

**DATA-ENTRY
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PROBATE COURT 4

NO. 412.249-401

ESTATE OF § IN PROBATE COURT
NELVA E. BRUNSTING, § NUMBER FOUR (4) OF
DECEASED § HARRIS COUNTY, TEXAS

CARL HENRY BRUNSTING, § IN PROBATE COURT
individually and as independent §
executor of the estates of Elmer H. §
Brunsting and Nelva E. Brunsting §

vs. §

ANITA KAY BRUNSTING f/k/a §
ANITA KAY RILEY, individually, §
as attorney-in-fact for Nelva E. Brunsting, §
and as Successor Trustee of the Brunsting § NUMBER FOUR (4) OF
Family Living Trust, the Elmer H. §
Brunsting Decedent's Trust, the §
Nelva E. Brunsting Survivor's Trust, §
the Carl Henry Brunsting Personal §
Asset Trust, and the Anita Kay Brunsting §
Personal Asset Trust; §
AMY RUTH BRUNSTING f/k/a §
AMY RUTH TSCHIRHART, §
individually and as Successor Trustee §
of the Brunsting Family Living Trust, §
the Elmer H. Brunsting Decedent's Trust, §
the Nelva E. Brunsting Survivor's Trust, §
the Carl Henry Brunsting Personal §
Asset Trust, and the Amy Ruth Tschirhart §
Personal Asset Trust; §
CAROLE ANN BRUNSTING, individually §
and as Trustee of the Carole Ann §
Brunsting Personal Asset Trust; and §
as a nominal defendant only, §
CANDACE LOUISE CURTIS § HARRIS COUNTY, TEXAS

**PLAINTIFF'S RESPONSE TO CANDACE LOUISE CURTIS'
MOTION FOR DISTRIBUTION OF TRUST FUNDS**

1102014:1535:P0002

TO THE HONORABLE PROBATE COURT:

COMES NOW Plaintiff, Carl Brunsting, individually and as Independent Executor of the estates of Elmer H. Brunsting and Nelva E. Brunsting ("Plaintiff"), and files his Response to Candace Louise Curtis' ("Curtis") Motion for Distribution of Trust Funds.

1. Curtis seeks the payment of \$24,171.26 in attorney's fees from the Brunsting Family Trust and its successor trusts (the "Trusts") in her pending motion. As the motion states, Curtis was also paid \$5,000 for attorney's fees from the Trusts while her case was still pending in federal court. Plaintiff has never received any distribution from the Trusts for his attorney's fees, although Plaintiff has incurred much more in fees than the \$29,171.26 in fees Curtis has incurred.

2. Plaintiff is not opposed to Curtis' request, provided that distributions are also made from the Trusts for the payment of Plaintiff's attorney's fees in amounts which are at least equal to what has already been distributed plus what will be distributed to other parties to cover attorney's fees.

3. Plaintiff has submitted a Motion for Distribution of Trust Funds for his fees contemporaneously with the filing of this response.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests that Curtis' motion only be approved if Plaintiff's attorneys are also paid from the Trust, and for such other and further relief to which he may show himself justly entitled.

Respectfully submitted,

BAYLESS & STOKES

By: /s/ Bobbie G. Bayless

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the estates of Elmer H. Brunsting and Nelva
E. Brunsting*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing instrument was forwarded on the 7th day of November, 2014, as follows:

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/s/ Bobbie G. Bayless

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