r		9/9/2	FILED 2014 11:35:17 AM Stan Stanart County Clerk Harris County
		PROBATE COUR	T 4
C	AUSE NO. 412,249-401		
ESTATE OF	8	IN PROBATE COURT	
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NELVA E. BRUNSTING,	S S S	NUMBER FOUR (4) OF	
DECEASED	Š	HARRIS COUNTY, TEXAS	
CARL HENRY BRUNSTING,	§	IN PROBATE COURT	
Individually and as Independent Ex of the Estates of Elmer H. Brunstin Nelva E. Brunsting			
v.	Ś		
ANITA KAY BRUNSTING f/k/a A	NITA §	NUMBER FOUR (4) OF	
KAY RILEY, Individually, as Atto	rney- §		
in-Fact for Nelva E. Brunsting, and	las §		
Successor Trustee of the Brunsting	Family §		
Living Trust, the Elmer H. Brunsti	ng Ş		
Decedent's Trust, the Nelva E. Bru			
Survivor's Trust, the Carl Henry Brunsting Personal Asset Trust, an	§ d the §		
Anita Kay Brunsting Personal Asso	et 8		
Trust;	§		
AMY RUTH BRUNSTING f/k/a A	et § § MY § ly and §		
RUTH TSCHIRHART, Individual	ly and §		
as Successor Trustee of the Brunsti	ing §		
Family Living Trust, the Elmer H.	\$		
Brunsting Decedent's Trust, the Ne	elva E. Ş		
Brunsting Survivor's Trust, the Ca	iri ş		
Henry Brunsting Personal Asset Tr and the Amy Ruth Tschirhart Pers			
Asset Trust;	8		
CAROLE ANN BRUNSTING,	3 8		
Individually and as Trustee of the	Carole §		
Ann Brunsting Personal Asset Tru	st; and §	HARRIS COUNTY, TEXAS	
as nominal Defendant only; CANDACE LOUISE CURTIS	S S		
MOTION FOR	WITHDRAWAL OF CO	UNSEL FOR	

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ANITA KAY BRUNSTING F/K/A ANITA KAY RILEY AND AMY RUTH BRUNSTING F/K/A AMY RUTH TSCHIRHART

TO THE HONORABLE JUDGE CHRISTINE BUTTS:

Maureen Kuzik McCutchen, George W. Vie and the law firm of Mills Shirley L.L.P., attorneys of record for ANITA KAY BRUNSTING f/k/a ANITA KAY RILEY and AMY RUTH BRUNSTING f/k/a AMY RUTH TSCHIRHART request permission to withdraw from representation.

- ANITA KAY BRUNSTING f/k/a ANITA KAY RILEY and AMY RUTH BRUNSTING f/k/a AMY RUTH TSCHIRHART are two of the adult daughters of Elmer H. Brunsting and Nelva E. Brunsting, sisters to Carl Henry Brunsting, and Defendants in this matter.
- 2. Trial is currently set for March 30, 2015.
- 3. No hearings are currently set in this matter.
- 4. ANITA KAY BRUNSTING f/k/a ANITA KAY RILEY and AMY RUTH BRUNSTING f/k/a AMY RUTH TSCHIRHART's expert designation is due on January 2, 2015, and the discovery period ends February 27, 2015.
- 5. This motion is based on good cause as required by Texas Rule of Civil Procedure and not sought for delay. A conflict has arisen between the parties and the attorneys.
- 6. ANITA KAY BRUNSTING f/k/a ANITA KAY RILEY and AMY RUTH BRUNSTING f/k/a AMY RUTH TSCHIRHART have been notified in writing via certified mail and regular mail of their right to object to this motion. Notice was provided to ANITA KAY BRUNSTING f/k/a ANITA KAY RILEY and AMY RUTH BRUNSTING f/k/a AMY RUTH TSCHIRHART at their home addresses.
- 7. ANITA KAY BRUNSTING f/k/a ANITA KAY RILEY's and AMY RUTH BRUNSTING f/k/a AMY RUTH TSCHIRHART's last known addresses are listed on the Certificate of Last Known Address attached as Exhibit A and filed concurrently herewith.

WHEREFORE, Maureen Kuzik McCutchen and any attorneys of Mills Shirley L.L.P. for ANITA KAY BRUNSTING f/k/a ANITA KAY RILEY and AMY RUTH BRUNSTING f/k/a AMY RUTH TSCHIRHART respectfully request that this Court enter an order permitting counsel to withdraw from this cause.



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Respectfully submitted,

Mills Shirley L.L.P.

Bv:

Maureen Kuzik McCutchen State Bar No. 00784427 2228 Mechanic, Ste 400 P.O. Box 1943 Galveston, Texas 77553-1943 Phone: (409) 763-2341 Facsimile: (409) 763-2879 mmccutchen@millsshirley.com

Attorneys for Anita Kay Brunsting and Amy Ruth Brunsting

CERTIFICATE OF SERVICE

By my signature above, I hereby certify that a true and correct copy of this document has been sent in the appropriate manner to all known counsel of record on this the 9th day of September, 2014.

