

IN THE DISTRICT COURT OF COMAL COUNTY, TEXAS

Kevin Samuelson,
Petitioner,

v.

Comal Independent School District;
Board of Trustees of Comal Independent School District;
Superintendent of Comal ISD, in his official capacity;
Board President of Comal ISD, Russ Garner, in his official capacity,
Respondents.

Cause No.

2025-10025

**ORIGINAL VERIFIED PETITION FOR WRIT OF MANDAMUS, DECLARATORY
JUDGMENT, PERMANENT INJUNCTION, PRESERVATION, IN CAMERA REVIEW,
AND PROTECTIVE ORDER**

PARTIES

1. **Petitioner.** Kevin Samuelson is a parent of students in Comal ISD who addressed the Board during public comment at a regular meeting on September 19, 2024.
2. **Comal Independent School District.** A Texas independent school district subject to the Texas Open Meetings Act (TOMA), Tex. Gov't Code ch. 551.
3. **Board of Trustees of Comal ISD.** The District's governing body. It conducts regular meetings that include public comment and must apply only neutral, evenly enforced rules and may not prohibit public criticism of the governmental body.
4. **Superintendent of Comal ISD (official capacity).** Responsible for implementing Board policy, including public comment procedures and the audio/recording systems used during meetings.
5. **Board President of Comal ISD (official capacity).** Presides over Board meetings and directs meeting procedure and audio operation at the dais.

Service for all Respondents: 1404 I-35 N Frontage Rd, New Braunfels, Texas 78130.

FILED FOR RECORD
At 3:15 o'clock PM

SEP 30 2025

HEATHER N. KELLAR
CLERK OF DISTRICT COURT
COMAL COUNTY, TEXAS
BY HN DEPUTY

RELIEF REQUESTED / PRAYER

Petitioner respectfully asks the Court to:

A. Issue a writ of mandamus compelling Respondents to comply with TOMA § 551.007 and their public comment procedures by operating meeting audio/recording systems so registered speakers are audible during their allotted time and by applying only neutral, written, evenly enforced rules.

B. Declare that muting or otherwise suppressing Petitioner's remarks during his allotted public-comment time while allowing other speakers to be heard violates the Texas Open Meetings Act, Tex. Gov't Code § 551.007; Article I, § 8 of the Texas Constitution; and the First Amendment to the United States Constitution, which prohibits governmental entities-including local school boards acting under state law-from restricting or discriminating against protected speech based on viewpoint, topic, or speaker identity.

C. Permanently enjoin Respondents and those acting with them from muting, disabling, or otherwise suppressing a registered speaker's microphone or livestream audio based on viewpoint, topic, or speaker identity, and require any time/place/manner limits to be neutral, written, posted, and evenly enforced.

D. Order preservation of (1) raw/board-feed audio and original video for the September 19, 2024 meeting; (2) audio-mixer scene/configuration files and logs; (3) livestream encoder logs; (4) run sheets/production notes/service tickets; and (5) certified agendas or recordings of closed sessions at which Petitioner's family's Level-3 grievances were heard.

E. Direct an in-camera review by the Court of the certified agendas and/or recordings of Petitioner's Level 3 grievance hearings (including his own hearings and his wife's), for the limited purpose of validating that the factual statements made by Petitioner during his September 19, 2024 public comment were true and accurate. The Court may make any general findings necessary to resolve this case without disclosing confidential student or personnel information.

F. Enter a protective order providing that materials reviewed by the Court under Section E and designated "CONFIDENTIAL" may be used in this case and disclosed to government regulators, including the Texas Education Agency, the United States Department of Education Office for Civil Rights, and the United States Equal Employment Opportunity Commission, for official purposes. All student and medical information shall be handled as required by law. Public filing of such materials shall remain restricted unless otherwise ordered by the Court.

G. Award costs and any fees/costs available by statute if Petitioner substantially prevails, and grant all other relief in law or equity to which Petitioner is entitled.

