

UNITED STATES COURTS  
SOUTHERN DISTRICT OF TEXAS

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

AUG 31 1999 EC

MICHAEL M. SILBY, CLERK OF COURT

CLAUDIA NAVARRO PINEDA, *et al.*, §  
Plaintiffs, §  
§  
v. §  
§  
CITY OF HOUSTON, *et al.*, §  
Defendants. §

Civil Action No. H-98-3877  
JURY DEMANDED

FILED  
AUG 31 1999  
CLERK OF COURT

**ANSWER OF DEFENDANT, CITY OF HOUSTON, TO  
CROSS-CLAIM OF DEFENDANT, PERKINS**

Defendant, City of Houston, files its answer to the cross claim of defendant, D.R. Perkins:

**ANSWER**

1. Defendant, City of Houston, admits it has refused to provide representation to defendant, D.R. Perkins, Defendant, City of Houston, denies all other allegations of paragraph 91 of the answer to plaintiffs' second amended complaint and cross-claim of defendant Perkins.

**AFFIRMATIVE DEFENSES**

2. The City of Houston asserts that defendant, Perkins, has not tendered a proper request that the City pay for his defense of this lawsuit. Defendant, Perkins, has never requested the City of Houston to provide him legal representation. Texas Local Government Code section 180.002 requires an employee to request representation and section 2305 of the Code of Ordinances of the City of Houston requires employees seeking legal representation to make such requests within five days of service of suit.

#98

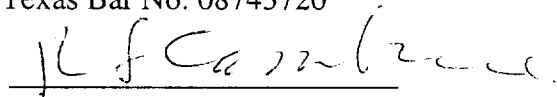
**PRAYER**

3. For these reasons, defendant, City of Houston, requests this Court to enter judgment that defendant, Perkins, take nothing from defendant, City of Houston, dismiss plaintiffs' suit with prejudice, and award defendant, City of Houston, all other relief to which it is entitled.

Respectfully submitted,

ANTHONY W. HALL, JR.  
City Attorney  
Texas Bar No. 08743720

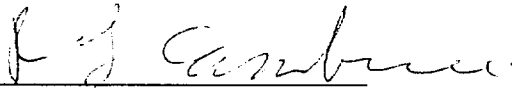
by:

  
ROBERT L. CAMBRICE  
Senior Assistant City Attorney  
Attorney-In-Charge  
Texas Bar No. 03674700  
ELIZABETH FERRELL  
Assistant City Attorney  
Texas Bar No. 00784046  
JAQUELINE I. LEGUIZAMON  
Assistant City Attorney  
Texas Bar No. 12172100

900 Bagby, 4th Floor  
P.O. Box 1562  
Houston, Texas 77251  
713/247-2000  
713/247-1017 (fax)  
ATTORNEYS FOR DEFENDANT,  
CITY OF HOUSTON

CERTIFICATE OF SERVICE

I certify I mailed a copy of the ANSWER OF DEFENDANT, CITY OF HOUSTON, TO CROSS-CLAIM OF DEFENDANTS, BARRERA, HERRADA, TILLERY, AND WILLIS to all counsel of record listed below on August 31, 1999, pursuant to the Federal Rules of Civil Procedure.

  
Robert L. Cambrice

MITHOFF & JACKS, L.L.P.  
Richard Warren Mithoff  
500 Dallas Street, PH 3450  
Houston, Texas 77002  
Attorney in Charge for Plaintiffs  
CM RR P 971 979 246

Fred A. Keys, Jr.  
Attorney at Law  
3401 Louisiana, Suite 270  
Houston, Texas 77002  
Attorney for Defendant, D.H. Strouse  
CM RR P 971 979 247

Robert J. Thomas  
Houston Police Officers' Union  
1818 North Memorial Way, Suite 201  
Houston, Texas 77002  
Attorney for Defendants, D.R. Barrera, P.A. Herrada, L.E. Tillery, and J.R. Willis  
CM RR P 971 979 248

Duncan Neblett  
Five Greenway Plaza, Suite 1710  
Houston, Texas 77046  
Attorney for Defendant, D.R. Perkins  
CM RR P 971 979 249

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