

**TAB 43**

NO. 412249-401

ESTATE OF § IN PROBATE COURT  
NELVA E. BRUNSTING, §  
DECEASED § NUMBER FOUR (4) OF  
§ HARRIS COUNTY, TEXAS

CARL HENRY BRUNSTING, Et Al §  
V. §  
ANITA KAY BRUNSTING, Et Al §

**Order Granting Motion to Sever**

On February 11, 2022, the Court considered the motion to sever filed by Plaintiff, Carl Brunsting, and Defendant/Co-Trustees, Anita Brunsting and Amy Brunsting. After considering the motion, responses, and the arguments of counsel and/or the parties, if any, it is, therefore:

ORDERED that the Court severs the claims of Plaintiff, Carl Brunsting, against Defendant/Co-Trustees, Anita Brunsting and Amy Brunsting, and those of the Defendant/Co-Trustees against Plaintiff, Carl Brunsting, into a separate cause number to be known as C.A. 412249-405; *Carl Henry Brunsting v. Anita Kay Brunsting, Et Al*; In Probate Court No. 4, Harris County, Texas.

It is further ORDERED that the Clerk’s Office shall transfer copies of the following instruments from C.A. No. 412249-401 to the new cause number as referenced in the preceding paragraph:

- 04/09/2013 Carl Henry Brunsting’s Petition for Declaratory Judgment, for an Accounting, for Damages, for Imposition of a Constructive Trust, & for Injunctive Relief, Together with a Request for Disclosures (20 Pages).





- 05/13/2013 Defendant/Co-Trustee Anita K. Brunsting's Original Answer & Request for Disclosures (5 Pages).
- 05/31/2013 Defendants/Co-Trustees Amy R. Brunsting & Anita K. Brunsting's 1<sup>ST</sup> Amended Answer (6 Pages).
- 06/07/2013 Plaintiff Carl Henry Brunsting's 1<sup>ST</sup> Amended Petition for Declaratory Judgment (18 Pages).
- 12/01/2014 Plaintiff Carl Henry Brunsting's Designation of Expert Witnesses (10 Pages)
- 12/05/2014 Defendant/Co-Trustee Anita K. Brunsting's Response to Plaintiff's Motion to Remove Trustee (3 Pages).
- 12/08/2014 Defendant/Co-Trustee Amy R. Brunsting's Response to Plaintiff Carl Henry Brunsting's Motion to Remove Trustee (4 Pages).
- 03/20/2015 Plaintiff Carl Henry Brunsting's 1<sup>ST</sup> Supplement to 1<sup>ST</sup> Amended Petition & Request for Injunctive Relief (4 Pages).
- 03/23/2015 Plaintiff Carl Henry Brunsting's Response to Anita Brunsting's Motion to Compel Carl Brunsting's Response to Anita Brunsting's Request for Disclosures with Exhibits 1-5 (43 Pages).
- 07/01/2015 Defendants/Co-Trustee Anita K. Brunsting's Expert Witness Designations (3 Pages)
- 07/10/2015 Plaintiff Carl Henry Brunsting's 2<sup>ND</sup> Supplement to Plaintiff Carl Henry Brunsting's 1<sup>ST</sup> Amended Petition & Request for Injunctive Relief / Film Code No. PBT-2015-225377 (3 Pages).
- 08/03/2015 Plaintiff Carl Henry Brunsting's 3<sup>RD</sup> Supplement to Plaintiff 1<sup>ST</sup> Amended Petition & Request for Injunctive Relief / Film Code No. PBT-2015-250703 (6 Pages).
- 08/29/2018 Defendants/Co-Trustees Amy R. Brunsting & Anita K. Brunsting's Joint Response to Plaintiff's Motion for Partial Summary Judgment with Exhibit A (20 Pages).
- 11/04/2019 Defendants/Co-Trustees Amy R. Brunsting & Anita K. Brunsting's 2<sup>ND</sup> Amended Answer (6 Pages).
- 11/04/2019 Defendants/Co-Trustees Amy R. Brunsting's & Anita K. Brunsting's Original Counterclaim (8 Pages).
- 07/30/2020 Defendants/Co-Trustees Amy R. Brunsting & Anita K. Brunsting's Response to C. Brunsting's Partial MSJ with Exhibits A-E (225 Pages).



