

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

CONSUMER DATA INDUSTRY	§	
ASSOCIATION,	§	
	§	
Plaintiff	§	
	§	CIVIL ACTION NO: 1:19-cv-00876 RP
V.	§	
	§	
KEN PAXTON, IN HIS OFFICIAL	§	
CAPACITY AS ATTORNEY GENERAL	§	
	§	
Defendant.	§	

JOINT ADR REPORT

As required by the agreed proposed Court’s Scheduling Order and Local Rule CV-88, Plaintiff Consumer Data Industry Association and Ken Paxton, in his Official Capacity as Attorney General of Texas, (collectively, the “Parties”) submit this Joint ADR Report.

1. Status of Settlement Negotiations.

The Parties agree that the issues involve the legality of the new state statute, are not factual, and therefore ADR would likely not be useful.

2. Persons Responsible for Settlement Negotiations. Eric J. Ellman, Senior V.P., Public Policy & Legal Affairs, is the person, responsible, along with counsel, for settlement negotiations on behalf of Plaintiff Consumer Data Industry Association. Anne Marie Mackin, Assistant Attorney General, is the person responsible, along with counsel, for settlement negotiations on behalf of Defendant.

3. Appropriateness of This Case for ADR. The Parties agree that the issues involve the legality of the new state statute, are not factual, and therefore ADR would likely not be useful.

Respectfully submitted,

<u>/s/ Anne Marie Mackin</u> Anne Marie Mackin State Bar No. 24078898 Assistant Attorney General P.O. Box 12548 Capital Station Austin, Texas 78711-2548 Tel.: 512-463-2798 Fax: 512-320-0667 Anna.mackin@oag.texas.gov Attorneys for Defendant	<u>/s/ Edward D. Burbach</u> Edward D. ("Ed") Burbach Texas State Bar No. 03355250 Phone: (512) 542-7070 eburbach@foley.com Nanette K. Beaird Texas State Bar No. 01949800 Phone: (512) 542-7018 nbeaird@foley.com Foley & Lardner LLP 3000 One American Center 600 Congress Avenue Austin, TX 78701 Facsimile: (512) 542-7100 Rebecca E. Kuehn (<i>admitted pro hac vice</i>) Hudson Cook LLP 1909 K Street NW 4th Floor Washington, DC 20006 Phone: (202) 715-2008 Facsimile: (202) 223-6935 rkuehn@hudco.com Attorneys for Plaintiff Consumer Data Industry Association
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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of December 2019, the foregoing document was electronically filed with the Clerk of the Court, using the CM/ECF system and served on all counsel of record, via the CM/ECF service and/or via electronic mail.

/s/ Edward D. ("Ed") Burbach
Edward D. ("Ed") Burbach