

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

LEAGUE OF UNITED LATIN
AMERICAN CITIZENS, ET AL.

vs.

RICK PERRY, GOVERNOR OF TEXAS
ET.AL.

§
§
§
§
§
§

CIVIL ACTION NO. 2:03-CV-354

Consolidated

**AFFIDAVIT OF GEORGE KORBEL IN SUPPORT OF REQUEST
FOR ATTORNEY'S FEES**

1. I am co-counsel for Plaintiffs, the League of Latin American Citizens (LULAC) and Webb County, in the above-styled matter. I have handled voting and redistricting litigation in federal court for thirty five years. I have been employed by several large jurisdictions in to assist in redistricting including The City of San Antonio, the Houston ISD, the Houston Community College District, the San Antonio ISD and the Alamo College District. I have been lead council on behalf of minority plaintiffs in several statewide redistricting lawsuits beginning in 1971. I have been co-counsel in several more. I was the lead council on behalf of Hispanics in many other federal suits against large jurisdictions including the City of Houston, the City of San Antonio, the City of Waco and the Waco ISD. All told, I have been lead council or co-council in almost 100 cases involving Section 5 and Section 2 of the Voting Rights Act and/or the Fourteenth Amendment. My resume is attached as Exhibit No. 1. I am presenting this declaration in support of Plaintiff LULAC's Motion for Attorney's Fees and Costs.

2. My time in this case is kept contemporaneously with the work performed and recorded on a daily basis. For the time period ending August 15, 2006, I reviewed the time records of my co-counsel and either did not charge for time spent in many consultations or significantly discounted the hours to avoid any question of duplication of effort or where the time might have equally applicable to other clients or issues. In doing so I followed the same billing judgment I have used when representing political jurisdictions such as the City of San Antonio, the Houston ISD or the Houston Community College District in matters involving the Voting Rights Act, federal court litigation or the redistricting process. This has resulted in a request for compensation for 600.9 hours. I have attached the time records that I maintained in this action as Exhibit No. 2.

3. I made a special effort to avoid unnecessary duplication of efforts. The principal co-counsel on this case was Rolando Rios. Jose Garza and I coordinated our efforts so as to avoid unnecessary duplication. For instance, only I attended and claimed time for the deposition of the Defendant's expert Mr. Gaddie and only Jose Garza assisted with the preparation of and attended the deposition of Dr. Burton, the LULAC and the NAACP expert. I handled all of the remedy and plan drawing effort and took the lead in preparing most of the exhibits used at trial.

4. As indicated in paragraph 2, I also discounted time where we were working together. We also consulted with other Plaintiffs lawyers in order to best coordinate the presentation of the evidence in areas where common issues exist. The amount of time expended in this case was necessary because it presented several difficult questions of law. The time spent

on this case represents the minimum hours necessary for an adequate preparation of pleadings, exhibits, witnesses and presentation to the court. Because of my thirty-five years of experience in Voting Rights cases, I did not spend any unnecessary time on issues and evidence developed in this case, and I did not spend time on matters that were not relevant to the prosecution of this action. I relied on my experience with the law and preparation of evidence in other cases of this type and magnitude. In the preparation of exhibits, preparation for deposition and in the preparation for trial, I was able to use and to share with co-counsel information that I had prepared over the years for other similar trials, administrative hearings and Congressional testimony. I did not bill for the time compiling any of that data and information.

5. Some of the time I spent on this case was for advocating before the Department of Justice during the Section 5 submission of the challenged plan. The Section 5 preclearance process in this case proceeded on a dual track with the litigation. In fact, this Court clearly understood how intertwined the litigation and the Section 5 process were because, from time to time, the Court communicated with the Department of Justice to determine the status of the preclearance process. Moreover, LULAC's position at the Department of Justice with regard to Webb County, District 23 and Travis County mirrored its position before this Court. Therefore, the exhibits and testimony for one was also presented to the other. It was thus, imperative for counsel for Plaintiff LULAC, to advocate its position to the Department of Justice in order to protect its interest in this action.

6. Further support for the proposition that advocacy before the Department of Justice is

warranted in redistricting litigation, especially here where the litigation proceeding during the preclearance process, is the fact that the state has used private counsel hired to defend the State of Texas in redistricting matters, who have *billed and were compensated for advocacy at the Department of Justice* as part of that representation.

7. The State of Texas stipulated that in 2001 the prevailing market rate for Jose Garza and Rolando Rios on this sort of case \$325.00 per hour. Five years later Mr. Rick Gray has testified that the prevailing market rate for Jose Garza, Rolando Rios and me is \$375.00 per hour and that the prevailing market rate for the remaining LULAC counsel ranges from \$175.00 to \$300.00 per hour. Based on my knowledge of the prevailing market rates, and my experience with court awards in voting rights cases, I agree with Mr. Gray concerning current market rates.

8. In determining the Lodestar a Court should usually consider the actual hours devoted to the case and the market hourly rate for the lawyer in question. I have spent well over 800 hours to the successful prosecution of this cause and am requesting compensation for 601.5 of those hours. Mr. Gray, Mr. Rios, Mr. Garza and I have testified that my prevailing market rate in a case such as this is \$375.00 per hour. The lodestar-in this case for George Korbel is \$225,337.50

The *Johnson* Factors

9. Preclusion of Other Employment. My work in this litigation restricted the time available for pursuit of other litigation during the period of activity in this case. Because of the

extensive work required in preparing and presenting this case, it was necessary during the trial of this action and at other times during the course of the case, for me to take a leave of absence without pay from my regular employment as Litigation Director for Texas Rural Legal Aid. I have never been hired to represent the State of Texas and I have no expectation that will result in any additional work from any of the other plaintiffs or from the State of Texas in this or any other area of the law.

