

CAUSE NO. D-1-GN-23-006609

CITY OF FORT WORTH, TEXAS	§	IN THE DISTRICT COURT OF
<i>Plaintiff,</i>	§	
	§	
v.	§	TRAVIS COUNTY, TEXAS
	§	
KEN PAXTON, ATTORNEY	§	
GENERAL OF TEXAS,	§	
<i>Defendant.</i>	§	419 TH JUDICIAL DISTRICT

DEFENDANT'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant Ken Paxton, Attorney General for the State of Texas, files his Original Answer in response to the Plaintiff's Original Petition for Declaratory Judgment (Petition).

I. SPECIAL EXCEPTION

The Attorney General specially excepts to Plaintiff's Original Petition for pleading discovery under Level 3. *See* Pl.'s Pet. at pg. 2. The Plaintiff has not demonstrated the need for a court-managed discovery control plan, and level three discovery is not appropriate for this type of lawsuit. The issues in this case involve primarily questions of law and discovery, to the extent it is required at all, is appropriately conducted under Level 2 pursuant to Rule 190.3 of the Texas Rules of Civil Procedure.

II. GENERAL DENIAL

Pursuant to Rule 92 of the Texas Rules of Civil Procedure, Defendant enters a general denial to all allegations in Plaintiff's Petition.

III. PRAYER

Defendant Ken Paxton, Attorney General for Texas, respectfully asks the Court, upon final hearing of this lawsuit, to enter a final judgment that declares the information at issue to be subject to disclosure and orders Plaintiff take nothing by reason of its suit and that all costs of litigation, including court costs, be adjudged against Plaintiff.

Defendant further prays for such other and further relief, both general and special, at law and in equity, to which he may be justly entitled.

Respectfully submitted,

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

GRANT DORFMAN
Deputy First Assistant Attorney General

JAMES LLOYD
Deputy Attorney General
for Civil Litigation

ERNEST C. GARCIA
Chief, Administrative Law Division

/s/ Amber Wodraska
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ATTORNEYS FOR DEFENDANT KEN PAXTON

CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2023, a true and correct copy of the foregoing document has been served on the following via e-service and/or email:

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ATTORNEYS FOR PLAINTIFF,
CITY OF FORT WORTH, TEXAS

/s/ Amber Wodraska
AMBER WODRASKA
Assistant Attorney General

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Elizabeth Chipelo on behalf of Amber Wodraska

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Envelope ID: 81548751

Filing Code Description: Answer/Response

Filing Description: DEFENDANT'S ORIGINAL ANSWER

Status as of 11/13/2023 9:00 AM CST

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