

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

**AFFIDAVIT OF NEAL E. SPIELMAN**

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

Before me, the undersigned notary, on this day personally appeared NEAL E. SPIELMAN, the affiant, a person whose identity is known to me. After I administered an oath to affiant, affiant testified:

“1. My name is Neal E. Spielman. I am over 18 years of age, of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am an attorney licensed to practice in the State of Texas. I was licensed in November 1995. I am currently employed as an attorney by Griffin & Matthews (the “Firm”). As such, I am one of the custodians of record for the Firm. By virtue of my position within the Firm, I am familiar with the manner in which its records are received, created and maintained.

3. The Firm provides legal counsel to Amy Ruth Brunsting on matters arising as a result of the above-captioned litigation. The Firm was first contacted by Ms. Brunsting on or about November 18, 2014, and subsequently was retained to represent her in this matter. I have personal knowledge of this case and the work performed by myself and others within the Firm.

4. I have represented clients like Ms. Brunsting in a variety of civil litigation cases, including probate and trust cases involving disputes between family members such as the ones at issue in this case. While there are certainly aspects of this case that are novel and



a bit outside the norm given the conduct and approaches taken by certain parties, my experiences over time qualify me handle this matter and provide the requested services.

5. Ms. Brunsting agreed to compensate the Firm consistent with our normal and usual billing rates. The Firm was engaged to represent Ms. Brunsting on an hourly basis. Current hourly rates are \$450.00/hr for senior partners, and \$395.00/hr for senior associates such as myself. In my opinion, based on my familiarity with the usual and customary charges in and around the Houston area, including Harris County, Texas for performing legal services such as those performed in this case, the hourly fees charged are reasonable and commensurate with those charged by other attorneys in this area whose level of experience, reputation and ability are similar to mine and the Firm's other attorneys.

6. Generally, the services provided to Ms. Brunsting, as related to the matters addressed in the Motion to which this Affidavit is attached include, but are not limited to:

- Receipt and Review of the three Pleas in Abatement and the Plea to the Jurisdiction filed by Curtis between August 2018 and October 2018 ("Curtis' Filings");
- Communications with client regarding Curtis' Filings and addressing options and next steps in response to Curtis' Filings, including without limitation the preparation and drafting of Amy Brunsting's Motion for Clarification and to Dismiss
- Communications with one or more attorneys for other parties regarding Curtis' Filings and addressing options and next steps in response to Curtis' Filings, including without limitation the preparation and drafting of Amy Brunsting's Motion for Clarification and to Dismiss;
- Preparation and Drafting of Amy Brunsting's Motion for Clarification and to Dismiss, addressing issues related to Curtis' Filings;
- Receipt and Review of Curtis's Response to Amy Brunsting's Motion for Clarification and to Dismiss, and preparation and drafting of Reply (including legal research to confirm and refute Curtis' "dominant jurisdiction" theory);
- Prepare for and attend hearing on Amy Brunsting's Motion for Clarification and to Dismiss
- Receipt and Review of Court's Order addressing issues raised during hearing Amy Brunsting's Motion for Clarification and to Dismiss, denying Curtis' Filings;
- Receipt and review of Curtis' March 2019 and April 2019 federal court filings (as addressed in the Motion to which this Affidavit is attached); and
- Preparation and drafting of Amy Brunsting's Motion for Sanctions and/or Contempt and this Affidavit,



all of which are a direct and proximate result of Curtis' conduct as described in the Motion to which this Affidavit is attached.

7. I, as a member of the Firm spent approximately nineteen (19) hours (rounded down) performing the acts described above. The time spent equates to a fee of **\$7,505.00** (19 hrs x \$395.00) and constitutes a reasonable fee to be charged for the services described above, each of which was reasonable, necessary and appropriate to the circumstances of this case.

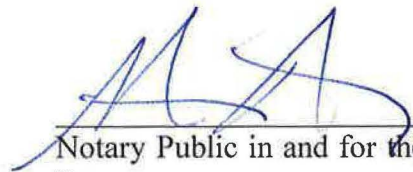
8. Between the time that passes between the filing of the Motion to which this Affidavit is attached and the hearing on the Motion, I anticipate 5 hrs (**\$1,975.00**) in additional fees and expenses to be incurred including without limitation:

- Receiving and reviewing a Response from Curtis, and preparing a Reply;
- Preparing for and attending the hearing on the Motion.

Further, Affiant sayeth not.

  
NEAL E. SPIELMAN

SWORN TO AND SUBSCRIBED before me by Neal E. Spielman on this the 15 day of May 2019.

  
Notary Public in and for the State of Texas

