

INSTITUTE FOR CREATION	§	IN THE DISTRICT COURT
RESEARCH GRADUATE SCHOOL	§	
An unincorporated educational ministry	§	
Unit for the Institute for Creation	§	
Research, Inc., a California not-for-profit	§	
Corporation,	§	
Plaintiff	§	
	§	
v.	§	OF TRAVIS COUNTY, TEXAS
	§	
TEXAS HIGHER EDUCATION	§	
COORDINATING BOARD, a State	§	
Agency;	§	
COMMISSIONER RAYMUND	§	
PAREDES, in his official and individual	§	
Capacities;	§	
LYN BRACEWELL PHILLIPS,	§	
In her official and individual capacities;	§	
JOE B. HINTON, in his official and	§	
Individual capacities;	§	
ELAINE MENDOZA,	§	
In her official and individual capacities;	§	
LAURIE BRICKER, in her official and	§	
Individual capacities;	§	
A.W. "WHIT" RITER, III, in his official	§	
and individual capacities;	§	
BRENDA PEJOVICH, in her official	§	
And individual capacities; and	§	
ROBERT SHEPARD, in his	§	
official and individual capacities,	§	
Defendants	§	126 <sup>th</sup> JUDICIAL DISTRICT

**DEFENDANTS' NOTICE OF FILING OF NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

Pursuant to 28 U.S.C. § 1446(d), you are hereby given notice that on May 11, 2009 Defendants, Texas Higher Education Coordinating Board, Commissioner Raymund Paredes, Lyn Bracewell Phillips, Joe B. Hinton, Elaine Mendoza, Laurie Bricker, A.W. "Whit" Riter, III, Brenda Pejovich and Robert Shepard, filed their Notice of Removal in

the United States District Court for the Western District of Texas, Austin Division, thereby removing this cause to the United States District Court. A copy of that Notice is attached hereto and incorporated herein for all purposes. This Court is respectfully requested to proceed no further in this action, unless and until such time as the action may be remanded by order of the United States District Court.

Respectfully submitted,

GREG ABBOTT  
Attorney General of Texas

C. ANDREW WEBER  
First Assistant Attorney General

DAVID S. MORALES  
Deputy Attorney General for Civil  
Litigation

ROBERT O'KEEFE  
Chief, General Litigation  
Division

/s/ Shelley Dahlberg  
SHELLEY DAHLBERG  
Texas Bar No. 24012491  
Assistant Attorney General  
General Litigation Division  
Post Office Box 12548,  
Capitol Station  
Austin, Texas 78711-2548  
(512) 463-2120 (Telephone)  
(512) 320-0667 (Facsimile)

**Certificate of Service**

I certify a true and correct copy of the foregoing document has been sent via certified mail, return receipt requested on May 13, 2009 to:

James J.S. Johnson  
The Institute for Creation Research  
1806 Royal Lane  
Dallas, TX 75229

John A. Eidsmoe,  
FOUNDATION FOR MORAL LAW  
One Dexter Ave.  
Montgomery, AL 36014

/s/ Shelley N. Dahlberg  
Shelley N. Dahlberg  
Assistant Attorney General