-000041	Email thread	April 13, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege

RFP#2 000042-000043	Email thread	April 13, 2018	Ronny Wall	Brent Ashworth		Attorney-client privilege (Duplicate of RFP#2 000029-000030)
RFP#2 000044-000045	Email thread	April 17, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000046-000047-A1-A12	Email thread with attachment	April 19, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000048-000048-A1-A7	Email with attachment	April 17, 2018	Ronny Wall	Sam Segran		Attorney-client privilege (Duplicate of RFP#2 00033-00033-A1-A7 and RFP#2 000071-000071-A1-A7 and RFP#2 000072-000072-A1-A7)
RFP#2 000049	Email thread	April 20, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege (Duplicate of RFP#2 000073)

RFP#2 000050-000051	Email thread	April 23, 2018	Sam Hinkle	Candace Norrod; Kimberly Simon; Ronny Wall		Attorney-client privilege
RFP#2 000051-000053	Email thread	April 23, 2018	Kimberly Simon	Stephen Hinkle; Candace Norrod; Ronny Wall		Attorney-client privilege
RFP#2 000054-000057	Email thread	April 24, 2018	Ronny Wall	Glenn Mellinger; Daniel Ellis		Attorney-client privilege
RFP#2 000058-000059	Email thread	April 26, 2018	Mary Poteet	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#2 000059-000061	Email thread	April 26, 2018	Dawn Payne	Charlotte Bingham; Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#2 000062-000062-A1-A5	Email thread with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000063-000063-A1-A2	Email with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000064-000064-A1	Email thread with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000065-000065-A1-A7	Email thread with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege

RFP#2 000066-000067-A1-A25	Email thread with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000068-000069- A1-A492	Email with attachment	April 24, 2018	Charlotte Bingham	Ronny Wall; Candace Norrod; Victor Mellinger		Attorney-client privilege
RFP#2 000070-000070-A1-68	Email thread with attachment	April 24, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000071-000071-A1-A7	Email with attachment	April 17, 2018	Ronny Wall	Sam Segran		Attorney-client privilege (Duplicate of RFP#2 00033-00033-A1-A7 and RFP#2 000048-000048-A1-A7 and RFP#2 000072-000072-A1-A7)
RFP#2 000072-000072-A1-A7	Email with attachment	April 17, 2018	Ronny Wall	Sam Segran		Attorney-client privilege (Duplicate of RFP#2 00033-00033-A1-A7 and RFP#2 000048-

						000048-A1-A7 and RFP#2 000071-000071- A1-A7)
RFP#2 000073	Email thread	April 20, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege (Duplicate of RFP#3 000049)
RFP#2 000074- 000074-A1- A13	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000075- 000075-A1- A41	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000076- 000076-A1- A370	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000077- 000077-A1- A11	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000078- 000078-A1- A46	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege

RFP#2 000079-000079-A1-A34	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000080-000080-A1-A232	Email thread with attachment	April 21, 2018	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#2 000081-000082-A1	Email thread with attachment	November 13, 2018	Ronny Wall	Eric Bentley		Attorney-client privilege
RFP#2 000083-000085	Email thread	May 29, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#2 000086-000088-A1-A-16	Email thread with attachment	May 30, 2019	Chris Huckabee	Eric Bentley		Attorney-client privilege
RFP#2 000089-000089-A1-A-108	Email thread with attachment	May 30, 2019	J.D. Esparza	Eric Bentley		Attorney-client privilege
RFP#2 000090-000090-A1-A90	Email with attachment	May 31, 2019	Matt Willis	Eric Bentley		Attorney-client privilege
RFP#2 000091-000091-A1-A5	Email thread with attachment	May 31, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege

RFP#2 000092-0000094-A1-A24	Email thread with attachment	May 31, 2019	John M. Lewis	Eric Bentley		Attorney-client privilege
RFP#2 000095-000096-A1-A48	Email with attachment	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#2 000097-000099-A1-A13	Email thread with attachment	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#2 000100-000100-A1-A4	Email thread with attachment	June 4, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#2 000101-000103-A1-A48	Email thread with attachment	June 6, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP#2 000101-000103-A1-A48	Email thread with attachment	June 6, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege

