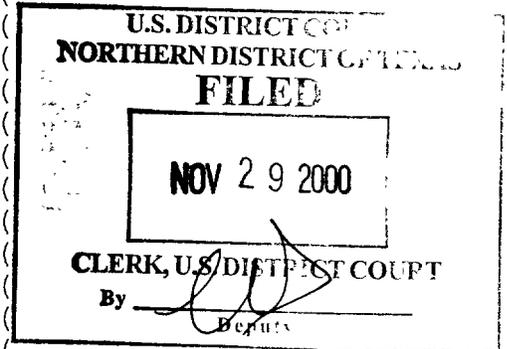


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

STEPHEN B. JONES, LINDA D. ( CIVIL ACTION NUMBER  
LYDIA and CAROLINE FRANCO, (   
as Texas registered voters, (

VERSUS ( 3:00-CV-2543-D  
(

GOVERNOR GEORGE W. BUSH (   
AND RICHARD B. CHENEY, (   
as candidates for President and (   
Vice-President of the United (   
States of America; and ERNEST (   
ANGELO, GAYLE WEST, BETTY R. (   
HINES, JAMES B. RANDALL, HELEN (   
QUIRAM, HENRY W. TEICH, JR., (   
WILLIAM EARL JUETT, HALLY B. (   
CLEMENTS, HOWARD PEBLEY, JR., (   
ADAIR MARGO, TOM F. WARD, JR., (   
CARMEN P. CASTILLO, CHUCK JONES, (   
MICHAEL PADDIE, JAMES DAVIDSON (   
WALKER, JOSEPH I. O'NEIL, III, (   
BETSY LAKE, ROBERT J. PEDEN, (   
JIM HAMLIN, MARY E. COWART, (   
SUE DANIEL, JAMES R. BATSELL, (   
LOYCE MCCARTER, MICHAEL DUGAS (   
NEAL J. KATZ, MARY CEVERHA, (   
CLYDE MOODY SIEBMAN, RANDALL TYE (   
THOMAS CRUZ G. HERNANDEZ, JOHN (   
ABNEY CULBERSON, STAN STANART (   
and KEN CLARK, Texas Electors (



( November 28th, 2000

TRANSCRIPT OF TELEPHONIC CONFERENCE  
BEFORE THE HONORABLE SIDNEY A. FITZWATER,  
UNITED STATES DISTRICT JUDGE

A P P E A R A N C E S:

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214/219-3456

For the Defendant: DAVID AUFHAUSER and  
PAUL RAUSER and  
ALEX ROMAIN

PAMELA J. WILSON, C.S.R., U.S. DISTRICT COURT

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214/415-1884

P R O C E E D I N G S:

1 THE COURT: This is Judge Fitzwater speaking.

2 My court reporter is present and one of my law clerks  
3 is present.

4 Let me start if I might with plaintiff's counsel, if  
5 they would identify themselves.

6 MR. JONES: James Jones representing plaintiff,  
7 Your Honor.

8 THE COURT: And any other plaintiff's counsel, Mr.  
9 Jones?

10 MR. JONES: No, sir.

11 THE COURT: And let me go around to the parties.  
12 Counsel for Governor Bush.

13 MS. MIERS: Harriet Miers and Roger Cowie.

14 THE COURT: Thank you.  
15 For Secretary Cheney.

16 MR. AUFHAUSER: In Washington it's David Aufhauser  
17 and Paul Rauser and Alex Romain.

18 MR. HARTMANN: And in Dallas at Haynes & Boone  
19 it's Robin Hartmann and Stacy Brainin.

20 THE COURT: And for the Texas electors?

21 MR. TAYLOR: Andy Taylor with the A. G.'s office  
22 for eight of the electors.

23 THE COURT: Mr. Aufhauser, for the record we have  
24 some new attorneys and I don't think my court reporter has  
25

1 their spelling. If you would ask them, or you, to spell  
2 them for the record, please.

