

University of Houston
Oral History of Houston Project
Houston History Class

Interviewee: Roland Garcia

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Place: Greenburg Traurig, 1000 Louisiana, Suite 1800, Houston, Texas

Interviewer: Ernesto Valdes

Transcriber: Michelle Kokes

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Abstract:

Since graduating from South Texas College of Law, Roland Garcia has practiced law and discusses the evolution of his career from his first job at Vinson & Elkins to the formation of Greenburg Traurig. In his work at the Supreme Court of Texas, Roland was assigned to the first Hispanic elected to a state-wise Texas office, Raul Gonzales, as a briefing attorney, and describes his work under Gonzales. He discusses the number of positions he has held, such as board member of the Association for Advancement of Mexican Americans and chairman of board of the Aspiring Youth of Houston. Valdez and Garcia discuss globalization's effect on Hispanic Americans wishing to pursue careers in law and any barriers Hispanics have faced in the field and hopes to serve as an inspiration for future generations. Among the cases mentioned, Garcia details Texas Medical Center versus St. Luke's Episcopal Hospital, the legal nature of non-profit organizations and the history of the Texas Medical Center.

EV: This is Ernesto Valdés the interviewer, I'm in the office of Mr. Roland Garcia, Attorney at Law. He is with the firm of Greenburg Traurig, is it that it? Greenburg Traurig... and we are at his office at 1000 Louisiana Street, Suite 1800 in Houston, Texas. It is March 13, 2006 and Mr. Garcia and I have, we have discussed a little bit about what we are going to do with the archives and you have an understanding of how this interview is going to be part of the Center for Public History at the University of Houston is that correct?

RG: Correct.

EV: Do you have any questions about that?

RG: Well, lots but not for the tape...

EV: Alright. First of all if you just let me have, it will be like a deposition at the beginning. If you will just let me have your full name please.

RG: Roland Garcia.

EV: Okay and where were you born Mr. Garcia?

RG: In... well can I see the questions?

EV: Sure.

RG: Why don't we just go off the tape?

EV: Okay I'm from Corpus Christi and born and raised there. My family is, my parents are still there and a little about my education, went to school in Corpus. From

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Corpus and then I went to Baylor University, undergraduate. Graduated from Baylor in the business school with a computer science degree and then at Baylor, it was my interest to go into law school, ultimately to be a lawyer but I had worked my way through Baylor so decided to go ahead and interview for jobs, try to save some money and so I interviewed with several companies and got offers from several and including Shell Oil which is the job position I took, Shell Oil said that if I worked for them in Houston they would pay for my law school at night.

EV: God, you can't beat that.

RG: So, I was off to Houston I had also applied to Baylor Law School before I interviewed and I had been accepted to Baylor Law School and because I was going to get a job I decided to ask Baylor for a deferment. I got a one year deferral but of course it never worked out that I went back after I came here. I met my wife, Karen, at Shell Oil also, we ended up getting married and stayed here and went to law school at night at the South Texas College of Law, worked during the day and ended up graduating from South Texas College of Law and decided to go into a law career instead of the computer science area which is where I was at Shell Oil. And I've been practicing law ever since. I took a one year clerkship with the Texas Supreme Court and ended up, from there, taking a job at Vinson & Elkins as an associate. I worked at Vinson & Elkins until I was recruited by an old friend of mine, John Hill who happened to have been the Chief Judge of the Texas Supreme Court when I was there and Judge Hill convinced me to come over to the Locke, Lidell & Sapp and practice law with him. At that time it was called Lidell, Sapp, Zivley, Hill & Laboone. I did that and practiced law there until this last year. Hill has

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since left Locke-Lidell and so have several others who I had worked with so an opportunity came up with, for me to open the Houston office of Greenburg Traurig and the more I looked into Greenburg the more impressed I was with their national platform and their culture and their practice and the caliber of lawyers and it was important for me to be at a firm with a national platform, actually an international platform, to help service my clients and expand what I'm doing and it's been great. So I opened the office of Greenburg Traurig here in Houston with just two of us, myself and Ambassador Arthur Schechter and we now have twenty two lawyers and we've got more coming along the way and it's a great firm.

