

D-1-GN-06-002156

ED HENDEE, Individually and as Executive
Directory of C.L.O.U.T.,
Plaintiff,

v.

DAVID DEWHURST, TOM CRADDICK,
CAROLE KEETON STRAYHORN, STATE OF
TEXAS, and the TEXAS LEGISLATIVE
BUDGET BOARD,
Defendants.

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In the District Court of

Travis County, Texas

345th Judicial District

**DEFENDANTS DAVID DEWHURST, TOM CRADDICK, STATE OF TEXAS,
AND THE TEXAS LEGISLATIVE BUDGET BOARD'S
ORIGINAL ANSWER AND AFFIRMATIVE DEFENSES**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW Defendants DAVID DEWHURST, in his Official Capacity as Lieutenant Governor, TOM CRADDICK, in his Official Capacity as Speaker of the House of Representatives, the STATE OF TEXAS, and the TEXAS LEGISLATIVE BUDGET BOARD, ("Defendants"), and file this original answer to Plaintiff's Original Petition, respectfully showing the Court as follows:

I. GENERAL DENIAL

Pursuant to Tex. R. Civ. P. 92, Defendants emphatically deny each and every allegation in Plaintiff's Original Petition and demand strict proof thereof.

II. AFFIRMATIVE DEFENSES

Pursuant to Tex. R. Civ. P. 94, and subject to the foregoing General Denial, Defendants state that they are entitled to the following affirmative defenses:

1. Plaintiff has wholly failed to articulate any viable cause of action against Defendants.
2. Defendants assert the defense of sovereign immunity, to the extent applicable, to all claims against them.

3. Defendants assert the defense of official immunity, to the extent applicable, to all claims against them.
4. Defendants assert the affirmative defense of limitations for any claims outside the applicable limitations period.
5. Defendants assert the right to raise additional defenses that become apparent throughout the factual development of this case.

III. PRAYER

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request that the Court enter judgment that Plaintiffs take nothing, assess costs against Plaintiffs, and award Defendants all other relief to which they may be entitled.

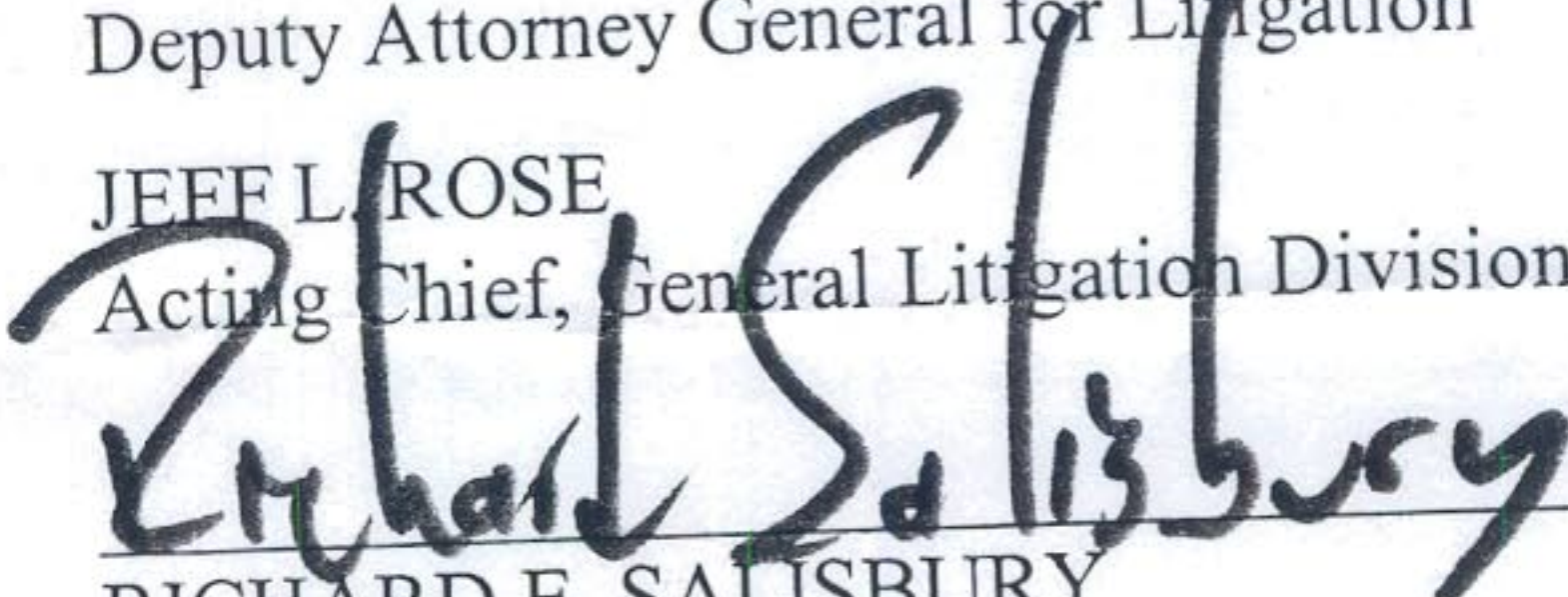
Respectfully submitted,

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