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- 08/04/2020 Plaintiff Carl Henry Brunsting’s Reply to Defendants’ Response to Carl’s Motion for Partial Summary Judgment (10 Pages)
- 08/13/2020 Order on Briefing as to Plaintiff Carl Henry Brunsting’s Motion for Partial Summary Judgment (2 Pages).
- 09/10/2020 Defendants/Co-Trustees Amy R. Brunsting & Anita K. Brunsting’s Joint Amended Response to Carl Brunsting’s Motion for Partial Summary Judgment with Stephen A. Mendel’s Declaration Regarding Exhibits A-J & Exhibits A-J (456 Pages).
- 09/17/2020 Defendants/Co-Trustees Anita K. Brunsting & Amy R. Brunsting’s 1<sup>ST</sup> Supplemental Answer (3 Pages).
- 09/25/2020 Plaintiff Carl Henry Brunsting’s Reply to Defendants Amy R. Brunsting & Anita K. Brunsting’s Amended Response to Carl’s Motion for Partial Summary Judgment (14 Pages).
- 10/15/2021 Plaintiff Carl Henry Brunsting’s Original Answer to Amy R. Brunsting’s & Anita K. Brunsting’s Original Counterclaim (4 Pages).
- 10/15/2021 Plaintiff Carl H. Brunsting’s 4<sup>TH</sup> Supplement to First Amended Petition & Request for Injunctive Relief (3 Pages).
- 11/04/2021 Plaintiff Carl Henry Brunsting’s 2<sup>ND</sup> Amended Expert Witness Designation & Further Supplement to Carl’s Responses to All Requests for Disclosures (13 Pages).
- 11/05/2021 Defendants/Co-Trustees Amy R. Brunsting & Anita K. Brunsting Motion for Summary Judgment & Exhibits A-L (265 Pages).
- 11/12/2021 Order Denying Part of Plaintiff Carl Henry Brunsting’s Motion for Partial Summary Judgment.
- 12/06/2021 2021-12-05 Rule 11 Agreement – Plaintiff Carl Henry Brunsting & Defendants/Co-Trustees Anita K. Brunsting & Amy R. Brunsting (4 Pages).
- 01/08/2022 Plaintiff Carl H. Brunsting & Defendants/Co-Trustees Amy R. Brunsting & Anita K. Brunsting’s Agreed Motion to Sever (3 Pages).

SIGNED on this \_\_\_\_\_, 2022.

Signed on: 03/11/2022  
3:50:08 PM

CC \_\_\_\_\_  
Presiding Judge





APPROVED AS TO FORM:

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

Counsel for Plaintiff/Counter-Defendant/Co-Trustee  
Anita Brunsting

&

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

Counsel for Defendant/Co-Trustee  
Anita Brunsting

&

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

Counsel for Defendant/Co-Trustee  
Amy R. Brunsting



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Stephen Mendel  
 Bar No. 13930650  
 info@mendellawfirm.com  
 Envelope ID: 62465912  
 Status as of 3/10/2022 12:33 PM CST

Associated Case Party: CAROLEANNBRUNSTING

Name	BarNumber	Email	TimestampSubmitted	Status
Carole AnnBrunsting		cbrunsting@sbcglobal.net	3/9/2022 4:45:20 PM	SENT

Associated Case Party: ANITAKAYBRUNSTING

Name	BarNumber	Email	TimestampSubmitted	Status
Stephen A.Mendel		info@mendellawfirm.com	3/9/2022 4:45:20 PM	SENT

Associated Case Party: CANDACE LOUISECURTIS

Name	BarNumber	Email	TimestampSubmitted	Status
Candice Schwager		candiceschwager@icloud.com	3/9/2022 4:45:20 PM	SENT

Associated Case Party: CANDACELKUNZ-FREED

Name	BarNumber	Email	TimestampSubmitted	Status
Cory SReed		creed@thompsoncoe.com	3/9/2022 4:45:20 PM	SENT

Associated Case Party: CARLHENRYBRUNSTING

Name	BarNumber	Email	TimestampSubmitted	Status
Bobbie G.Bayless		bayless@baylessstokes.com	3/9/2022 4:45:20 PM	SENT

Associated Case Party: AMYRUTHBRUNSTING

Name	BarNumber	Email	TimestampSubmitted	Status
Neal Spielman		nspielman@grifmatlaw.com	3/9/2022 4:45:20 PM	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 March 27, 2022

Teneshia Hudspeth, County Clerk  
Harris County, Texas

Confidential information may have been redacted from the document in compliance with the Public Information Act.