SERVICE BLOCK

Serve each Respondent at:

Comal Independent School District

Board of Trustees of Comal Independent School District

Superintendent of Comal ISD, in his official capacity

Board President of Comal ISD, Russ Garner, in his official capacity

Address: 1404 I-35 N Frontage Rd, New Braunfels, TX 78130

Respectfully submitted,

/s/ Kevin Samuelson

Kevin Samuelson, Pro Se

FILED FOR RECORD
At 3:24 o'clock P.M.
SEP 30 2025
HEATHER KELLAR
CLERK DISTRICT COURT
COMAL COUNTY, TEXAS
BY DEPUTY

IN THE ____ JUDICIAL DISTRICT COURT
OF COMAL COUNTY, TEXAS

KEVIN SAMUELSON,
Petitioner,

v.

COMAL INDEPENDENT SCHOOL DISTRICT;
BOARD OF TRUSTEES OF COMAL INDEPENDENT
SCHOOL DISTRICT;
SUPERINTENDENT OF COMAL ISD, in his
official capacity; and
BOARD PRESIDENT OF COMAL ISD, in his
official capacity,
Respondents.

Cause No. C2025-1002E

ORIGINAL VERIFIED PETITION FOR
WRIT OF MANDAMUS, DECLARATORY JUDGMENT,
PERMANENT INJUNCTION, PRESERVATION,
IN-CAMERA REVIEW, AND PROTECTIVE ORDER

PARTIES

1. Petitioner. Kevin Samuelson is a Texas resident and the parent of students enrolled in Comal Independent School District ("Comal ISD"). He addressed the Board during public comment at a regular meeting on September 19, 2024.

2. Comal Independent School District. Comal ISD is a Texas independent school district subject to the Texas Open Meetings Act ("TOMA"), Tex. Gov't Code ch. 551.

3. Board of Trustees of Comal ISD. The District's governing body conducts regular meetings that include public comment and must apply only neutral, evenly enforced rules; TOMA §551.007 prohibits banning public criticism of the governmental body.

4. Superintendent of Comal ISD (official capacity). Responsible for implementing Board policy, including public-comment procedures and the audio/recording systems used during meetings.

5. Board President of Comal ISD (official capacity). Presides over Board meetings and directs meeting procedure and dais audio operation. Naming the presiding officer in official capacity ensures compliance with any court order.

SERVICE

Service on all Respondents may be made at:

Comal ISD / Board of Trustees / Superintendent (official capacity) / Board President (official capacity)

1404 I-35 N Frontage Rd

New Braunfels, Texas 78130

JURISDICTION AND VENUE

6. This Court has subject-matter jurisdiction over Petitioner's claims for mandamus, declaratory, and injunctive relief arising under the Texas Open Meetings Act ("TOMA"), Tex. Gov't Code ch. 551 (including §§ 551.007, 551.041-.042, and 551.104), the Texas Constitution (art. I, § 8), and the First Amendment to the U.S. Constitution, as well as under the Uniform Declaratory Judgments Act ("UDJA"), Tex. Civ. Prac. & Rem. Code ch. 37.

7. The UDJA authorizes courts to declare rights, status, and legal relations under statutes and constitutional provisions and to grant supplemental relief, including injunctions, as necessary to effectuate the declaration.

8. Venue is proper in Comal County because Comal ISD is located here, the Board meets here, and the acts and omissions at issue—including the September 19, 2024 public-comment incident—occurred here. Tex. Civ. Prac. & Rem. Code §15.002.

STANDING

9. Petitioner has standing. He is the parent of students enrolled in Comal ISD; he timely signed up for and was called to speak during public comment at the Board's September 19, 2024 regular meeting; and during his allotted time, Respondents' official livestream carried no podium or dais audio for his remarks while other speakers before and after were audible. Petitioner continues to attend and speak at Board meetings, and the dispute is capable of repetition yet evading review absent prospective relief.

10. Petitioner seeks prospective orders that directly govern Respondents' future handling of public comment and meeting audio, relief that will redress his injury and protect his ongoing right to address his local governing body under the First Amendment, the Texas Constitution, and TOMA §551.007.

