



NO. 412249-403

CARL HENRY BRUNSTING,  
INDEPENDENT EXECUTOR OF THE  
ESTATES OF ELMER H. BRUNSTING &  
NELVA E. BRUNSTING, DECEASED  
DECEASED

V.

CANDACE L. KUNZ-FREED &  
VACEK & FREED, PLLC, F/K/A  
THE VACEK LAW FIRM, PLLC

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IN PROBATE COURT

NUMBER FOUR (4) OF

HARRIS COUNTY, TEXAS

### **Agreed Final Judgment**

Before the Court is the oral *Agreed Motion for Final Judgment* requested by: (1) Carl H. Brunsting, Carole A. Brunsting, Amy R. Brunsting, and Anita K. Brunsting (hereinafter the “Remaining Beneficiaries” of the Estates of Elmer H. Brunsting and Nelva E. Brunsting); (2) Candace L. Kunz-Freed, and Vacek & Freed, PLLC, f/k/a as The Vacek Law Firm, PLLC (collectively the “Defendants”); and (3) the Co-Trustees, Anita K. Brunsting and Amy R. Brunsting.

The Court finds as follows:

- A. The Remaining Beneficiaries and Co-Trustees agree there is no further need to administer the Estate of Elmer H. Brunsting, Deceased, pending under C.A. No. 412248, in part, because the Remaining Beneficiaries and Co-Trustees no longer desire for the litigation to continue against the Defendants, and that all claims and causes of action, if any, that inure or might inure to the benefit of the Remaining Beneficiaries and/or Co-Trustees should be dismissed with prejudice.
- B. The Remaining Beneficiaries and Co-Trustees agree there is no further need to administer the Estate of Nelva H. Brunsting, Deceased, pending under C.A. No. 412249, in part, because the Remaining Beneficiaries and Co-Trustees no longer desire for the litigation to continue against the Defendants, and that all claims and causes of action, if any, that inure or might inure to the benefit of the Remaining Beneficiaries and/or Co-Trustees should be dismissed with prejudice.
- C. The Defendants agree to the dismissal with prejudice of their claims for sanctions against Carl H. Brunsting and his attorney, Bobbie G. Bayless, and all other affirmative relief, if any, sought by the Defendants, and to the return of the funds held in the Court’s Registry.

Having considered the *Agreed Motion for Final Judgment* of: (1) the Remaining Beneficiaries of Carl H. Brunsting, Carole A. Brunsting, Amy R. Brunsting, and Anita K. Brunsting; (2) the Defendants, Candace L. Kunz-Freed, and Vacek & Freed, PLLC, f/k/a as The Vacek Law Firm, PLLC; and (3) the Co-Trustees, Anita K. Brunsting and Amy R. Brunsting, the



*Shirley H. Hays*



Court finds the agreed motion should be and is, therefore, GRANTED.

It is, therefore, ORDERED, ADJUDGED, and DECREED that the Remaining Beneficiaries and Co-Trustees shall TAKE NOTHING as to all claims and/or causes of action against the Defendants that inure or might inure to the benefit of the Remaining Beneficiaries and/or Co-Trustees.

It is ORDERED, ADJUDGED, and DECREED that the Defendants' shall TAKE NOTHING as to the sanctions sought against Carl. H. Brunsting and Bobbie G. Bayless, and all other affirmative relief, if any, sought against the Remaining Beneficiaries and/or Co-Trustees.

It is ORDERED, ADJUDGED, and DECREED that the \$3,000.00 in funds tendered into the Court's Registry shall be immediately refunded by the Clerk's Office as follows:

- 1) \$750.00 check made payable to Carl H. Brunsting, but mailed to Bobbie G. Bayless, with the law firm of Bayless & Stokes, 2931 Ferndale St., Houston, TX 77098.
- 2) \$750.00 check made payable to John Bruster Loyd, which he paid on behalf of Carol A. Brunsting, and mailed to the law firm of Jones, Gillaspia & Loyd, L.L.P., 4400 Post Oak Pkwy, Suite 2360, Houston, TX 77027.
- 3) \$750.00 check made payable to Amy R. Brunsting, and mailed to 2582 Country Ledge Dr., New Braunfels, TX 78132.
- 4) \$750.00 check made payable to Anita K. Brunsting, but mailed to Stephen A. Mendel with The Mendel Law Firm, L.P., 1155 Dairy Ashford, Suite 104, Houston, TX 77079.

It is ORDERED, ADJUDGED, and DECREED that all relief not expressly set forth in this Final Judgment is DENIED.

This is a Final Judgment.

Signed on: 06/03/2025  
1:27:17 PM

*[Signature]*

Presiding Judge

Date Signed: 6/3/2025



*Amber H. Hargrett*



**Agreed By:**

Respectfully submitted,

// s // Stephen A. Mendel

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Individually & as a Co-Trustee

**Agreed By:**

Respectfully submitted,

// s // John Bruster Loyd

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Attorneys for Carole A. Brunsting

Electronically Signed with Permission

**Agreed By:**

Respectfully submitted,

// s // Neal E. Spielman

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Attorneys for Amy R. Brunsting, Individually  
& as a Co-Trustee

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**Agreed By:**

Respectfully submitted,

// s // Bobbie G. Bayless

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Attorneys for Drina Brunsting,  
Attorney-in-Fact for Carl H. Brunsting

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*Linnette Hargrett*



**Agreed By:**

Respectfully submitted,

// s // Cory S. Reed

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*Linnette Hargrett*

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Stephen Mendel  
 Bar No. 13930650  
 info@mendellawfirm.com  
 Envelope ID: 101504972  
 Filing Code Description: Proposed Order  
 Filing Description: Agreed Final Judgment  
 Status as of 6/3/2025 11:37 AM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Neal Spielman	794678	nspielman@grifmatlaw.com	6/2/2025 4:47:17 PM	SENT
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Cory SReed		creed@thompsoncoe.com	6/2/2025 4:47:17 PM	SENT

Associated Case Party: NELVAEBRUNSTING

Name	BarNumber	Email	TimestampSubmitted	Status
Bobbie Bayless	1940600	bayless@baylessstokes.com	6/2/2025 4:47:17 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 June 8, 2025

Teneshia Hudspeth, County Clerk  
Harris County, Texas

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