EV: Let me ask you, when you were at the Supreme Court of Texas was there, can you expand a little bit more about what you did when you were there, were you briefing primarily?

RG: I was a briefing attorney, there were eighteen briefing attorneys, each judge had two. I was assigned to the Honorable Raul Gonzalez, who was also the first Hispanic elected to state wide office in Texas. Judge Gonzalez is a very close friend of mine. He and his wife Dora and my wife Karen, we are all very close. I got to know him and he was a real mentor to me and an inspiration to me and so I worked with him but basically a briefing attorney works for the whole court. I was in Judge Gonzalez' chambers but at that time briefing attorneys also would sit in on the weekly conferences on opinions and so we would basically be involved in all the writs that were pending, although I would write my memos on the writs assigned to Judge Gonzalez. Then we would work on opinions assigned to Judge Gonzalez, it was a random rotation. But we would work on

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opinions anytime the judge would write a dissent or concurring opinion on any case. So basically it was reviewing applications for writ of error, recommending disposition, attending oral arguments and then writing opinions of the court. So it was pretty comprehensive.

EV: He must have been a very young man when he got to that court. I mean he didn't seem to be much older than you.

RG: I think he's in his sixties, early sixties.

EV: Is he really?

RG: Early sixties, late fifties.

EV: Okay, you have, when you were in, when you took over this firm was there any, I kind of have to ask you this question you tell me whether or not you want to go into it. Were you... let me see how I want to word this... you had some type of, in your... in your CV you have quite a spectrum of contacts. Can you tell me what you did when you were, this is the guy talking about the Southwest Counsel of la Raza . GI forum which were, GI forum which could be very radical when it wanted to be and they got very conservative, not very conservative but conservative and I know that the Southwest Counsel of la Raza is the same way. It could be worked it's system or when they had to they put on the gloves. So what was your role in them, were you a member, is that mainly what it was, just a member?

RG: I don't remember La Raza but I do remember being a member of the American GI Forum. That principally was due to a relationship that I had with Dr. Hector P. Garcia. You may remember Dr. Garcia.

EV: Sure.

RG: He was the founder who lived in Corpus Christi which is our hometown, no relation to us but Dr. Garcia was a real mentor to me, my brother, my father, my family, my parents and he would give me advice and he would take the time to meet with me and mentor me at little taquerias and his advice to me always was, "Roland, you work hard, you do your best, never give up and never forget where you came from." And those words of wisdom have always stuck with me and I've always tried to work hard, do my best, never give up, and never forget where I came from and who brought me here and who opened doors for me. So I was active really with just the membership with the GI Forum I was not on any committees or anything like that. I would continue to stay in touch with Dr. Garcia until he passed not long ago. I knew, of course, Tony Canales' nephew and the Canales family and the Bonitez in Corpus and through the... they were founders in LULAC or active in LULAC so I'm active, have participated in LULAC as well and later on when I got to Houston got active with AAMA, Association for the Advancement of Mexican Americans and basically with AAMA, I fell in love with the mission of AAMA. A friend of mine, Gilbert Moreno who was an accountant at Vinson & Elkins came to my office one day and said, "Hey Roland, what are you doing after work?" And I said, "Oh nothing." I thought he was going to invite me out for a beer or something but he invited me to the AAMA board meeting, he was on the AAMA board. I walk in and Gilbert was saying, "This is Roland a bright, hard-working young lawyer..." and started promoting me and then somebody said, "I move to add Roland to the board." And somebody else said, "I second the motion." The next thing you know I'm

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on the board and I said, "Wait a minute, tell me a little about this group." But it was one of the greatest things I ever did to get involved with AAMA and give back to the kids and support the George Sanchez School for alternative school for....

EV: Is that the one that Luis Cano?

RG: Yeah, Luis Cano and others... I later was their General Counsel, I later became their President. Al Gonzales and I, who is now Attorney General of the United States, I had recruited Al to be on that board and we both, Al is one of my best friends by the way and so Al and I were on that board along with many others, Gas Premier, David Mendez of Texas Commerce Bank...

