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CLAIMS:

412,249-404 STATUTORY BILL OF REVIEW

This is a petition for in-house review of the denial of motions and pleas challenging statutory probate court jurisdiction. The Statutory Bill of Review is set for submission July 19, 2021 at 10:00 a.m. The Court is asked to take judicial notice of the record and the allegations as follows:

- 1) The Brunsting wills are pour-over wills
- 2) The Brunsting wills were admitted without challenge and all limitations periods have expired.
- 3) The inventory, appraisal and list of claims were approved without challenge and all limitations periods have expired.
- 4) The pour-over process was complete and the probate closed. All limitations periods have expired.
- 5) Carl filed non-probate claims in the probate court without a pending estate administration and therefore, was without individual standing. (*See Mortensen*)
- 6) Carl filed non-probate claims in the probate court as an Independent Executor without a pending estate administration and in direct violation of the limited authority granted by wills that had already been held valid.
- 7) Rights in estate property, if any, vested in the sole devisee, a living trust, at the death of the Testator.
- 8) The right of possession vested in the trustees for the devisee with the approval of the inventory, appraisal and list of claims.
- 9) There are no estate assets and thus, none of the claims listed infra, seek damages that could possibly be satisfied from estate property.

412,248 Estate of Elmer Brunsting

This probate action was closed on April 5, 2013 and never reopened. There are no pending claims related to the settlement, partition, or distribution of this estate and all limitations periods for reopening the estate have expired.

412,249 Estate of Nelva Brunsting

This probate action was closed on April 5, 2013 and never reopened. There are no pending claims related to the settlement, partition, or distribution of this

estate and all limitations periods for reopening the closed estate have long since expired.

412,249-401 Plaintiff Carl Brunsting's Claims (Filed individually and as Independent Executor)

- 1) Construction of Trust and Suit for Declaratory Judgement,
- 2) Demand for Trust Accounting,
- 3) Breach of Fiduciary Duties,
- 4) Conversion,
- 5) Negligence,
- 6) Tortious Interference with Inheritance,
- 7) Constructive Trust,
- 8) Civil Conspiracy,
- 9) Fraudulent Concealment
- 10) Prejudgment Interest
- 11) Attorney's Fees pursuant to Chapters 37 of the Texas Civil Practice and Remedies Code and Chapter 115 of the Texas Property Code.

There are no claims related to the settlement, partition, or distribution of a decedent's estate. Damages, if awarded, would be satisfied from defendant's individual assets and distribution of living trust assets rather than from estate property and thus, these claims are not related to any probate proceeding.

In re Hannah, 431 S.W.3d 801, 809-810 (Tex. App.— Houston [14th Dist.] 2014, orig. proceeding)

(because suit sought damages which would be satisfied from defendant's individual assets rather than from estate property, claims were not related to probate proceeding); Narvaez, 564 S.W.3d at 56 (holding that nature of claims and relief sought are to be examined when determining probate court jurisdiction), Hawes v. Peden, No. 06-19-00053-CV (Tex. App. Dec. 16, 2019), Mortensen v. Villegas, No. 08-19-00080-CV (Tex. App. Feb. 1, 2021)

412,249-401 Defendants Anita and Amy Brunsting's Original Counter Claims

Defendants' counter claims are of three types (1) In Terrorem (2) Bad Faith and (3) entitlement to fees and costs.

- 12) One or more of the causes of action asserted and/or declarations sought by Carl trigger forfeiture provisions.
- 13) One or more of the causes of action asserted and/or declarations sought by Candace trigger forfeiture provisions.
- 14) One or more of the motions, responses, and/or replies filed by Carl trigger forfeiture provisions;
- 15) One or more of the motions, responses, and/or replies filed by Curtis trigger the Forfeiture provisions;
- 16) Carl did not have just cause to bring the action, and it was not brought in good faith;
- 17) Curtis did not have just cause to bring the action, and it was not brought in good faith;
- 18) Carl has forfeited his interest, and thus his interest passes as if he has predeceased the Founders;
- 19) Curtis has forfeited her interest, and thus her interest passes as if she has predeceased the Founders;
- 20) If Carl has not forfeited his interest via asserting any of the identified claims, and is or becomes entitled to receive any interest in the Founders' estate, then Amy's and Anita's expenses in defending against Carl's claims are to be charged against his interest dollar for-dollar;
- 21) If Curtis has not forfeited her interest via asserting any of the identified claims, and is or becomes entitled to receive any interest in the Founders' estate, then Amy's and Anita's expenses in defending against Curtis' claims are to be charged against her interest dollar-for-dollar;
- 22) All expenses incurred by Amy and Anita to legally defend against or otherwise resist the contest or attack by Carl and/or Curtis are to be paid from the Trust as expenses of administration.

