

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

TYLER DIVISION

MURRAY L. HARRIS, CLERK
By
Deputy

DOE, ET AL.,
Plaintiffs
VS.
PLYLER, ET AL.,
Defendants

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CIVIL ACTION NO.
TY-77-261-CA

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MAR 1 1983

RELEASE AND SETTLEMENT AGREEMENT

MURRAY L. HARRIS, CLERK
BY DEPUTY Katherine Heckerly

KNOW ALL MEN BY THESE PRESENTS:

THAT, the Texas Education Agency and the State of Texas, on behalf of all Defendants in the above-entitled litigation, (hereinafter known as Released Parties), and the Mexican American Legal Defense and Educational Fund on behalf of all attorneys associated with it in the above entitled action, save and except those attorneys associated with Daves, McCabe & Hahn, with whom separate settlement has been made, (hereinafter known as Releasing Parties), mutually desire to compromise and settle doubtful and disputed claims for attorneys' fees and costs in the above-entitled action, thereby avoiding further litigation and hereby enter into this settlement agreement. No payments made, nor releases or other consideration given, shall be construed as an admission of liability for such attorneys' fees or costs. All such liability is hereby expressly denied.

In consideration of the sum of ONE HUNDRED SEVENTY THOUSAND SIXTY 64/100 DOLLARS (\$170,060.64) to be paid by the State of Texas to the Mexican American Legal Defense and Educational Fund on behalf of all Releasing Parties within sixty (60) days from the date of signing of this Release by the Releasing Parties, the Releasing Parties have this day

released and by these presents do release, acquit, and forever discharge the State of Texas and all other Defendants in the above action; from any and all claims or causes of any kind whatsoever for attorneys' fees or costs which the Releasing Parties have or might have, known or unknown, now existing or that might arise hereafter, attributable to, involving, arising out of, or in any manner resulting from any claim for attorneys' fees by or on behalf of any attorney associated in the prosecution of the above action, save and except those attorneys associated with Daves, McCabe & Hahn, it being intended to release all claims or attorneys' fees which the Releasing Parties might have against the Released Parties with respect to attorneys' fees and costs in connection with such litigation.

In further consideration of the receipt of funds above described, the Releasing Parties do hereby agree to defend, indemnify and hold harmless the Released Parties from and against any and all claims, demands, or causes of action for attorneys' fees arising out of the above litigation which any person has or may have or claim against the Released Parties.

It is expressly understood and agreed that the terms hereof are contractual and not merely recitals.

The Releasing Parties warrant that they have read this Release and Settlement Agreement and fully understand it to be a compromise and settlement and release of all claims for attorneys' fees and costs arising out of the above litigation, known or unknown, past, present or future that they have or may have against the Released Parties.

The Releasing Parties warrant that they are of legal age, legally competent to execute this agreement, that they have not assigned any claim herein released to any person not

joining in this Release, and that they executed this Agreement of their own free will and accord without reliance on any representation of any kind or character not expressly set forth herein.

IN WITNESS WHEREOF, the undersigned have executed this Release on this 19th day of November, 1982.

Mexican American for Legal
Defense and Educational Fund
28 Geary Street
San Francisco, CA 94108

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Attorney at Law

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By: Morris J. Baller
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AGREED TO AND APPROVED:

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By: Martha H. Allan
MARTHA H. ALLAN
Assistant Attorney General