Bobbie G. Bayless Bayless & Stokes 2931 Ferndale Houston, Texas 77098

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> Darlene Payne Smith Crain, Caton & James Lori A. Walsh 1401 McKinney, Suite 1700 Houston, Texas 77010-4035

Via Certified Mail/RRR 7009 2250 0004 1808 1049 And Regular U.S. Mail Anita Kay Brunsting f/k/a Anita Kay Riley 203 Bloomingdale Circle Victoria, TX 77904 Jason B. Ostrom Ostrom /Sain 5020 Montrose Blvd., Suite 310 Houston, TX 77006

Via Certified Mail/RRR 7009 2250 0004 1808 1056 And Regular U.S. Mail Amy Ruth Brunsting f/k/a Amy Ruth Tschirhart 2582 Country Ledge New Braunfels, TX 78132

CAU	ISE NO.	412,249-401
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ESTATE OF	ş	IN PROBATE COURT
NELVA E. BRUNSTING,	§ § §	NUMBER FOUR (4) OF
DECEASED	S S	HARRIS COUNTY, TEXAS
CARL HENRY BRUNSTING, Individually and as Independent Exec of the Estates of Elmer H. Brunsting a Nelva E. Brunsting	v	IN PROBATE COURT
v. ANITA KAY BRUNSTING f/k/a ANI KAY RILEY, Individually, as Attorne in-Fact for Nelva E. Brunsting, and as Successor Trustee of the Brunsting Fa Living Trust, the Elmer H. Brunsting Decedent's Trust, the Nelva E. Brunst Survivor's Trust, the Carl Henry	y- § mily § ing §	NUMBER FOUR (4) OF
Brunsting Personal Asset Trust, and t Anita Kay Brunsting Personal Asset Trust; AMY RUTH BRUNSTING f/k/a AMY RUTH TSCHIRHART, Individually a as Successor Trustee of the Brunsting Family Living Trust, the Elmer H. Brunsting Decedent's Trust, the Nelva	nd § §	
Brunsting Decedent's Trust, the Kerva Brunsting Survivor's Trust, the Carl Henry Brunsting Personal Asset Trust and the Amy Ruth Tschirhart Persona Asset Trust; CAROLE ANN BRUNSTING, Individually and as Trustee of the Car Ann Brunsting Personal Asset Trust; as nominal Defendant only; CANDACE LOUISE CURTIS	\$, \$ il \$ \$ ole \$	HARRIS COUNTY, TEXAS

CERTIFICATE OF LAST KNOWN ADDRESSES

CERTIFICATE OF LAST KNOWN ADDRESSES

I hereby certify that the last known mailing addresses of ANITA KAY BRUNSTING f/k/a ANITA KAY RILEY and AMY RUTH BRUNSTING f/k/a AMY RUTH TSCHIRHART are as follows:

Anita Kay Brunsting f/k/a Anita Kay Riley 203 Bloomingdale Circle Victoria, TX 77904 Amy Ruth Brunsting f/k/a Amy Ruth Tschirhart 2582 Country Ledge New Braunfels, TX 78132

Respectfully Submitted,

MILLS SHIRLEY L.L.P.

By:

Maureen Kuzik McCutchen State Bar No. 00784427 2228 Mechanic, Suite 400 P.O. Box 1943 Galveston, Texas 77553-1943 *mmccutchen@millsshirley.com* Phone: Galv.409-763-2341 Facsimile: 409-763-2879

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CAUSE NO. 412,249-401

ESTATE OF	ş s	IN PROBATE COURT
NELVA E. BRUNSTING,	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	NUMBER FOUR (4) OF
DECEASED	8 8	HARRIS COUNTY, TEXAS
CARL HENRY BRUNSTING,	8	IN PROBATE COURT
individually and as Independent Executor	§ §	
of the Estates of Elmer H. Brunsting and	8	
Nelva E. Brunsting	8 8	
	\$ \$ \$ \$ \$ \$ \$	
7 .	3 8	
•	8	
ANITA KAY BRUNSTING f/k/a ANITA		NUMBER FOUR (4) OF
KAY RILEY, Individually, as Attorney-	3 8	
n-Fact for Nelva E. Brunsting, and as	8	
Successor Trustee of the Brunsting Family	8	V.
Living Trust, the Elmer H. Brunsting	8	
Decedent's Trust, the Nelva E. Brunsting	3 8	
Survivor's Trust, the Carl Henry	3 8	
Brunsting Personal Asset Trust, and the	8	
Anita Kay Brunsting Personal Asset	8	
Trust;	5 8	
AMY RUTH BRUNSTING f/k/a AMY	8	
RUTH TSCHIRHART, Individually and	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
as Successor Trustee of the Brunsting	8 8	
Family Living Trust, the Elmer H.	5 8	
Brunsting Decedent's Trust, the Nelva E.	5 8	
Brunsting Survivor's Trust, the Carl	8 8	· · · ·
Henry Brunsting Personal Asset Trust,	8 8	
and the Amy Ruth Tschirhart Personal	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	
Asset Trust;	8	
CAROLE ANN BRUNSTING,	0	
Individually and as Trustee of the Carole	8	
Ann Brunsting Personal Asset Trust; and	3 8	HARRIS COUNTY, TEXAS
as nominal Defendant only;	9 9 9 9 9	
CANDACE LOUISE CURTIS	8 8	
SANDACE LOUISE CONTIS	8	

AND AMY RUTH BRUNSTING F/K/A AMY RUTH TSCHIRHART

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On this day this Court considered the Motion to Withdraw as Counsel for ANITA KAY BRUNSTING f/k/a ANITA KAY RILEY and AMY RUTH BRUNSTING f/k/a AMY RUTH TSCHIRHART and the Court having considered the Motion, is of the opinion that such Motion should be Granted. It is, accordingly,

ORDERED that Maureen Kuzik McCutchen, and the law firm of Mills Shirley L.L.P., 2228 Mechanic Street, Suite 400, Galveston, Texas 77550, are permitted to withdraw as counsel for ANITA KAY BRUNSTING f/k/a ANITA KAY RILEY and AMY RUTH BRUNSTING f/k/a AMY RUTH TSCHIRHART in this cause.

day of

SIGNED AND ENTERED this the _____

, 2014.

HONORABLE CHRISTINE BUTTS