Not only are these claims vague and overly broad, but Defendants “Original Counter Claims”, filed November 4, 2019, are compulsory counter claims that Defendant’s waived under Texas Rule of Civil Procedure § 97(a) when they were not included in Defendants original answers. None of these claims seek damages from a decedent’s estate. Damages, if awarded, would be satisfied from plaintiff’s individual assets and redistribution of living trust assets rather than from estate property and thus, these claims are not related to any probate proceeding.

In re Hannah, 431 S.W.3d 801, 809-810 (Tex. App.— Houston [14th Dist.] 2014, orig. proceeding)

(because suit sought damages which would be satisfied from defendant's individual assets rather than from estate property, claims were not related to probate proceeding); Narvaez, 564 S.W.3d at 56 (holding that nature of claims and relief sought are to be examined when determining probate court jurisdiction), Hawes v. Peden, No. 06-19-00053-CV (Tex. App. Dec. 16, 2019), Mortensen v. Villegas, No. 08-19-00080-CV (Tex. App. Feb. 1, 2021)

412,249-402 federal Plaintiff Candace Curtis claims

- 1) Breach of Fiduciary,
- 2) Constructive Fraud,
- 3) Extrinsic Fraud,
- 4) Intentional Infliction of Emotional Distress

Because suit seeks damages which would be satisfied from defendant's individual assets and assets belonging to a living trust, rather than from estate property, claims are not related to probate proceeding.

In re Hannah, 431 S.W.3d 801, 809-810 (Tex. App.— Houston [14th Dist.] 2014, orig. proceeding) Hawes v. Peden, No. 06-19-00053-CV (Tex. App. Dec. 16, 2019), Mortensen v. Villegas, No. 08-19-00080-CV (Tex. App. Feb. 1, 2021)

No amendment to the federal complaint, filed in the probate court can be considered valid.

412,249-403 Carl Brunsting Independent Executor

- 1) Professional negligence,
- 2) Negligence Per Se- Violation of Texas Penal Code§ 32.43; Commercial Bribery
- 3) Negligence *Per Se*- Violation of Texas Penal Code §7 .02(a)(2) & (3); Criminal Responsibility for Conduct of Another
- 4) Breach of Fiduciary Duty
- 5) Negligent Misrepresentation
- 6) Aiding & Abetting Current Trustees' Breaches of Fiduciary Duty

- 7) Assisting & Encouraging
- 8) Assisting & Participating
- 9) Concert of Action
- 10) Fraud
- 11) Conversion
- 12) Conspiracy
- 13) Deceptive Trade Practices
- 14) Fraudulent Concealment
- 15) Actual Damages
- 16) Forfeiture of Fees
- 17) Treble Damages
- 18) Punitive Damages
- 19) Attorney's Fees
- 20) Prejudgment Interest

Damages, if awarded, would be satisfied from defendant's individual assets rather than from estate property and thus, these claims are not related to a probate proceeding.

In re Hannah, 431 S.W.3d 801, 809-810 (Tex. App.— Houston [14th Dist.] 2014, orig. proceeding); *Narvaez v Powell*, 564 S.W.3d at 56 (holding that nature of claims and relief sought are to be examined when determining probate court jurisdiction); *Hawes v. Peden*, No. 06-19-00053-CV (Tex. App. Dec. 16, 2019); *Mortensen v. Villegas*, No. 08-19-00080-CV (Tex. App. Feb. 1, 2021)

Tex. Est. Code § 52.002 CLAIM DOCKET

(a) The county clerk shall maintain a record book titled "Claim Docket" and shall record in the book each claim that is presented against an estate for the court's approval.