Request for Production 3

Bates Range	Doc Type	Privilege/ Confidentiality Asserted⁴
RFP#3 w/h 000001 - 000098	Submitted sample documents, or descriptions of the substance, of the documents at issue in PIA Request 27 and 28	Documents are the subject of the instant lawsuit, and release would render case moot Deliberative Process - Agency Memoranda & Work Product (552.111) Attorney-client privilege (552.107) Personal Privacy rights - Private Donor Identity (552.1235)
RFP#3 w/h 000099 - 000116	Submitted sample documents, or descriptions of the substance, of the documents at issue in PIA Request 27 & 28	Documents are the subject of the instant lawsuit, and release would render case moot Deliberative Process - Agency Memoranda & Work Product (552.111) Attorney-client privilege (552.107)
RFP#3 w/h 000117 - 000119	Submitted sample documents, or descriptions of the substance, of the documents at issue in PIA Request 30	Documents are the subject of the instant lawsuit, and release would render case moot Deliberative Process- Agency Memoranda & Work Product (552.111)
RFP#3 w/h 000120 - 000122	Submitted sample documents, or descriptions of the substance, of the	Documents are the subject of the instant lawsuit, and release would render case moot

⁴ All references are to the Texas Government Code, unless otherwise noted.

	documents at issue in PIA Request 33	Deliberative Process - Agency Memoranda & Work Product (552.111) Private Donor Identity (552.1235) Personal E-mail Addresses (552.137)
RFP#3 w/h 000123 - 000313	Submitted sample documents, or descriptions of the substance, of the documents at issue in PIA Requests 35 & 36	Documents are the subject of the instant lawsuit, and release would render case moot Not Public Information (552.002) Property rights - Competition & Bidding (552.104) Personal Privacy rights - Name of Applicant for CEO (552.123) Personal Privacy rights - Personal E-mail Addresses (552.137) FERPA Attorney-client privilege (552.107) Property rights - Location & Price of Property (552.105) Deliberative Process- Agency Memoranda & Work Product (552.111) Personal Privacy rights - Private Donor Identity (552.1235)
RFP#3 w/h 000314 - 000428	Submitted sample documents, or descriptions of the substance, of the documents at issue in PIA Requests 35 & 36	Documents are the subject of the instant lawsuit, and release would render case moot Personal Privacy rights -Personal E-mail Addresses (552.137) Deliberative Process -Agency Memoranda & Work Product (552.111)
RFP#3 w/h 000429 - 000726	Submitted sample documents, or descriptions of the substance, of the	Documents are the subject of the instant lawsuit, and release would render case moot Property rights - Competition & Bidding (552.104)

	documents at issue in PIA Request 37	<p>Deliberative Process - Agency Memoranda & Work Product (552.111)</p> <p>Personal Privacy Rights - Personal E-mail Addresses (552.137)</p> <p>Property rights - Location & Price of Property (552.105)</p> <p>Personal Privacy Rights and property rights -Credit Card / Charge Card Numbers (552.136)</p> <p>Personal Privacy rights - Private Donor Identity (552.1235)</p>
RFP#3 w/h 000727 - 000999	Submitted sample documents, or descriptions of the substance, of the documents at issue in Request 40	<p>Documents are the subject of the instant lawsuit, and release would render case moot</p> <p>Property rights - Competition & Bidding (552.104)</p> <p>Deliberative Process - Agency Memoranda & Work Product (552.111)</p> <p>Personal Privacy Rights - Personal E-mail Addresses (552.137)</p> <p>Property Rights - Location & Price of Property (552.105)</p> <p>Personal Privacy rights - Private Donor Identity (552.1235)</p> <p>Personal Privacy Rights - Public Employee or Officer Personal Safety (552.152)</p> <p>Personal Privacy and Property Rights- Security Systems (418.181)</p> <p>Personal Privacy rights - Personal Information (552.117)</p>
RFP#3 w/h 001000 - 001233	Submitted sample documents, or descriptions of the substance, of the documents at issue in Request 41	<p>Documents are the subject of the instant lawsuit, and release would render case moot</p> <p>Personal Privacy Rights - Personal E-mail Addresses (552.137)</p> <p>Attorney-client privilege (552.107)</p> <p>FERPA (Family Educational Rights and Privacy Act)</p>

