

# BROWNSVILLE The Herald

SUNDAY, OCTOBER 9, 2011 BORN ON THE FOURTH OF JULY, 1892 \$1.50

## BROWNSVILLE INDEPENDENT SCHOOL DISTRICT

# COSTLY DEAL

### BISD settles with former Special Services director

**BY GARY LONG**  
 The Brownsville Independent School District has settled a whistleblower lawsuit against it by former Special Services administrator Art Rendon for \$300,000 and reinstated Rendon to a \$100,000-plus contract with the district. Rendon signed the agreement on Sept. 15. Catalina Pressa-Garcia, president of the BISD Board of Trustees, signed it on Sept. 21. The agreement followed a 4-2-1 vote in favor of the settlement at the Sept. 20 BISD Board of Trustees meeting. Pressa-Garcia and Trustees Enrique Escobedo, Luci Longoria and Christina Saavedra voted in favor of the settlement. Rolando Aguilar and Minerva Pella voted against. Joe Colunga abstained. BISD released details of the settlement in response to a public information request by The Brownsville Herald under the Texas Public Information Act. According to the agreement, BISD offered Rendon a 22-day Level 6 term contract.



RENDON

PLEASE SEE B15D, A5



### GOING WILD AT THE ZOO

The Gladys Porter Zoo hosted its annual Zooland fundraiser this weekend with a western theme. Donors are going toward the South Texas Discovery Center, which will house classrooms and a solar energy educational exhibit.

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### BORDER PATROL RIDES

U.S. Border Patrol McAllen Sector has announced the return of the Mounted Border Patrol in the Rio Grande Valley.

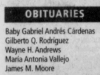
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### WELTY ON DISPLAY

Cliff Welty's "Famous Artists" exhibition of large-scale oil paintings opened with a gala reception for the artist on Wednesday at the Galleria 409 in downtown Brownsville.

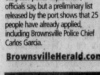
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### OBITUARIES

Baby Gabriel Andrés Corderos Gilchrist O. Rodriguez, Wayne H. Andrews, Maria Antonia Vallejo, James M. Moore

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### MOST VIEWED ON THE WEB

The Port of Brownsville is still accepting applications for chief of the port's police department. Officials say that a preliminary list released by the port shows that 25 people have already applied, including Brownsville Police Chief Carlos Garcia.

Brownsvilleherald.com



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Good Morning! Thank you for reading today's edition of The Brownsville Herald



# High Hopes

## Valley goals go beyond the economy



YVETTE VILA/THE BROWNSVILLE HERALD

Elizabeth Llonganias was one of the speakers last week at the Vista Summit at the University of Texas at Brownsville and Texas Southwest College, where panels from academia, government, business and philanthropic groups discussed how to improve upon the strengths of the region. "Not everybody that left there is going to change the world today, but you just need know when a bigger comes that will get programs here that impact our Valley kids," Llonganias said.

**THE BROOKINGS INSTITUTION**  
 improve the lives of the people of the Rio Grande Valley. Ideas were only the beginning at the University of Texas System's two-day event that focused on the promise of future partnerships and collaborations by bringing key figures in different sectors together at UT Brownsville.

PLEASE SEE VISTA, A10

# Rosenthal defenders complain about FBI

## Feds offer no response to allegations

**BY EMMA PEREZ-TRIVERO**  
 THE BROWNSVILLE HERALD



ROSENTHAL

As federal investigations continue into allegations against Austin attorney Marc G. Rosenthal — charged with other things in connection with the racketeering case of former state District Judge Abel C. Limas — his lawyers claim the FBI has been intimidating a witness. The Herald obtained a public record that contained the allegation and also indicated that Rosenthal's attorneys, Ernesto Garza and George Masas, have complained about the FBI agent in Assistant U.S. Attorney Michael J. Wayne.

"As this is in relation to a pending matter, it would not be appropriate for us to comment," the U.S. Attorney's Office for the Southern District of Texas said. It also noted that the prosecutor in the case is with the Western District of Texas, which has not yet responded to an inquiry from The Herald.

PLEASE SEE COMPLAINT, A5

Abby Amusements	C4	Entertainment	D6	Obituaries	C2	Valley & State	C1	High 90°
Editorial	C6	Life & Arts	D1	TV Listings	C5	Weather	B1	Low 70°

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BISD

FROM PAGE A1
for the 2011-2012 school year at a daily rate of \$80.15, which works out to a total of \$107,335.00.

administrative leave with pay shortly after plans were announced to refit the school as a magnet and college preparatory campus.

