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State and Local

Lawsuit over A&M Micro Center awaiting action in Bryan court

By Mike Sullivan
 Staff Writer

KLS Computers' lawsuit against Bill Wasson, Texas A&M University System vice chancellor, is hanging in limbo right now. KLS attorney Rosemary Williams said Thursday.

The lawsuit, which seeks \$4.05 million in damages and an injunction to close the A&M Micro Center, was sent to federal court and then bounced back to state district court in Bryan this summer.

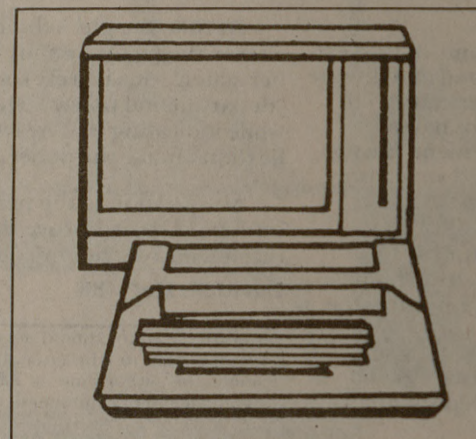
Williams, a Houston attorney representing KLS Computers, said that after the College Station computer outlet went bankrupt last May, the case was removed to federal bankruptcy court in Houston.

Williams said she and John Hawtrey, the attorney representing KLS at the district court level, want the case tried in the bankruptcy court because they feel the federal court would decide the case more objectively than the district court in Bryan.

"The folks up there (in Bryan-College Station) are dependent on A&M for their paychecks," Williams said, "and nowadays with the economic climate being as dark as it is, it's a rare person who can afford to offend his employer, whereas the federal judges here (Houston) don't have any feelings one way or the other."

But the federal court recently sent the case back to the Bryan district court without a hearing, she said.

Williams said she doesn't understand why the



Houston judge remanded the case, but she has filed a motion asking the judge to reconsider that decision.

"I do know that she (the federal judge) has been signing several thousand orders, and I'm just afraid this one (was a mistake)," she said. "I'm not even sure they realize what they did."

Jerry Cain, associate general counsel for the System, said the federal bankruptcy court doesn't have jurisdiction over the KLS case and that's why it was sent back.

"It was just an exercise in futility to get it to the bankruptcy court, and now it's back where it was

in May, sitting here in the state district court," Cain said.

If the case is returned to Houston, Williams said, she will be ready to go to court immediately.

If it stays in the Bryan district court, she said, Hawtrey will have to pick up where he left off in May.

In May, Hawtrey was trying to have the case removed to federal court.

Williams said she doesn't know when the federal judge will act on her request for reconsideration.

KLS filed suit Jan. 29 against Wasson, claiming he overstepped his authority as an A&M employee when he and other individuals under authority created the Micro Center.

The suit said Wasson promoted unfair competition by allowing the center to use state money to sell computers at uncompetitively low prices to students, staff and faculty.

In February, area retailers claimed the Micro Center, which opened its doors in March 1985, was monopolizing the local computer market.

Judy Wright, president of Yes Computers College Station, said her business has been hurt by the Micro Center, but it hasn't been in danger of folding as KLS and some other local retailers have.

Wright said the Micro Center's impact has stopped the growth of computer retail outlets and caused outlets to go bankrupt in the Bryan area, but it has allowed the remaining outlets to gain strength by driving those local competitors away.

Lewis says '87 cut agreement on way

AUSTIN (AP) — House and Senate negotiators said Thursday a compromise agreement on 1987 spending cuts may be only hours away.

Speaker Gib Lewis and Rep. Jim Rudd, chief House negotiator, predicted the agreement would be signed today.

A Thursday-afternoon meeting of the 10-member conference committee was recessed to allow House members to attend a barbecue fundraising dinner for Lewis in Fort Worth.

The committee meets again Friday morning.

Sen. Grant Jones, D-Temple, the chief Senate negotiator, said, "We have some variations in figures we want to reconcile."

Rudd, D-Brownfield, said, "I really think we need only several hours work before an agreement. I think we can do it tomorrow."

Lewis told the House, "There is a possibility they (the conference committee) can complete work tomorrow."

After meeting Thursday morning with Lt. Gov. Bill Hobby, Lewis said agreement had been reached on overall spending cuts, but details on

White reiterates optimism on temporary tax increase

AUSTIN (AP) — Gov. Mark White said Thursday he is more optimistic than ever that the Legislature will approve a temporary tax increase to help balance the state budget.

"I'm more confident today than I was at any day prior to this time," White told his weekly news conference.

"They're moving in that direction," he said. "I think there's been a recognition that it's impossible to cover the (\$2.8 billion)

deficit without some new revenues."

The governor's comments came as legislative leaders also said agreement on a temporary tax hike appeared closer.

Asked if he expected a tax bill to have trouble clearing the so-far reluctant House, Speaker Gib Lewis said, "I don't think we'll have very much."

And Lt. Gov. Bill Hobby, in a speech to a bankers' association, said he is hopeful the fiscal crisis can be resolved.

the cuts still needed to be worked out.

The House originally passed a bill that made \$739 million in spending cuts for 1987. The original Senate bill called for cutting only \$413 million.

Two scheduled meetings of the

10-member committee were canceled Thursday morning, but the conference leaders continued to visit back and forth between the House and Senate.

"As long as we're talking, we'll work it out," Rudd told reporters. "We've always been talking."

Rudd said he believed the negotiations had reached the point "where each side can live with an agreement), although neither likes it and I think that's what it's about."

Lewis has said there would be a tax bill voted out of a House committee until an agreement is reached on the budget cuts.

At a Wednesday meeting of the committee, the Senate negotiators produced figures they said showed the Senate was offering \$1.5 billion in 1987 spending cuts while the House had offered a total of \$500 million.

Grant said \$505 million was the middle ground of their differences and the Senate felt it had done its part.

Some of the House negotiators disputed those figures.

The final negotiations between the two houses may hinge on spending cuts for state colleges and universities.

The House on Tuesday proposed making 9 percent cuts in higher education budgets, instead of the original 13-percent cut.

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