3 MR. AUFHAUSER: Paul Rauser is R-A-U-S-E-R and  
4 Alex Romain is R-O-M-A-I-N. And, by the way, maybe -- it  
5 may have just have been an omission in yesterday's  
6 transcript but my full name is A-U-F-H-A-U-S-E-R. I think  
7 the E-R was omitted from the transcript.

8 THE COURT: All right. Thank you.

9 I'm sure my court reporter will fix that. She's -- at  
10 the same time she's doing expedited copy for this, I'm  
11 starting a patent case next week that we're doing expedited  
12 copy for.

13 MR. AUFHAUSER: Actually, I'm not even asking for  
14 the correction. I think it's a terrific that she turned it  
15 around as quickly as she did.

16 THE COURT: Okay. Thank you.

17 Let me begin if I might with counsel who wish to  
18 address the discovery matters.

19 And, Mr. Hartmann, are you going to defer to co-counsel  
20 or do you wish to be heard first?

21 MR. HARTMANN: Your Honor, let me just say as a  
22 predicate that we have not had the opportunity to confer  
23 with plaintiff's counsel on this discovery. Plaintiff's  
24 counsel has been at a deposition all morning and has just  
25 broken from that deposition to participate in this

1 conference call.

2 At the same time, we have some categories where we have  
3 some concerns and objections to the discovery, and David, if  
4 you would, will you address those?

5 MR. AUFHAUSER: Yes.

6 Your Honor, first, I want -- I want to represent to the  
7 court that I think we can have a timely submission by 9:00  
8 a.m. tomorrow, as anticipated and ordered by your order.  
9 If -- if it turns out in the late afternoon that I have  
10 to ask for one or two hours grace, I would suggest that I  
11 just confer with plaintiff's counsel and he be given the  
12 same one or two hours grace, if that's necessary.

13 THE COURT: That's acceptable to the court.

14 MR. AUFHAUSER: Okay. There are some -- our  
15 objections I think -- I'll be surprised if we don't iron  
16 these out by agreement with plaintiff's counsel.

17 The first concern that we have on behalf of Mr. Cheney  
18 are a number of questions which seek information effectively  
19 about his spouse. I believe that we had crossed that bridge  
20 yesterday and that the discovery is to be answered by him  
21 and him alone with regard to facts material to him. His  
22 spouse's whereabouts or credit cards or magazines are a  
23 matter of utter irrelevancy to this matter, and we  
24 respectfully intend to answer these questions on behalf of  
25 the secretary whose sole inhabitancy, if you will, is the

1 sole question here.

2 If you need particulars, there are two admissions which  
3 ask for information about the spouse, as best we read them,  
4 number 2 and number 4. And there are at least three  
5 interrogatories that ask for information about the spouse,  
6 that's numbers 3, 5 and 6.

7 And if Mr. Jones will agree, then we can move on to the  
8 next issue.

9 MR. JONES: Well, Your Honor, if you look at  
10 request for admission number 4, it has to do with Mr.  
11 Cheney's intent to continue living with his spouse, which I  
12 assume he's going to admit. And once he admits that, then  
13 information regarding her is relevant. And he has that  
14 information. The question is not to her. To him about  
15 her.

16 And so that we go to the next request for admission,  
17 deals with -- with her not having cancelled her Texas  
18 voter's registration or Texas driver's license. We've asked  
19 about vehicles owned by him and/or her, about credit cards  
20 held by him and/or her and the billing address for those,  
21 magazines subscribed to him by him and/or her, and the  
22 mailing address for those.

23 MR. AUFHAUSER: Your Honor, focusing on request  
24 number 4 is an interesting focus, because while I'm happy to  
25 say quite publicly that the marriage is good, and in any

1 other circumstance people would be happy to answer this sort  
2 of question, as a principle matter, an inquiry into whether  
3 a man intends to live with his wife over the next two or  
4 three years is singularly offensive in the context of the  
5 limited discovery that you have awarded them, and we object  
6 strongly to request number 4 on that ground alone, and ask  
7 for leave of the court not to answer that question on the  
8 principle ground that I just articulated.