EV: Is Gas still around?

RG: Gas is still around. It's a great board. I'm still active with them, I was with them just last week, several of them at a program that they had for the kids.

EV: I think I wrote their Articles of Corporation. Luis and I are very good friends.

RG: So you knew Yolanda Navarro...

EV: Oh, very well. Very, very well. I've known Yolanda for a very long.

RG: Yeah, yeah. She was one of the original founders.

EV: You do the, your firm has services in many, many countries and cities but let me ask you this, when you, more out of ignorance than anything. When you have a firm like this overseas you don't, you use local attorneys, how does, how is the legal thing done in those foreign countries?

RG: Well it depends on the country. Some countries have different rules on practicing law, etc. but generally we have affiliates or offices in several countries and some

countries, you've got to be... like in China you need to be of the from mainland China or whatever but we've got affiliated relationships out there. Actually China's not a good example because it is Japan I'm thinking of. I don't practice law in other countries because I'm not licensed to practice law in other countries. But we collaborate with and work with our affiliated offices.

EV: So if you had, would it be a situation of if you had something in China and wanted to set up, I understand in Korea for example just announced on the radio today they are going to build an auto assembly plant in Georgia or South Carolina something like that. I know that takes a whole lot of paperwork legally to come over here and I'm just wondering whether or not I'm sure the American firms do it but if they came to you with that situation would your folks take care of it over there and just slide it to you... is that how they do it? Yeah, China's firms that you are connected with that bring it in?

RG: That, it depends, it would have to be, that can't be answered without more specifics. But generally yeah we would work with...

EV: But it can be done.

RG: Yes.

EV: In view of Houston's globalization do you find that Hispanic attorneys probably stand a good chance of gaining a lot more prestigious positions than they have in the past in the international business field? Is that clear what I'm asking you? Let me reword it. If we take globalization and I narrow that down to, say Latin America, traditionally they have ignored, well maybe twenty years ago, thirty years ago, recruiting Hispanic

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attorneys to take positions that work with those countries or... do you see what I'm saying?

RG: Well finish your questions, what's your question?

EV: Let me word it a better way. Does globalization give more room in the legal branch, in the legal area, for Hispanic attorneys dealing in South American countries?

RG: Well I think globalization has done a lot to remove some of the barriers. In other words I think if you look at markets in general that diversities can really be an advantage more than it was in the past. But it really is almost, like in my firm or international firms, it is run more in terms of familiarity with the rules, the regulations the laws, the culture, the language, you don't... it hardly matters, I mean, being Hispanic or not Hispanic. In other words it's not a barrier. Whether you get an extra boost? Maybe, it just depends but I'm not really seeing that.

EV: I also noticed on researching some of your firm that you all are involved in the equal justice initiative in terms of... is that something your office participates in or did it come out of your Miami office?

RG: Well, our firm, we all contribute to a pro bono fund that, are you talking about the sponsoring of scholarships?

EV: Well that was part of it I'm really going after the Katrina legal fellowships and...

RG: Well, we sponsor some scholarships for some fellowships for pro bono fellows who go out and do public service law, we do that. We promote our lawyers or we support our lawyers who want to do their own pro bono. I've got a pro bono case right now. We also do volunteer work as the need arises during catastrophes like Katrina. In fact it was

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just announced last week that the Houston Area Urban League is giving an award to Greenburg Traurig for all the volunteer work we did during the disaster relief effort. We helped them with their housing contracts, with their matching programs, with their leases, with their indemnities, with their releases. We brought in people from Miami to help and we had people locally here that helped. We had a real small office then so I think we flew in ten people from Miami to spend a week here helping the Urban League get their program off the ground. We are very committed to the community and giving back and supporting those in need.

EV: Did... just one other thing I did wanted to ask you before we get too far away from it and that is, you are still actively taking cases is that correct?

RG: Yes.

EV: And is that in state and federal courts?

RG: Yes.

EV: I know you can't without getting into specifically cases by name or anything, but what areas of the law are you specializing in?