STATEMENT OF FACTS

A. Who Petitioner is and why he spoke

11. Petitioner Kevin Samuelson is a Texas resident and the parent of students in Comal Independent School District ("Comal ISD"). He regularly attends Board meetings and uses public comment to address district governance and student-services issues.

12. Petitioner's remarks on September 19, 2024 concerned matters of public concern, including the District's handling of grievances, retaliation concerns raised by his family, and delivery/privacy conditions for students receiving services. Petitioner did not name individual employees; he referenced positions and district functions only.

B. The September 19, 2024 meeting and the silence window

13. On September 19, 2024, the Board held a regular, open meeting that included a public-comment item on its agenda. (Ex. A.)

14. Petitioner timely registered to speak, was called by name, and approached the podium. The District's official YouTube stream captures ambient dais sounds as the Board President calls Petitioner. At approximately 00:48:45 on the video, the President appears to touch a control on the dais. Immediately thereafter, the official stream carries no podium or dais microphone audio for the duration of Petitioner's allotted time. (Ex. B-1-B-2 [district YouTube link and still images with timestamps].)

15. Before Petitioner spoke and after his three minutes elapsed, other speakers are audible on the same official stream. The video and audio timeline thus show a silence window aligned with Petitioner's public-comment slot. (Exs. B-1-B-3, J.)

16. Petitioner spoke calmly and within decorum. He stayed within the three-minute limit. He did not name employees. He attempted to play a brief audio excerpt to illustrate the issues he was describing. There was no posted or announced rule barring brief audio playback during a speaker's allotted time. (Exs. M, P.)

17. An audience recording captured Petitioner's remarks during the same time window, confirming that he spoke normally while the district stream was silent. (Ex. C [short clip with timecode].)

C. The Board's October denial and November demonstration

18. At the October 2024 meeting, Petitioner reported the muting incident. The Board President publicly stated that Comal ISD has not muted and would not mute speakers, and he suggested the public could check the YouTube stream. (Ex. D [clip or transcript excerpt].)

18A. The October 2024 agenda (Ex. H) did not list any item to deliberate or discuss Petitioner's allegation about muting. During "President's Remarks," however, the Board President went beyond neutral housekeeping and directly rebutted Petitioner's prior comments by telling the audience that Petitioner was wrong and inviting the public to review the YouTube stream. This was not posted on the agenda (Ex. H) and was more than a recitation of existing policy or a brief factual clarification; it was a defense of the District's conduct on a non-posted topic. (Ex. D.) Petitioner never received any correspondence or written response from the District addressing the muting concern. (Ex. N.)

19. At the November 2024 meeting, Petitioner played the District's own September 19 YouTube segment to demonstrate the silence window during his remarks. Board members did not dispute the playback on the record. The November 21 agenda/minutes confirm Petitioner spoke at that meeting under Public Comment. (Exs. E, I.)

D. Context for Petitioner's speech (why these topics mattered)

20. Petitioner's spouse is a licensed Speech-Language Pathologist employed by Comal ISD. After she reported harassment, medical/billing-related concerns, and retaliation, she was removed from her designated therapy room and required to provide services in non-private spaces (e.g., hallways and the library). Approximately seventy-five students were impacted, risking confidentiality and service delivery for students with Individualized Education Programs (IEPs) and Section 504 plans. **These were the very governance and service-delivery concerns Petitioner summarized during his September 19 remarks as a citizen and parent. He did not name employees; he framed the issues at the policy/operations level.**

21. In grievance processing, district officials and counsel instructed that threats reported against Petitioner's family would not be addressed within his spouse's grievance and must be filed as a separate grievance. During his spouse's Level 3 grievance, the Board restricted discussion to exclude those threats. **Those scope rulings are part of the context Petitioner attempted to describe on September 19, including by briefly playing an illustrative audio excerpt, and they directly relate to the Board's later assertion that his description was false.** Petitioner seeks *in camera* review of the closed-session record so the Court can verify these scope restrictions.

