

NO. 412249-401

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	§

**Agreed Order for Interim Distributions &
Partial Payment of the Co-Trustees'
Attorneys' Fees & Expenses**

On November 25, 2024, the Court heard oral arguments on the *Co-Trustees 1ST Amended Motion for an Interim Disbursement to the Remaining Beneficiaries & Payment of the Co-Trustees Attorneys' Fees & Expenses*. At the conclusion of the hearing, the Court ordered the Co-Trustees to: (1) pay \$200,000.00 to Carl H. Brunsting as an interim distribution of his inheritance; and (2) to make an interim payment of \$680,000.00 towards the legal fees and expenses incurred by the Brunsting Trusts (defined below), such sum to be divided between the Griffin & Matthews law firm and The Mendel Law Firm, L.P, based on their pro rata time in handling the litigation related to the Brunsting Trusts.

In addition to the foregoing, the Court ordered Carole A. Brunsting, Carl H. Brunsting, and the Co-Trustees to appear before the Court at 9:30 a.m., December 19, 2024, for an additional hearing as to the following pending issues: (a) a \$200,000.00 interim distribution to Amy R. Brunsting regarding her inheritance; (b) a \$200,000.00 interim distribution to Anita K. Brunsting regarding her inheritance; (c) a \$200,000.00 interim distribution to Carole A. Brunsting of her inheritance, such distribution to be in the form of a deed for 8.870 acres to Carole A. Brunsting of the western portion of that one certain tract known as Parcel B, being a part of that one certain 144.37 acres of the Brunsting Iowa Farm ($\$200,000.00 / \$22,504.68 = 8.870$ acres); (d) reimbursement to Amy R. Brunsting and Anita K. Brunsting for the legal fees they personally paid their respective counsel from inception of this case through November 30, 2024; and (e) the payment of reasonable and necessary attorneys' fees and expenses accrued through November 30, 2024, and due and owing the Co-Trustees counsel.

The term "Remaining Beneficiaries" as used in this Order means Carole A. Brunsting, Carl H. Brunsting, Amy R. Brunsting, and Anita K. Brunsting.

The term “Brunsting Trusts” collectively mean the Elmer H. Brunsting Decedent’s Trust, the Nelva E. Brunsting Survivor’s Trust, both of the Brunsting Qualified Beneficiary Distribution Trusts executed by Nelva E. Brunsting, and any other trust related in whole or in part to the foregoing.

By the electronic signatures of their counsel below, and the Court having considered the Remaining Beneficiaries’ Rule 11 Agreement, executed on or about December 17, 2024, the Court finds that the Remaining Beneficiaries’ agreement and the distributions and/or payments set forth herein are reasonable, necessary, in the best interest of the Brunsting Trusts and the Remaining Beneficiaries and are, therefore, APPROVED.


It is, therefore, ORDERED, ADJUDGED, and DECREED as follows:

- 1) On or before December 30, 2024, the Brunsting Trusts shall distribute to Amy R. Brunsting the sum of \$200,000.00 as an interim distribution of her inheritance.
- 2) On or before December 30, 2024, the Brunsting Trusts shall distribute to Anita K. Brunsting the sum of \$200,000.00 as an interim distribution of her inheritance.
- 3) On or before December 30, 2024, the Brunsting Trusts shall distribute to, or initiate the distribution to, Carole A. Brunsting a \$200,000.00 interim distribution of her inheritance in the form of a deed for 8.870 acres of the western portion of that one certain tract known as Parcel B, being a part of that one certain 144.37 acres of the Brunsting Iowa Farm.
- 4) On or before December 30, 2024, the Brunsting Trusts shall distribute to the law firm of Griffin & Matthews the sum of \$70,204.50 for reasonable and necessary legal fees and expenses due and owing Griffin & Matthews as of November 30, 2024.
- 5) On or before December 30, 2024, the Brunsting Trusts shall distribute to The Mendel Law Firm, L.P. the sum of \$225,401.68 for reasonable and necessary legal fees and expenses due and owing The Mendel Law Firm, L.P. as of November 30, 2024.
- 6) So long as Carole A. Brunsting and/or Carl H. Brunsting do not impede or obstruct, or attempt to impede or obstruct, the payment of \$70,204.50 to the Griffin & Matthews law firm, and/or the payment of \$225,401.68 to The Mendel Law Firm, L.P., then the law firms of Griffin & Matthews and The Mendel Law Firm, L.P. shall not be entitled to collect monetary interest from the Brunsting Trusts, if such monetary interest relates in whole or in part to interest on any legal fees accrued by Griffin & Matthews and/or The Mendel Law Firm, L.P. for the time period 2014, through and including November 30, 2024.
- 7) On or before December 30, 2024, the Brunsting Trusts shall reimburse Amy R. Brunsting the sum of \$26,900.00 for legal fees she personally paid the law firm of Griffin & Matthews.

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8) On or before December 30, 2024, the Brunsting Trusts shall reimburse Anita K. Brunsting the sum of \$10,000.00 for legal fees she personally paid The Mendel Law Firm, L.P.

Signed on: 12/19/2024
10:21:27 AM



Presiding Judge

Date Signed: 12/19/2024

Agreed By:

DocuSigned by:

Stephen Mendel

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