



NO. 412249-405

CARL HENRY BRUNSTING,  
INDIVIDUALLY & AS INDEPENDENT  
EXECUTOR OF THE ESTATES OF  
ELMER H. BRUNSTING & NELVA E.  
BRUNSTING, DECEASED

V.

ANITA KAY BRUNSTING, ET AL

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IN PROBATE COURT

NUMBER FOUR (4) OF

HARRIS COUNTY, TEXAS

### **Agreed Final Judgment**

Before the Court is the oral *Agreed Motion for Final Judgment* requested by: (1) Carl H. Brunsting, Carole A. Brunsting, Amy R. Brunsting, and Anita K. Brunsting (hereinafter the “Remaining Beneficiaries” of the Estates of Elmer H. Brunsting and Nelva E. Brunsting); and (2) the Co-Trustees, Anita K. Brunsting and Amy R. Brunsting.

The Court finds as follows:

- A. Prior to March 14, 2022, the Plaintiff, Carl Henry Brunsting, and the Defendants/Co-Trustees, Anita K. Brunsting and Amy R. Brunsting, had multiple claims and causes of action being litigated against each other in C.A. No. 412249-401, a case pending before this Court.
- B. On January 6, 2022, the Plaintiff and Defendants/Co-Trustees moved the Court to sever their claims and causes of action against each other in C.A. No. 412249-401 into this case under C.A. No. 412249-405.
- C. On March 14, 2022, the Court severed the claims and causes of action of Plaintiff and Defendants/Co-Trustees pending against each other in C.A. No. 412249-401 into C.A. No. 412249-405.
- D. The Remaining Beneficiaries and Co-Trustees reached a confidential settlement and move the Court to approve the confidential settlement and enter a take-nothing judgment of all claims and causes of action by, among, or between the Remaining Beneficiaries and/or the Co-Trustees in this -405 case.
- E. The term “Trust” collectively means the following:
  - 1) Brunsting Family Living Trust, dated October 10, 1996.
  - 2) The Restatement of the Brunsting Family Living Trust, dated January 12, 2005. All references in this Agreement to the Brunsting Family Living Trust are to the Brunsting





Family Living Trust, dated October 10, 1996, as amended and restated by the Restatement of the Brunsting Family Living Trust, dated January 12, 2005.

- 3) Elmer H. Brunsting Decedent's Trust, dated April 1, 2009.
- 4) Nelva E. Brunsting Survivor's Trust, dated November 11, 2011.
- 5) Qualified Beneficiary Designation & Exercise of Testamentary Powers of Appointment under Living Trust Agreement, dated June 15, 2010 (the "June 2010 QBD Trust").
- 6) Qualified Beneficiary Designation & Exercise of Testamentary Powers of Appointment under Living Trust Agreement, dated August 25, 2010 (the "August 2010 QBD Trust"), and which includes, but is not limited to, the personal asset trusts referenced in the August 2010 QBT Trust.

Having considered the motion, the Court finds it should be GRANTED.

It is, therefore, ORDERED, ADJUDGED, and DECREED as follows:

1. The motion for a final judgment is GRANTED.
2. The Confidential Settlement Agreement & Mutual Release was reviewed *in camera* by the Court and is APPROVED.
3. Each Remaining Beneficiary shall TAKE NOTHING as to all his or her claims and/or causes against any other Remaining Beneficiary.
4. Each Remaining Beneficiary shall TAKE NOTHING as to all his or her claims and/or causes against the Co-Trustees.
5. The Co-Trustees shall TAKE NOTHING as to all claims and/or causes against any Remaining Beneficiary.
6. The Court VACATES that one certain preliminary injunction originally issued in a federal court case under C.A. No. 4:12-CV-00592, and which federal court case was transferred to Probate Court Four (4), and which preliminary injunction was accepted by this Court on or about June 3, 2014.
7. The Co-Trustees shall, to the extent permitted by federal law and Iowa law, seek a short-year tax return filing, and pay all taxes, if any, then due and owing to any federal, state, county, or municipal governmental agency.
8. Absent cause to modify this Final Judgment within the time frames proscribed by law, and after the payment of all federal, state, county, and/or municipal taxes, and the payment of all professional fees due and owing the accounting firm of Kroese & Kroese, P.C., and the legal fees and expenses due and owing Iowa counsel, The Mendel Law Firm, L.P., and/or Griffin &



*Matthews*

County Clerk Harris County, Texas



Matthews, P.C., the Co-Trustees shall, to the extent reasonably practicable, and within thirty (30) days from the date of this Final Judgment, distribute the remainder and residue of the Trust Estate in equal shares to the Remaining Beneficiaries, and file an affidavit with the Court that confirms the payment of those final distributions.

9. Upon the filing of the foregoing affidavit of compliance, and effective on the date this Final Judgment is signed, the Court finds the purposes of the Trust shall be deemed fulfilled and that no further reason exists for the Trust to continue and, therefore, the Trust shall be deemed TERMINATED and the Co-Trustees, Amy R. Brunsting and Anita K. Brunsting, shall be DISCHARGED without liability, and with prejudice, as Trustees of the Trust.

This is a Final Judgment.

Signed on: 06/05/2025  
11:02:22 AM

Presiding Judge

Date Signed: 6/5/2025



*Drina Brunsting*



**Agreed By:**

Respectfully submitted,

// s // Stephen A. Mendel

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**Agreed By:**

Respectfully submitted,

// s // John Bruster Loyd

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Electronically Signed with Permission

**Agreed By:**

Respectfully submitted,

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**Agreed By:**

Respectfully submitted,

// s // Bobbie G. Bayless

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Attorney-in-Fact for Carl H. Brunsting  
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Stephen Mendel  
Bar No. 13930650  
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Envelope ID: 101593111  
Filing Code Description: Proposed Order  
Filing Description: Agreed Final Judgment  
Status as of 6/4/2025 3:55 PM CST

Associated Case Party: ANITAKAYBRUNSTING

Name	BarNumber	Email	TimestampSubmitted	Status
Mendel LawFirm		info@mendellawfirm.com	6/4/2025 9:25:31 AM	SENT

Associated Case Party: AMYRUTHBRUNSTING

Name	BarNumber	Email	TimestampSubmitted	Status
Neil Spielman		nspielman@grifmatlaw.com	6/4/2025 9:25:31 AM	SENT

Associated Case Party: CARLHENRYBRUNSTING

Name	BarNumber	Email	TimestampSubmitted	Status
Bobbie Bayless	1940600	bayless@baylessstokes.com	6/4/2025 9:25:31 AM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
JOHN BRUSTERLOYD		bruse@jgl-law.com	6/4/2025 9:25:31 AM	SENT





I, Teneshia Hudspeth, County Clerk of Harris County, Texas certify that these pages are a true and correct copy of the original record filed and recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office  
This July 6, 2025

Teneshia Hudspeth, County Clerk  
Harris County, Texas

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