22. In Petitioner's own Level 3 grievance, district counsel stated to the effect that "targeting a parent" could be permissible if it benefited a child; and, in a later grievance, Petitioner raised paperwork mishandling that, if uncaught, would have jeopardized his child's re-enrollment. **These materials are probative of viewpoint and motive—they corroborate that Petitioner's September 19 summary addressed real, ongoing matters of public concern and rebut the Board's claim that he fabricated events.** Petitioner therefore seeks *in camera* review so the Court can confirm the exact language and context and the linkage of issues. **He does not ask the Court to adjudicate the merits of the grievances here; the evidence is offered for the limited purposes of context, motive, and to rebut any claim that the September remarks were false, with student/employee privacy protected.**

E. Records posture and why in-camera review is necessary

23. Petitioner requested records relevant to the September 19 meeting and the grievances. The District relied on Attorney General letter rulings under the Texas Public Information Act to withhold certain materials from public release, and closed-session certified agendas/recordings

are confidential by statute. Those public-records positions do not bar this Court from reviewing closed-session materials in camera in a TOMA/First Amendment suit or from ordering targeted discovery under a protective order that permits confidential regulator access.

F. Continuing controversy and need for prospective relief

24. Petitioner continues to attend and speak at Board meetings. Respondents have not acknowledged or corrected the September 19 audio failure on the official stream. In October, the Board President denied muting occurred; in November, Petitioner demonstrated the silence window using the District's own video. Absent judicial relief, the risk of repeated suppression during public comment remains.

25. Petitioner seeks narrowly tailored, forward-looking relief: (a) an order prohibiting viewpoint- or speaker-based muting/suppression during public comment; (b) preservation and in-camera review of closed-session Level 3 records and meeting audio/AV configuration materials relevant to the September 19 incident; and (c) a protective order that allows confidential sharing with regulators while protecting student/employee privacy.

LEGAL GROUNDS

I. Texas Open Meetings Act (TOMA) — Ban on Prohibiting Public Criticism

26. TOMA requires a governmental body to allow the public to address the body at a meeting, subject to reasonable rules. Tex. Gov't Code § 551.007. The statute expressly provides that a governmental body “may not prohibit public criticism of the governmental body, including criticism of any act, omission, policy, procedure, program, or service.”

27. By silencing Petitioner's remarks during his allotted time while allowing other speakers to be heard, Respondents effectively prohibited public criticism in violation of § 551.007. No neutral, written, evenly enforced rule justified suppressing Petitioner's audio.

II. TOMA — Agenda Notice and Limited Immediate Responses (Tex. Gov't Code §§ 551.041, 551.042)

28. TOMA requires advance written notice of the subjects to be discussed or considered at a meeting. § 551.041. When a person raises a subject during public comment that is not on the agenda, § 551.042 limits any immediate response to: (a) a statement of specific factual information; (b) a recitation of existing policy; or (c) a proposal to place the subject on a future agenda. The body may not deliberate or decide a non-posted matter.

29. In October 2024, the Board President used “President’s Remarks” to rebut Petitioner’s accusation about muting and to direct the public to the District’s video to “disprove” it. That rebuttal was not listed on the agenda and exceeded the narrow responses permitted by § 551.042. It was not a brief factual clarification or recitation of existing policy; it was a defense of District conduct on a non-posted topic.

30. This off-agenda rebuttal is an independent TOMA violation (notice/limited-response rules) and also evidences selective enforcement: Respondents suppressed Petitioner’s criticism on September 19 yet later allowed their own off-agenda response when it favored the District’s position. That inconsistency supports the viewpoint-discrimination claim.

III. Texas Constitution (Article I, § 8)

31. Article I, § 8 independently protects speech in public forums. In a limited public forum, the government may impose reasonable, content-neutral time, place, and manner limits, but it may not discriminate based on viewpoint. For the reasons above, muting Petitioner’s remarks while amplifying others, and later rebutting his allegation off-agenda, violates § 8.

