

CASE NO. 15-0320

IN THE SUPREME COURT OF TEXAS

King Street Patriots, Catherine Engelbrecht,
Bryan Engelbrecht and Diane Josephs,

Petitioners,

v.

TEXAS DEMOCRATIC PARTY, GILBERTO A. HINOJOSA, in his capacity as
Chairman of the Texas Democratic Party, JOHN WARREN, in his capacity as
Democratic nominee for Dallas County Clerk, and ANN BENNETT, in her
capacity as the Democratic Nominee for Harris County Clerk,

Respondents.

RESPONDENTS' MOTION TO VACATE AND RESET HEARING

TO THE HONORABLE JUDGE OF THE SUPREME COURT OF TEXAS:

Respondents file this Motion to Vacate and Reset Hearing currently set for
December 8, 2016, for the following reasons:

1. On September 23, 2016 this court granted the petition for review in this case and
set the case for oral submission on Thursday December 8, 2016 at 9:00 a.m.

2. On November 15, 2016, Mr. Scott A. Keller notified this court the office of the Solicitor General intends to file a brief in response to the Court's invitation, which will be due on December 14, 2016.
3. The due date for the state's brief is scheduled after the oral hearing. Oral argument will be more productive if the parties and the Court will have before them the position of the state. Also, the case should not be argued until briefing is complete. As a result, Respondents request that the Court reschedule the date of the oral hearing to an appropriate date of its choosing.
4. Respondent has conferred with opposing counsel, and counsel has agreed to this Motion.

Wherefore, premises considered, Respondents pray this Court resets the hearing to an appropriate later date.

Dated this 21st day of November, 2016.

Respectfully submitted,

BRAZIL & DUNN

/s/ Chad W. Dunn

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Counsel for Respondents

CERTIFICATE OF CONFERENCE

I certify that I have conferred with opposing counsel for Petitioners who stated he was unopposed to the foregoing Motion.

By: /s/ Chad W. Dunn
Chad W. Dunn

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this, the 21st day of November, 2016, a true and correct copy of the foregoing Motion was served by the Court's Electronic Case Filing System, on all counsel of record.

 /s/ Chad W. Dunn
Chad W. Dunn