RG: Well my cases are a public record so I don't have a problem talking about them. Some of them I've got cases in federal court that are class action cases. I've got a major patent infringement cases and I'm representing an electronics manufacturer in the Eastern District of Texas. I've got another major class action case pending in the Southern District of Texas for a mortgage company regarding allegations of deceptive trade practices and violations of the federal, in Texas Debt Collection Act. I've got some copyright infringement cases pending in federal court here in the Southern District for

musicians, artists, recording companies and music publishers. I've been doing that work for twenty years, that kind of work. I have various state court cases pending that run the gamut of mostly commercial litigation, breach of contract, some tort, conversion, lane use and injunction matters, all civil litigation. I've got one dispute regarding an environmental permit. So it's complex commercial business litigation.

EV: Do you have a preference as to what you practice?

RG: Also, appellate work. I also do appellate work.

EV: Do you have a preference to which forum you are in whether you are in state court or federal court, are there procedures that you like better or informality?

RG: I think state court is a little more informal and I think state court is a little more... it can be, you know, a little easier to maneuver in. You don't need to leave the court to do things, you just can do them. Federal court is much more formal, requires more motion practice but the judge can keep it on schedule as well. There are pros and cons to both.

EV: On the appellate work do you get cases or people ask you to take over cases as an appellate attorney or is it just the in house appellate?

RG: They are appeals of my own cases.

EV: Okay...

RG: I've got a mandamus pending now. I've got major appeal right now.

EV: You are licensed in the Supreme Court right, of the United States?

RG: No.

EV: You've never been there?

RG: The Fifth Circuit.

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EV: Okay, are there any cases that you really enjoyed if you can use that for a trial of a case?

RG: I've enjoyed several cases. I had a major four week arbitration that I tried regarding some parties suing my clients for breach of fiduciary duty and that was a huge complex case which we won at arbitration. I enjoyed that case quite a bit. I had the landmark cases of Texas Medical Center versus Saint Luke's Episcopal Hospital which you see all the newspaper articles on the wall. The landmark case by which the deed restrictions of the medical center were declared to be valid which upheld the not-for-profit status of all the hospitals on the property out on the medical center.

EV: As somebody. who is, you're involved with all these groups, have you been contacted or asked to give an opinion of any kind of any modifications that they have had, or some of the amendments that they might want to the immigration law that is so controversial right now?

RG: No.

EV: Protecting our borders?

RG: No.

EV: Okay.

RG: I'm really not familiar with that.

EV: Okay. Is there any, well you were telling me about some of the cases that you had enjoyed being involved. Let's see you went through the one where you did the mediation...

RG: Arbitration.

EV: Arbitration, sorry.

RD: Arbitration.

EV: Was there any particular long trial, was the one that you all did with the hospitals was that more negotiating contract or was that...

RG: No that was actually, that was litigation. That case settled during voir dire and it ended up being that St. Luke's, we had moved to block Saint Luke's merger or affiliation with Columbia Healthcare which was for profit entity. We were saying that the for-profit entity could not have an affiliation with the not-for-profit. That would violate the deed restrictions in the medical center which says that all of those hospitals have to be not-for-profit out there. See what some people don't realize, like Saint Luke's, they are on the land for one dollar a year basically, free. But the covenant restrictions says you must do charity care and hospital for all the people for Houston regardless of wealth or position in life or research in education and keep your non-profit status. So we objected to Columbia going out there because they were basically focused on profits and not patient care. And we ended up the case settled and we won. We got a judgment enforcing that and St. Luke's paid our attorney's fees of a million and a half. To this day because of that case those not-for-profit covenants are still enforced out there and they now have the Covenant Compliance Committee when anybody like Baylor or Methodist now are having their dispute so, you know, you go through the Covenant Compliance Committee to make any proposals on if you want to do an affiliation or whatever. The Covenant Compliance Committee will pass upon it.

EV: Who owns the land?

