

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

RICHARD LOWERY,

Plaintiff,

v.

LILLIAN MILLS, et al.,

Defendants.

Case No. 1:23-cv-129- DAE

DECLARATION OF ENDEL KOLDE
IN SUPPORT OF MOTION TO AMEND COMPLAINT

I, Endel Kolde, declare the following:

1. I am an adult and competent to make this declaration. I am lead counsel for Richard Lowery in this case. This declaration is based on my personal knowledge.


2. Attached as Exhibit A is a true and correct copy of relevant excerpts from Sheridan Titman's deposition, that occurred on January 12, 2024, where he discusses his July 19 conversation with Jay Hartzell.

3. Attached as Exhibit B is a true and correct print out of the Leadership & Staff tab from the public-facing website of UT's Office of the President as it presented on February 2, 2024. It shows that Jeff Graves is part of Hartzell's office.

4. I shared a redline of Lowery's First Amended Complaint with opposing counsel via email on January 19, 2024, and sent a slightly revised, final version on January 24, 2024. We started our conferral regarding Lowery's proposed amendment at a Zoom conference on January 19 and continued it on January 26. UT's counsel confirmed at the second conference that they would not consent to the amendment.

5. Attached as Exhibit C is a true and correct copy of the final Amended Complaint in redline format.

Executed under penalty of perjury on this date, February 2, 2024.



Endel Kolde