

LOBBY WATCH

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Shifty Foundations:

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Bob the Builder Invests In Judges As Lemon-Home Trial Begins

The Texas Supreme Court overturned two lower courts in May 2008 to gut an \$800,000 award that an arbitrator levied against the justices' top individual contributor: Houston homebuilder Bob Perry. Perry gave the nine justices a total of \$76,250 before the court gutted the arbitrator's award and ordered homeowners Bob and Jane Cull to pursue their lemon-home case against Perry Homes in state court, instead.¹

As the resulting trial in the decade-old *Cull v. Perry Homes* case heats up in a Fort Worth state district court, it is time to revisit Bob Perry's judicial influence. Recent campaign reports by Judge Tom Lowe, the Republican jurist overseeing the trial, do not list any funds from Bob Perry. Given that the Cull case could be appealed back up to the high court, it's worth noting that judges at the top of the food chain are not so discreet. Since last year, Bob Perry has given \$5,000 apiece to Justices Paul Green, Eva Guzman, Wallace Jefferson and Dale Wainwright.

Justice Scott Brister, who wrote the court's *Perry Homes* opinion, retired from the court in 2009, prompting Governor Rick Perry to tap Eva Guzman as his temporary replacement last October. This appointment appeared to meet the approval of gubernatorial patron Bob Perry (no relation to the governor). The homebuilder contributed \$5,000 to Guzman--then a justice on Houston's 14th Court of Appeals--one month before the governor named her to the high court. The *Dallas Morning News* reported that Bob Perry then gave \$1.5 million to the Republican

Governors Association, which contributed \$1 million to Perry's 2006 reelection campaign.² To fund her 2010 campaign, Justice Guzman has taken \$25,000 from HillCo PAC. Bob Perry supplied 36 cents of every dollar that this lobby PAC has raised since 2007.³

With Justice Harriet O'Neill retiring from the court at the end of this year, one Democrat and six Republicans are seeking to replace her. Republican Jeff Brown of Houston's 14th Court of Appeals has Bob Perry's backing. Perry contributed \$5,000 to Brown, who also received \$15,000 from HillCo PAC. Apart from retiring Justice O'Neill, Bob Perry has given the eight remaining Supreme Court justices \$86,250 since 2001.

Bob Perry Donations to Justices (2001 to January 21, 2010)

Amount	Justice
\$25,000	Wallace Jefferson
\$20,000	Dale Wainwright
\$11,250	Paul Green
\$10,000	David Medina
\$5,000	Eva Guzman
\$5,000	Nathan Hecht
\$5,000	Phil Johnson
\$5,000	*Harriet O'Neill
\$5,000	Don Willett
\$91,250	TOTAL

*Retiring at end of 2010.

¹ ["Justices Rule For No. 1 Individual Campaign Donor."](#) Texans for Public Justice, May 2, 2008.

² "Bob Perry: Political Money Machine Not Slowing Down," *Dallas Morning News*, February 10, 2010.

³ HillCo PAC was the No. 1 donor to Texas Supreme Court justices during the 2008 election cycle. Their No. 4 donor that cycle, Texans for Lawsuit Reform PAC, got 11 percent of its money from Bob Perry.