9 THE COURT: Okay. Mr. Aufhauser, what's your  
10 position on request for admission number 2?

11 And I'm not suggesting that your position on 2 would  
12 prejudice your position on any of the interrogatories, but  
13 specifically whether it would be permissible to leave the  
14 spouse in request for admission number 2?

15 MR. AUFHAUSER: Well, you know, it is -- the short  
16 answer to your question the way you framed it is everything  
17 is permissible that you order. But I think it's uncalled  
18 for to ask whether the spouse has changed any address of  
19 hers. And I ask the court to reaffirm what I understood its  
20 ruling yesterday, which is they can ask facts about  
21 Secretary Cheney, since it is his inhabitation which is the  
22 factual inquiry, if you ever reach a factual inquiry.

23 THE COURT: All right. Mr. Jones, do you wish to  
24 offer final rebuttal?

25 MR. JONES: I do.

1           Your Honor, given the fact that these two people have  
2 lived together in Texas for the past five years, I think  
3 that where she lives, where she intends to live, especially  
4 in light of an admission in connection with request for  
5 admission number 4, would make that highly relevant as to  
6 where he really intends to live.

7           THE COURT: All right. This is the court.

8           I sustain the objections to request for admission  
9 number 2 and to request for admission number 4.

10           In doing so, I note that the defendants have filed  
11 motions to dismiss that there is a plausible view of the  
12 case advocated yesterday under which the court would decide  
13 those motions before allowing any discovery, that the court  
14 nevertheless, given the importance of the issue and the  
15 desire for a quick disposition of the case in this court,  
16 adopted an approach to this case that would put it on a dual  
17 track of expedited consideration of the motion to dismiss as  
18 well as the merits of the preliminary injunction  
19 application.

20           But the court cannot lose sight of the fact that a  
21 high-level public official, in this case one who by virtue  
22 of the certification of the vote in Florida is, in at least  
23 some people's view, the vice president elect of the United  
24 States, that discovery of him must have a specific reason  
25 and there must be an extremely good-cause basis for it.

1           The objection to number 4 would be objectionable  
2 notwithstanding that, because it asks someone to admit  
3 prospective intentions, but is also objectionable for the  
4 reasons I initially gave.

5           Objection number 2 is sustained as to the spouse  
6 because it does not relate to the inhabitant issue  
7 specifically in the context of this high-level public  
8 official to warrant requiring the discovery.

9           All right. Now, I'll turn back to defense counsel for  
10 the next objections.

11           MR. AUFHAUSER: Okay. I think consistent with the  
12 ruling that the court just issued, interrogatories 3, 5 and  
13 6, which ask for the spouse's credit cards and subscriptions  
14 and any vehicles that she may have, we should not be obliged  
15 to answer those as well, given the logic with regard to the  
16 court's ruling on admission number 2.

17           THE COURT: Mr. Jones, do you have any additional  
18 argument?

19           I'm sorry, I didn't hear your response.

20           MR. JONES: No, I do not.

21           THE COURT: The court sustains the objections for  
22 the same reasons, to the extent that interrogatories numbers  
23 3, 5 and 6 refer to Secretary Cheney's spouse.

24           MR. AUFHAUSER: Let me move on to interrogatories  
25 5 and 6. I think we can give adequate answers to Mr. Jones

1 without intruding unnecessarily on privacy concerns of  
2 Secretary Cheney.

3 I don't think Secretary Cheney should be obliged to  
4 detail what credit cards he holds and what magazines he or  
5 his family subscribe to.

6 We are prepared to answer the question, with the  
7 court's permission, simply saying what credit cards he does  
8 hold the billing address of which are X, Y, and Z, and the  
9 same is true with the subscriptions. The relevant thing is  
10 where are these things received, not what are they.