IV. First Amendment (Public Comment as a Limited Public Forum)

32. When a governmental body opens a public-comment period, it creates a limited public forum. In such a forum the government may impose reasonable, content-neutral time, place, and manner limits, but it may not engage in viewpoint discrimination.

33. Respondents opened a public-comment forum on September 19, 2024. Petitioner timely registered, was called, and spoke within the posted three-minute limit and within decorum. The District’s official stream carried no podium or dais microphone audio during Petitioner’s remarks while other speakers before and after were audible. Muting Petitioner while amplifying others in the same forum is viewpoint- or speaker-based suppression forbidden by the First Amendment.

34. Petitioner addressed matters of public concern, including governance, grievance handling, and student services, without naming individual employees.

V. Time, Place, and Manner Limits Must Be Neutral and Evenly Enforced

35. Even where reasonable rules exist (e.g., time limits, decorum, equipment use), they must be content- and viewpoint-neutral and applied evenhandedly. A rule enforced only against disfavored speakers, or enforcement triggered by subject or viewpoint, is unconstitutional. Here, there was no posted rule barring brief audio illustration, and suppression occurred uniquely during Petitioner’s slot.

VI. Declaratory Judgment and Injunctive Relief Are Appropriate

36. Under the Uniform Declaratory Judgments Act (UDJA), Tex. Civ. Prac. & Rem. Code ch. 37, the Court should declare the parties' rights and duties under TOMA § 551.007, Article I, § 8 of the Texas Constitution, and the First Amendment, and declare that muting Petitioner's remarks during his allotted public-comment time violated those provisions. The Court should also declare that the Board President's October 2024 off-agenda rebuttal violated **Tex. Gov't Code § 551.041** (notice of subjects) and exceeded the limited immediate-response options in § 551.042 (factual statement, recitation of existing policy, or proposal to place on a future agenda).

37. A temporary and permanent injunction are warranted. Petitioner seeks prospective relief prohibiting Respondents from muting or otherwise suppressing a registered speaker's microphone or livestream audio based on viewpoint, topic, or speaker identity; requiring any time/place/manner limits to be neutral, written, posted, and evenly enforced; and requiring any immediate responses to non-agenda public-comment topics to conform to § 551.042.

VII. Mandamus Is Proper to Compel Ministerial Duties Under TOMA

38. Mandamus lies to compel performance of a ministerial duty where there is no adequate legal remedy. TOMA imposes clear duties regarding public comment and forbids prohibiting public criticism. § 551.007. The Court should issue a writ compelling Respondents to comply with these duties, including operating meeting audio so registered speakers are audible during their allotted time and applying only neutral, written, evenly enforced rules.

VIII. Preservation and In-Camera Review of Closed-Session Records

39. TOMA requires closed sessions to be recorded or memorialized by certified agenda and makes those records confidential to the public but available for in-camera judicial inspection. See Tex. Gov't Code § 551.104. Petitioner requests preservation and tender of the closed-session materials for in-camera review so the Court can verify material facts while protecting confidentiality.

40. Petitioner also seeks preservation of raw/board-feed audio and original video for September 19, 2024; audio-mixer configurations/logs; livestream encoder logs; and production notes/service tickets, because they are critical to determining how audio was routed and controlled during

Petitioner's remarks. A media index identifying all stills, clips, and recordings with file names and dates is provided. (Ex. Q.)

IX. Protective Order and Limited Regulator Access

41. The Court may enter protective orders governing discovery and handling of sensitive information. See Tex. R. Civ. P. 192.6 and the Court's inherent authority. Petitioner requests a protective order that (i) permits use of materials marked "CONFIDENTIAL" only in this case; (ii) authorizes confidential sharing with government regulators (including the Texas Education Agency and U.S. Department of Education Office for Civil Rights) for official purposes; and (iii) requires appropriate redaction or sealing of personally identifiable student or medical information.

42. Prior Attorney General letter rulings under the Texas Public Information Act govern public-records disclosure; they are not court sealing orders and do not bar this Court from conducting in-camera review, ordering targeted discovery, or authorizing confidential regulator access under a protective order.

