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For Immediate Release:

County Judge Jim Foster denies “shakedown” remark

Almost one year to the day that he granted an interview to Dallas Observer columnist Jim Schutze, Dallas County Judge Jim Foster should finally and publically admit that someone is lying. However, the only thought or comment that Foster can muster is that he doesn't remember what was said and whom may have said it.

After a myriad of feeble and unsuccessful attempts to avoid the legal rebuttal to statements attributed to him by “The Observer”, Jim Foster admits that he doesn't recall whether it was he or Schutze or Richard Allen who accused Dallas County Commissioner John Wiley Price of “shaking down” the Allen Group.

In a series of events since the Dallas Observer first published the article in late 2008, Jim Foster has either refused, refuted or attempted to rescheduled his deposition hearings more than a dozen times. Foster sought to fight the merits, court decisions and direction of the court on all sides. Foster went as far as to appeal to a higher court rather than comply with a legal mandate to provide a full deposition of his actions and knowledge.

The deposition was finally completed on September 28, 2009, but the outcome was murky at best. Based on his own testimony, Jim Foster after vehemently denying that he ever made the allegations against Price could not recall whether it was Richard Allen or Jim Schutze who actually did. First he blamed Richard Allen, but then claimed he could not remember. Later he claimed that the Dallas Observer

misquoted him altogether and admitted that “he has no personal knowledge of any shakedown committed by Commissioner Price.

The Dallas Observer issued an inordinate number of articles favorable to the Inland Port project being tendered by the Allen Group, but one in particular brought on the ire and the attorneys who represent Commissioner Price. And while Price is quick to admit that he is not among Dallas’ least controversial figures, he has maintained his innocence all along. Price also requested that United States Representative Eddie Bernice Johnson answer questions under oath relative to the article that featured her and later quoted Judge Foster.

Please find the attached chronology of events and a copy of Volume 2 of Judge Foster’s Deposition. This document is made available because Judge Foster never acted on the gag order he requested and was granted him by Judge Ken Tapscott (Dallas County Court at Law No. 4) to have the contents sealed and to prevent Commissioner Price from publicly commenting on the matter.

It has been no secret that the only two Democrats on the court have been at odds since Foster was elected in 2006, but it appears that Price has been an unwilling and uncooperative victim of either Foster’s willful lies or his vivid imagination.

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