

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

<p>STATE OF TEXAS,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>MERRICK GARLAND, in his official capacity as Attorney General, <i>et al.,</i></p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 5:23-cv-00034-H</p>
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DEFENDANTS' TRIAL EXHIBIT LIST

Pursuant to the Court's Order on October 24, 2023, ECF No. 75, Defendants submit the following exhibit list:¹

Def. Exhibit No.	Exhibit
1	Consolidated Appropriations Act, 2023 (Pub. L. 117-328) (Enrolled)
2	Declaration of Carol R. Miaskoff Declaration (November 1, 2023)
3	Second Declaration of Kelly Kinneen (November 1, 2023)
4	Second Declaration of Peter Mina (October 31, 2023)
5	CONFIDENTIAL – MOTION TO SEAL PENDING - Declaration of Tracy Hudson (November 1, 2023)
6	Declaration of Karen Woodard (October 31, 2023)
7	Declaration of Sean C. Dandridge (May 3, 2023), ECF No. 53 at App2
8	Declaration of Robert Farmer (May 3, 2023), ECF No. 53 at App5
9	Exhibit A to Farmer Declaration (DHS NOFO FY 2021), ECF No. 53 at App10

¹ Defendants reserve the right to use any exhibit identified by any party at trial, any document for impeachment or rebuttal purposes, and additional materials to which judicial notice applies. Defendants do not waive any objections to admissibility at trial. To avoid overly cumbersome binders, Defendants intend to provide the Court with excerpted versions of some exhibits and will have electronic copies of complete versions for all exhibits available should they be requested.

10	Exhibit B to Farmer Declaration (Letter to Church World Service), ECF No. 53 at App52
11	Declaration of Peter Mina (May 3, 2023), ECF No. 53 at App66
12	Exhibit A to Mina Declaration (CMPP Subrecipient Solicitation), ECF No. 53 at App72
13	Exhibit B to Mina Declaration (Letter to BakerRipley), ECF No. 53 at App91
14	Exhibit C to Mina Declaration (Letter to International Rescue Committee, Inc.), ECF No. 53 at App93
15	Declaration of Kelly Kinneen (May 3, 2023), ECF No. 53 at App95
16	Texas OAG Website - Duties & Responsibilities
17	What You Should Know About the Pregnant Workers Fairness Act
18	PWFA Tips for Asking for a Reasonable Accommodation - Reasonable Steps Infographic
19	PWFA Informational Poster
20	EEOC Know Your Rights
21	Congressional Record for December 23, 2022 (excerpts)
22	Congressional Record for January 10, 2022
23	Supreme Court Rules Effective January 1, 2023
24	Supreme Court Rules Effective July 1, 2019
25	Supreme Court Press Release (April 13, 2020)
26	Judicial Nomination Statistics and Analysis: U.S. Circuit and District Courts, 1977-2022 (R45622)
27	Fifth Circuit Rules and Internal Operating Procedures (excerpts)
28	Deschler's Precedents of the House of Representatives, Chapter 20 (excerpts)
29	Public Law 118-15 - September 30, 2023, Continuing Resolution

30	Records of the Federal Convention of 1787, Volume II (Max Ferrand ed., 1911) (excerpts)
31	Cannon’s Precedents of the House of Representatives, Chapter 207
32	F. Riddick & A. Frumin, Riddick’s Senate Procedure: Precedents and Practices (excerpts)
33	H.R. Rep. No. 117-27 (2021)
34	H. Res. 5, 109th Cong. (2005)
35	H.R. Res. 965, 116th Cong. (2020)
36	Hinds’ Precedents of the House of Representatives, Chapter 85
37	Rules of the U.S. House of Representatives, 117th Cong. (2022)
38	Johnson, et al., House Practice: A Guide to the Rules, Precedents, and Procedures of the House, Chapter 54 (2017)
39	U.S. Senate, The First Unanimous Consent Agreement
40	Remote Voting by Proxy Regulations Pursuant to House Resolution 8

Dated: November 17, 2023

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

JOHN GRIFFITHS
Director, Federal Programs Branch

LESLEY FARBY
Assistant Branch Director

/s/ Clayton L. Bailey
CLAYTON L. BAILEY (D.C. Bar No. 1644867)
MICHAEL J. GAFFNEY (D.C. Bar No. 1048531)
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, N.W.

Washington, D.C. 20005
Tel: (202) 598-1226
Fax: (202) 616-8470
Email: clayton.l.bailey@usdoj.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2023, I electronically filed the foregoing paper with the Clerk of Court using this Court's CM/ECF system, which will notify all counsel of record of such filing.

/s/ Clayton L. Bailey _____
CLAYTON L. BAILEY (D.C. Bar No. 1644867)
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, N.W.
Washington, D.C. 20005
Tel: (202) 598-1226
Fax: (202) 616-8470
Email: clayton.l.bailey@usdoj.gov