10. Time Limitation Imposed by Circumstances. The time limitations in this case were imposed by pending election schedules, by the failure of the Texas Legislature to adopt a viable Congressional redistricting plan, by the abbreviated appeal schedule imposed by the United States Supreme Court, the unusual context of the litigation and by the expedited trial schedule in this Federal Court litigation.

11. *Undesirability of the Case.* This case was filed pursuant to the Voting Rights Act, 42 U.S.C. §1973 and the United States Constitution. Counsel for Plaintiff represents the LULAC. Most lawyers would consider this case to be very undesirable because the expedited trial schedule, the fact that payment is only if the client prevails, the delay in recovering any such payment, the multiple forums placed unusual time constraints on the development and preparation of the case and because of the specialized nature of the actions.

12. *Additional Comment on Experience and Expertise.* My experience has included

participation in federal litigation, extensive advocacy in state and federal administrative hearings, and preparation of pleadings, briefs and evidence for cases in both state and federal courts. I have established an expertise in drawing and evaluating apportionment plans and I am frequently called upon to evaluate such plans for elected officials and those seeking election. I am an adjunct faculty member at the University of Texas at San Antonio teaching in the area of Voting and other Civil Rights and the process of redistricting.. I have been counsel in almost 100 voting cases or administrative actions involving such issues at the state and federal level. Articles I have written or Congressional testimony I have given have been cited by several state and federal courts including three instances by the United States Supreme Court. Each of these instances involved interpretation of the Voting Rights Act. I have testified as an expert witness in two successful state court redistricting cases. Both were affirmed by the Texas Supreme Court. I have testified as an expert witness in several federal district court actions that were tried and in many others that were settled short of trial.

12. My advice is frequently sought by attorneys who are litigating against state and local jurisdictions including at-large election challenges, Section 5 enforcement actions, and gerrymandering election challenges. I have also represented clients and testified before State House and Senate Committees, the Texas Legislative Redistricting Board as well as House and Senate Congressional Committees considering the Voting Rights Act and redistricting process.

13. It is my opinion, based on my experience, on awards made for my services in similar cases several years ago and upon inquiring of other lawyers, that the prevailing market rate

for an attorney of over thirty five years experience, trying a case in his/her area of specialization, in a difficult and complicated civil rights case is between \$300 and \$400 per hour. Moreover, in 2001, the State of Texas has paid its private lead counsel in this litigation \$325.00 per hour which adjusted for economic change is in the range of \$375 per hour.

14. *Results Obtained and other Enhancement Factors.* In this case our client LULAC was specifically concerned with Congressional District 23 and the large reduction in Hispanic concentration in the district in the 2003 redistricting. LULAC and our client Webb County was also concerned that Webb County had been divided almost in half. Laredo, which contains virtually all of the population of Webb County, is the largest city in Texas that does not form the central electoral base in a Congressional district. Laredo is also the most Hispanic of the largest cities in Texas. The remedy adopted by the Court as a result of this litigation dealt with each of these problems.

13. The plan for District 23 proposed by LULAC was the only one offered by any of the parties that kept Webb County whole and avoided a pairing of any incumbent Congressmen. I attach an exhibit 3. It is a copy of the proposed map of District 23 as adopted by the Court with the LULAC plan A overlaid on it. The geographic area contained in the two plans is also almost identical. The Court's plan includes just over 30,000 fewer persons in Bexar County in exchange for an identical population from four small rural

counties.¹

14. Exhibit 4 is a chart showing summary comparisons between the Court Plan and LULAC A. The ethnic concentrations (Hispanic population voting age population and Hispanic Citizen Voting age population percentages) are identical. The political potential for Hispanic Candidates in the two plans (including Hispanic registration and turn out) are virtually identical.

15. *Adjustment of Fee.* It is my opinion that this case merits an upward adjustment of the lodestar of between 1.5 and 2 due to the specialized nature of the case, the unusual and difficult time constraints that result in the preclusion of other employment, the expertise of counsel and securing

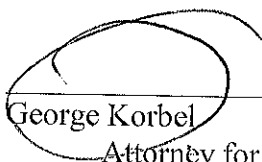
¹/ Zavala and Dimmit Counties contain the vast majority of the population resulting from the inclusion of these four rural counties. LULAC had included them in District 28 because they are located in the Webb County trading area and within the Webb County media market or at least closer than the San Antonio Media Markets. The differences in Bexar County result primarily from an effort by LULAC to keep the residents of the traditional African American area of San Antonio ("the East side") together as a voting block in a single Congressional District. While the location of these areas in District 23 might be debatable, the differences between the Court and LULAC plans are small and have no practical effect on the racial and political components of District 23.

the rights of Mexican American voters of Texas. Specifically, we presented evidence and argument to this Court, to the United States Supreme Court and to the Department of Justice, regarding the dilution of Latino voting by the elimination of District 23 as Latino opportunity district and of the totality of circumstances that result in a violation of Section 2 of the Voting Rights Act. A review of Plaintiff LULAC's trial exhibits, trial witnesses, pleadings, and briefing clearly demonstrate Plaintiff's position, eventually vindicated by the United States Supreme Court that the State's 2003 Congressional redistricting plan violated Section 2 of the Voting Rights Act.

