

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

LORA D. BURNETT,

*Plaintiff,*

v.

Civil Action No.: 4:21-cv-857

COLLIN COMMUNITY COLLEGE  
DISTRICT, *et al.*

*Defendants.*

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**PLAINTIFF'S NOTICE OF ACCEPTANCE OF DEFENDANT COLLIN COLLEGE'S  
OFFER OF JUDGMENT**

Pursuant to Rule 68(a) of the Federal Rules of Civil Procedure, Plaintiff Lora Burnett, through her undersigned counsel, hereby accepts and provides notice that she has accepted Defendant Collin Community College District's Offer of Judgment to Plaintiff dated January 13, 2022, attached hereto as Exhibit A. Plaintiff respectfully requests that the Clerk enter judgment in her favor.

DATED: January 25, 2022

Respectfully submitted,

/s/ Greg H. Greubel

GREG H. GREUBEL\*

PA Bar No. 321130; NJ Bar No. 171622015

JOSHUA T. BLEISCH\*

IN Bar No. 35859-53

FOUNDATION FOR INDIVIDUAL  
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/s/ JT MORRIS

JT MORRIS

TX Bar No. 2409444

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*Counsel for Plaintiff Lora Burnett*

# EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**LORA BURNETT**

**Plaintiff,**

v.

**COLLIN COUNTY COMMUNITY  
COLLEGE DISTRICT, *et al.*,**

**Defendants.**

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**CIVIL ACTION NO.: 4:21-CV-857**

**DEFENDANT COLLIN COLLEGE’S OFFER OF JUDGMENT**

Defendant Collin County Community College District (“Collin College”) makes the following offer of judgment pursuant to Federal Rule of Civil Procedure 68:

1. Plaintiff Lora D. Burnett (“Burnett”) asserts four causes of action against Defendants Collin College, Dr. Toni Jenkins (“Jenkins”), Dr. H. Neil Matkin (“Matkin”), and each member of the Board of Trustees, including Mr. Andrew Hardin, Mr. Jay Saad, Mr. Jim Orr, Dr. Raj Menon, Ms. Stacy Arias, Dr. Robert Collins, Dr. Stacey Donald, Mr. Fred Moses, and Mr. Greg Gomel (collectively, the “Board Members”) individually and in their official capacities. Burnett’s four causes of action are for alleged: (1) denial of First Amendment free speech rights in violation of 42 U.S.C. §1983 against Collin College; (2) First Amendment free speech retaliation under 42 U.S.C. §1983 against all of the individual capacity Defendants; (3) First Amendment free speech retaliation under 42 U.S.C. §1983 against all of the official capacity Defendants; and (4) declaratory relief under 28 U.S.C. §2201, *et seq.* against all Defendants.

2. Collin College makes this offer more than fourteen days prior to trial, which to date, has not been set.

3. Collin College hereby offers to allow entry of a final judgment against it in the amount of \$70,000.00 payable to Burnett and an additional amount of reasonable and necessary attorneys' fees and court costs recoverable by applicable law and incurred by Burnett as of the date of this offer of judgment, as determined by the Court under the Federal Rules of Civil Procedure after briefing and/or a hearing. As such, this offer includes reasonable attorneys' fees and court costs recoverable by applicable law.

4. Collin College's offer is unconditional and is made to fully and finally resolve this litigation in its entirety, including any and all claims asserted against it and against Defendants Matkin, Jenkins, and the individual Board Members in their official and individual capacities.

5. This offer of judgment will remain open and irrevocable for a period of fourteen days after service on January 27, 2022.

6. If Burnett does not accept this offer in writing with fourteen days after service then this offer shall be deemed withdrawn in accordance with Federal Rule of Civil Procedure 68(b).

7. By making this offer as authorized by Rule 68, Collin College does not admit liability.

Dated: January 13, 2022.

Respectfully submitted,

**ABERNATHY, ROEDER, BOYD &  
HULLETT, P.C.**

*/s/ Richard M. Abernathy*

**Richard M. Abernathy**

State Bar No. 00809500

**Charles J. Crawford**

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**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that on January 13, 2022 a true and correct copy of Defendant Collin College's Offer of Judgement was served upon all attorneys of record by email.

*/s/Richard M. Abernathy*  
Richard M. Abernathy

**CERTIFICATE OF SERVICE**

Plaintiff's counsel confirms that a true and correct copy of the foregoing was served to counsel for Defendants Collin College and H. Neil Matkin, Richard M. Abernathy, and counsel for Defendants the individual members of the Board of Trustees in their individual and official capacities, Robert H. Davis, via ECF on this day, January 25, 2022.

*/s/ Greg H. Greubel*  
GREG H. GREUBEL