

CASE NO. 01-23-00362-CV

IN THE COURT OF APPEALS
FOR THE FIRST JUDICIAL DISTRICT
HOUSTON, TEXAS

FILED IN
1st COURT OF APPEALS
HOUSTON, TEXAS
6/10/2024 10:23:24 AM
DEBORAH M. YOUNG
Clerk of The Court

IN THE ESTATE OF NELVA E. BRUNSTING

Candace Louise Curtis

Appellant

V.

Carl Henry Brunsting, Individually and as Independent Executor of
the Estates of Elmer H. Brunsting & Nelva E. Brunsting, *Et Al*
Appellees

UNOPPOSED JOINT MOTION FOR EXTENSION OF TIME TO FILE THE
APPELLEES' REPLY BRIEF ON APPELLATE COURT JURISDICTION
BY CO-TRUSTEE ANITA K. BRUNSTING, CO-TRUSTEE AMY R.
BRUNSTING, & CARL H. BRUNSTING

On Appeal from Probate Court No. Four (4)
Harris County, Texas
C.A. No. 412249-401

CO-TRUSTEE ANITA K.
BRUNSTING REPRESENTED BY:

Stephen A. Mendel (SBN 13930650)
The Mendel Law Firm, L.P.
1155 Dairy Ashford, Suite 104
Houston, TX 77079
O: 281-752-3213
F: 281-759-3214
E: info@mendellawfirm.com

CO-TRUSTEE AMY R.
BRUNSTING REPRESENTED BY:

Neal E. Spielman (SBN 00794678)
Griffin & Matthews
1155 Dairy Ashford, Suite 300
Houston, TX 77079
O: 281-870-1124
F: 281-870-1647
E: nspielman@grifmatlaw.com

CARL H. BRUNSTING
REPRESENTED BY:

Bobbie G. Bayless (SBN 01940600)
Bayless & Stokes
2931 Ferndale
Houston, TX 77098
O: 713-522-2224
F: 713-522-2218
E: bayless@baylessstokes.com

TO THE HONORABLE COURT OF APPEALS:

Co-Trustee Anita K. Brunsting, Co-Trustee Amy R. Brunsting, and Carl H. Brunsting, Individually (collectively the Appellees, and each an Appellee as determined by the context), jointly move the Court to extend the time for the Appellees to file a reply brief to the Appellant's brief on Appellate Court Jurisdiction, and would respectfully show the Court as set forth herein.

1. On February 22, 2024, the Court ordered the Appellant to file a response brief on the issue of Appellate Court Jurisdiction. Appellant filed her brief on March 7, 2024.

2. On June 6, 2024, the Court ordered the Appellees to file a reply brief on the issue of Appellate Court Jurisdiction. The Court imposed a 14-day deadline, which makes the Appellees' deadline June 20, 2024.

3. This is Appellees' first request to extend the time to file a reply brief. The Appellees seek a mere eight-day (8) extension from June 20, 2024 to June 28, 2024.

4. The reasons for the additional time are as follows:

- A. The undersigned has been and continues to be the lead author on matters filed before this Court, and in order for the Appellees to file a single reply brief, additional time is required.
- B. Long before the Court's June 6, 2024 order, the undersigned has been registered for a business conference in Charlotte, NC. The registration was initiated in January 2024, and was prepaid, with no right of refund. Hotel and plane reservations have been established for some time, and there is no longer a right of full refund.
- C. The undersigned leaves for the airport this morning, June 10, 2024, and will not return to the office until June 14, 2024. Each day of the business conference is a full-day of attendance, with meetings extended into the dinner hour. As such, the undersigned will not be able to start any material progress on the reply brief until Monday, June 17, 2024.
- D. Once the material provisions of the reply brief are established by the undersigned, the Appellees' counsel intend to work diligently to have a coordinated effort to issue a single reply brief. This, in turn, will require coordinating the schedules of

multiple lawyers across the three law firms, which will be challenging, given the short briefing schedule.

