



## News Release

To: (news media)

From: Andy Messer, Messer, Fort and McDonald counsel for the City of Double Horn

For Immediate Release  
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### **The City of Double Horn should continue to be optimistic regarding the outcome of the lawsuit between the City and the AG's Office.**

This statement is made on behalf of the City of Double Horn. This firm represents the City of Double Horn.

The result of the ruling by the Austin Court of Appeals on October 29<sup>th</sup> is not a decision that affects the merits of the City's argument in support of the City's authority to form the City of Double Horn. The ruling is merely a statement regarding the correct procedure which should be followed by the District Court for a quo warranto action. In the opinion of the Court of Appeals, the petition for quo warranto filed by the AG does not need to be supported by credible evidence or state correct assertions of fact –it's merely a pleading which the AG has filed. The AG is entitled to a trial on the merits just based on this pleading. The City should view a trial on the merits as an opportunity to tell their story through factual and credible evidence, or they may decide to appeal the decision of the Court of Appeals to the Supreme Court. In either case, the City has substantial evidence that it is a valid city operating under Texas law. The City has everything to gain by moving forward with the lawsuit.