		<p>Personal Privacy Rights & Compliance Program (Education Code 51.971)</p> <p>Personal Privacy Rights Personal Information (552.117)</p> <p>Non-Responsive</p> <p>Deliberative Process - Agency Memoranda & Work Product (552.111)</p>
RFP#3 w/h 001234 - 001462	Submitted sample documents, or descriptions of the substance, of the documents at issue in Request 42	<p>Documents are the subject of the instant lawsuit, and release would render case moot</p> <p>Not Public Information (552.002)</p> <p>Property Rights - Competition & Bidding (552.104)</p> <p>Personal Privacy Rights - Personal E-mail Addresses (552.137)</p> <p>Deliberative Process Agency Memoranda & Work Product (552.111)</p>
RFP#3 w/h 001463 - 001467	Submitted sample documents, or descriptions of the substance, of the documents at issue in Request 43	<p>Documents are the subject of the instant lawsuit, and release would render case moot</p> <p>Property Rights - Competition & Bidding (552.104)</p>
RFP#3 w/h 001468 - 001990	Submitted sample documents, or descriptions of the substance, of the documents at issue in Request 44	<p>Documents are the subject of the instant lawsuit, and release would render case moot</p> <p>Not Public Information (552.002)</p> <p>Property Rights - Competition & Bidding (552.104)</p> <p>Personal Privacy rights - Private Donor Identity (552.1235)</p> <p>Personal Privacy Rights - Personal E-mail Addresses (552.137)</p> <p>Deliberative Process - Agency Memoranda & Work Product (552.111)</p>

RFP#3 w/h 001991 - 002107	Submitted sample documents, or descriptions of the substance, of the documents at issue in PIA Request 45	Documents are the subject of the instant lawsuit, and release would render case moot Attorney-client Privilege (552.107) Deliberative Process - Agency Memoranda & Work Product (552.111) Litigation (552.103)
RFP#3 w/h 002108 - 002112	Submitted sample documents, or descriptions of the substance, of the documents at issue in PIA Supplemental Request	Litigation (552.103) Attorney-Client Privilege (552.107)

Request for Production 4

Bates Range	Doc Type	Doc Date	Author /Source	Recipient, if Any	Subject Line/Title (blank if attorney-client communication)	Privilege/ Confidentiality Asserted
RFP#4 000004 - 000005	Email thread	November 10, 2017	Ronny Wall	Candace Norrod		Attorney-client privilege
RFP#4 000010 - 000012	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client privilege
RFP# 000013 - 000014	Email thread	June 18, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#4 000015 - 000018	Email thread	June 6, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#4 000019 - 000022	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#4 000023 - 000024	Email thread	June 4, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#4 000025 - 000028	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#4 000029 - 000032	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#4 000033 - 000034	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege

RFP#4 000035 - 000036	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
--------------------------	--------------	--------------	--------------	----------------------------	--	------------------------------

Request for Production 5

Bates Range	Doc Type	Doc Date	Author /Source	Recipient, if Any	Subject Line/Title (blank if attorney-client communication)	Privilege / Confidentiality Asserted
RFP#5 000004 - 000005	Email thread	November 10, 2017	Ronny Wall	Candace Norrod		Attorney-client Privilege
RFP#5 000010 - 000012	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#5 000013 - 000014	Email thread	June 18, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#5 000015 - 000018	Email thread	June 6, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#5 000019 - 000022	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#5 000023 - 000024	Email thread	June 4, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#5 000025 - 000028	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#5 000029 - 000032	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
RFP#5 000033 - 000034	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege

RFP#5 000035 - 000036	Email thread	June 3, 2019	Eric Bentley	Ronny Wall; Candace Norrod		Attorney-client Privilege
--------------------------	--------------	--------------	--------------	-------------------------------	--	------------------------------

Request for Production 6

Bates Range	Doc Type	Doc Date	Author /Source	Recipient, if Any	Subject Line/Title (blank if attorney-client communication)	Privilege or Confidentiality Asserted
RFP#6 000001 - 000002	MS word document - Draft affidavit for 1 st plea to jurisdiction	N/A	Ronny Wall	N/A		Attorney Work Product
RFP#6 000326 - 000330	MS word document with edits - Draft affidavit for 4 th plea to jurisdiction	N/A	Ronny Wall	Cynthia Morales		Attorney-client privilege/Attorney Work Product
RFP#6 000331 - 000334	MS word document with edits – Draft affidavit for 4 th plea to jurisdiction	N/A	Cynthia Morales	Ronny Wall		Attorney-client privilege/Attorney Work Product
RFP#6 000335 – 000338	MS word document with edits - Draft affidavit for 4 th plea to jurisdiction	N/A	Cynthia Morales	Ronny Wall		Attorney-client privilege/Attorney Work Product Possible duplicate of 331-334