X. Public Interest

43. Ensuring that citizens may criticize their local governing body during public comment without viewpoint-based suppression serves the public interest. The requested relief vindicates constitutional guarantees, enforces TOMA's protections (including agenda-notice limits), promotes transparent and evenhanded meeting procedures, and protects student/employee privacy through in-camera review and protective terms.

PRESERVATION AND IN-CAMERA REVIEW

44. **Need for Preservation.** The September 19, 2024 incident turns on Respondents' operation of meeting audio and streaming systems during public comment. Critical evidence includes raw and multitrack audio, the original video file(s), audio-mixer/console configurations (including channel mute states and bus routing), encoder logs, and production notes/service tickets. Without prompt preservation, routine overwrite or deletion by the District or its vendors could irreparably lose this evidence.

45. **Items to Preserve.** Petitioner requests an order requiring Respondents to preserve, without alteration or deletion, and to suspend routine deletion for:

(a) raw/board-feed audio and original video for the September 19, 2024 meeting;

- (b) audio-mixer/console “scene” or configuration files, screenshots, and logs/change histories in effect during public comment;
 - (c) livestream encoder/application settings and logs for that meeting;
 - (d) production run sheets, operator notes, and service tickets referencing audio operation for that meeting;
 - (e) certified agendas or recordings of closed sessions at which Petitioner’s family’s Level-3 grievances were heard;
 - (f) any third-party or cloud-hosted source files and logs for the District’s livestream/archives (e.g., platform analytics, upload logs, deletion/retention settings), to the extent within Respondents’ possession, custody, or control; and
 - (g) access/permissions and audit logs for the audio/streaming systems identifying who could and did change configurations on or about September 19, 2024.
- Respondents should issue a written litigation hold to all relevant employees and contractors and file (under seal, if needed) a short certification of preservation within 14 days.

46. Closed-Session Materials—*In camera*. TOMA requires closed sessions to be recorded or memorialized by certified agenda and makes those records confidential to the public, but available for *in camera* judicial inspection. See Tex. Gov’t Code § 551.104. Petitioner asks the Court to order Respondents to tender the closed-session recordings/certified agendas identified in ¶42(e) to chambers for *in camera* review so the Court may verify material facts (including scope restrictions and statements by district counsel) while protecting confidentiality.

47. Attorney General Letter Rulings—No Bar to Court Review. Any prior Attorney General letter rulings under the Texas Public Information Act govern public-records disclosure by the agency; they are not court sealing orders and do not bar this Court from conducting *in camera* review, ordering targeted discovery, or authorizing confidential regulator access under a protective order.

48. Public Findings Without Disclosing Confidential Details. After *in camera* review, Petitioner asks the Court to make general findings necessary to resolve the issues presented (e.g., that the livestream lacked audio during Petitioner’s allotted time while other speakers were audible; that Level-3 discussion was restricted in specified ways), without publicly disclosing confidential details, and to require Respondents to promptly notify the Court and Petitioner if any listed category in ¶42 is missing or unrecoverable, with a brief explanation.

PROTECTIVE ORDER TERMS (REQUESTED)

49. Good Cause. Good cause exists under Tex. R. Civ. P. 192.6 and the Court’s inherent authority to protect student and employee privacy and to allow efficient resolution of the issues

while enabling limited regulator review. The materials at issue may include education records protected by FERPA (20 U.S.C. § 1232g; 34 C.F.R. §§ 99.3, 99.31(a)(3), 99.33, 99.35), IDEA Part B records, HIPAA or medical information, and security-sensitive system details.

50. Definitions.

a. "CONFIDENTIAL" means materials containing (i) personally identifiable student information (PII) as defined in 34 C.F.R. § 99.3; (ii) employee medical or personnel data; (iii) closed-session certified agendas or recordings; (iv) raw or multitrack board-feed audio, console or encoder logs, and configuration snapshots revealing security-sensitive system details; or (v) other non-public information designated in good faith.

b. "Regulators" means the Texas Education Agency (including Special Education or Investigations), the U.S. Department of Education Office for Civil Rights, and the Texas Health and Human Services Commission Office of Inspector General or U.S. HHS OIG if implicated by billing or medical issues.

