

United States District Court  
Southern District of Texas

**ENTERED**

October 22, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

MARANDA LYNN O'DONNELL, *et al.*, §  
on behalf of themselves and all others §  
similarly situated, §

Plaintiffs, §

VS. §

CIVIL ACTION NO. H-16-1414

HARRIS COUNTY, TEXAS, *et al.*, §

Defendants. §

**ORDER**

As stated in the October 14, 2019, Order, (Docket Entry No. 662), the court wants to ensure a fair and full opportunity for the different views on the proposed settlement to be heard at the final fairness hearing on October 28, 2019. This Order sets out the hearing procedures.

The significant number of nonparties who have filed statements of intent to speak at the hearing, the fact that many have already filed long amicus briefs, and the similar nature of the interests represented, means that each nonparty speaker will be limited to 10 minutes. The parties will have equal time to respond to each nonparty's statement.

Any nonparty person or entity that previously filed an amicus brief may not repeat any arguments raised in the brief.

Nonparties who speak will not do so under oath, and they will not be subject to cross-examination. Nonparties may not cross-examine any witnesses called by the parties. The parties' witnesses will testify under oath from the witness stand.

If the proceedings do not end by 2:30 p.m. on October 28, the court will resume at 8:30 a.m. on Wednesday, October 30, 2019.

The following nonparty individuals or entities may speak at the October 28 final fairness hearing:

- Harris County District Attorney Kim Ogg. (Docket Entry No. 665).
- One representative for the Texas Advocates for Justice. (Docket Entry No. 666).
- Mr. Andy Kahan, for Crime Stoppers of Houston. (Docket Entry No. 668).
- Attorney Kevin Pennell, for the Professional Bondsmen of Harris County. (Docket Entry No. 670).
- Attorney Ken Good, for Mr. Gilbert Morales. (Docket Entry No. 671).
- Ms. Mary Nan Huffman, for the Houston Police Officers' Union. (Docket Entry No. 672).
- Mr. Doug Smith. (Docket Entry No. 673).
- Harris County Commissioner Steve Radack. (Docket Entry No. 676).
- Mr. John Gamage, for Restoring Justice. (Docket Entry No. 678).
- Mr. Tony Smith or Attorney Alan N. Magenheimer, for Equal Justice Now. (Docket Entry No. 680).
- Mr. Kaleb J. Taylor. (Docket Entry No. 684).
- Ms. Koretta Brown, for The Young and the Politics. (Docket Entry No. 685).
- Mr. Ashton Woods, for Black Lives Matter Houston. (Docket Entry No. 686).
- Mr. Carl Davis, for the Houston Society for Change and the Social Action Commission General Board of the AME Church. (Docket Entry No. 687).
- Mr. John McNamee, for Mothers Against Drunk Driving. (Docket Entry No. 688).
- Special Litigation Counsel Adam Biggs, for the Office of the Attorney General of Texas. (Docket Entry No. 689).

The October 14 Order stated that no more than one individual may speak for any nonparty entity or category of entity. (Docket Entry No. 662 at 2). On October 18, individuals affiliated with the Texas Advocates for Justice filed a joint notice that each individual intended to appear.

(Docket Entry No. 666). As stated in the October 14 Order, nonparty entities, including the Texas Advocates for Justice, must select a single representative to speak at the hearing. (Docket Entry No. 662 at 2). On October 21, several of the individuals affiliated with the Texas Advocates for Justice filed individual notices of intent to appear. (Docket Entry Nos. 677, 679, 681). Only one representative may do so.

The Houston Area Police Chiefs Association, the Houston Police Officers' Union, and the Harris County Deputies' Organization, Fraternal Order of Police Lodge #39, may not all appear because all three represent law enforcement or police officers and share similar concerns. (Docket Entry Nos. 667, 672, 682). The court will hear from the Houston Police Officers' Union, and not the Chiefs Association or the Deputies' Organization, because the latter two groups previously filed amicus briefs, (Docket Entry Nos. 629, 646), and the Houston Police Officers' Union has not done so.

SIGNED on October 22, 2019, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal". The signature is written in a cursive style with a large, sweeping flourish at the end.

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Lee H. Rosenthal  
Chief United States District Judge