

Appendix:
List of Sanctioned Statements and Corresponding Docket Filings¹

- (1) Harrington used “racial slurs against Plaintiff’s counsel.”² **[Seven Filings]**
- (2) Harrington believes it is “acceptable to refer to Hispanics as toads, sapos, snitches, and South American Pieces of Shit.”³ **[Five Filings]**
- (3) Stating that Harrington’s alleged use of the term sapo is “the same racist and twisted logic that refers to people of color as monkey’s, gorillas, rats, and roaches.”⁴ **[Five Filings]**
- (4) Harrington used “racist and anti-Semitic terms against minorities (and then claim[ed] it is okay because he is married to a minority).”⁵ **[Six Filings]**
- (5) Harrington “appears to have a medical issue.”⁶ **[Six Filings]**
- (6) If Harrington “is hearing angels, he needs medical treatment immediately.”⁷ **[Six Filings]**
- (7) Harrington “is in a fugue state and doesn’t really know what is going on.”⁸ **[Six Filings]**
- (8) Harrington has made “continual comments” that “show a high level of hostility, racism, and hatred to people who are not the majority and white like Jim Harrington.”⁹ **[Two Filings]**
- (9) Harrington “treats Hispanics like servants and ‘noble savages’ that need his superlative help and guidance.”¹⁰ **[Two Filings]**
- (10) “Mr. Harrington knows that Mr. Rosales’s first job was washing dishes at a Mexican Restaurant.”¹¹ **[Three Filings]**

¹ This appendix is largely repurposed, after the Magistrate Court’s independent verification, from Defendants’ Exhibit 1 to their Consolidated Supplemental Memorandum [Dkt. #82-1] in *Clark*.

² Dkt. #48 in *Clark* at 1, 3; Dkt. #28 in *Chiwawa* at 1, 3; Dkt. #11 in *Draker* at 1, 3; Dkt. #13 in *Draker* at 2; Dkt. #67 in *Henry* at 1, 3; Dkt. #20 in *Phil’s Icehouse* at 1, 3; Dkt. #37 in *La Tierra* at 1, 3.

³ Dkt. #65 in *Clark* at 2; Dkt. #33 in *Draker* at 2; Dkt. #80 in *Henry* at 2; Dkt. #24 in *Phil’s Icehouse* at 2; Dkt. #42 in *La Tierra* at 2.

⁴ Dkt. #65 in *Clark* at 2-3; Dkt. #33 in *Draker* at 2-3; Dkt. #80 in *Henry* at 2-3; Dkt. #24 in *Phil’s Icehouse* at 2-3; Dkt. #42 in *La Tierra* at 2-3.

⁵ Dkt. #70 in *Clark* at 1; Dkt. #35 in *Chiwawa* at 1; Dkt. #39 in *Draker* at 1; Dkt. #88 in *Henry* at 1; Dkt. #31 in *Phil’s Icehouse* at 1; Dkt. #52 in *La Tierra* at 1.

⁶ Dkt. #70 in *Clark* at 1, 4; Dkt. #35 in *Chiwawa* at 1, 4; Dkt. #39 in *Draker* at 1, 4; Dkt. #88 in *Henry* at 1, 4; Dkt. #31 in *Phil’s Icehouse* at 1, 4; Dkt. #52 in *La Tierra* at 1, 4.

⁷ Dkt. #70 in *Clark* at 7; Dkt. #35 in *Chiwawa* at 7; Dkt. #39 in *Draker* at 7; Dkt. #88 in *Henry* at 7; Dkt. #31 in *Phil’s Icehouse* at 7; Dkt. #52 in *La Tierra* at 7.

⁸ Dkt. #70 in *Clark* at 8; Dkt. #35 in *Chiwawa* at 8; Dkt. #39 in *Draker* at 8; Dkt. #88 in *Henry* at 8; Dkt. #31 in *Phil’s Icehouse* at 8; Dkt. #52 in *La Tierra* at 8.

⁹ Dkt. #13 in *Draker* at 3; Dkt. #32 in *La Tierra* at 3.

¹⁰ Dkt. #13 in *Draker* at 3; Dkt. #32 in *La Tierra* at 3.

¹¹ Dkt. #13 in *Draker* at 1, 4; Dkt. #32 in *La Tierra* at 4; Dkt. #27 in *Draker* at 1, 3.

- (11) Harrington set depositions at Maudie’s restaurant—Defendant’s property in *Draker*—as a “covert racist jab at Plaintiff’s counsel”¹²
- (12) Harrington set depositions at Maudie’s restaurant “in order to make fun of Plaintiff counsel’s ancestry and race (and in a Federal lawsuit regarding discrimination) . . . [which] is both racist and inflammatory.”¹³ **[Two Filings]**
- (13) Responding to Harrington noticing depositions at Maudie’s restaurant: “Does Jim Harrington expect Mr. Rosales to mop the floors and bring him chips and salsa also? If Mr. Rosales were African–American, would Jim Harrington order the Deposition be held in a Church’s Fried Chicken? If Mr. Rosales were Asian, would Harrington order the Deposition be held in a Chinese Buffet restaurant?”¹⁴ **[Three Filings]**
- (14) Harrington “asked Plaintiff if he was a cross–dresser.”¹⁵
- (15) Because “Hispanic employees work for [Mr. Harrington], he sees it as perfectly acceptable to demean Hispanics and used racist language towards Mexican–Americans.”¹⁶
- (16) Harrington is representing Defendants, and others being sued by Deustch, only “to spite [Mr. Rosales] the Plaintiff’s counsel, frustrate the administration of justice, and make a mockery of the U.S. Court system.”¹⁷ **[Five Filings]**
- (17) Harrington has violated Western District Local Rules, the Texas Disciplinary Rules of Professional Conduct, and standing court orders.¹⁸ **[Six Filings]**
- (18) Stating that Harrington called Rosales el sapo because of Rosales’ medical condition.¹⁹ **[Six Filings]**
- (19) Harrington “has engaged in extreme behavior.”²⁰ **[Six Filings]**
- (20) Harrington engaged in a “strange and bizarre rant.”²¹ **[Six Filings]**
- (21) Harrington “stormed out of a deposition (when he realized his client’s case was falling apart) and took documents that were already admitted into the record.”²² **[Six Filings]**

¹² Dkt. #27 in *Draker* at 1.