5. This request is not sought for delay, but so that justice can be done, and so that the Appellees' respective counsel will have the time reasonably required to prepare a single, cogent reply brief on the issue of Appellate Court Jurisdiction.

For these reasons, Appellees respectfully request that this Court: (a) grant their motion for extension of time; (b) give Appellees until June 28, 2024 to file their reply brief; and (c) grant Appellees such other and further relief to which they may be entitled.

[SIGNATURES ON FOLLOWING PAGE]

Respectfully submitted,

// s // Stephen A. Mendel

Stephen A. Mendel (SBN 13930650)
The Mendel Law Firm, L.P.
1155 Dairy Ashford, Suite 104
Houston, Texas 77079
O: 281-759-3213
F: 281-759-3214
E: info@mendellawfirm.com

Attorney for Anita K. Brunsting, Co-
Trustee of the Brunsting Family Trust

Respectfully submitted,

// s // Bobbie G. Bayless

Bobbie G. Bayless (SBN 01940600)
Bayless & Stokes
2931 Ferndale
Houston, Texas 77098
O: 713-522-2224
F: 713-522-2218
E: bayless@baylessstokes.com

Attorney for Carl H. Brunsting

Respectfully submitted,

// s // Neal E. Spielman

Neal E. Spielman (SBN 00794678)
Griffin & Matthews
1155 Dairy Ashford, Suite 300
Houston, Texas 77079
O: 281.870.1124
F: 281.870.1647
E: nspielman@grifmatlaw.com

Attorney for Amy R. Brunsting, Co-
Trustee of the Brunsting Family Trust

Certificate of Conference

Per TEX. R. APP. P. 10.1(5), undersigned counsel confirms that Appellant is unopposed to this motion.

// s // Stephen A. Mendel

Stephen A. Mendel

Certificate of Service

As required by TEX. R. APP. P. 6.3 and 9.5(b), (d), and (e), I certify that I served this document on all other parties—which are listed below—as follows:

Candice L. Schwager (SBN 24005603)
The Schwager Law Firm
16807 Pinemoor Way
Houston, Texas 77058
O: 832-857-7173
E: candiceschwager@outlook.com

Attorney for Appellant,
Candace Louise Curtis

Neal E. Spielman (SBN 00794678)
Griffin & Matthews
1155 Dairy Ashford, Suite 300
Houston, Texas 77079
O: 281.870.1124
F: 281.870.1647
E: nspielman@grifmatlaw.com

Attorney for Appellee,
Amy R. Brunsting, Co-Trustee of the
Brunsting Family Trust

Bobbie G. Bayless (SBN 01940600)
Bayless & Stokes
2931 Ferndale
Houston, Texas 77098
O: 713-522-2224
F: 713-522-2218
E: bayless@baylessstokes.com

Attorney for Appellee,
Carl Henry Brunsting, Individually

Mr. John Bruster Loyd (SBN 24009032)
Jones, Gillaspia & Loyd, L.L.P.
4400 Post Oak Parkway, Suite 2360
Houston, TX 77027
O: 713-225-9000 / F: 713-225-6126
E: bruse@jgl-law.com
via e-service and/or email on June 10, 2024.

Attorney for Carole Ann Brunsting,
Individually

// s // Stephen A. Mendel

Stephen A. Mendel

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Stephen Mendel

Bar No. 13930650

info@mendellawfirm.com

Envelope ID: 88607664

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Appellees' Reply Brief on Appellate Court Jurisdiction

Status as of 6/10/2024 10:31 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Candice LeonardSchwager		candiceschwager@icloud.com	6/10/2024 10:23:24 AM	SENT
John Bruster Loyd	24009032	bruse@jgl-law.com	6/10/2024 10:23:24 AM	SENT
Bobbie Grace Bayless	1940600	bayless@baylessstokes.com	6/10/2024 10:23:24 AM	SENT
Neal Evan Spielman	794678	nspielman@grifmatlaw.com	6/10/2024 10:23:24 AM	SENT
Stephen A. Mendel	13930650	steve@mendellawfirm.com	6/10/2024 10:23:24 AM	SENT