11 THE COURT: Mr. Jones, what's your position?

12 MR. JONES: If the answer for all of them is the  
13 same, then I think that's correct.

14 THE COURT: Mr. Aufhauser, could you give me an  
15 idea of how you effectively are rephrasing these so that you  
16 are responding to them?

17 MR. AUFHAUSER: I think it would be something akin  
18 to identify the address to which magazines for which Mr.  
19 Cheney subscribes -- to which Mr. Cheney subscribes are  
20 mailed, something akin to that.

21 And the same would be true with respect to any credit  
22 cards issued to Mr. Cheney, what address are they mailed to.

23 MR. JONES: And for the time period suggested.

24 MR. AUFHAUSER: Yeah. You're asking for basically  
25 calendar year 2000.

1 MR. JONES: Correct.

2 MR. AUFHAUSER: Yes.

3 THE COURT: Would it be something like this, Mr.  
4 Aufhauser: Interrogatory number 5, state the billing  
5 address of each credit card held by you for the time period  
6 January 1, 2000, through November 27, 2000?

7 MR. AUFHAUSER: Yes. But I must say, listening to  
8 you, I take it we're talking about personal credit cards,  
9 not a corporate credit card, for example, with Halliburton.

10 MR. JONES: Correct.

11 THE COURT: Instead of held by you, each credit  
12 card --

13 MR. AUFHAUSER: Issued personally to you.

14 THE COURT: -- issued personally to you.

15 If the court were to revise the interrogatory  
16 accordingly, would you have any objection then to it?

17 MR. AUFHAUSER: No. We would accept the court's  
18 amendments.

19 THE COURT: Mr. Jones?

20 MR. JONES: That's fine.

21 THE COURT: And concerning interrogatory number 6,  
22 state the mailing address of each magazine to which you  
23 subscribed personally for the time period January 1, 2000,  
24 through November 27, 2000?

25 MR. AUFHAUSER: That's agreeable to the defense,

1 Your Honor.

2 MR. JONES: And to us.

3 THE COURT: All right. Mr. Aufhauser, you may  
4 continue with your objections.

5 MR. AUFHAUSER: Thank you.

6 Interrogatory number 7, this may be a typo, Mr. Jones,  
7 you ask for the nights that Mr. Cheney spent in Jackson's  
8 Hole. It says July 19th, 1999. If you really meant to go  
9 back a year and a half, we would object strongly to that.  
10 I'm not quite sure whether we can calendar his every move  
11 for the last year and a half in 24 hours, nor do I think  
12 it's highly relevant. Maybe you can short-circuit this.

13 Should it say July 19th of 2000?

14 MR. JONES: It is not a typo.

15 MR. AUFHAUSER: Okay. Well, we object to this  
16 as -- under the time constraints particularly here -- as  
17 singularly oppressive to us. I'm not sure I can answer this  
18 by tomorrow.

19 MR. JONES: Your Honor, may I respond?

20 THE COURT: You may.

21 MR. JONES: The reason July 19, 1999 was chosen,  
22 is July 19th is -- is -- 2000, is the day before Mr. Cheney  
23 went to Wyoming to change his voter registration. And the  
24 reason we went back a year from that is to be able to  
25 compare the -- and this is a home -- we understand has been

1 characterized by -- publicly by Mr. Cheney as a vacation  
2 home. And we want to compare the time spent by Mr. Cheney  
3 at this Jackson Hole, Wyoming, home, during the same  
4 comparable period last year that he has spent this year. So  
5 that, in other words, if -- you know, seven nights there  
6 during the same comparable period last year, and, you know,  
7 only five nights there during the same period this year, I  
8 think that would be highly relevant to his claim that this  
9 Jackson Hole, Wyoming, house is now his permanent  
10 residence.