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RG: Through the... the Texas Medical Center does. It is a not-for-profit that is a trustee, all the land out there was basically owned by a gentleman by the name of Monroe D. Anderson who was later M.D. Anderson. He owned all that land out there and he gave it all as a gift to the city for a medical center and that is all there and next to that land was the Hermann estate land, it is all just a coincidence. MD Anderson owned all that land and the Hermann owned all that land and that became a massive medical center because of the vision of two men. MD Anderson and George Hermann both wanted to leave a legacy to, or hospital for all people in the community for healthcare for all people. So it is really beautiful.

EV: Yeah, that is a powerful economic influence to the city even if they are non-profit. I mean the salaries they pay out there and the personnel they have out there is amazing. Anyway is there anything that you might want to add to your legacy if anyone wants to research you or the firm?

RG: No other than just that, you know, I believe very much in giving back to the community. I very much care about helping those who were disadvantaged as a Hispanic and someone who has seen how tough it is for minorities and some of the barriers for entries in the markets for minorities for women... I've tried very hard to do what I can to be a catalyst for change to, in the professions try to help to create opportunities for women and minorities through law firms, the bar association through other things and during my early years with the bar I was the, worked very hard on the minority involvement committee and on the Texas Young Lawyers and then on the State Bar to come up with efforts to try to increase the number of minority lawyers in Texas. We

created, the bar did, the Office of Minority Affairs, we set up the at large director program and many other programs that became models for other bar associations, like the Dallas Bar, the State Bar and others so I've always try and give back and help others and that's why I was chairman of the board of the Aspiring Youth of Houston, speak to the kids and... which they focus on at-risk middle school youth. So I try to live by that creed and focus on that mission. The areas that I focus on are education, as you've heard, I'm active with the Houston Community College, with HISD and HCC, and then I'm also active in the health care area through my board with Memorial Hermann and with the hospital district and so I tried to give back as much as I can but primarily to be a role model. It's important for young Hispanics to see, you know, here is Roland Garcia who is the managing partner, or here is Roland Garcia who is the President of the Bar, or here is Roland Garcia who is a partner in some firm, because if I can do it, they can do it. They see that it can be done. They want to aspire to, you know, get involved and get active in their careers and they can achieve new heights and new opportunities and the American dream because it is there for them if they will only do the things that Dr. Hector said, "Work hard, never give up, do your best and you can do it."

EV: Let me ask you this, I saw you also, you remember the... what was the name of the committee? Well you mentioned the Hispanic issue section of the State Bar?

RG: The Minority Involvement Committee of the Texas Young Lawyers and then there was the...there was the... a minority committee of the State Bar as well.

EV: Well my, are those issues, when you speak of those issues of the Hispanic community, are those Hispanic attorneys or the community that are brought up before?

RG: Attorneys.

EV: What do you see are some of the major problems of Hispanic attorneys at this present time?

RG: Well there's a number of them. There's, Hispanic attorneys wanting more economic opportunities and more professional opportunities. For years minorities were not getting elected to the board, were not getting good committee assignments or committee chairmanship positions, were not getting...

EV: State Bar?

RG: State Bar, Houston Bar, The Young Lawyer Bar, whatever you name it. The majority bar and the minorities were having trouble breaking into Fortune 500 companies for clients and the State Bar took a lead role, and the ABA too, to form a two day program to introduce employers and in-house legal departments, general counsels with minority attorneys, a very successful program. I was a speaker at that for a few years. So the State Bar was trying to be very proactive in creating business opportunities and professional opportunities and involvement for minority attorneys so that is an ongoing effort that really came into being about ten years ago. ABA has a similar program as well.

EV: Did you find that the Bar is pretty much been acceptable to these, I mean it's been a successful operation is that, I'm gathering from what you've told me that it has worked.

RG: It's working, the job is not completed. It's an ongoing work in progress but I think the State Bar and the ABA they've made some strides.

EV: Are most of these Texas companies or companies...

RG: The other thing in the State Bar of Texas and the ABA have reached out to the minority bar groups to welcome them, get their input get their thoughts, meet with them, like Hispanic Bar, Mexican-American Bar, other minority bars and that's a good thing. In terms of the companies involved you're talking General Motors, Frito Lay, Wells Fargo, you know, Fortune 500 companies.