RFP#6 000339 – 000343	MS word document with edits - Draft affidavit for 4 th plea to jurisdiction	N/A	Ronny Wall	Cynthia Morales		Attorney-client privilege/Attorney Work Product Possible duplicate of 326-330
RFP#6 000344 - 000346	MS word document - Draft affidavit for 4 th plea to jurisdiction	N/A	Ronny Wall	N/A		Attorney Work Product
RFP#6 000347 – 000349	MS word document - Draft affidavit for 4 th plea to jurisdiction	N/A	Ronny Wall	N/A		Attorney Work Product
RFP#6 000350 - 000351	MS word document with edits - Draft affidavit for Supp to 3 rd plea to jurisdiction	N/A	Ronny Wall / Nathan Christopher	Ann Hartley		Attorney-client privilege/Attorney Work Product
RFP#6 000352 - 000357	MS word document - Draft affidavit for 2 nd plea to jurisdiction	N/A	Ronny Wall	N/A		Attorney Work Product
RFP#6 000358 - 000359	MS word document with edits - Draft affidavit for Supp	N/A	Ronny Wall	N/A		Attorney Work Product

	to 3 rd plea to jurisdiction					
RFP#6 000360 - 000361	MS word document with edits - Draft affidavit for Supp to 3 rd plea to jurisdiction	N/A	Ronny Wall	N/A		Attorney Work Product
RFP#6 000362 - 000363	MS word document with edits - Draft affidavit for Supp to 3 rd plea to jurisdiction	N/A	Ronny Wall	Ann Hartley		Attorney-client privilege/Attorney Work Product
RFP#6 000364 - 000369	MS word document with edits - Draft affidavit for 2 nd plea to jurisdiction	N/A	Ronny Wall	Ann Hartley		Attorney-client privilege/Attorney Work Product
RFP#6 000370	MS word document -Draft business records affidavit	N/A	Ronny Wall			Attorney Work Product
RFP#6 000371	MS word document - Draft business records affidavit	N/A	Ronny Wall			Attorney Work Product

RFP#6 000372	MS word document -Draft business records affidavit	N/A	Ronny Wall			Attorney Work Product Duplicate of item RFP#6 000371 (above)
RFP#6 000373 - 000374	MS word document with edits - Draft business records affidavit	N/A	Ronny Wall			Attorney Work Product
RFP#6 000375	MS word document -Draft business records affidavit	N/A	Ronny Wall			Attorney Work Product
RFP#6 000376	MS word document -Draft business records affidavit	N/A	Ronny Wall			Attorney Work Product Possible duplicate of item RFP#6 000371
RFP#6 000690	Email thread	June 4, 2019	Candace Norrod	Cynthia Morales; Ronny Wall; R'Asia Miller		Attorney-client privilege

RFP#6 000697 - 000702	MS word document with edits - Draft affidavit for 1 st plea to jurisdiction	N/A	Ronny Wall	Ann Hartley		Attorney-client privilege/Attorney Work Product
RFP#6 000703 - 000704	MS word document with edits - Draft affidavit for 1 st plea to jurisdiction	N/A	Ronny Wall			Attorney Work Product
RFP#6 000705 - 000709	MS word document - Draft affidavit for 1 st plea to jurisdiction	N/A	Ronny Wall			Attorney Work Product
RFP#6 000710 - 000714	MS word document - Draft affidavit for 1 st plea to jurisdiction	N/A	Ronny Wall			Attorney Work Product
RFP#6 000715 - 000720	MS word document with edits - Draft affidavit for 1 st plea to jurisdiction	N/A	Ronny Wall			Attorney Work Product Possible duplicate of item RFP#6 710 - 714 (above)
RFP#6 000721 - 000726	MS word document - Draft	N/A	Ronny Wall			Attorney Work Product

	affidavit for 1 st plea to jurisdiction					
RFP#6 000727 - 000732	MS word document with edits - Draft affidavit for 2 nd plea to jurisdiction	N/A	Ronny Wall			Attorney Work Product
RFP#6 000733 - 000738	MS word document with edits - Draft affidavit for 1 st plea to jurisdiction	N/A	Ronny Wall			Attorney Work Product
RFP#6 000739 - 000744	MS word document with edits - Draft affidavit for 1 st plea to jurisdiction	N/A	Ronny Wall			Attorney Work Product

