

CAUSE NO. 25-18363

VICTOR HOLLENDER, BRUCE	§	IN THE DISTRICT COURT OF
NEITZKE, ESTHER SCHNEIDER, and	§	
SARAH RIVAS	§	
<i>Plaintiffs,</i>	§	
	§	
AND	§	
	§	
GILLESPIE COUNTY, TEXAS	§	GILLESPIE COUNTY, TEXAS
<i>Intervenor Plaintiff</i>	§	
v.	§	
	§	
ROGERS DRAW ENERGY STORAGE,	§	
LLC,	§	
<i>Defendant.</i>	§	216 <sup>TH</sup> JUDICIAL DISTRICT

**AGREED TEMPORARY INJUNCTION**

Plaintiffs Victor Hollender, Bruce Neitzke, Esther Schneider, and Sarah Rivas (“Plaintiffs”), Intervenor Plaintiff Gillespie County, Texas, and Defendant Rogers Draw Energy Storage, LLC (“Rogers Draw”), by way of compromise to avoid unnecessary costs and fees, and without agreeing to the merits of Plaintiffs’ or Intervenor Plaintiff’s claims or any defenses to them, and without waiving Defendants’ Plea to the Jurisdiction or any defenses thereto, hereby submit this Agreed Temporary Injunction with respect to Plaintiffs’ and Intervenor Plaintiff’s claims.

The Court hereby **ORDERS** the following:

1. Rogers Draw, and its officers, agents, servants, and employees, and those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise, are hereby restrained from conducting any onsite construction activities on Rogers Draw’s planned battery

energy storage system located at 22277 FM 2093 in Harper, Gillespie County, Texas. This Agreed Temporary Injunction does not prohibit Rogers Draw from taking non-construction administrative action, including but not limited to the following: (a) submitting documents for review and discussion in accordance with NFPA 855 and other similar rules, regulation, or statutes, (b) keeping the currently onsite equipment at the site, and (c) maintaining such equipment and the site solely to the extent necessary to preserve the condition of the site and equipment (including preserving any applicable equipment warranties) as of the date of this Order. The County's review, discussion, acceptance, and approval, if any, of documents submitted in accordance with NFPA 855 or other similar rules, regulation, or statutes shall not constitute approval to recommence construction until a final judgment is entered in this case.

2. A \$1,000 bond shall be posted as security for the Agreed Temporary Injunction, and this Agreed Temporary Injunction shall not be final until the bond is posted.

The prohibitions in this Agreed Temporary Injunction shall continue until a final judgment is entered in this case.

SIGNED on this \_\_\_\_ day of 1/20/2026, 2026.



HONORABLE ALBERT D. PATILLO, III

### Automated Certificate of eService

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Jessi Abramson on behalf of Ross Sutherland

Bar No. 24117114

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Envelope ID: 110165839

Filing Code Description: Rule 11 Agreement

Filing Description: Regarding Agreed Temporary Injunction

Status as of 1/21/2026 8:50 AM CST

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Associated Case Party: Rogers Draw Energy Storage, LLC

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