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REPORTER'S RECORD

TRIAL COURT CAUSE NO. 21-1561-C395

DANIELLE WESTON AND)	
MARY BONE)	IN THE DISTRICT COURT
VS.)	
ROUND ROCK INDEPENDENT)	
SCHOOL DISTRICT BOARD OF)	
TRUSTEES, AMY WEIR, AMBER)	WILLIAMSON COUNTY, TEXAS
FELLER, TIFFANIE HARRISON,)	
DR. JUN XIAO AND CORY VESSA)	
EACH IN HIS OR HER OFFICIAL)	
CAPACITY AS TRUSTEES OF THE)	
ROUND ROCK INDEPENDENT)	
SCHOOL DISTRICT BOARD OF)	
TRUSTEES)	425TH JUDICIAL DISTRICT

RULING

On the 5th day of April, 2022, the following proceedings came on to be heard in the above-entitled and numbered cause before the Honorable Betsy Lambeth, Judge presiding, held in Georgetown, Williamson County, Texas;

Proceedings reported by machine shorthand.

A P P E A R A N C E S

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3 FOR THE PLAINTIFFS:

4 SBOT NO. 24083477
5 MR. TONY MCDONALD
6 1501 LEANDER DRIVE
7 SUITE B2
8 LEANDER, TEXAS 78641

9 SBOT NO. 24060708
10 MR. KEVIN TERRAZAS
11 1001 S. CAPITAL OF TEXAS HWY
12 BLDG L SUITE 250
13 AUSTIN, TEXAS 78746

14 FOR THE DEFENDANTS:

15 SBOT NO. 05857200
16 MR. MARK DIETZ
17 106 FANNIN AVE EAST
18 ROUND ROCK, TEXAS 78664

19 SBOT NO. 24009024
20 MR. DOUGLAS CORNWELL
21 106 FANNIN AVE
22 ROUND ROCK, TEXAS 78664

23 SBOT NO. 16113750
24 MR. DOUGLAS PONECK
25 700 NORTH ST. MARY'S STREET
SUITE 850
SAN ANTONIO, TEXAS 78205

1 (Proceedings Begin 3:02pm)

2 THE COURT: Good afternoon, you may be seated.
3 We are on the record, could I please have announcements for the
4 record.

5 MR. McDONALD: Tony McDonald and Kevin Terrazas
6 here on behalf of the Plaintiffs.

7 MR. DIETZ: Mark Dietz and Doug Cornwell here on
8 behalf of the individual trustees for the Round Rock
9 Independent School District in their official capacity and
10 Doug Poneck is the school board's general counsel and he's
11 here.

12 THE COURT: Do we have folks here representing
13 both Weston and Bone and also the other trustees?

14 MR. DIETZ: On behalf of the trustees, they have
15 a school board meeting this evening and I know that some of
16 them are preparing for that. Mr. Poneck is here on behalf of
17 the school board.

18 THE COURT: Thank you.

19 MR. TERRAZAS: Your Honor, trustees Weston and
20 Bone are here.

21 THE COURT: Thank you. Well, I was hoping that
22 others of the school board would be here. Before I state my
23 ruling, I wanted to share some thoughts about leadership and --

24 (Adjusting Mic Volume)

25 THE COURT: Mr. Dietz, I trust that you will

1 share this with --

2 MR. DIETZ: Absolutely, Your Honor. As a matter
3 of fact, we'll buy a copy of the transcript just to make sure
4 that it can be distributed it to all the members of the school
5 board.

6 THE COURT: Thank you. I think leaders in our
7 community like you and I have been tasked with duties that five
8 years ago were completely unimaginable, and in performing those
9 duties, sometimes we flourished and sometimes we floundered.
10 We're human. I encourage each of you, each of the individual
11 trustees, as you move forward to consider how your leadership,
12 how your example, will empower students for life. You've been
13 presented with a golden opportunity of how to be an example and
14 how to act in really difficult circumstances. Each of you have
15 been called to lead and what will you do with this opportunity.
16 Students, teachers, parents, administrators, the communities
17 that you serve and the larger community, they're all watching.
18 I've heard their comments. They're watching to see how the
19 Round Rock Independent School Board of Trustees will emerge
20 from this conflict.