Requests for Production Nos. 7-23

These requests seek the actual information at issue in this lawsuit, which would moot the case. A motion for protective order is pending on this issue. The bases asserted for withholding the information under the PIA are also asserted for purposes of the privilege log to the request for production of the information of the items at issue in discovery. For some of the PIA requests whose documents are sought in requests for production (requests for production 7-12, and 22-23), a specific log detailing the basis for withholding the documents (including privileges recognized by the PIA, such as the attorney-client privilege [552.107], personal, constitutional, and property privacy rights (e.g. 552.103, 552.104, 552.101, 552.137, 552.117, 552.114, 552.1235, 552.147, etc. as well as federal law) has already been served as Exhibit 1 to the Request for Interrogatories, was served again as an exhibit to this privilege log, and is referenced below. For requests for production 13-17, and 20-21, where the only challenge in this lawsuit to the underlying PIA requests is to the withholding of documents on the basis of the litigation exception, no such log exists because the only question before the Court is whether the litigation exception applies—Plaintiff’s petition does not challenge the withholding of any information in those requests under any other basis. The application of the litigation exception is a purely legal question. Thus for those documents, privileges outside of the litigation exception are not at issue because Plaintiff does not seek the release of such privileged material. For request for productions 18 and 19, there is no active claim in this lawsuit and Plaintiff has no right to discovery related to such documents. Nevertheless, all privileges are asserted as below.

TTU will provide all of the information at issue in the lawsuit to the trial court for an in-camera review in order to adjudicate this case as provided for in Texas Government Code section 552.3221.

Request for Production number	Bates Range	Underlying PIA request related to:	Documents sought	Privilege/ Confidentiality Asserted	Comments
7	R27&R28 00001-000208 (includes documents responsive to	27	Copies of any documents and/or notes obtained or made during the investigation of the alleged mistreatment of Adam James by Mike Leach or any	Attorney-client privilege, Attorney work-product, FERPA, constitutional law, privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.114, 552.117 and 552.1235, deliberative	Further details on Privileges/Confidentiality applicable are listed in Exhibit 1 to Privilege Log which was provided separately and previously provided as Exhibit 1 to Interrogatory 2

	PIA Request 28)		other allegations against Mike Leach	process privilege, FERPA, and Texas Government Code sections 552.107(1), 552.111, 552.114, 552.117, and 552.1235.	
8	R27&R28 00001-000208 (includes documents responsive to PIA Request 27)	28	Emails sent or received by Chancellor Kent Hance relating to Mike Leach from September 1, 2009 to February 28, 2010.	Attorney-client privilege and pursuant to FERPA and constitutional law, and the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.114, 552.117 and 552.1235, deliberative process privilege, and Texas Government Code sections 552.107(1), 552.111, 552.114, 552.117, and 552.1235.	Further details on Privileges/Confidentiality applicable are listed in Exhibit 1 to Privilege Log which was provided separately and previously provided as Exhibit 1 to Interrogatory 2
9	Contained in R30 000001-000256. See Exhibit 1 for specific pages.	30	Copies of Kelly Overly's resume	Personal privacy, constitutional, and privacy rights and Texas Government Code section 552.117	Further details on Privileges/Confidentiality applicable are listed in Exhibit 1 to Privilege Log which was provided separately and previously provided as Exhibit 1 to Interrogatory 2

10	Contained in R30 000001-000256. See Exhibit 1 for specific pages.	30	Copies of all publicly releasable documents from Kelly Overly's personnel file	Personal, privacy, constitutional, or property rights as recognized by Texas Government Code sections 552.117, 552.130, 552.136, and 552.147, and federal law, including 8 U.S.C. §1342a and 25 U.S.C. §6103(a), and Texas Government Code sections 552.101, 552.117, 552.130, 552.136, and 552.147.	Further details on Privileges/Confidentiality applicable are listed in Exhibit 1 to Privilege Log which was provided separately and previously provided as Exhibit 1 to Interrogatory 2
11	Contained in R30 000001-000256. See Exhibit 1 for specific pages.	30	Copies of any email correspondence between Kelly Overly and Kent Hance for all time	Deliberative Process Privilege and Texas Government Code section 552.111.	Further details on Privileges/Confidentiality applicable are listed in Exhibit 1 to Privilege Log which was provided separately and previously provided as Exhibit 1 to Interrogatory 2
12	R33 000001-000038	33	Pdf copies of all emails between Kent Hance and Jodey Arrington between September 1, 2009 and March 1, 2010, related to Mike Leach, and/or 'M/L,' and/or any investigation	FERPA, the deliberative process privilege and Texas Government Code section 552.111, the privacy rights recognized by Texas Government Code sections 552.114, 552.1235 and 552.137, and Texas Government Code sections	Further details on Privileges/Confidentiality applicable are listed in Exhibit 1 to Privilege Log which was provided separately and previously provided as Exhibit 1 to Interrogatory 2