¹³ Dkt. #13 in *Draker* at 4; Dkt. #32 in *La Tierra* at 4.

¹⁴ Dkt. #13 in *Draker* at 4; Dkt. #27 in *Draker* at 3; Dkt. #32 in *La Tierra* at 4; Dkt. #27 in *Draker* at 3.

¹⁵ Dkt. #13 in *Draker* at 3.

¹⁶ Dkt. #32 in *La Tierra* at 4.

¹⁷ Dkt. #65 in *Clark* at 5; Dkt. #33 in *Draker* at 5; Dkt. #80 in *Henry* at 5; Dkt. #24 in *Phil’s Icehouse* at 5; Dkt. #42 in *La Tierra* at 5.

¹⁸ Dkt. #48 in *Clark* at 2–4; Dkt. #28 in *Chiwawa* at 2–4; Dkt. #13 in *Draker* at 2–3, 5; Dkt. #11 in *Draker* at 2–4; Dkt. #27 in *Draker* at 3; Dkt. #67 in *Henry* at 2–4.

¹⁹ Dkt. #48 in *Clark* at 3; Dkt. #28 in *Chiwawa* at 3; Dkt. #11 in *Draker* at 3–4; Dkt. #67 in *Henry* at 3–4; Dkt. #20 in *Phil’s Icehouse* at 3; Dkt. #37 in *La Tierra* at 3.

²⁰ Dkt. #70 in *Clark* at 1; Dkt. #35 in *Chiwawa* at 1; Dkt. # 39 in *Draker* at 1; Dkt. #88 in *Henry* at 1; Dkt. #31 in *Phil’s Icehouse* at 1; Dkt. #52 in *La Tierra* at 1.

²¹ Dkt. # 70 in *Clark* at 4; Dkt. #35 in *Chiwawa* at 4; Dkt. #39 in *Draker* at 4; Dkt. #88 in *Henry* at 4; Dkt. #31 in *Phil’s Icehouse* at 4; Dkt. #52 in *La Tierra* at 4.

- (22) Harrington “refused to provide new deposition dates in violation of the Court’s order.”²³ **[Six Filings]**
- (23) Harrington was “improperly using the resources and personnel” of the Texas Civil Rights Project.²⁴ **[Six Filings]**
- (24) Mr. Harrington is a “lying draft dodger.”²⁵
- (25) “[C]alling [Mr. Harrington] a coward would be generous.”²⁶
- (26) Harrington has been “stalking Plaintiff’s counsel.”²⁷ **[Four filings]**
- (27) Harrington “threatened Plaintiff’s counsel’s life.”²⁸ **[Two filings]**
- (28) Harrington stole and “destroyed” evidence “due to the fact that the exhibit was extremely adverse to [Mr. Harrington’s clients’] case.”²⁹
- (29) Harrington was guilty of “witness tampering” and violations of Texas Penal Code § 36.05(2) and § 36.05(5).³⁰

²² Dkt. #70 in *Clark* at 5; Dkt. #35 in *Chiwawa* at 5; Dkt. #39 in *Draker* at 5; Dkt. #88 in *Henry* at 5; Dkt. #31 in *Phil’s Icehouse* at 5; Dkt. #52 in *La Tierra* at 5.

²³ Dkt. #70 in *Clark* at 6; Dkt. #35 in *Chiwawa* at 6; Dkt. #39 in *Draker* at 6; Dkt. #88 in *Henry* at 6; Dkt. #31 in *Phil’s Icehouse* at 6; Dkt. #52 in *La Tierra* at 6.

²⁴ Dkt. #70 in *Clark* at 7; Dkt. #35 in *Chiwawa* at 7; Dkt. #39 in *Draker* at 7; Dkt. #88 in *Henry* at 7; Dkt. #31 in *Phil’s Icehouse* at 7; Dkt. #52 in *La Tierra* at 7.

²⁵ See, e.g., *Deutsch v. Chiwawa, Inc.*, 1:15-CV-1238-LY, Defendant’s Response in Opposition to Plaintiff’s Motion for Sanctions (Dkt. # 31) at 6 (showing February 1, 2016 email from Mr. Rosales to Mr. Harrington in which Mr. Rosales calls Mr. Harrington a “lying draft dodger”).

²⁶ E.g., Dkt. #31 in *Chiwawa* at 6.

²⁷ Dkt. #25 in *Clark* at 1; Dkt. #15 in *Clark* at 7; May 26, 2016 Hearing on Motion for Adverse Inference, Motion for Sanctions, and Motion to Disqualify Counsel in *Clark et al.*; *Rosales v. Harrington*, C-1-CV-16-004470, In County Court at Law No. 4, Travis County, Texas, Application for Protective Order Under Article 7A, p. 2.

²⁸ Dkt. #15 in *Clark* at 7, 9-10; May 26, 2016 Hearing on Motion for Adverse Inference, Motion for Sanctions, and Motion to Disqualify Counsel in *Clark et al.*

²⁹ Dkt. #15 in *Clark* at 9.

³⁰ *Rosales v. Harrington*, C-1-CV-16-004470, In County Court at Law No. 4, Travis County, Texas, Application for Protective Order Under Article 7A, p. 3.