

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

CANDACE LOUISE CURTIS AND RICK §  
WAYNE MUNSON, §

Plaintiffs, §

V. §

CIVIL ACTION NO. 4:16-CV-01969

CANDACE KUNZ-FREED, ALBERT §  
VACEK, JR., BERNARD LYLE §  
MATHEWS III, NEAL SPIELMAN, §  
BRADLEY FEATHERSTON, STEPHEN §  
A. MENDEL, DARLENE PAYNE SMITH, §  
JASON OSTROM, GREGORY LESTER, §  
JILL WILLARD YOUNG, CHRISTINE §  
RIDDLE BUTTS, CLARINDA §  
COMSTOCK, TONI BIAMONTE, BOBBY §  
BAYLESS, ANITA 'BRUNSTING, AND §  
AMY BRUNSTING, §

Defendants. §

**DEFENDANTS CANDACE KUNZ-FREED AND ALBERT VACEK JR.'S ADOPTION  
AND JOINDER IN JILL WILLARD YOUNG'S MOTION TO STRIKE PLAINTIFFS'  
"ADDENDUM OF MEMORANDUM IN SUPPORT OF RICO COMPLAINT"**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

Defendants Candace Kuntz-Freed and Albert Vacek, Jr. (collectively referred to as "V&F") hereby file this Adoption and Joinder in Jill Willard Young's Motion to Strike Plaintiffs' "Addendum of Memorandum in Support of RICO Complaint and would respectfully show the Court the following:

**I.**

**THE COURT SHOULD STRIKE PLAINTIFFS' ADDENDUM**

1. In the interest of justice and judicial economy, and pursuant to Federal Rule of Civil Procedure 10(c), V&F hereby adopts and incorporates by reference, as if recited herein the

arguments and authority contained in Jill Willard Young's Motion to Strike (Dkt. 38). This Court should strike Plaintiffs' Addendum, because it is not a valid pleading under the Federal Rules of Civil Procedure.

2. More importantly, the Court should dismiss Plaintiffs' claims against V&F. The "Addendum" does not change the merits of V&F's Motions to Dismiss. The "Addendum" sparsely references V&F. *See* Addendum, at ¶¶ 21, 23, 26, 29, 38, and 61. Of those references, none form the basis for a valid complaint or support a RICO claim against V&F.

3. Plaintiffs' claims should be dismissed because they have not adequately pleaded a violation of the RICO Act. Even assuming that Plaintiffs' Addendum is considered to be a supplement to Plaintiffs' Complaint, it does not change the fact that Plaintiffs have failed to meet the required pleading standards.

**II.**  
**PRAYER**

WHEREFORE PREMISES CONSIDERED, Defendants Candace Kuntz-Freed and Albert Vacek, Jr. hereby request that the Court strike Plaintiffs' Addendum.

Respectfully Submitted,

By: */s/ Cory S. Reed* \_\_\_\_\_

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**ATTORNEYS FOR DEFENDANTS  
CANDACE KUNTZ-FREED AND  
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**CERTIFICATE OF SERVICE**

I certify that on the 4th day of October, 2016, a true and correct copy of the foregoing was served via the Court's ECF system upon the following counsel of record:

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/s/ Cory S. Reed

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