			regarding Adam James	552.103, 552.114, 552.1235 and 552.137.	
13	<p>Contained in R35 & 36 000001-000208</p> <p>(also includes documents responsive to R36)</p>	35	<p>Copies of all sent emails between January 1, 2016 and the present, from Texas Tech University Board of Regents member Mickey L. Long which relate to university business</p>	<p>Attorney-client privilege, FERPA and constitutional law, the deliberative process privilege and Texas Government Code section 552.111, the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.104, 552.105, 552.1235(a), 552.123, and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information, including documents which were not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, and the exceptions of Texas Government Code sections 552.103, 552.104, 552.105, 552.111, 552.114, 552.1235(a), 552.123, and 552.137, FERPA, and the</p>	<p>The only issue in this lawsuit as to these documents is the whether TTU may withhold these documents s on the basis of the application of the 552.103 (litigation) exception)</p>

				Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104.	
14	<p>Contained in R35 & 36 000001-000208</p> <p>(also includes documents responsive to R35)</p>	36	<p>Copies of all email communications between Chancellor Robert Duncan and Texas Tech University Board of Regents member Mickey L. Long between January 1, 2016 and the present</p>	<p>Attorney-client privilege, FERPA and constitutional law, the deliberative process privilege and Texas Government Code section 552.111, the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.104, 552.105, 552.1235(a), 552.123, and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information, including documents which were not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, FERPA, and Texas Government Code</p>	<p>The only issue in this lawsuit as to these documents is the whether TTU may withhold these documents on the basis of the application of the 552.103 (litigation) exception)</p>

				sections 552.103, 552.104, 552.105, 552.111, 552.114, 552.1235(a), 552.123, and 552.137, and the Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104.	
15	R37 000001-000108	37	Copies of all emails sent or received between Texas Tech University Board of Regents member Larry Anders and or Jerry Turner, Kent Hance, Charlotte Bingham, between December 10, 2009 and December 31, 2010, which relate to university business	Attorney-client privilege, FERPA, the deliberative process privilege and Texas Government Code section 552.111, and the privacy rights recognized by Texas Government Code section 552.137, and Texas Government Code sections 552.103, 552.111, 552.114, 552.137, FERPA, and the Attorney General's previous ruling in opinion no. 2018-03986 ruling that information could be withheld under Texas Government Code section 552.111.	The only issue in this lawsuit as to these documents is the whether TTU may withhold these documents on the basis of the application of the 552.103 (litigation) exception)

16	R40 000001-001164	40	Copies of all email communications between any Chancellor, Vice Chancellor, or Chancellor Emeritus and Texas Tech University Board of Regents member Christopher M. Huckabee between January 1, 2016 and the present	Attorney-client privilege, the deliberative process privilege and Texas Government Code section 552.111, FERPA and constitutional law and the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.104, 552.105, 552.1235, 552.136 and 552.137, and Texas Government Code sections 552.103, 552.104, 552.105, 552.111, 552.114, 552.1235, 552.136 and 552.137, FERPA, and the Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104	
17	R40 000001-001164	40	Copies of all email communications between any Chancellor, Vice Chancellor, or Chancellor Emeritus and Texas Tech	Attorney-client privilege, the deliberative process privilege and Texas Government Code section 552.111, FERPA and constitutional law and the privacy, constitutional, and property rights of various	Request for production 16 and 17 are identical. The only issue in this lawsuit as to these documents is the whether TTU may withhold

			University Board of Regents member Christopher M. Huckabee between January 1, 2016 and the present	individuals and entities recognized by Texas Government Code sections 552.104, 552.105, 552.1235, 552.136 and 552.137, and Texas Government Code sections 552.103, 552.104, 552.105, 552.111, 552.114, 552.1235, 552.136 and 552.137, FERPA, and the Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104	these documents on the basis of the application of the 552.103 (litigation) exception)
18	Contained in R42 & 43 000001-000504 (also includes document responsive to 43)	42	Copies of all documents detailing any communications between any staff member of Texas Tech University and any member of the Lubbock Police Department regarding allegations of sexual assault between January 1, 2013 and the present.	Attorney-client privilege and attorney-work product, deliberative process privilege and Texas Government Code section 552.111, FERPA and constitutional law, the privacy rights of various individuals recognized by the common law, the U.S. Constitution, and Texas Government Code sections 552.137, and Texas Government Code sections 552.101, 552.107, 552.114,	These documents are not at issue in this lawsuit. Plaintiff makes no claims in his petition as to Request 42 His petition makes any claim as to Request 42 contingent on TTU withholding documents based on 552.103. TTU is not withholding any documents in Request 42 on the basis of 552.103

