

Cause No. 2012-20396

1620 HAWTHORNE LTD.,	§	IN THE DISTRICT COURT OF
<i>Plaintiff</i>	§	
	§	
v.	§	
	§	
MONTROSE MANAGEMENT DISTRICT,	§	
THE MONTROSE MANAGEMENT DISTRICT	§	
BOARD OF DIRECTORS, CONSISTING	§	
OF THE FOLLOWING: CLAUDE WYNN,	§	
CHAIRMAN; DR. RANDY MITCHMORE,	§	
VICE-CHAIRMAN; CASSIE STINSON,	§	
SECRETARY; KATHY HUBBARD,	§	HARRIS COUNTY, TEXAS
TREASURER; BRAD NAGAR,	§	
ASSISTANT TREASURER; ROBERT JARA	§	
POSITION 6; BOBBY HEUGEL	§	
POSITION 7; DANA THORPE,	§	
POSITION 8; LANE LLEWELLYN,	§	
POSITION 9; TAMMY MANNING,	§	
POSITION 10; DAVID ROBINSON,	§	
POSITION 11; MICHAEL GROVER	§	
POSITION 12; RANDY ELLIS,	§	
POSITION 13; DENNIS MURLAND,	§	
POSITION 14; AND BILL CALDERON	§	
EXECUTIVE DIRECTOR,	§	
<i>Defendants.</i>	§	333 <sup>RD</sup> JUDICIAL DISTRICT

**DESIGNATION OF MATTERS TO BE  
INCLUDED IN REPORTER'S RECORD ON APPEAL**

Defendants Montrose Management District and Public Official Defendants<sup>1</sup> (collectively, “Defendants”) file their designation of matters to be included in the Reporter’s Record to be prepared in connection with their appeal from the Court’s order denying Defendants’ Motion for Summary Judgment signed on February 25, 2013 in the above-entitled and numbered cause. Defendants intend to appeal the judgment to the 1<sup>st</sup> or the 14<sup>th</sup> Court of Appeals, Houston, Texas and filed their notice of appeal on March 18, 2013.

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<sup>1</sup> The Public Official Defendants have been sued in their official capacities only and are Claude Wynn, Randy Mitchmore, Cassie Stinson, Kathy Hubbard, Brad Nagar, Robert Jara, Bobby Huegel, Dana Thorpe, Lane Llewellyn, David Robinson, Michael Grover, Randy Ellis, and Bill Calderon. Dennis Murland and Tammy Manning no longer serve on the Montrose Management District Board.

Transcripts of the following hearings, including any and all exhibits admitted during such hearings, are requested to be included in the Reporter's Record which is to be filed with the clerk for the court of appeals in connection with the appeal of the above-styled case:

- (1) June 1, 2012 hearing on Defendant's Plea to the Jurisdiction;
- (2) December 7, 2012 hearing on (a) Plaintiff's Motion to Compel Oral Deposition of David Hawes and Plaintiff's Response to Defendants' Objection, Motion to Quash and Motion for Protective Order Regarding Notice for Oral Deposition of David Hawes; and (b) Plaintiff's Motion to Continue and Reset Defendants' December 14, 2012 Hearing Date on Their Traditional Motion for Summary Judgment and Pleas to the Jurisdiction to January 18, 2012 and Plaintiff's Motion to Continue and Reset Plaintiff's December 7, 2012 Deadline to Respond to Traditional Motion for Summary Judgment to January 11, 2013; and
- (3) January 18, 2013 hearing on Defendants' Motion for Summary Judgment

Defendants hereby offer to pay any required court reporter's fee or clerk's fee or to make satisfactory arrangements with the court reporter and clerk to pay any such fee.

Respectfully submitted,

BLANK ROME LLP

By: /s/ Barry Abrams

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ATTORNEYS FOR DEFENDANTS  
MONTROSE MANAGEMENT DISTRICT AND PUBLIC  
OFFICIAL DEFENDANTS

**CERTIFICATE OF SERVICE**

I certify that on March 18, 2013, I served a true and correct copy of the foregoing instrument on counsel of record, at the address and in the manner indicated below:

**By Email & CM/RRR #70110470000005607935**

Mr. Andy Taylor  
ANDY TAYLOR & ASSOCIATES, P.C.  
2668 Highway 36S, #288  
Brenham, Texas 77833

/s/ Barry Abrams

Barry Abrams