17. The expenses claimed in this motion are actual expenses made to properly and successfully prosecute this action. They include expenses for necessary travel, filing fees, copying, postage, exhibit preparation, and the like.

18. My expenses incurred through August 3, 2006 total \$2,470.52. The time records attached as Exhibit 1 to this declaration also contain the expenses records.

Further in this matter I sayeth not.


George Korbel
Attorney for Plaintiff League of Latin American Citizens

State of Texas

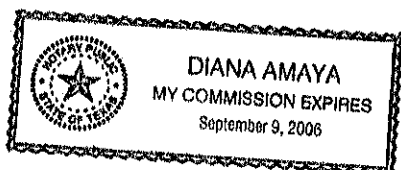
SS

Bexar County

On this 17th day of August, 2006 before me a notary of public in and for the state of Texas residing in Bexar County came George Korbel who after first being sworn on oath deposed and said the foregoing.

Diana Amaya

Dianna Amaya



**Resume of
George J. Korbel
220 Gardenview
San Antonio, Texas 78213**

Business Address: 115 East Travis
The Milam Building
Suite 1701
San Antonio, Texas 78205
Tel. (210) 228-9399

**Educational
Background:** B.A. in Government from St. John's University
Collegeville, Minnesota

J.D. Degree, University of Minnesota, Minneapolis

Employment: Joint Venture with The Law Offices of Rolando L. Rios
relating to redistricting of local units of government
after the 2000 Census. *2000 to present*

Director, Constitutional and Civil Rights Litigation Project
Texas Rural Legal Aid, Inc. 1985-present
Previously worked as Litigation Coordinator for Texas
Rural Legal Aid, Inc. *1981-1985.*

Limited Private Practice, Civil Rights Litigation, *1977-1981*

Texas Regional Director, Mexican American Legal Defense and
Educational Fund (MALDEF), San Antonio, Texas . *1975-76.*

Supervisory Attorney, Equal Employment Opportunity
Commission, Chicago Litigation Center, Chicago, Illinois, *1974-
75.*

Staff Attorney, MALDEF, San Antonio, Texas *1972-74.*

Volunteers in Service to America, VISTA Attorney, San Antonio,
Texas, *1971-72.*

Brief History of Experience:

During the past twenty-two years I have specialized in the handling
of complex federal litigation which usually has involved the rights

of Mexican Americans and Blacks. These cases have included election discrimination; matters under the Federal Voting Rights Act; employment discrimination (Title VIII); abuse of authority, police brutality and equal access to services and entitlements. Many of these matters have been certified as class actions for either or both defendant and plaintiff. This practice has been before district and circuit courts generally through out Texas and in the District of Columbia. In addition, I have been involved in a significant amount practice before the U.S. Supreme Court.

I have been called to testify and have testified before committees in both houses of the United States Congress, as well as before both houses of the state legislature. This includes the expansion of the Voting Rights Act to cover Texas in 1975 and the extension of the Voting Rights Act in 1981. I have appeared as counsel for persons who were testifying as witnesses before both houses of Congress. In the 1975 Hearings on the extension of Voting Rights Act of 1965, I was asked to prepare the legal and factual case to support the expansion of the special provisions of the Act to cover Texas. I assisted in the coordination and ultimately successful presentation of the case to both Houses of Congress and to the Executive Branch.

Articles which I have written have been cited as authority by several federal courts including at least three instances by the U.S. Supreme Court.

I testified as an expert witness in a state district court case which invalidated the 1971 and 1981 apportionment of the Texas State House of Representatives. I testified as an expert witness in the state court litigation which invalidated the 1991 apportionment of the Texas State Senate and House of Representatives. I have testified as an expert witness in the question of the award of attorney's fees in numerous federal district court cases. I have prepared presented and cross-examined expert witnesses on several subjects ranging from medical to complex statistical projections. I have designed, directed and commissioned various statistical studies which have been used in litigation.

I have been involved as lead counsel in federal litigation in which over three million dollars of attorney's fees have been awarded. The most recent award was at the level of \$250.00 per hour.

I have appeared as a speaker at various continuing legal educational seminars. I have taught guest classes at the college and law school level. I was the author of various sections of

several monographs which have been published by the U.S. Commission on Civil Rights. These have covered areas of the law including the electoral process, education, employment in both the private and public sectors and the rights of aliens.

During the thirty five years I have lived and worked in Texas, I have helped various members of the Texas House and Senate to draft and arrange for the passage of bills. In some situations this was at the request of the members (several of whom have been my clients) and in other instances it was on behalf of non-member clients or in an attempt to settle outstanding litigation against the state. I have filed amicus briefs on behalf of the Mexican American and Black caucuses in the Texas Legislature.

While in college, I was a member of a national small college championship football team (we defeated Prairie View A & M for the champion in 1963). After graduation from law school, I played semi-professional football as a hobby through the 2003 season. I have played rugby football and wrestled at both the collegiate and the club level.

