

NO. 412,249-401

CARL HENRY BRUNSTING, et. al.	§	IN PROBATE COURT
	§	
v.	§	NUMBER FOUR (4) OF
	§	
ANITA KAY BRUNSTING, et. al.	§	HARRIS COUNTY, TEXAS

**AMY RUTH BRUNSTING'S DESIGNATION OF EXPERTS**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, AMY RUTH BRUNSTING ("Amy Brunsting") and files this, her Designation of Expert Witnesses (the "Designation"), subject to the following conditions and limitations:

**I.**

Amy Brunsting reserves the right to supplement this Designation with additional designations of experts within the time limits imposed by the Court or any alterations of same by subsequent Court Order or agreement of the parties, or pursuant to the Texas Rules of Civil Procedure and/or the Texas Rules of Civil Evidence.

Amy Brunsting reserves the right to supplement this Designation with additional designations following the receipt of additional information and discovery supplementation from other parties to this litigation relative to pending and future discovery requests.

Amy Brunsting reserves the right to elicit, by way of cross-examination, opinion testimony from experts designated and/or called by other parties to the suit, and expresses their intention to call, as witnesses associated with adverse parties, any of the other parties' experts.

Amy Brunsting reserves the right to call un-designated rebuttal expert witnesses, whose testimony cannot reasonably be foreseen until the presentation of the evidence in this trial.

Amy Brunsting reserves the right to withdraw the designation of any expert and to aver positively that any such previously-designated expert will not be called as a witness at trial, and to re-designate same as a consulting expert, who cannot be called, by opposing counsel.

Amy Brunsting reserves the right to elicit any expert opinion or lay opinion testimony at the time of trial which would be truthful, which would be of benefit to the judge or jury to determine material issues of fact, and which would not violate of any existing Court Order or the Texas Rules of Civil Procedure.

Amy Brunsting hereby designates, as adverse parties, potentially adverse parties, and/or as witnesses associated with adverse parties all parties to this suit and all experts designated by any party to this suit even if the designating party is not a party to the suit at the time of trial. In the event a present or future party designates an expert but then is dismissed for any reason from the suit or fails to call any designated expert, Amy Brunsting reserves the right to designate and/or call any such party or any such experts previously designated by any party.

Amy Brunsting reserves whatever additional rights it may have with regard to experts, pursuant to the Texas Rules of Civil Procedure, the Texas Rules of Civil Evidence, the case law construing same and the rulings of the trial court.

Amy Brunsting reserves the right to call adversely any expert heretofore or hereafter designated by any other party to this litigation.

This Designation is further intended to comply with any expert witness disclosure requirements described in Texas Rules of Civil Procedure 194 and 195.

## II.

Amy Brunsting may call any one or more of the following experts live, by deposition, by affidavit, and/or by records, and adversely where applicable:

Samuel S. Griffin, III  
Neal E. Spielman  
Griffin & Matthews  
1155 Dairy Ashford, Suite 300  
Houston, Texas 77079  
281.870.1124 – Telephone  
281.870.1647 – Facsimile

Mr. Griffin and Mr. Spielman may provide factual and opinion testimony as to the attorney's fees incurred by Amy Brunsting. Generally, they will opine that the fees incurred by Amy Brunsting are reasonable and necessary. The basis of their opinions will be their personal work and involvement in the representation of Amy Brunsting and/or their review of the time entries and billing of all attorneys and professional staff representing Amy Brunsting in this matter. These experts will also base their opinions as to the necessity and reasonableness of the attorney's fees incurred by Amy Brunsting on their experience as licensed Texas attorneys in the Houston area and their resulting knowledge of attorney's fees charged in disputes of a similar nature and complexity by attorneys with comparable levels of experience. In determining the reasonableness of attorney's fees and expenses incurred by Amy Brunsting in this matter, in addition to the matters set forth hereinabove, these experts will also consider Texas Code of Disciplinary Procedure Rule 1.04, including without limitation, the factors described in Rule 1.04 (b).

In the usual and customary manner, redacted copies of Amy Brunsting's attorney's fee and expense records may be produced at the time of trial. Copies of these witnesses' resumes are available online at [www.grifmatlaw.com](http://www.grifmatlaw.com).

Mr. Griffin and Mr. Spielman reserve the right to offer rebuttal expert testimony regarding any issue upon which testimony may be offered by any attorney's fee expert designated by any other party to this litigation.

Respectfully submitted,

GRIFFIN & MATTHEWS

BY: 

NEAL E. SPIELMAN  
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1155 Dairy Ashford, Suite 300  
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*ATTORNEYS FOR DEFENDANT,  
AMY RUTH BRUNSTING*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument has been sent on this 5<sup>th</sup> day of July 2015, to the following in the manner set forth below:

**Candace Louise Curtis – Pro Se:**

Candace Louise Curtis  
218 Landana Street  
American Canyon, California 94503  
*Via C.M.R.R.R. 7014 0150 0001 5384 0085*

**Attorneys for Carl Henry Brunsting:**

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Bayless & Stokes  
2931 Ferndale  
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*Via Facsimile: 713.522.2218*

**Attorneys for Carole Ann Brunsting:**

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Five Houston Center  
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**Attorneys for Anita Kay Brunsting:**

Bradley E. Featherston  
The Mendel Law Firm, L.P.  
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*Via Facsimile: 281.759.3214*

  
NEAL E. SPIELMAN

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<b>From:</b>	Neal E. Spielman	<b>Pages:</b>	5 including this cover page	<b>Date:</b>	7/1/2015
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**Re:** Cause No. 412,249-401; *Carl Brunsting, et. al. v. Anita Brunsting, et. al.*; In Probate Court No. Four (4) of Harris County, Texas

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