(b) The county clerk shall assign one or more pages of the record book to each estate. (c) The claim docket must be ruled in 16 columns at proper intervals from top to bottom, with a short note of the contents at the top of each column. The county clerk shall record for each claim, in the order claims are filed, the following

information in the respective columns, beginning with the first or marginal column:

- (1) the name of the claimant;
 - (2) the amount of the claim;
 - (3) the date of the claim;
 - (4) the date the claim is filed;
 - (5) the date the claim is due;
 - (6) the date the claim begins bearing interest;
 - (7) the interest rate;
 - (8) the date the claim is allowed by the executor or administrator, if applicable;
 - (9) the amount allowed by the executor or administrator, if applicable;
 - (10) the date the claim is rejected, if applicable;
 - (11) the date the claim is approved, if applicable;
 - (12) the amount approved for the claim, if applicable;
 - (13) the date the claim is disapproved, if applicable;
 - (14) the class to which the claim belongs;
 - (15) the date the claim is established by a judgment of a court, if applicable;
- and
- (16) the amount of the judgment established under Subdivision (15), if applicable.

PENDING MOTIONS

412,248 was closed April 5, 2013. There is no pending administration

412,249 was closed April 5, 2013. There is no pending administration

412,249-401 Carl Individually and As Executor

Due to Carl's resignation from the office of "Independent Executor" February 19, 2015 and no successor appointed to replace the "Independent Executor", there is no representative for the estate plaintiff in this cause.

- 1) 2014-11-07 PBT-2014-363923 Carl's Motion to Modify Injunction.pdf
- 2) 12/5/2014 Defendant's Response To Carl's Motion To Remove Trustees
Film code number PBT-2014-393812
- 3) 2015-04-05 Case 412249-401 Rule 12 law motion to show authority.pdf
- 4) 2015-06-26 Defendant Amy Brunsting and Defendant Anita Brunsting "No Evidence Motion for Partial Summary Judgment"

a. *July 13, 2015 Notice of Hearing Set for August 3, 2015*

- 5) Defendants insist all the lawsuits are about their irrevocable trust busting 8/25/2010 QBD, including the federal lawsuit that never even mentions it.
- 6) 2015-07-08, Case 412249-401 Carl Brunsting Motion for Partial Summary Judgment, PBT-2015-225037

a. *July 13, 2015 Notice of Hearing Set for August 3, 2015*

- 7) 2015-07-13, Case 412249-401, Candace Curtis response to Defendants No-evidence Motion with Demand to Produce Evidence. PBT-2015-227757.
- 8) 2015-07-20 Case 412249-401 Drina Brunsting individual Motion for Protective Order – re Wiretap Recordings.
- 9) Hearing was had August 3, 2015. No finding of fact, conclusions of law and order after hearing has been issued. This motion remains pending and was apparently intended to produce nothing which is exactly what it appears to have produced. Once having been used to dissolve the only docket control order ever entered in the case the “emergency” was no longer useful.
- 10) 2016-01-25 Candace Curtis’ Motion for Partial Summary Judgment.
- 11) 2020-08-04 Carl's Reply to Defendants' Response to Motion for Partial Summary Judgment.
- 12) 2019-06-2019 412249, 412249-401 Candace Curtis Petition for Declaratory Judgement.
- 13) Various pending motions for appointment of a successor independent executor and for establishment of a new docket control order and other ministerial matters.

412,249-402 Alleged to be Candace Curtis federal lawsuit but Candace Curtis lawsuit has nothing whatsoever to do with any decedents estate.

- 1) The federal plaintiff has no pending probate related motions

412239-403 Carl as Independent Executor for the Estates of Elmer and Nelva Brunsting

There has been no plaintiff in this cause since February 19, 2015, if ever.