Selected Examples of Litigation:

The Redistricting of the Texas Legislature in 1971: Graves v. Barnes, 343 F. Supp. 648 (W.D. Tex. 1971) (Three Judge) aff'd in relevant part sub norm (White v. Regester), 412 U. S. 755 (1973). This was a suit brought by plaintiffs to apportion the at-large state legislative districts into single member districts. It was the first case of this type in which plaintiffs were successful before the Court and the basis for substantial additional litigation. I handled the matter on behalf of the Mexican American plaintiffs. Fees of slightly in excess of one million dollars were awarded by the district court and upheld by the Fifth Circuit. This is the leading case involving Hispanic voting and is the basis for the extension of the Voting Rights Act of 1965 to include Texas.

The Texas Employment Commission and the Spanish Language Issue: These were a series of federal court cases under the Fourteenth Amendment which led to a settlement involving state legislation which requires that all applicants for Texas Employment Services have a certified interpreter available for hearings and that all Commission forms be translated into Spanish. Citations available on request.

The Single Member District/At-Large Election Issue: These are a series of federal court cases under the Fourteenth Amendment which led to the adoption of single member districts in several cities and school districts in the state of Texas including the cities of San Antonio, Houston and Waco. Citations available on request.

The Federal Voting Rights Act-Section 5 Issues: These are a series of federal court cases under Section 5 of the Voting Rights Act and the Fourteenth Amendment including one to enjoin the Texas Secretary of State from purging all of the registered voters in the state. Citations available on request.

The Election Intimidation Issue: This involved a federal suit which enjoined the Secretary of State in conjunction with Federal and State Law enforcement agencies from using various techniques to intimidate minority voters. Among other things, discovery indicated that the National Crime Information Computer (NCIC) system facilities were being illegally used to purge registered voters. In addition to the patent illegality, the information from the NCIC was in excess of 90% inaccurate.

The State Constitutional Reapportionment Issues: This involved 1981 and 1991 state court litigation in to invalidate legislative redistricting under the State Constitutional provisions, Valles v. Clements, State District Court Travis County (July 17, 1981) aff'd Clements v. Valles, 620 S.W. 2d 112(Tex. 1981).

Criminal Experience: Although most of my practice has involved federal civil rights statutes, it frequently has included collateral criminal issues.

I have represented several criminal defendants on court appointments. I assumed the representation of a Medical Doctor sentenced to serve ten years after the entry of a nolo plea to fraud accusations. The appeal led to the joint motion with the government to permit the withdrawal of the nolo pleas. Thereafter, I assisted the extensive preparations and trial which resulted in his acquittal.

I handled a civil suit as a class action on behalf of material witnesses being held by the Federal Courts in the Western District of Texas, which led to a more sensible procedure for preservation of their testimony.

I was involved in a case which led to a change in the federal policies which prohibited federal prosecutions in police brutality cases after unsatisfactory state verdicts were returned.
Citations and additional examples available on request.

Selected Examples of Publications:

The Case for the Extension of Section 5 of the Voting Rights Act to include Texas, Testimony before the Subcommittee on Civil and Constitutional Rights, Committee of the Industry. U.S. House of Representatives, 94th Congress Committee Print at 360 cited in Dougherty County v. White, 439U. S. 32, 46-47, 58 I Ed. 2d. at 283 (1978)

At-Large Elections and Minority Group Representation: A Re-Examination of Historical and Contemporary Evidence, The Journal of Policies, Vol. 43 at 982,1981.

“At-Large Elections “ included in Minority Vote Dilution, The Joint Center for Political Studies, Howard University Press, 1984 cited in Thornburg v. Gingles, 478 U.S. 30, at 47 n. 13, 92 L.Ed. 2d at 25 (1986).

Texas, The State of Civil Rights, Ten Years Later, The U.S. Commission on Civil Rights, 1982. Study done to measure the impact of civil rights litigation in Texas from 1968 through 1978. I was responsible for the introduction and the sections on voting and the judicial process.

There are a number of other monographs and studies put out over the name of the Texas Advisory Committee to the U.S. Commission on Civil Rights Which I was either editor of and/or responsible for writing significant portions. These dealt with immigration, grand jury selection and education.

George J Korbel220 Gardenview
San Antonio, Texas

LULAC

INVOICERE: LULAC v. Perry etc.
Time records

8/30/2006

These are records maintained to comply with the fee provisions of 42. USC 1988

Date:	GK	Activity
		Preliminary work at legislature, attend hearings; offer testimony; prepare multiple plans; confer with Chairman and Rep. Wilson, Confer with Hispanic Caucus; Confer with Sen. Gallegos; meet with representatives of MALDEF
10/26/2003	2.5	conference with Clients presentation on analysis of plan adopted by the State of Texas. 82 Hous spent on the Legislative Process discounted. This includes data that will eventually be used as exhibits or for other evidentiary purposes (direct and cross examination etc.)
10/28/2003	1.5	Another conference with clients and council continuing analysis of plan adopted by the State of Texas; work on Sec 5 pleading
10/29/2003	5	Telephonic conference with Richard Gladden, Telephone conference with Andy Taylor; Telephone conference with Jose Garza; Telephone conference with Rolando Rios; further analysis of pleadings
10/29/2003	3.5	Another conference with client. Further analysis of plan adopted by State of Texas; work on Sec 5 pleadings, begin development of exhibits
10/30/2003	1.5	Another conference with clients discussion of plan adopted by State of Texas incontext of pleadings Section 5 and Section 2
10/30/2003	4	Review and examination of Motion to Intervene + Order; Complaint in Intervention; further work on exhibit preparation, PC Rolando Rios; Draft question for Potential Witness
10/31/2003	3	c/w/client; review of exhibit foremat, further analysis of plan adopted by State of Texas; Telephone conference with cocounsel pursuant to court order
10/31/2003	2	LR Section 2; Original Complaint, Telephone conference with Jose Garza; EM Jose Garza, Rolando Rios and Luis Vera; Tlelphone Conferences wih State Representatives Richard Raymond, Jim Solis; Eddie Rodriguez; and co-counsel Rolando Rios. Consideration of exhibits and evidentiary proof.
11/2/2003	6	Review initiation documents, letter from Taylor. Further work on exhibits population growth and concentration, polarized voting studies review, social and economic data and findings of racial polarization.
11/3/2003	4	Continue work on exhibits and analysis of polarization

