

RENE FFRENCH, JOHN RICHARD	§	IN THE DISTRICT COURT
DIAL and STUART BRUCE SORGEN,	§	
each on his own behalf and as a representative	§	
of WINDERMERE OAKS WATER	§	
SUPPLY CORPORATION,	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
vs.	§	BURNET COUNTY, TEXAS
	§	
FRIENDSHIP HOMES & HANGARS,	§	
LLC, WINDERMERE OAKS WATER	§	
SUPPLY CORPORATION and its Directors	§	
WILLIAM EARNEST, THOMAS MICHAEL	§	
MADDEN, DANA MARTIN, ROBERT	§	
MEBANE and PATRICK MULLIGAN,	§	
	§	
<i>Defendants.</i>	§	33 rd JUDICIAL DISTRICT

SUPPLEMENTAL JOINT STATUS REPORT

TO THE HONORABLE MARGARET MIRABAL, JUDGE PRESIDING:

COMES NOW PLAINTIFFS/INTERVENORS RENE FFRENCH, JOHN RICHARD DIAL and STUART BRUCE SORGEN (“Plaintiffs”), FRIENDSHIP HOMES & HANGARS, LLC (“Friendship”), WINDERMERE OAKS WATER SUPPLY CORPORATION (“WSC”), and WILLIAM EARNEST, THOMAS MICHAEL MADDEN, DANA MARTIN, ROBERT MEBANE, PATRICK MULLIGAN, JOE GIMENEZ, DAVID BERTINO, MIKE NELSON, DOROTHY TAYLOR and NORMAN MORSE (“Individual Defendants”), by and through their respective counsel of record, and file this their Supplemental Joint Status Report.

1. Subject to the Court’s approval, the parties have agreed to set the following matters for hearing (“Hearing Matters”) before the Court on January 30, 2020 at 9:00 a.m. at the District Courthouse in Burnet, Burnet County, Texas:

- Joint Motion to Dismiss under Rule 91a filed December 23, 2019 by the WSC and the Individual Defendants;
- Plea to the Jurisdiction on grounds stated in First Amended Joint Brief filed December 23, 2019 by the WSC and the Individual Defendants;
- First Amended Joint Motion for Summary Judgment filed December 23, 2019 by the WSC and the Individual Defendants;
- Plea to the Jurisdiction filed November 1, 2019 by Friendship on the grounds of lack of standing (as briefed in paragraph IV.A.3 of Friendship's brief filed November 1, 2019) only; and
- Traditional Motion for Summary Judgment filed November 1, 2019 by Friendship on the grounds stated in paragraphs V.1. and V.2 only.

2. The parties have further agreed to the following schedule for additional filings in anticipation of the January 30, 2020 hearing on the Hearing Matters:

January 15, 2020: Deadline for Friendship to supplement its summary judgment proof;

January 23, 2020: Deadline for Plaintiffs' amendment of pleadings and response(s) to Hearing Matters.

3. No party waives its right to seek a postponement of the January 30, 2020 hearing as to some of all of the Hearing Matters based on the contents of the filings made pursuant to paragraph 2 hereof.

4. Counsel expect to be prepared to present an agreed proposed docket control order at an appropriate time.

Submitted and filed on January 9, 2020.

[SIGNATURE BLOCKS ON FOLLOWING PAGE]

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been sent via email to The Hon. Margaret Mirabal (Margaratgmirabal@gmail.com) and Ms. Lisa Bell, Court Coordinator (33coordinator@gmail.com) and served via electronic service to all lead counsel of record on this 9th day of January 2020.

/s/ Kathryn E. Allen
Kathryn E. Allen