- 1) 2013-02-25 Defendants' Verified Motion to Abate
- 2) 2015-05-27 HC Dist Ct 164 65561098 Defendants Motion for Traditional and No-Evidence Summary Judgment

- 3) 2015-07-14 HC Dist Ct 164 66209604 Notice of Vacancy of Party and Motion to Abate Proceeding
- 4) 2015-07-20 HC Dist Ct 164 Def Response to Vacancy of Party and Motion to Abate & Sanctions

ORDERS ENTERED

412248 Orders Entered

1. 8/28/2012 Order Admitting Will and Issuance of Letters Testamentary
 - a. ORDERED WILL ADMITTED TO PROBATE, LETTERS TESTAMENTARY TO CARL HENRY BRUNSTING, WHO IS APPOINTED INDEPENDENT EXECUTOR, W/O BOND, APPRAISERS WAIVED, SIGNED AUGUST 28, 2012
2. 04/05/2013 Order on Inventory (Indep.)
 - b. ORDERED INVENTORY, APPRAISEMENT AND LIST OF CLAIMS APPROVED, SIGNED APRIL 4, 2013 Film code number PBT-2013-111087
3. 12/05/2012 Order to Extension
 - c. FOR FILING SUCH INVENTORY TO 3/26/13 SIGNED 11/30/12 Film code number PBT-2012-396211

412249 Orders Entered

1. 08/28/2012 Order Admitting Will and Issuance of Letters Testamentary
 - a. ORDERED WILL ADMITTED TO PROBATE, LETTERS TESTAMENTARY TO CARL HENRY BRUNSTING, WHO IS APPOINTED INDEPENDENT EXECUTOR, W/O BOND, APPRAISERS WAIVED, SIGNED AUGUST 28, 2012 Film code number PBT-2012-287037
4. 12/05/2012 Order to Extension
5. ORDERED DATE FOR FILING INVENTORY EXTENDED TO MARCH 26, 2013, SIGNED 11/30/12 Film code number PBT-2012-396204
6. 04/05/2013 Order on Inventory (Indep.)
 - b. ORDERED INVENTORY, APPRAISEMENT AND LIST OF CLAIMS APPROVED, SIGNED APRIL 4, 2013 Film code number PBT-2013-111081
7. 04/05/2013 Legacy Event

- c. SIGNED APRIL 4, 2013, DOCKET DROP Film code number PBT-2013-111083
- 8. 05/22/2014 Miscellaneous ORDER
 - d. Order GRANTING PLAINTIFF'S MOTION TO REMAND SIGNED ON 5/15/2014 BY UNITED STATES DISTRICT JUDGE Film code number PBT-2014-170812
- 9. 06/06/2014 Miscellaneous Order
 - e. ORDER GRANTING PLAINTIFF'S MOTION TO REMAND, SIGNED MAY 15, 2014 Film code number PBT-2014-188311
- 10.02/19/2015 Order for Continuance
 - f. ORDERED TRAIL IS RESET TO SEPTEMBER 14, 2015. SIGNED 2/18/15 Film code number PBT-2015-58243
- 11.04/08/2015 Legacy Event
 - g. ORDERED THAT JASON B. OSTROM AND THE LAW FIRM OF OSTROMMORRIS, PLLC SHALL NO LONGER SERVE AS COUNSEL OF RECORD. SIGNED 4/7/15 Film code number PBT-2015-114805
- 12.07/24/2015 Order for Temporary Administration
 - h. LETTERS OF TEMPORARY ADMINISTRATION ISSUED TO GREG LESTER AS TEMPORARY ADMINISTRATOR PENDING CONTEST WITH A CASH BOND OF \$100.00. SIGNED 07/23/15 Film code number PBT-2015-240496
- 13. 09/11/2015 Order to Retain on Docket
 - i. ORDERED THAT GREGORY A. LESTER IS GRANTED AUTHORITY TO RETAIN JILL W. YOUNG WITH THE LAW FIRM OF MACINTYRE, MCCULLOCH, STANFIELD & YOUNG, LLP,. SIGNED 09/10/15 Film code number PBT-2015-299043
- 14. 11/08/2017 Order to Pay Appointee Fees
 - j. Ordered the total amount of \$19,907.40 be paid to Greg Lester; Signed 11/08/2017
- 15. 11/08/2017 Order to Pay Attorney Fees Ordered the total amount of \$10,620.73 be paid to MacIntyre, McCulloch, Stanfield & Young, LLP out of the assets of the Estate; Signed 11/08/2017