				552.137, Texas Rule of Evidence 503, and Texas Education Code section 51.971(c)(1)	
19	<p>Contained in R42 & 43 000001-000504</p> <p>(also includes document responsive to 42)</p>	43	<p>Copies of all documents detailing any written complaint and subsequent investigation as well any completed investigation into allegations of a hostile work environment in the Texas Tech University Biology Department</p>	<p>Attorney-client privilege and attorney-work product, deliberative process privilege and Texas Government Code section 552.111, FERPA and constitutional law, the privacy rights of various individuals recognized by common law, the U.S. Constitution, and Texas Government Code sections 552.137, and Texas Government Code sections 552.101, 552.107, 552.114, 552.137, FERPA, Texas Rule of Evidence 503, and Texas Education Code section 51.971(c)(1)</p>	<p>These documents are not at issue in this lawsuit.</p> <p>Plaintiff makes no claims in his petition as to Request 43. His petition makes any claim as to Request 42 contingent on TTU withholding documents based on 552.103. TTU is not withholding any documents in Request 43 on the basis of 552.103</p>
20	RR44 000001-000523	44	<p>Copies of all email communications between any Chancellor, Vice Chancellor, or Chancellor Emeritus and Texas Tech University Board of</p>	<p>Attorney-client privilege, the deliberate process privilege and Texas Government Code section 552.111, and pursuant to FERPA and constitutional law, and the privacy, constitutional, and property rights of various</p>	<p>The only issue in this lawsuit as to these documents is the whether TTU may withhold these documents on the basis of the application of the 552.103 (litigation) exception)</p>

			Regent member Tim Lancaster between January 1, 2016 and the present	individuals and entities recognized by Texas Government Code sections 552.104, 552.117, 552.305, and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information including matters which were not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, and the exceptions of Texas Government Code sections 552.103, 552.104, 552.111, 552.114, 552.117, 552.137, FERPA, and the Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104	
21	R45 000001-001165	45	Copies of all email communications between any Chancellor, Vice	Attorney-client privilege, the deliberate process privilege and Texas Government Code section 552.111, and	The only issue in this lawsuit as to these documents is the whether TTU may withhold these documents on the

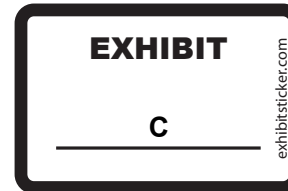
			<p>Chancellor, or Chancellor Emeritus and Texas Tech University Board of Regent member Ron Hammonds between January 1, 2016 and the present</p>	<p>pursuant to FERPA and constitutional law, and the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.104, 552.117, 552.1235, and 552.137, and the legal bases for exception from disclosure at issue in this lawsuit for this information including information which was not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, and the exceptions of Texas Government Code sections 552.103, 552.104, 552.111, 552.114, 552.117, 552.1235, and 552.137, FERPA, and the Attorney General's previous rulings in opinions nos. 2016-05260 and 2017-21239 that ruled that information could be withheld under Texas Government Code section 552.104</p>	<p>basis of the application of the 552.103 (litigation) exception)</p>
--	--	--	---	---	--

22	Contained in R-SP-00001-0000349	Supplemental petition request	Any documents that provide detailed phone records of Trustees, on any device which Texas Tech University business is conducted, between August 1, 2018 and September 1, 2018. (excluding or redacting any personal phone calls and any other information made confidential under state law)	Attorney-client privilege, and the legal bases for exception from disclosure at issue in this lawsuit as to this request including information which was not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, and Texas Government Code section 552.107	Further details on Privileges/Confidentiality applicable are listed in Exhibit 1 to Privilege Log which was provided separately and previously provided as Exhibit 1 to Interrogatory 2
23	Contained in R-SP-00001-0000349	Supplemental petition request	Any emails sent to any member of Board of Regents relating to Mike Leach, Wayne Dolcefino or Dolcefino Consulting since May 1, 2018	attorney-client privilege and pursuant to FERPA, the deliberative process privilege and Texas Government Code section 552.111, the privacy, constitutional, and property rights of various individuals and entities recognized by Texas Government Code sections 552.1235, and 552.137, and the legal bases for exception from disclosure	Further details on Privileges/Confidentiality applicable are listed in Exhibit 1 to Privilege Log which was provided separately and previously provided as Exhibit 1 to Interrogatory 2