21 What lesson are you prepared to teach? By your
22 actions will you teach humility, forgiveness and teamwork or
23 will you be remembered for bitterness, anger and hatred? And
24 this is hard stuff. These skills are the social and emotional
25 skills that our students and we need in order to thrive in the

1 diverse and ever-changing world.

2 Every day on the bench I deal with conflict. I
3 see those that manage conflict and I see those that allow
4 conflict to destroy them and everything in between. I see the
5 effects of conflict on children, the amount of money diverted
6 from children to maintain conflict is staggering. This
7 community entrusted you, they entrusted you with their money
8 and with their children and they want you to lead with wisdom
9 and humility. Wisdom doesn't degrade others and it requires oh
10 so much humility and patience. Just because you can, doesn't
11 mean you should. I challenge you in this circumstance to move
12 forward with dignity and respect. What if your responses to
13 this process were to ignite dinnertime conversation? What if
14 four of you on opposing sides went to a classroom and you
15 talked about how you got into this conflict and how angry you
16 were and how hurt you were, the difficult decisions that faced
17 you, the individual rights you had to consider and how you
18 resolved the conflict? Perhaps how you agreed to disagree but
19 also agreed to move forward with dignity and respect; how would
20 that lesson empower students for life?

21 I've reviewed the pleadings, the motions and the
22 briefings in the case as well as the case law and I grant the
23 Defendant's plea to the jurisdiction and dismiss the
24 Plaintiff's claims. Please do not view this case as one where
25 one side won and the other lost. If the Defendants walk out of

1 here and proceed with a triumphant air, we've all lost, and in
2 the process, 73,676 people have been silenced. I will sign the
3 order as it's been presented. Anything further, Counsel?

4 MR. DIETZ: No, Your Honor. With all due
5 respect to the Court, I thought this was argument this
6 afternoon and I would have had my clients here and I certainly
7 will have a copy of the transcript delivered to them and on
8 behalf of my clients, they have taken this very seriously and
9 it has greatly affected them.

10 THE COURT: Thank you.

11 MR. McDONALD: For purposes of the record, we
12 filed a motion to supplement the evidence I believe on Thursday
13 or maybe Friday morning and I spoke with Counsel for the
14 individual defendants. There was no objection to entering that
15 into the record so I wanted to get that on the record before we
16 leave here today.

17 THE COURT: Absolutely.

18 MR. DIETZ: That's correct, Your Honor, that is
19 our agreement.

20 THE COURT: Anything further from me?

21 MR. DIETZ: No, Your Honor.

22 THE COURT: Ok. Thank you very much, you all
23 are excused.

24 (End of Proceedings 3:09pm)

25

1 REPORTER'S CERTIFICATE

2 THE STATE OF TEXAS)
3 COUNTY OF WILLIAMSON)4 I, MANDI M. ALVAREZ, Official Court Reporter in and for
5 the 425th District Court of Williamson County, State of Texas,
6 do hereby certify that the above and foregoing contains a true
7 and correct transcription of all portions of evidence and other
8 proceedings requested in writing by counsel for the parties to
9 be included in this volume of the Reporter's Record, in the
10 above-styled and numbered cause, all of which occurred in open
11 court or in chambers and were reported by me.12 I further certify that this Reporter's Record of the
13 proceedings truly and correctly reflects the exhibits, if any,
14 admitted by the respective parties.15 WITNESS MY OFFICIAL HAND this the ____6th____ day of
16 _____April_____, 2022.17
18 /s/Mandi M. Alvarez
19 MANDI M. ALVAREZ Texas CSR #9129
20 Expiration Date: 08/31/2023
21 Official Court Reporter
22 425th District Court
23 Williamson County, Texas
24 Georgetown, Texas
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