Exh. 2

George J Korbel

11/4/2003	2.5	Conference with co-counsel on strategy, consideration of memo for Nov 7, 2003. Discussion of data used in exhibits, further refinement, addition from discussions
11/5/2003	4.5	Confer with co-counsel on strategy; Telephonic conference with the Dept of Justice and re-schedule meeting with DOJ for Nov. 21, 03 work on election charts for use at trial and at Department of Justice; organize legal file and review documents from Texas, confer with clients and others about use of exhibits and witnesses.
11/6/2003	3	Respond to Texas memo on procedures pending preclearance; confer with co-counsel; phone conference with all counsel, modify exhibits
11/6/2003	2	Review draft request for admission, request for production, and interrogatories for how to fit into exhibits for use at trial.
11/7/2003	1	EM Judith Sanders-Castro re:revisions to Discovery; EM Jose Garza re: potential witness list. Review of how exhibits to fit into testimony and cross
11/7/2003	2	review preliminary work on memo on procedures pending preclearance; confer with co-counsel; phone conference with all counsel ; continue to examine state studies for use in cross and at trial
11/10/2003	1	Participation in drafting of witness lists and further modification of state documents
11/10/2003	5.5	work on witness list; travel to Laredo, interview witness Comm. Judith Gutierrez; discuss intervention with comm. Court, travel bk to SA (RR); wk on tables for exhibits (GK); organize file and wk on witness list (MC); GIS: download plans and vtd's 2002 p and 2002g (GR)
11/11/2003	0	Discussion with Rolando concerning telephonic conferences and other communications with Vera; Perales; Flores and Moran
11/11/2003	4	work on witness list; wk on prelim inj memo and strategy (RR); wk on tables for exhibits (GK); file additional witness list, organize file, research on deadline for injunctive motions (MC); gis: download plans and vtd's 2002p and 2002g (GR)
11/12/2003		Draft and File Amended Witness List
11/12/2003	4	Cotinue work on tables for exhibits
11/13/2003	0	coordinate with all witness
11/13/2003	5	Cotinue work on tables for exhibits
11/14/2005	5	Cotinue work on tables for exhibits
11/15/2005	3.5	Cotinue work on tables for exhibits
11/17/2003	5	attend deposition
11/19/2003	4.5	Prepare document for presentation to DOJ (RR) work on memo for DOJ, confer with client (RR); finalize DOJ comment and prepare and send out discovery (GK) (MC); gis: download a prit maps for presentation
11/19/2003	1	EM to Timothy Mellet re: LULAC visit to DOJ; Draft and File Request for Admission, Production and Interrogatories Prepare for DOJ
11/20/2003	1	Prepare for DOJ

George J Korbel

11/20/2003	9.5	Travel to DC to confer with DOJ officials; meet with clients at LULAC headquarters, brief DC client staff on what will be presented at trial and at Justice, supper with clients, evaluate for potential trial witnesses.
11/21/2003	11.5	Confer with professional and political staff at DoJ leave written testimony/comment; confer and prepare clients, meet and later lunch with professional DoJ officials, respond to questions from Washington press corps at LULAC office in DC. return to San Antonio (RR) (GK) (MC)
11/24/2003	1	Trial team strategy conference; discuss various potential witnesses and co-counsel strategy:
11/24/2003	6.5	Organize documents submitted to DOJ work on trial briefs, confer with co-counsel to assign tasks (RR,GK); work on depositions, review court order on trials briefs and trial preparations (MC,RR,GK); work on preparation wk on pretrial order; wk on exhibits (GK)
11/25/2003		Review Amended Supplemental Witness List; Subpoena
11/25/2003	3.5	work on trial brief, confer with co-counsel to assign tasks; continue work on depositions; review court order on trial briefs and trial preparation: continue work on pretrial order; wk on exhibits; confer on plans
11/26/2003	4.5	work on trial brief, confer with co-counsel to assign tasks; wk on depositions; review court order on trial briefs and trial preparation; wk on pretrial order; wk on exhibits; wk on plans (gis)
11/28/2003	4	work on exhibits; trial briefs and exhibits; work on plans
11/29/2003	6	work on trial brief, confer with co-counsel to assign tasks; work on depositions; review court order on trial briefs and trial preparation; work on pretrial order; work on exhibits; work on plans; Gaddie deposition
12/1/2003	3	work on trial brief, pretrial order, confer with co-counsel to assign tasks and exhibits; confer with Jose on Subpoenas; depositions
12/2/2003	4	work on trials brief, pretrial order, confer with co-counsel to assign tasks and exhibits; confer with Jose wk on plans
12/3/2003	0.5	work on trials brief, pretrial order, confer with co-counsel to assign tasks and exhibits confer with Jose wk on plans
12/4/2003	4	work on exhibit, confer with co-counsel to assign tasks, coordinate next week schedule; confer with Jose; deposition; work on plans (gis)
12/6/2003	4	work on large demonstrative exhibits; prepare for trial
12/8/2003	5.5	work on exhibits with co-counsel; assign tasks; outline presentation and who will speak to respective exhibits; travel to Austin and confer with all plaintiffs counsel on presentation of the case
12/9/2003	5.5	attend pretrial conference and post hearing with co-counsel on presentation of case; work on possible plug in plans; coordinate witnesses
12/10/2003	8.5	Travel to Austin, prepare witnesses, confer with co-counsel; prepare for trial; prepare exhibits (Para)
12/11/2003	4.5	Trial and trial preparation
12/12/2003	4.5	trial preparation: witnesses and exhibits
12/13/2003	6.5	trial preparation: witnesses and exhibits