51. Scope and Use. Materials marked CONFIDENTIAL may be used solely for this litigation, including any appeals, and may be disclosed only to the Court and staff; the parties; counsel if any and necessary staff; retained experts or consultants and e-discovery or service vendors who first sign an undertaking to be bound; and Regulators for official purposes as described below. No public dissemination, including social media, is permitted absent Court order.

52. Regulator Carve-Out. Notwithstanding any Attorney General letter ruling under the Texas Public Information Act, the parties may disclose CONFIDENTIAL materials to Regulators for official investigative, audit, evaluation, enforcement, or compliance purposes, consistent with 34 C.F.R. § 99.31(a)(3), subject to the safeguards in 34 C.F.R. § 99.35 and the limits on re-disclosure in 34 C.F.R. § 99.33. PII and medical information shall be minimized and redacted where feasible. Unless prohibited by a regulator, the producing party shall provide the other party notice within three business days identifying the regulator and general categories disclosed. This Order does not authorize public release.

53. Filing Under Seal and Redaction. Any filing that contains CONFIDENTIAL information must include a public, redacted version and an unredacted version submitted under seal consistent with Tex. R. Civ. P. 76a and Rule 21c, and any local procedures the Court directs.

54. Designation Challenges. A party may challenge a CONFIDENTIAL designation after a good-faith meet and confer. The designating party bears the burden to sustain the designation. The Court may review disputed material in camera.

55. Clawback and Privilege. If privileged or protected material is inadvertently produced, the producing party may promptly invoke Tex. R. Civ. P. 193.3(d). The receiving party shall cease review and use and shall return or sequester the material pending resolution, without prejudice to a privilege challenge. No subject-matter waiver shall be implied by an inadvertent disclosure.

56. Third-Party Vendors and Contractors. These protections apply to third-party vendors or contractors that maintain responsive audio, video, or log files. Respondents shall ensure preservation and compliance for materials within their possession, custody, or control, including by contract where applicable, and shall maintain a list of non-party recipients given access under this Order.

57. Duration. These protections survive final disposition unless the Court orders otherwise. Within 60 days after final disposition, non-court recipients shall return or destroy CONFIDENTIAL materials and certify compliance upon request, except that one archival litigation set may be retained by counsel or a party subject to this Order for record-keeping and enforcement.

58. No Waiver of Public-Records Positions. Nothing herein adjudicates any party's rights under the Texas Public Information Act or compels production beyond the Texas Rules of Civil Procedure. This Order governs discovery and use of materials in this litigation and the regulator submissions authorized herein. The Court retains jurisdiction to enforce this Order.

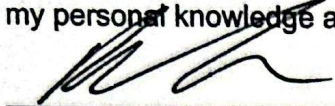
59. Open Courts and Rule 76a. Nothing in this Order seals court records or limits public access beyond what the law already requires. Any party seeking to seal filed materials must comply with Tex. R. Civ. P. 76a. Materials that are confidential by statute, including TOMA § 551.104 closed-session recordings or certified agendas and FERPA-protected education records (20 U.S.C. § 1232g; 34 C.F.R. pt. 99), may be tendered in camera or filed under seal with a public, redacted version, consistent with Tex. R. Civ. P. 21c and any local procedures the Court directs.

STATE OF TEXAS
COUNTY OF ~~COMAL~~ *Guadalupe*

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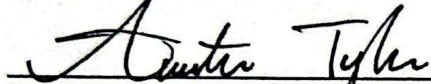
VERIFICATION

My name is Kevin Samuelson. I am the Petitioner in this action. I have read the foregoing Original Verified Petition and the facts stated in it are within my personal knowledge and are true and correct.



Kevin Samuelson

SWORN TO AND SUBSCRIBED before me on September 30th, 2025,
by Kevin Samuelson.



Notary Public, State of Texas

My commission expires: 04-26-2028