				<p>at issue in this lawsuit as to this request including information which was not public information under Texas Government Code section 552.002 and so not subject to disclosure under Texas Government Code section 552.021, and Texas Government Code sections 552.103, 552.107, 552.111, 552.1235, 552.137, and the Attorney General's previous ruling in opinions no. 2018-03986</p>	
--	--	--	--	--	--



KEN PAXTON
ATTORNEY GENERAL OF TEXAS



November 26, 2019

VIA Certified Mail, Return Receipt Requested and Email

Julie Pettit
THE PETTIT LAW FIRM
2101 Cedar Springs, Suite 1540
Dallas, TX 75201
jp Pettit@pettitfirm.com

Michael K. Hurst
LYNN PINKER COX & HURST LLP
2100 Ross Avenue, Suite 2700
Dallas, TX 75201
mhurst@lynnllp.com

Re: *Dolcefino Communications, LLC v. Texas Tech University*, DEMAND – Unauthorized Access and Publication of Confidential and Privileged Documents

Dear Counsel:

Yesterday, November 25, 2019, we learned that your client published privileged and confidential documents relating to the ongoing case against our client, Texas Tech University. Following this, we conducted a thorough audit of our system and determined that your office took possession of an attorney-client communication between our office and our client consisting of the unredacted copies of the very documents at issue in this lawsuit, which themselves include attorney-client communications, attorney work product, and information made confidential under FERPA, among the other bases that Texas Tech has continuously claimed makes the documents confidential and not subject to public disclosure.

Specifically, we discovered that on November 12, 2019, your office downloaded from a SecureSpace by kiteworks folder eleven (11) files, clearly labeled as the documents at issue, totaling 6,011 pages. The files were labeled: "R-33 withheld docs-bates numbered"; "R-30 combined and bates numbered"; "R-27 & R-28 withheld docs-bates numbered"; "R-35 & R-36 withheld docs-bates numbered"; "R-37 withheld docs-bates numbered"; R-Supp combined and bates labeled"; R-42 & R-43 withheld docs-bates numbered"; "R-44 withheld docs-bates numbered"; "R-45 withheld docs-bates numbered"; R-41 withheld docs-bates numbered"; and "R-40 withheld docs-bates numbered". These files were uploaded to SecureSpace by kiteworks and transmitted to our client on September 10, 2019, for the purpose of rendering legal advice; neither our client nor our office gave you permission to access these documents. Instead, your office was permitted to access the SecureSpace by kiteworks folder on August 13, 2019, for the limited purpose of obtaining the documents we produced to you in your Request for Production #3. This was the only time your office was given express permission to access the folder. Consequently, these documents were not produced, and were never intended to be produced or disclosed to you or to anyone in your office.

We are, therefore, exercising our right under Texas Rule of Civil Procedure 193.3(d) to preserve the privilege and confidentiality of these documents, and demand that you return these documents to our office and destroy any and all copies that were made that your office possesses. We expect these documents to be returned to our office, and confirmation that any and all copies have been destroyed, no later than Wednesday, December 4, 2019.

Additionally, we demand that your client immediately remove all videos, articles, blogs, social media posts, web pages, and any other publicly available medium online that your client used to publish these documents. We further demand that your client cease publishing these documents, refrain from any future publication or discussion of these documents, and destroy any and all copies of the documents in your client's possession. We likewise expect confirmation that the copies your client possesses are destroyed by Wednesday, December 4, 2019.

Should you and your client fail to comply with these requests, we will take all necessary actions and pursue all recourse available to protect the interests of Texas Tech and the State of Texas.

Sincerely,

Cynthia A. Morales w/ permission

Cynthia A. Morales

Assistant Attorney General

Telephone: (512) 475-4470

Email: cynthia.morales@oag.texas.gov

William Sumner Macdaniel

Assistant Attorney General

Telephone: (512) 936-1862

Email: william.macdaniel@oag.texas.gov

Financial Litigation and Charitable Trusts Division

Office of the Attorney General

P.O. Box 12548, Mail Code 017

Austin, Texas 78711-2548

Facsimile: (512) 477-2348