George J Korbel

12/14/2003	5	trial preparation: witnesses and exhibits
12/15/2003	9	Trial and trial preparation
12/16/2003	9	Trial and trial preparation
12/17/2003	9	Trial and trial preparation
12/18/2003	9	Trial and trial preparation
12/19/2003	12	Trial and trial preparation; wk on remedy plans (GK)
12/20/2003	12	Post trial brief and preparation for final argument; work on remedy plans
12/21/2003	5.5	finalize post trial brief; confer with co-counsel and fax brief to judges; wk on remedy plans
12/22/2003	3	Prepare for final arugment; wk on remedy plans
12/23/2003	1	Prepare for and present final oral argument
11/15/2004	0	research on case cited in the remand from the Supreme Court
11/23/2004	0	review court remand and LR on our response
11/26/2004	0.5	confer with cocounsel on response to remand
11/29/2004	0	confer with expert on preparing affidavit
12/2/2004	0	work on remand brief
12/3/2004	0	work on remand brief
12/6/2004	0	work on remand brief with cocounsel, file brief
12/9/2004	0	review Richards and Bickerstaff briefs
12/16/2004	0	review briefs filed; conference with Nina on strategy
12/27/2004	0	review briefs and cases and prepare for Jan. 05 hearing in Dallas
1/3/2005	0	confer with George on preparing for Jan 21st hearing
	5	research population projections; review filed briefs
1/4/2005	0	prepare for hearing in Dallas
1/5/2005	1	c\Jose and George on affidavit on pop
	0	review briefs and Alford affidavit; organize file
1/6/2005	0	prepare for hearing in Dallas; affidavit for expert; briefing
1/10/2005	2	work on brief to be filed on 14th
1/11/2005	0	Document preparation
1/12/2005	0	confer with cocounsel and document preparation
1/13/2005	0	confer with cocounsel and document preparation
1/14/2005	0	confer with cocounsel and document preparation
1/17/2005	0	reformat and refile brief; confer with co counsel
1/20/2005	0	document preparation and prepare for hearing
1/21/2005	4	T to and from Dallas; confer with cocounsel present oral argument
1/24/2005	2	confer with cocounsel; review post hearing brief of law professors compare to our data continue with summary for post hearing brief
6/9/2005	1	review decision; pc with clients and co-counsel
6/15/2005	3	Juris statement
6/23/2005	0	confer with Garza and Korbel on appeal
7/12/2005	4	c/w/co-counsel and clients; brief
8/2/2005	4	brief Juris State LR; c w/ co-counsel
8/3/2005	2.5	brief Juris State LR; c w/ co-counsel
8/4/2005	4	brief Juris State LR; c w/ co-counsel
8/5/2005	3	brief Juris State LR; c w/ co-counsel
8/6/2005	3	brief Juris State LR; c w/ co-counsel
8/8/2005	4	brief Juris State LR; c w/ co-counsel
8/9/2005	3	brief Juris State LR; c w/ co-counsel

George J Korbel

9/3/2005	0	review brief filed by the Jackson et. al. plaintiffs; LR on claims asserted under the Veith case
9/6/05	0	review appeal brief filed by Schoecting on behave of the Texas Democratic party; LR on issue raised
10/5/2005	0	brief of GI forum
12/12/2005	0	conferences with clients; respond to press; schedule briefing and oral argument deadlines; review briefs
12/16/2005	0	pc conference with co-counsel on argument for the court; review filed briefs
12/19/2005	0	pc wit cocounsel on the argument; pc w/ S. Ct. clerk on divided argument; LR
12/20/2005	1	start work on brief; review exhibits for appendix; pc with council and clients
12/21/2005	1	work on brief; pc with clients; pc with printer
12/22/2005	1	work on brief; pc with clients on argument
12/23/2005	1	pc with cocounsel on division of argument; work on brief; LR
12/27/2005	1	c/ w/ counsel on documents for appendix and outline of brief
12/28/2005	1	work on brief; c/w/cocounsel
12/29/2005	1	work on brief; c/w/cocounsel
12/29/2005	4	work on brief; c/w/cocounsel
12/30/2005	1	work on brief; c/w/cocounsel
1/1/2006	1	work on brief; c/w/cocounsel
1/1/2006	6.5	work on brief; c/w/cocounsel
1/2/2006	1	work on brief, c/w/cocounsel
1/3/2006	1	work on brief, c/w/cocounsel
1/3/2006	5	work on brief; c/w/cocounsel
1/4/2006	1	work on brief, c/w/cocounsel
1/5/2006	1	work on brief, c/w/cocounsel
1/6/2006	1	work on brief, c/w/cocounsel
1/7/2006	1	work on brief, c/w/cocounsel
1/7/2006	4	work on brief, c/w/cocounsel
1/9/2006	5	work on brief, c/w/cocounsel
1/10/2006	4	work on brief with cocounsel; finale proof and file and serve other parties
1/10/2006	3.5	work on brief with cocounsel; finale proof and file and serve other parties
1/11/2006	0.5	confer with cocounsel and clients on split time for presentation; review filed briefs
1/11/2006	1	confer with cocounsel and clients on split time for presentation; review filed briefs
1/12/2006		review briefs filed by parties and amicus; c/co-counsel on presentation
1/13/2006	1.5	review briefs filed by parties and amicus; c/co-counsel on presentation
1/16/2006	0.5	prepare motion for divided argument; confereces wit cocounsel on strategy
1/17/2006	0.5	prepare motion for divided argument; confereces wit cocounsel on strategy
2/1/2006	0.5	review brief filed by appellees and amicus of appellees
2/3/2006	0	review state and amici brief of appellees and start outline on reply; pc with cocounsel;
2/8/2006	0	confer with co-counsel on reply brief and allocate brief sections; work on reply
2/8/2006	2.5	reply; pc with clients
2/9/2006	0.5	work on reply
2/13/2006	0.5	work on reply
2/14/2006	0.5	work on reply
2/15/2006	0.5	work on reply