11 MR. AUFHAUSER: Well, I want to understand the  
12 point. If it turns out the number is larger after July  
13 19th, 2000, than before July 19th, 2000 --

14 MR. JONES: Then that's an argument in your  
15 favor.

16 MR. AUFHAUSER: Would you withdraw your suit?

17 MR. JONES: No. That's an argument you can make.

18 THE COURT: This is Judge Fitzwater.

19 In view of the plaintiff's theory of the case, I'm  
20 going to sustain the objection to interrogatory number 7 in  
21 its entirety. This asks for highly personal information.  
22 And as the court understands the plaintiff's theory, they  
23 contend that Secretary Cheney didn't do anything until July  
24 of 2000 and really seek to focus on his conduct from that  
25 time forward.

1           It also appears that -- and I -- and what I thought  
2 this interrogatory was really related to was an argument  
3 that they made in early briefing concerning one year limits  
4 for certain -- to meet certain Wyoming requirements, which  
5 the defendants argue are immaterial anyway. I'm not sure  
6 that they are material to deciding the issue of inhabitant  
7 under the 12th Amendment.

8           But in any event, as phrased, it requests information  
9 that exceeds the scope of what the court is willing to  
10 permit.

11           All right. Mr. Aufhauser, what's your next objection?

12           MR. AUFHAUSER: Interrogatory number 12 does not  
13 really under any construction of reasonableness seek core  
14 material predicate facts to any determination needed by the  
15 court with regard to inhabitancy on December 18th, 2000.

16           THE COURT: Interrogatory number 12 is patently  
17 impermissible. There is no detailed explanation I need to  
18 give of that ruling.

19           All right. What's the next objection?

20           MR. AUFHAUSER: A similar objection to  
21 interrogatory number 13. Again, this seems to be a fishing  
22 expedition for political fodder more than to establish core  
23 predicate facts upon which a fact-finding court can make a  
24 determination as to whether he is an inhabitant on December  
25 18th, 2000, of Wyoming.

1 THE COURT: The objection to interrogatory 13 is  
2 sustained.

3 MR. AUFHAUSER: That's -- that's all that  
4 Secretary Cheney has. I don't know if any of the other  
5 defense lawyers would like to be heard.

6 THE COURT: Before I hear from other counsel, may  
7 I just review my notes here to make certain we all  
8 understand where we are at this point?

9 Mr. Aufhauser, at this point there is no objection to  
10 request for admission number 1.

11 MR. AUFHAUSER: That's correct, Your Honor. Other  
12 than -- you know, we continue to have, as I understand it,  
13 our continuing objection to any discovery and to the  
14 relevance of any inquiry of historical fact, since we have  
15 argued to the court in our papers that the dispositive date  
16 is December 18th.

17 THE COURT: You do. And in asking these questions  
18 I'm not asking you to waive any objections.

19 MR. AUFHAUSER: Right. I just wanted that on the  
20 record.

21 THE COURT: So subject to all other objections  
22 that you've made in this conference and in yesterday's  
23 conference, and any other papers you filed, is there any  
24 specific objection concerning request for admission number  
25 1?

1 MR. AUFHAUSER: No, sir.

2 THE COURT: Request for admission number 2, there  
3 are no additional objections provided the reference to  
4 spouse is deleted.

5 MR. AUFHAUSER: That's correct, Your Honor.

6 THE COURT: So that that would read, "During the  
7 time period January 1, 2000, and November 27, 2000, you did  
8 not file a change of address form with the United States  
9 Post Office?"

10 MR. AUFHAUSER: We have no objection to that  
11 request.

12 THE COURT: Request number 3, you have no  
13 objection in addition to any others you preserved?

14 MR. AUFHAUSER: No, Your Honor.

15 THE COURT: All right. Request number 4 has been  
16 deleted in its entirety by ruling of the court.

17 Now, request number 5, that's a reference to the  
18 spouse.

19 MR. AUFHAUSER: That's correct. And if I failed  
20 to identify it, the same argument holds to this request.

21 THE COURT: Under the rulings of the court request  
22 for admission number 5 is stricken in its entirety.

23 Interrogatory number 1, Mr. Aufhauser, you have no  
24 additional objections other than those preserved?

25 MR. AUFHAUSER: Correct, Your Honor.

1 THE COURT: The same regarding interrogatory  
2 number 2?

3 MR. AUFHAUSER: Yes, sir.

4 THE COURT: Interrogatory number 3 under the  
5 ruling of the court would be changed to delete in the second  
6 line, "and/or your spouse" but otherwise you have no  
7 additional objections?