412,249-401 Orders Entered

- 1. 11/11/2013 Docket Control Order [Entry with no Order on file]
- 2. 05/01/2014 Docket Control Order Amended [Entry with no Order on file]
- 3. 06/04/2014 Miscellaneous Order

4. ORDER OF TRANSFER, SIGNED JUNE 3, 2014 Film code number PBT-2014-184792
5. 07/09/2014 Agreed Order
6. DOCKET CONTROL ORDER SIGNED 7/8/14 Film code number PBT-2014-225383
7. 08/05/2014 Legacy Event
8. ORDER APPROVING AGREED MOTION TO DISTRIBUTE FUNDS FROM THE ELMER H. BRUNSTING DECEDENT'S TRUST AND THE NELVA F. BRUNSTING SURVIVOR'S TRUST TO PAY MEDIATOR'S FEE IT IS ORDERED THAT THE TRUSTEES HAVE AUTHORITY TO PAY ANDREWS KURTH LLP MEDIATION FEE OF \$6,500.00, AND ANY ADDITIONAL FEES AGREED TO IN WRITING, ONE HALF OF FEES SHALL BE PAID OUT OF THE DECEDENT'S TRUST AND ONE HALF OUT OF THE SURVIVOR'S TRUST SIGNED AUGUST 4, 2014 Film code number PBT-2014-256006
9. 09/04/2014 Miscellaneous Order
10. ORDER APPROVING MOTION TO DISTRIBUTE FUNDS FROM THE ELMER H. BRUNSTING SURVIVOR'S TRUST TO PAY FEDERAL INCOME TAXES, IOWA STATE INCOME TAXES, AD-VALOREM TAXES AND ACCOUNTANTS' FEES IT IS ORDERED THAT THE TRUSTEES HAVE AUTHORITY TO PAY, AND SHALL HAVE AUTHORITY TO PAY WITHOUT FURTHER ORDER OF THIS COURT AND THAT ALL PAYMENTS REGARDING THE ELMER H. BRUNSTING DECEDENT'S TRUST SHALL BE PAID FROM BANK OF AMERICA CHECKING ACCOUNT **3536 AND THAT ALL PAYMENTS REGARDING THE NELVA F. BRUNSTING SURVIVOR'S TRUST SHALL BE PAID FROM BANK OF AMERICA CHECKING ACCOUNT **3523 SIGNED SEPTEMBER 4, 2014 Film code number PBT-2014-288833
11. If there is an estate, why would these expenses need to be paid from a living trust?
12. 09/18/2014 Legacy Event
13. ORDER GRANTING MOTION FOR WITHDRAWAL OF COUNSEL FOR ANITA KAY BRUNSTING F/K/A ANITA KAY RILEY AND AMY RUTH BRUNSTING F/K/A AMY RUTH TSCHIRHART IT IS ORDERED THAT MAUREEN KUZIK MCCUTCHEN, AND THE LAW FIRM OF MILLS SHIRLEY LLP, ARE PERMITTED TO WITHDRAW AS COUNSEL, SIGNED SEPTEMBER 18, 2014 Film code number PBT-2014-305816
14. 12/09/2014 Miscellaneous Order