The \$500,000 settlement Rendon received was to be paid \$75,133.80 to Rendon, \$40,868.20 to Frank Perez, and Associates, \$40,000 to the law office of Star Jones and Associates, and \$40,000 to the law office of Ken Steece.

The settlement states that BISD denied all allegations in the whistleblower lawsuit Rendon brought against the district, styled civil action No. 10-18, Art Rendon vs. BISD in U.S. District Court in Brownsville.

Likewise, "in consideration of the payment of the sums and obligations set forth," Rendon releases himself, his legal representatives, successors,

beneficiaries and assigns from "any and all liability, actions, claims, demands, damages, costs, expenses and compensation of whatsoever nature" related to the whistleblower lawsuit, as well as any and all claims Rendon "has or may have arising out of his employment with BISD through the date of the agreement."

Rendon filed the whistleblower lawsuit in August 2010 alleging that BISD fired him in retaliation for revelations he made about mismanagement and fraud in the district's Social Education department.

The lawsuit named BISD trustees Rolando Aguilar, Joe Colunga, Ruben Cortez, and Rick Zayas, individually and in their official capacities, and Superintendent

Brett Springston, individually and in his official capacity. It claimed that BISD violated Rendon's First Amendment free-speech rights, his 14th Amendment due process rights and that the district's actions constituted "whistleblower retaliation."

The lawsuit followed a 4-3 vote in June 2010 not to renew Rendon's contract. Zayas, Cortez, Colunga and Aguilar were the majority in that vote, with trustees Enrique Escobedo, Minerva Peña and Piedad Garcia voting against.

Meanwhile, the current BISD Board of Trustees has scheduled a special meeting for 5 p.m. Monday to consult with BISD attorneys concerning a lawsuit that former chief financial officer Tony Juarez filed

against the district in January 2009. The 5th U.S. Circuit Court of Appeals denied BISD's motion for summary judgment and issued an opinion that reassigned status as press writer to that of chief financial officer.

Neither, then, participate in the alleged conspiracy, Juarez filed the lawsuit. U.S. District Judge Andrew Hansen earlier dismissed the 14th Amendment due process claims Juarez made in it, leaving only First Amendment claims.

COMPLAINT

FROM PAGE A1
Gamex and the FBI did not return telephone calls for comment.

The claim of witness intimidation is in connection with the 13-court indictment that a federal grand jury in Brownsville

returned against Rosenthal in August. The indictment alleges his participation in a network of racketeering activity which prosecutors describe as the manipulation of the federal and state court system.

Rosenthal is charged with racketeering, conspiracy, tampering with a witness and aiding and abetting, tampering with a proceeding, extortion

and fraud. He has pleaded not guilty. The indictment seeks the forfeiture of at least \$505 million, that prosecutors allege Rosenthal derived from racketeering activity.

Gamex and Muñoz claim they have credible evidence the FBI agent has intimidated a witness to extract a false accusation against Rosenthal. They say this is not the first time

they have heard that the agent has used such tactics and that they are considering reporting the instance to the Office of Professional Responsibility.

If the document reviewed by The Herald, the attorneys make specific allegations against the FBI agent, including that he told the witness he was not the target of the investigation but that if he did

not give up Rosenthal, he would be charged with obstruction of justice.

According to the allegation, the agent asked the witness to give false testimony about Rosenthal and even suggested what he might say.

Gamex and Muñoz contend that there are assistant U.S. attorney and FBI internal conflicts against Rosenthal that

are clouding the investigation, and that the FBI agent may be acting wrongfully under color of law in his suit to prosecute Rosenthal.

The investigation into Rosenthal continues and a grand jury is expected to convene in the near future, The Herald also found.

Little Joe's 71st Birthday Concert Celebrating Hispanic Heritage Month. FOUR TIME GRAMMY AWARD WINNER. LITTLE JOE y La Familia. Sat, October 22nd. UTB/TSC ARTS CENTER BROWNSVILLE. TICKETS ON SALE! 545-7733.

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Ha! Ha! Ha! Hilarious. To read more than 44 of the top. BrownsvilleHerald.com/comics