George J Korbel

2/16/2006	0.5	work on reply
2/17/2006	1	review reply briefs of other parties; pc with clients and preparation for travel to DC for argument
2/20/2006	5	work on reply
2/21/2006	1	finish reply brief and file with S. Ct
2/22/2006	0	review reply briefs of other parties
2/23/2006	0	review reply briefs of other parties; pc with clients and preparation for travel to DC for argument
2/24/2006	0	review reply briefs of other parties; pc with clients and preparation for travel to DC for argument
2/27/2006	0	review reply briefs of other parties; pc with clients and preparation for travel to DC for argument
3/10/2006	0	review supplemental briefs; pc with clients on the argument and what to expect in near future
6/28/2006	6.5	review Sup ct decision ; confer with clients and co-counsel; preliminary work on plan Webb in 28. Conclusion that this scenerio will work
6/29/2006	6.5	review Sup ct decision ; confer with clients and co-counsel; start work on plans; 2 phone calls with Cong. Cuellar; discussion with co-counsel re possible conflict.
6/30/2006	12	Travel to Austin and Back, work on plans with Doggett and Cuellar Staff, discussion with Cong Doggett and Cuellar, discussion with Mark Lubin 1159C, work on 1159C (same as 1374C); 1162C (Webb in 28).
7/1/2006	2	1151C, 1374C
7/3/2006	6	1162C; 1169C (Webb in 23); 1170C (23 57.8/20 55.4); 1171C (Beginnings of LULAC A); 1172 C (Begin experimentation with split Webb to appear in final settlement);
7/4/2006	8	1172 C (Continue experimentation with split Webb to appear in final settlement)
7/5/2006	9	1162C; 1169C; 1172 C (Continue experimentation with split Webb to appear in final settlement); 1174C (Begin experimentation with split of Starr County);
7/6/2006	11	1174C (Continue experimentation with split in Starr County); 1176C (continue with split of Starr County); 1179C (continue development of LULAC A); 1178 C (Experiment with split of Medina and Uvalde Counties); 1177C (continue experimentation with Starr Split Webb in 23); prepare and meet with Attorney General; work with client to come up with LULAC 1 and LULAC 2.
7/7/2006	3	1159C; 1160C; 1162C; 1174C (Experment with split of Starr County); 1176C; 1179C (Continuation with development of LULAC A)
7/8/2006	7	1169C; 1170C; e-mail to Dale with what will become LULAC 1 and 2
7/9/2006	8	1159C; 1160C; 1151C (Court Plan); e-mail from Claire re how the publication by Leg Council would work with Court Plans. Discussion with counsel
7/10/2006	1	e-mjail from Dale could possible work suggest some changes and reference to MALDEF
7/11/2006	12	1181C (Webb in 28 split Starr); 1182C (Webb in 23 No split in Starr); 1183C+9+ (Webb in 28 split Starr); 1184C; 1185C; 1186C; 1201C; Work on Brief; Travel to Austin work on remedy)