15. ORDER DENYING CANDACE CURTIS' MOTION FOR DISTRIBUTION OF TRUST FUNDS AND CARL BRUNSTING'S MOTION FOR DISTRIBUTION OF TRUST FUNDS; SIGNED 12/9/14
Film code number PBT-2014-396930
16. 02/19/2015 Miscellaneous Order
17. ORDER DENYING PLAINTIFF'S APPLICATION FOR PARTIAL DISTRIBUTION; SIGNED 2/18/15 Film code number PBT-2015-58239
18. 02/20/2015 Agreed Order
19. AGREED DOCKET CONTROL ORDER; SIGNED 2/19/15 Film code number PBT-2015-59154
20. 03/05/2015 Order to Consolidate
21. ORDER NOT ENTERED Film code number PBT-2015-76288
22. 03/16/2015 Order to Consolidate
23. Ordered that all pleadings filed under or assigned to Cuase Number 412249-402 be moved into Cuase Number 412249-401 per order signed March 16, 2015.
24. 03/23/2015 Order to Compel (Dep.)
25. CARL AND CANDACE TO REpond TO DISCLOSURES; SIGNED 3/23/15 Film code number PBT-2015-95392
26. 07/02/2015 Miscellaneous Order
27. ORDER DENYING LAW-MOTION-TO-SHOW-AUTHORITY-TRCP-12; THIS INSTRUMENT RETURNED UNSIGNED BY JUDGES OFFICE
Film code number PBT-2015-216035
28. 07/20/2015 Motion For Protective Order
29. CARL HENRY BRUNSTING MOTION FOR PROTECTIVE ORDER
CARL HENRY BRUNSTING MOTION FOR PROTECTIVE ORDER NO SERVICE REQUESTED Film code number PBT-2015-235874
30. 10/01/2015 Order for Continuance
31. Agreed; on 06-30-2016 [Entry with no Order on file]
32. 01/25/2016 Application for Summary Judgment
33. CANDACE LOUISE CURTIS VERIFIED MOTION FOR PARTIAL SUMMARY JUDGMENT WITH CONCURRENT PETITIONS FOR DECLARATORY JUDGMENT Film code number PBT-2016-26242
34. 04/07/2016 Legacy Event
35. ORDERED DARLENE PAYNE SMITH AND THE LAW FIRM OF CRAIN, CATON & JAMES ARE PERMITTED TO WITHDRAW AS COUNSEL OF RECORD; SIGNED 03/11/2016 Film code number PBT-2016-112549
36. 03/14/2016 Legacy Event

37. ORDERED DARLNE PAYNE SMITH AND THE LAW FIRM OF CRAIN, CATON & JAMES ARE PERMITTED TO WITHDRAW AS COUNSEL OF RECORD; SIGNED 03/11/2016 Film code number PBT-2016-83225
38. 09/05/2018 Order for Continuance
39. Ordered motion is granted.
40. 01/24/2019 Order to Compel (Dep.)
41. Deposition of Non-Party Witness Candace Kunz-Freed [non-party my ass]
Nice work Bayless
42. 02/14/2019 Order to Transfer Docket
43. District Court Proceedings to Probate Court No. 4
44. 04/06/2019 Order to Reset Trial to 10-05-2015
45. 04/04/2019 Order to Transfer Docket t
46. to Harris County Probate Court 4 from Harris County 164th Judicial District
47. 03/07/2019 Miscellaneous Order
48. Granting Appraisal
49. 07/23/2019 Order for Sanction and/or Contempt
50. Candace Curtis sanctioned for ignoring void orders and for seeking remedy from SDTX, a court of competent jurisdiction.
51. 12/12/2019 Order of Contempt
52. Ordered Candace Curtis fined the sum of \$500.00
53. 02/27/2020 Miscellaneous Order
54. Clarifying & Amending Prior Mediation Order
55. 06/10/2021 Docket Control Order

412,249-402 Orders Entered

1. 03/16/2015 Order to Consolidate
 - a. ordered that all pleadings filed under or assigned to Cause Number 412249-402 be moved into Cause Number 412249-401 per order signed March 16, 2015

412,249-403 Orders Entered

1. 11/11/2013 Docket Control Order
2. 05/01/2014 Docket Control Order
3. 05/02/2014 Docket Control Order
4. 04/06/2015 Order to Reset
5. 10/01/2015 Order for Continuance
6. 04/04/2019 Order to Transfer Docket

7. Harris County 164th Judicial District to Harris County Probate Court 4

412249-404 Statutory Bill of Review

No Orders Entered

APPEARANCES

412248 Appearance of counsel

1. 08/15/2012 App to Probate Will and Issuance of Letters Testamentary
2. Bobbie G. Bayless for Carl Brunsting individually and as independent executor for the "Estate of Elmer Brunsting"
3. 12/26/2012 NOTICE OF APPEARANCE OF COUNSEL
4. MAUREEN KUZIK MCCUTCHEN for Anita and Amy Brunsting - Film code number PBT-2012-413501
5. 04/02/2015 Misc. Notice
6. Candace Curtis pro se NOTICE OF SUBSTITUTION OF COUNSEL OF RECORD AND APPEARANCE Film code number PBT-2015-107526
[Candace was unaware of Ostroms' failure to notice an appearance]
7. 11/19/2019 Misc. Notice
8. Candice Schwager Notice of Appearance

