

ESTATE OF	§	IN PROBATE COURT
NELVA E. BRUNSTING,	§	NUMBER FOUR (4) OF
DECEASED	§	HARRIS COUNTY, TEXAS
_____	§	
CARL HENRY BRUNSTING, et al	§	
v.	§	
ANITA KAY BRUNSTING, et al	§	

ORDER REGARDING
AMY BRUNSTING’S MOTION FOR SANCTIONS AND/OR CONTEMPT

On the 28th day of June 2019, the Court considered Amy Brunsting’s Motion for Sanctions and/or Contempt (the “Motion”) pertaining to the conduct of Candace Louise Curtis (“Curtis”). In considering the Motion, the Court also considered Curtis’ response of June 11, 2019, entitled “Response to the Fiduciary’s Application for the Beneficiary to be Held in Contempt for Seeking to Enforce the Injunction Commanding the Trustee to Perform a Fiduciary Duty Owed to the Beneficiary with Petition for Partial Summary or Declaratory Judgment” (“Curtis’s Response”). The Court also heard oral argument from the parties.

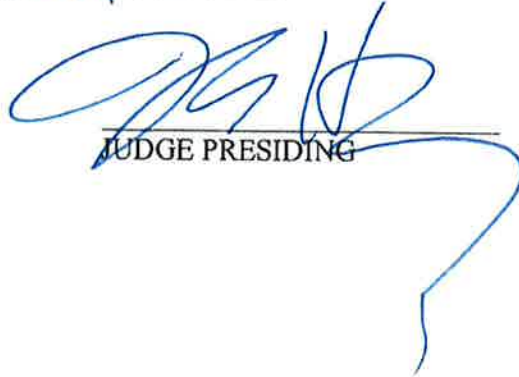
After considering the Motion, Curtis’s Response and oral argument, the Court FINDS that it has jurisdiction of this proceeding; that the Motion has MERIT and is in all respects proper and sufficient; that Curtis was properly served and received proper notice of the proceeding; and that the Motion should be and is GRANTED. Therefore:

1. The Court FURTHER FINDS and ORDERS that Curtis is in CONTEMPT of the Court’s Order of February 14, 2019 for the reasons presented in the Motion, including without limitation, via her March 20, 2019 and April 12, 2019 filings in the United States District Court for the Southern District of Texas – Houston Division in Case No. 4:12-CV-592, a matter confirmed as having been closed, remanded and terminated;

2. The Court FURTHER ORDERS, ADJUDGES and DECREES that as punishment for this contempt, Candace Curtis is fined the sum of \$ 500.00, payable to Diane Trautman, Harris County Clerk, Indigent Bond on or before the 1st day of September 2019; Program, Registry No. 28190
at 201 Caroline, 8th Floor, Room 800
Houston, TX 77002
3. The Court, after considering the description of services, time, fees and costs described in the Affidavit of Neal E. Spielman, ~~totaling \$8,690.00 (representing \$7,505.00 @ 19 hrs x \$395.00/hr through and including the filing of the Motion and \$1,185.00 @ 3 hrs x \$395.00/hr in additional fees and expenses incurred after the filing of the Motion)~~ FURTHER ORDERS, ADJUDGES and DECREES that as further punishment for this contempt and/or as a sanction conferred in accordance with its own initiative and inherent power and/or under CPRC §9.012, CPRC §10.004 and/or TRCP 13, Curtis must pay to Amy Brunsting the sum of \$ 1,975.00 to Amy Brunsting in care of her attorneys – Griffin & Matthews – at 1155 Dairy Ashford, Suite 300, Houston, Texas 77007 on or before the 1st day of September, 2019

FURTHER, in so far as Curtis's Response attempts to seek affirmative relief (including without limitation within the "Conclusion and Prayer" appearing on Page 6 of Curtis's Response) all such affirmative relief is DENIED.

SIGNED ON THIS THE 23 DAY OF July, 2019.


JUDGE PRESIDING

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been sent on this 3rd day of July 2019, to all counsel of record/pro se parties via E-file and/or direct e-mail.

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