8 MR. AUFHAUSER: That's correct.

9 MR. JONES: Actually, in the second line of  
10 subpart A, Your Honor, there's an "and/or your spouse" as  
11 well that needs to be stricken.

12 THE COURT: Thank you, Mr. Jones.

13 Interrogatory number 4, Mr. Aufhauser, no additional  
14 objections?

15 MR. AUFHAUSER: No, Your Honor.

16 THE COURT: Interrogatory number 5 has been  
17 rephrased to the following, "Identify all credit cards  
18 issued personally to you --" excuse me. I can't read my own  
19 notes.

20 "State the billing address of each credit card issued  
21 personally to you for the time period January 1, 2000,  
22 through November 27, 2000."

23 Mr. Aufhauser, any additional objections to that?

24 MR. AUFHAUSER: No, sir.

25 THE COURT: Then number 6 is rephrased as, "State

1 the mailing address of each magazine to which you subscribed  
2 personally for the time period January 1, 2000, through  
3 November 27, 2000."

4 Mr. Aufhauser.

5 MR. AUFHAUSER: That's acceptable as phrased.

6 THE COURT: Interrogatory number 7 is out.

7 Interrogatory number 8, no additional objections?

8 MR. AUFHAUSER: No, sir.

9 THE COURT: Interrogatories 9 and 10, no  
10 additional objections?

11 MR. AUFHAUSER: No.

12 THE COURT: Interrogatory number 11, no additional  
13 objections?

14 MR. AUFHAUSER: No.

15 THE COURT: Interrogatories 12 and 13 are  
16 stricken.

17 Interrogatory number 14 --

18 MR. AUFHAUSER: On 14 there is one thing I  
19 omitted, which is I think more than anything else a  
20 difficulty of time. There is a request for approximate  
21 square footage. I don't see why that's relevant at all in  
22 this limited context of the discovery that you have offered  
23 them.

24 THE COURT: The court's ruling is that that be  
25 deleted. My sense was the plaintiffs were going to argue

1 based on square footage that one piece of property appeared  
2 to be more likely a residence than another, and at this  
3 point -- excuse me. That's my -- my phone. If you would  
4 just ignore that sound.

5 Under the court's rulings, that will not be required.  
6 So it would end with "state" --

7 MR. AUFHAUSER: Thank you, Your Honor.

8 THE COURT: -- and pick up again with the words,  
9 "on such property," I believe.

10 Let's see.

11 MR. JONES: Actually, it would just end with  
12 "state."

13 THE COURT: It ends with "state."

14 Thank you, Mr. Jones.

15 Ms. Miers, did you wish to be heard on behalf of  
16 Governor Bush?

17 MS. MIERS: Your Honor, in the interest of time,  
18 we would have had objections that are now moot because of  
19 the court's rulings. So as long as I'm not waiving anything  
20 by not getting into them, I think they're all moot.

21 THE COURT: You're not waiving any objections that  
22 you've earlier preserved. Thank you.

23 Mr. Taylor.

24 MR. TAYLOR: Subject to the papers previously  
25 filed, and subject to the statements and objections made in

1 yesterday's conference, the State wouldn't have anything  
2 further.

3 MS. MIERS: Your Honor, may I be heard just a  
4 moment?

5 THE COURT: You certainly may.

6 MS. MIERS: I would have had additional objections  
7 had you not stricken some of these. My statement was  
8 intended to indicate that in light of the court's striking  
9 certain of the requested interrogatories we consider ours  
10 moot.