412,249 Appearances

9. 08/15/2012 App to Probate Will and Issuance of Letters Testamentary
 - a. Bobbie G. Bayless for Carl Brunsting individually and as independent executor for the "Estate of Elmer Brunsting"
10. 12/26/2012 Misc. Notice
 - a. NOTICE OF APPEARANCE OF COUNSEL - MAUREEN KUZIK MCCUTCHEN Film code number PBT-2012-413506
11. 11/18/2019 Misc. Notice
 - a. Candice Schwager Notice of Appearance

412,249-401 Appearances

1. 2014-01-06 Case 412-cv-00592 Doc 95 Appearance of Jason Ostrom
2. 2014-11-14 Misc. Notice
 - a. Stephen Mendel NOTICE OF APPEARANCE for Anita Brunsting in 412249-401
3. 12/08/2014 Misc. Notice

- a. Neal Spielman NOTICE OF APPEARANCE AND DESIGNATION OF LEAD COUNSEL FOR AMY RUTH BRUNSTING Film code number PBT-2014-395795
4. 04/07/2016 Legacy Event
 - a. ORDERED DARLENE PAYNE SMITH AND THE LAW FIRM OF CRAIN, CATON & JAMES ARE PERMITTED TO WITHDRAW AS COUNSEL OF RECORD; SIGNED 03/11/2016 Film code number PBT-2016-11254911/19/2019 APPEARANCE
5. 2019-10-19 Candice Schwager Notice of Appearance

412,249-402 Appearances

1. 11/19/2019 Misc. Notice
 - a. Candice Schwager Notice of Appearance

412,249-403 Appearances

1. Cause initiated in the Harris County District Court 164 by Bobbie G. Bayless attorney for Carl Brunsting Independent Executor for the “Estates of Elmer and Nelva Brunsting”
2. No probate court appearance of counsel for defendants Vacek & Freed P.L.L.P.
3. 04/10/2019 APPEARANCE
 - a. Entry of Appearance of Greg Lester, Temporary Administrator Pending Contest of the Estate of Nelva E Brunsting
4. 2019-10-19 412249-403 Notice of Appearance
 - a. Candice Schwager Notice of Appearance

412,249-404 Appearances

1. 11/21/2019 Bill of Review initiated by attorney Candice Schwager for Petitioner Candace Louise Curtis.
2. No other appearances

EXPERTS

412249-401 Expert Witness Designations

1. 2014-12-01
2. Bobbie G. Bayles self-designation as expert on fees
 - a. Charles Gerhardt, CPA

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Houston, Texas 77005

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3. Charles G. Kevorkian, M.D. for Plaintiff

Vice Chair and Associate Professor

Physical Medicine and Rehabilitation

O'Quinn Medical Tower at St. Luke's

6624 Fannin St., Suite 2330

Houston, Texas 77030

4. 2014-12-02 Darlene Payne-Smith self-designation as expert on fees
5. 2015-07-01 Stephen Mendel self-designation as expert on fees
6. 2015-07-01 Neal Spielman self-designation as expert on fees

412249-402 Expert Witness Designations

NONE

412249-403 Expert Witness Designations

1. Judith W. Lenox for Plaintiff

Dinkins Kelly Lenox Lamb & Walker, L.L.P.

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2. Bobbie G. Bayles self-designation as expert on fees

3. Charles Gerhardt, CPA

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4. Charles G. Kevorkian, M.D. for Plaintiff
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412249-404 EXPERT WITNESS DESIGNATIONS

Petitioner's experts are the Courts of Appeal in Hannah, Mortensen, and Hawe. The Court is also requested to take Judicial Notice of the Records and Pleadings in the core and ancillary case dockets and the relevant statutes.