

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

KEVIN N. BASS,
Plaintiff,

v.

TEXAS TECH UNIVERSITY HEALTH
SCIENCES CENTER, et al.,
Defendants.

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Civil Action No. 5:25-cv-00244-H-BV

**PLAINTIFF'S NOTICE OF ERRATA AND MOTION FOR LEAVE TO SUBSTITUTE
CORRECTED EXHIBIT APPENDIX TO THIRD AMENDED COMPLAINT**

Use of Generative Artificial Intelligence: Portions of this filing were prepared with the assistance of generative artificial intelligence. Plaintiff has reviewed and verified all content.

TO THE HONORABLE COURT:

Plaintiff Kevin N. Bass, pro se, files this Notice of Errata to correct a clerical error in the Exhibit Appendix filed with his Proposed Third Amended Complaint (Doc. 32), and alternatively moves for leave to substitute a corrected Exhibit Appendix. In support, Plaintiff states:

I. THE ERROR

The Exhibit Appendix (TAC Exhibits Bundle) filed with the Proposed Third Amended Complaint contains a systematic exhibit-numbering error caused by an automated compilation script. The script erroneously inserted a placeholder for the neuropsychological evaluation as "TAC-05," but the Third Amended Complaint never assigned that document a TAC exhibit number — it is cited throughout the complaint as Defendants' Exhibit 7 (Doc. 27-7). This insertion shifted every exhibit from TAC-5 onward up by one number and expanded the bundle from TAC-01 through TAC-17 to TAC-01 through TAC-18.

As a result, beginning at TAC-05, every exhibit cover sheet in the filed bundle corresponds to the wrong underlying document. For example, the cover sheet labeled "TAC-06"

in the filed bundle contains what should be Exhibit TAC-5 (the Hogan email), and so on through the remainder of the bundle. The Third Amended Complaint itself correctly references all exhibits by their intended numbers; only the compiled PDF bundle was affected.

II. WHAT THE CORRECTION IS NOT

This is not a substantive change to any pleading. The Third Amended Complaint (Doc. 32) is unchanged. No new evidence is added. No exhibits are added or removed. The same fifteen documents appear in both the original and corrected bundles, and each exhibit now appears behind the correct cover sheet matching the number cited in the complaint.

The corrected bundle removes the erroneous neuropsychological evaluation placeholder and adds reference pages for two exhibits that the complaint cites but that are not reproduced in the bundle:

- Exhibit TAC-6 (SDS Accommodation Application): Referenced to Defendants' Exhibit 3 (Doc. 27-3), already on file.
- Exhibit TAC-14 (Kruse Appeal Rejection): This document was inspected during Plaintiff's FERPA review (FERPA Doc 1510). To be obtained through discovery.

These reference pages ensure that each exhibit number cited in the complaint corresponds to an entry in the bundle, preventing confusion during review.

III. THE CORRECTION

Plaintiff has prepared a corrected Exhibit Appendix that:

1. Restores the TAC's original numbering (TAC-01 through TAC-17);

2. Places each document behind its correct cover sheet matching the exhibit number cited in the complaint;
3. Includes reference pages for exhibits TAC-6 and TAC-14 noting where each document may be found; and
4. Reduces certain multi-page exhibits to the specific pages cited in the complaint, to aid the Court's review. No cited content has been removed, and the complete underlying documents are already in the possession of all parties;
5. Contains no new evidence; and
6. Includes targeted redactions of Exhibit TAC-5 and the cover sheet for Exhibit TAC-16, consistent with Plaintiff's concurrently filed Supplemental Emergency Motion to Seal, to protect confidential disability information from public disclosure.

The corrected Exhibit Appendix (redacted version for the public docket) is attached hereto. An unredacted version is being filed under seal concurrently with Plaintiff's Supplemental Emergency Motion to Seal.

IV. LEGAL STANDARD

Courts have inherent authority to permit correction of errors in filed documents and to allow substitution of corrected filings. See Fed. R. Civ. P. 5(d)(4); N.D. Tex. Civ. LR 11.1. The corrections here are non-substantive: they fix an exhibit-numbering error, focus multi-page exhibits on the pages actually cited in the complaint, and include targeted redactions consistent with Plaintiff's concurrently filed Supplemental Emergency Motion to Seal. No pleading is altered, no new evidence is introduced, and no party is prejudiced. Leave should be freely

granted. Cf. Fed. R. Civ. P. 15(a)(2) ("The court should freely give leave when justice so requires.").

V. NO PREJUDICE

No party is prejudiced by this correction. The underlying complaint is unchanged. The same documents are presented. The exhibit bundle now correctly matches the exhibit references in the complaint and focuses each exhibit on the pages actually cited, which aids the Court's and Defendants' review. Defendants' counsel has been notified of the error.

VI. RELIEF REQUESTED

Plaintiff respectfully requests that the Court:

1. Accept this Notice of Errata and permit Plaintiff to substitute the corrected Exhibit Appendix (redacted version for the public docket) for the one filed with Doc. 32, with the unredacted version filed under seal pursuant to Plaintiff's concurrently filed Supplemental Emergency Motion to Seal; or
2. Alternatively, grant leave to file the corrected Exhibit Appendix nunc pro tunc.

Dated: February 28, 2026

Respectfully submitted,
/s/ Kevin N. Bass
Kevin N. Bass

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Pro Se Plaintiff

CERTIFICATE OF CONFERENCE

Pursuant to Local Civil Rule 7.1, Plaintiff contacted Defendants' counsel via email on February 28, 2026, to confer regarding this motion. Defendants' counsel did not respond prior to filing.

/s/ Kevin N. Bass
Kevin N. Bass

CERTIFICATE OF SERVICE

I certify that on February 28, 2026, I served this Notice of Errata and the attached Corrected Exhibit Appendix by the method of service authorized by the Court and applicable rules on all counsel of record via the Court's CM/ECF system.

/s/ Kevin N. Bass
Kevin N. Bass