11 THE COURT: That's how the court understood what  
12 you were saying.

13 MS. MIERS: Okay. Thank you.

14 THE COURT: Now if I might, before we conclude the  
15 conference, go back to scheduling.

16 As I understand it, Mr. Aufhauser, it is your present  
17 belief that you can fax responses to plaintiff's counsel as  
18 scheduled by 9:00 o'clock tomorrow, but if for some reason  
19 you cannot, you are willing in exchange for a couple of  
20 hours extension for the plaintiff's materials concerning  
21 their injunction to be filed Thursday morning rather than  
22 Wednesday at 4:30; is that correct?

23 MR. AUFHAUSER: Well, I actually hadn't thought  
24 that through. If we're still obliged to file on Thursday, I  
25 need Wednesday to respond. So I'll retract that and I'll

1 represent to the court I'll do my darnedest to have this fax  
2 responded by 9:00 a.m. tomorrow. But I very much want the  
3 plaintiffs' papers tomorrow night so I can respond properly.

4 THE COURT: That's why I clarified it.

5 THE COURT: Yeah.

6 MR. JONES: Your Honor.

7 THE COURT: Mr. Jones.

8 MR. JONES: I think the problem is one of filing  
9 after 6:00 o'clock. If it comes to the point where Mr.  
10 Aufhauser needs additional time and is willing to trade time  
11 for that, even though the document couldn't get filed until  
12 first thing Monday morning, it could certainly be faxed to  
13 opposing counsel by, you know, whatever additional time we  
14 trade for.

15 MR. AUFHAUSER: My associate has just pointed out  
16 that I actually have an additional hour here since we're  
17 talking about 9:00 o'clock Dallas time. So I'll get it in  
18 on time, Your Honor. If there is the slightest problem,  
19 we'll notify the court and Mr. Jones.

20 THE COURT: This is the court.

21 The court is willing to work with counsel. I will say  
22 that not only are you-all looking for each other's papers on  
23 the schedule but I'm looking for them, because under the  
24 compact time period, I intend to be reading your briefs and  
25 cases when I get the papers. I don't intend to wait for the

1 response.

2 Now, obviously, when I get a response I'm then going to  
3 read the response and compare the arguments. But these time  
4 limits are important to the court as well. And I know you  
5 know that.

6 MR. AUFHAUSER: Yes, sir.

7 THE COURT: All right. Mr. Jones, do you wish to  
8 say anything further before we conclude the conference?

9 MR. JONES: No, sir.

10 THE COURT: Ms. Miers?

11 MS. MIERS: No.

12 THE COURT: Mr. Hartmann or Mr. Aufhauser?

13 MR. AUFHAUSER: No.

14 Thank you, Your Honor, for permitting this telephone  
15 conference.

16 THE COURT: Mr. Taylor?

17 MR. TAYLOR: Nothing further, Your Honor.

18 THE COURT: Do any of you need copies of this?  
19 Because I have my court reporter here now. Otherwise, you  
20 can just call her at the phone number that you have for  
21 her.

22 MR. AUFHAUSER: Yes. If a copy of the transcript  
23 could be delivered to Haynes & Boone, we would appreciate  
24 it.

25 THE COURT: Will Mr. Hartmann or someone on his

1 staff contact the court reporter directly?

2 MR. HARTMANN: Your Honor, we will take care of  
3 that.

4 THE COURT: All right. Thank you, counsel.

5 There being nothing further, that concludes the  
6 conference.

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C E R T I F I C A T I O N

I, PAMELA J. WILSON, CSR, certify that the foregoing is a transcript from the record of the proceedings in the foregoing entitled matter.

I further certify that the transcript fees format comply with those prescribed by the Court and the Judicial Conference of the United States.

This the 28th day of November, 2000.



PAMELA J. WILSON, CSR  
Official Court Reporter  
The Northern District of Texas  
Dallas Division