George J Korbel

7/12/2006	11	1159C; 1407C; 1408C; 1417C (GI Fourm); 1418C; 1181C; 1182C; 1183C; 1184C; 1185C; 1186C; Review proposed final draft; 1416C; 1196C; 1196C; 1416C; Discussion with Sam,final Remedy publication Work on brief; Phone discussion and confirmation to and From Sam Concerning LULAC 1 and 2
7/13/2006	3	Maps on 1374; Review final LULAC plans/politicals e-mail from Rolando; e-mail go Stinson political and ethnic examination of plan; e-mails back and forth with Rolando and Jose re final draft of remedy brief; Phone calls to Rolando and Jos; e-mail from Gaona, e-mail to Gaonae
7/14/2006	12	1416C; Travel to Austin work on Plans; review of draft from Rolando; E-mail from Stinson; e-mail to Gaona; e-mail to Rolando; Work on analysis of remedy plans
7/15/2006	4	Finalize analysis of remedy plans
7/16/2006	6	Work to modify analysis of remedy plans
7/17/2006	5	two e-mails from AJ Pate; Return e-mails; rec-emails re 201 of 1408; Long e-mail to M. Tameez; e-mail modified political and ethnic analysis of remedy plans to Rolando; Prepare list of elections for future analysis; 4 emails back and forth from and to AJ Pate
7/18/2006	11	1196C; 1414C; 1413C (Travis County); 1417C (GI Fourm); 1422C; 1423C; 1196C; 1201C (Continue work on Split Webb); Analysis of politicals on all proposed remedy plans; Several e-mails with plans and without from McCarty
7/19/2006	7	1196C; 1193C; Political Analysis on statewide basis of all remedy plans; 2 e-mails back and forth from Tameez; 2e-mails back and forth to AJ Pate; 1196, 1197 Analysis; 1194C; 2 e-mails back and forth to AJ Pate; 2 emails back and forth with M Tameez;
7/20/2006	7	1426C; 1427C; 1429C; 1422C; 1426C (LULAC A 2006 VTDs); 1428C LULAC A 2006 Deviation .14% Deviation); 1427C (LULAC B 1006 VTDs); 1429C (LULAC B 2006 VTDs .16 deviation); 1201C (Continue work on Split Webb); 2 e-mails with Tameez and Pate; 3 e-mails from Gahfoor; 1201C; 2 e-mails from AJ Pate;
7/21/2006	9	1426C; 1427C; 1429C; 1408C; 1413C (Travis County); 1423C; 1425C; 1196C; 1201C (Continue work on Split Webb)
7/22/2006	11	1406C; 1407C; 1426C (LULAC A 2006 VTDs); 1429C (LULAC B 2006 VTDs .16 deviation); 1427C (LULAC-B 1006 VTDs); 1428C LULAC A 2006 Deviation .14% Deviation)
7/24/2006	2	2 e-mails from Gahfoor
7/25/2006	6	Map from Lubin, preliminary work, put into Presentation and Powerpoint
7/31/2006	12	1214C; 1211C (No change in 21 and 25 split Webb); put 1214 C(Final Congressional Compromise) in 2006 vtds; Travel to Austin work on remedy
8/1/2006	9	Recelve propposal from Lubin, Discuss with Jose Prepare powerpoint compairson of plans; 1214C
8/2/2006	14	Travel to Austin, Work on LULAC Compromise 1215C Dale Oldam, Cong Smith, Cong Cuellar amd staff, Cong Bonillia staff
8/3/2006	3	Prepare for hearing, hearing travel, work on file 1215C
8/4/2006	6	Continue work on file, calls from Rolando, Jose, 1215C
8/5/2006	3	1426C analysis of political and ethnic of Court drawn plan to brief clients, work on 1428C
TOT Hrs	600.9	

expenses:					
	9	trips to Austin at 180 per trip.	.55 per mile		\$ 891.00
	9	3 meals	\$ 10.00		\$ 270.00
	1	Hotel	\$ 85.00		\$ 85.00
	8	Parking San Antonio	\$ 6.00		\$ 48.00
		Cell phone usage est			\$ 50.00
	9	9	Parking Costs		\$ 81.00
					\$ 1,425.00

	7	trips to Austin at 180 per trip	.40 per mile		\$ 504.00
	4	Hotel			\$ 400.00
		Exhibit prep		\$ 250.00	\$ 250.00
	7	3	\$ 10.00		\$ 210.00
		cell phone usage			\$ 50.00
	5	9			\$ 45.00
	3	DC Taxi with tips			\$ 27.00
					\$ 1,486.00

Total..... \$ 2,911.00

Compare Court Plan with LULAC Plan A

The two maps look very much alike. This exhibit is designed to evaluate how close the plans are in terms of actual measurement and numbers.

As can be seen, the Court Plan and the LULAC A Plan are virtually identical in terms of every measurement that Courts have used to evaluate redistricting under Sections 2 and 5

Percent of Hispanic Total Population	
Court Plan	LULAC Plan A
65.1%	65.4%

Percent of Hispanic Citizen Population	
Court Plan	LULAC Plan A
62.7%	62.8%

Percent of Hispanic Voting Age Population	
Court Plan	LULAC Plan A
61.2%	61.5%

Percent of Hispanic Citizen Voting Age Population	
Court Plan	LULAC Plan A
57.4%	57.6%

The Court Plan and the LULAC A Plan are identical in terms of 2004 Hispanic Voter Registration.

The six year trends in the growth of Hispanic Registration over time are virtually identical.

Percent Hispanic Registered Voters and Trends over Six Year Period (1998-2004)		
Year	Court Plan	LULAC Plan A
2004	54.2%	54.2%
2002	54.7%	54.6%
2000	53.5%	53.1%
1998	53.0%	52.5%

The Total number of registered voters and election turnout are virtually identical

		Total Registered Voters	Turn-out percentage
Year			
2004	Court Plan	207,658	58.0%
2002		129,678	38.2%
	LULAC A	213,906	58.9%
		131,556	38.5%

The essential difference between the Court Plan for District 23 and the LULAC Plan A is that the Court included four small rural counties (and a portion of another) which together contain only 31,000 persons. To make up for this small population the Court reduced the Bexar County portion in District 23 by 31,000 persons

County	Population
Crockett	4,099
Dimmit	10,248
Edwards	2,162
Sutton (part)	2,816
Zavala	11,600
	30,925