EV: You were talking about you were telling me about getting together Fortune 500 companies with Hispanic attorneys and minority attorneys. Are you getting the same reception from Texas companies?

RG: Well let me just say that I'm not the point person for the State Bar's program here so I really don't know as I sit here what companies are or are not participating in the job fair program. Back when I was involved with that five years ago there were a lot of companies that were mostly national companies that did business in Texas that were involved.

EV: You know what you knew where I was going with the question. I was wondering if the Tejanos, the Anglo Texas companies have woken up if they are a little more reticent there is so much discrimination and I don't think they could get over that in half a generation.

RG: Well you know money and markets tend to impact all of that. You know, once a client says, once the client gets a view that, "You know, I need Hispanic, some Hispanic marketing people on my staff, I need some Hispanic attorneys on my staff, I need some whatever," once that happens it's the trickle effect, it tends to grow. Like, for example the Port of Houston, it was important to them that they got board members that were very

visionary and proactive on this issue so they adopted a policy of wanting to hire minority contractors and vendors, you know the MWBE programs. Shell Oil, same thing, they have a program of wanting to hire women and minority counsel. And in fact, on their billing statements they want you to put on there how many women and minorities are working on their files, because it is important to them that they have a diverse team. Same with Chase bank, same with others. So its, I think its become more I mean they are looking for good quality minority, I mean they clearly want somebody that can handle the work and its very complex work but I think they are more, I think the economics is pushing it more then for the good deeds.

EV: I guess that's all I have Mr. Garcia is there anything else as I said before you may want to add, any other people you know in the community who might interview to make a part of this archive.

RG: Sure you ought to call, I mean you've already mentioned some of the... Al Hernandez and them. But another one that was early on one of the first Hispanic judges was Lupe Salinas did you interview Lupe?

EV: Is he here I heard he was down in the valley somewhere?

RG: No he's here he does some visiting judgeships in the valley but he lives here.

EV: Yeah he is a real good friend of mine.

RG: Lupe could give you some real good stories.

EV: Is Garcia still alive?

RG: He is, Azios. AD Azios, he would be a good one. The... you may want to meet with Gilbert Moreno who is the current AAMA president. Gilbert will give you a really

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good history of all of that, he's with AAMA. Who are some of the historical minorities...oh Judge, I would meet with Judge Manuel Leal.

EV: Manny Leal, yeah I know him well too. What about...you know I'm kind of ashamed I've been out of the loop so much that I've lost contact with some of these guys. I know Al Leal, a judge.

RG: No I meant Manuel Leal, the federal judge.

EV: The federal judge.

RG: The former bankruptcy judge.

EV: Bankruptcy, right. Yeah I know him too. You say former did he retire from the bench?

RG: Retired. Al would be good but I was thinking of Manuel.

EV: I was thinking of...

RG: You may want to talk to Gracie Saenz she was the first Hispanic Mayor pro tim in Houston. She's also a lawyer. You may want to talk to David Mendez. He was the first Hispanic to be president of J.P. Morgan bank.

EV: Do you know him, could I use you as a reference on that?

RG: Yeah you can use my name with all of them. I think if you get all those it's a lot.

EV: I'm thinking of God the guy was a federal judge...

RG: Oh you're thinking of DeAnda...

EV: DeAnda.

RG: Jimmy DeAnda.

EV: Is he here, he was fixed up with some law firm here for a while.

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RG: He was working with Michael Solar's office. Then you may want to talk to...

EV: Abraham Ramirez is he still alive?

RG: I don't know him. I've heard the name but I don't know him. Oh I tell you who you ought to meet, Michael Olivas at U of H.

EV: What department is he in?

RG: He's the, at the law school. I forget what area he's like the vice dean or something like that. Michael Olivas he was part of MALDAF and he really knows a lot of the struggles and issues and he'll have great stories for you. In fact they have an event tonight at, for Dora Olivo who is the state representative in Fort Bend County. They have a fundraiser tonight for Dora that he is hosting somewhere.

EV: He uh...

End of interview.