

II. THE PERSONNEL RECORDS ARE CENTRAL TO THE TOMA CLAIMS.

Defendants' Motion attempts to frame the personnel file as containing only "sensitive data" or "confidential" information. However, as detailed in the Second Amended Petition, the core of this litigation involves:

- **Illegal Deliberations:** Specifically, a series of "walking quorums" and private "2x2 sessions" between February 2024 and January 2025 designed to circumvent the Texas Open Meetings Act.
- **Administrative Conduct:** The Superintendent's professional evaluations, qualifications, and performance relative to the "Campus Consolidation Plan" are the very subject matter of these alleged illegal deliberations.

Plaintiffs do not seek PII such as Social Security numbers or home addresses. However, Plaintiffs must be permitted to review professional conduct records to identify the connections and deliberations that form the basis of their claims.

III. DEFENDANTS' ARGUMENT FOR A "NON-PARTY" ORDER IS MOOT.

Defendants' Motion asks the Court for a protective order based on the "broad discretion to protect a person from discovery". While the Court has such discretion, it is rarely used to hide a *Defendant's* professional file from a *Plaintiff* in a public governance case.

Plaintiffs' Proposed Protective Order (attached to the original Response as **Exhibit A**) is now the most efficient solution. It:

1. Corrects the "Qualified Persons" list to include the **Parties** (who are now all before the Court);
2. Provides strict gag orders against public or social media dissemination; and
3. Subjects the Parties to the Court's contempt powers.

IV. CONCLUSION Because Dr. Eldredge and the District are now formal parties to this suit, the "non-party" status cited in Defendants' Motion is moot. Plaintiffs respectfully request that the Court deny Defendants' Motion and enter the Protective Order proposed by Plaintiffs.

PRAYER Plaintiffs pray that the Court deny Defendants' Motion for Protective Order and grant Plaintiffs all further relief to which they are entitled.

Respectfully Submitted

/s/ Brian T. Morrow
Brian T. Morrow

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ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2026, a true and correct copy of the foregoing document was transmitted to all parties and counsel of record in this case *via* email and/or the Court's electronic case filing/service system.

/s/ Brian T. Morrow
Brian T. Morrow

EXHIBIT A

2. DESIGNATION OF DOCUMENTS A producing party may designate a document as "CONFIDENTIAL" if they possess a good faith belief that the document contains sensitive personal or protected information. Such documents shall be clearly marked "CONFIDENTIAL."

3. QUALIFIED PERSONS Documents designated as "CONFIDENTIAL" may be disclosed only to the following "Qualified Persons":

- a. The **Parties** to this litigation (Plaintiffs and Defendants);
- b. Counsel for the Parties, including their paralegals, staff, and secretarial personnel;
- c. Experts or consultants retained by the Parties for this litigation;
- d. The Court, court personnel, and court reporters; and
- e. Witnesses during depositions, provided they agree to be bound by this Order.

4. RESTRICTIONS ON USE AND DISCLOSURE All Confidential Information shall be used solely for the purpose of this litigation and for no other purpose.

- a. No Public Dissemination:** The Parties and their Counsel are strictly prohibited from publishing, posting, or disseminating any Confidential Information to the media, the press, on social media platforms (including but not limited to Facebook, X/Twitter, Nextdoor), or to any person not listed as a "Qualified Person" in Paragraph 3. **b. Redaction of PII:** Before any document is filed with the Court, the filing party must redact sensitive Personally Identifiable Information (PII) such as social security numbers, dates of birth, and financial account numbers.

5. SECURITY OF CONFIDENTIAL INFORMATION Counsel and the Parties must take reasonable measures to ensure that Confidential Information is kept secure and is not accessible to unauthorized persons.

6. RETURN OF DOCUMENTS Within thirty (30) days after the final conclusion of this litigation (including any appeals), all copies of Confidential Information shall be returned to the producing party or destroyed, with a written certification of such destruction provided upon request.

7. ENFORCEMENT Any violation of this Order by any Party, Counsel, or other person having notice of this Order may be punished by contempt of court and may subject the violator to sanctions.

SIGNED this _____ day of _____, 2026.

MONICA PURDY
JUDGE, 95TH JUDICIAL DISTRICT COURT
DALLAS COUNTY, TEXAS

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Filing Description: SUPPLEMENTAL IN OPPOSITION TO DEFENDANTS MOTION FOR PROTECTIVE ORDER

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