

Cause No. 2009-550,359

MIKE LEACH

Plaintiff,

v.

TEXAS TECH UNIVERSITY

Defendant.

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IN THE DISTRICT COURT

OF LUBBOCK COUNTY, TEXAS

99TH JUDICIAL DISTRICT

FILED FOR RECORD CO.
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PLAINTIFF MIKE LEACH'S MOTION FOR EXPEDITED HEARING ON MOTION FOR EXPEDITED DISCOVERY

COMES NOW Plaintiff Mike Leach ("Leach") and files this Motion for Expedited Hearing of his Motion for Expedited Discovery from Defendant Texas Tech University and would show the Court the following:

1. Plaintiff Mike Leach, the former Head Football Coach of the NCAA Division 1 Texas Tech University football team, has filed a motion for expedited discovery relating to his lawsuit against Texas Tech University for the wrongful termination of his contract. See Motion for Expedited Discovery being filed contemporaneously herewith. In that motion, Plaintiff Leach seeks an order from the Court for expedited discovery, including depositions and document production, relating to his claims against Defendant Texas Tech University and the defenses asserted by Defendant. Plaintiff Leach incorporates in this motion the arguments and authorities set forth in his Motion for Expedited Discovery.

2. The facts of this case and the constant media attention and reporting on the allegations made by Defendant require exigency in the discovery process. As set forth in his Motion for Expedited Discovery, Coach Leach is harmed by virtually any delay in the



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development of the facts relating to his contract, its termination, and the allegations made by Defendant relating to Plaintiff and his conduct as the head football coach of Texas Tech. Plaintiff requires the discovery to refute the allegations made by Defendant as well as to develop a record to respond to Defendant's claim of sovereign immunity, for which Plaintiff may be afforded discovery.

3. The need for expedited discovery requires Plaintiff to request from the Court an expedited hearing so that the Court can consider Plaintiff's request and enter an appropriate order without delay. A delay in having the motion heard undermines the very relief Coach Leach seeks.

For the foregoing reasons, Plaintiff requests that the Court set his Motion for Expedited Discovery for hearing at the earliest probable date.

Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFF
MIKE LEACH**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served upon the following on the 7th day of January, 2010, as follows:

Via Fax, FedEx, and Regular Mail

Daniel C. Perkins
Assistant Attorney General
Texas Attorney General's Office
General Litigation Division
P.O. Box 12548
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for Frederick T. Johnson