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12/12/25
4:30 p.m.
QAS

CAUSE NO. 25-18363

VICTOR HOLLENDER, BRUCE NEITZKE, ESTHER SCHNEIDER, and SARAH RIVAS	§	IN THE DISTRICT COURT
V.	§	GILLESPIE COUNTY, TEXAS
ROGERS DRAW ENERGY STORAGE, LLC, B&CWR, INC., d/b/a CACTUS CONSTRUCTION	§	216 th JUDICIAL DISTRICT

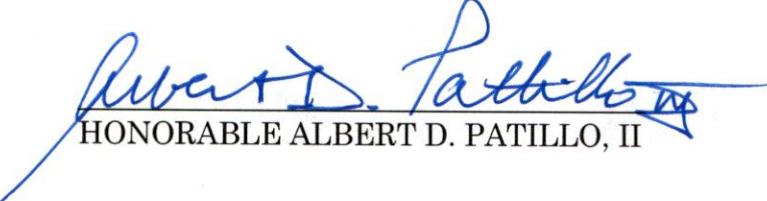
**PROPOSED ORDER ON B&CWR, INC.'S RULE 91a MOTION TO DISMISS,
REQUEST FOR ATTORNEYS' FEES AND COSTS**

On this day, the Court considered Defendant B&CWR, Inc. d/b/a Cactus Construction's Motion to Dismiss and Request for Attorney's Fees. After reviewing the motion, the response, the applicable law, and argument of counsel, the Court finds that the motion should be **GRANTED**.

It is therefore **ORDERED** that Defendant B&CWR, Inc. d/b/a Cactus Construction's Motion to Dismiss is **GRANTED**, and the case is **DISMISSED WITH PREJUDICE**.

Furthermore, the Court finds that Defendant B&CWR, Inc. d/b/a Cactus Construction is entitled to recover reasonable attorney's fees incurred in relation to this motion. The Court hereby **ORDERS** Defendant to submit affidavits with its attorneys' fees to date by 1/12, 2025.

SIGNED on this 12th day of Dec., 2025.


HONORABLE ALBERT D. PATILLO, II

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Michael Suchosky on behalf of William Ford
Bar No. 7246700

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Envelope ID: 107923333

Filing Code Description: Defendant's Motion

Filing Description: Cactus Construction's Rule 91a Motion to Dismiss, Request for Attorneys' Fees and Costs, and Joinder in Defendant Rogers Draw Energy Storage, LLC's Rule 91a Motion to Dismiss
Status as of 11/14/2025 1:39 PM CST

Associated Case Party: B&CWR, Inc., d/b/a Cactus Construction

Name	BarNumber	Email	TimestampSubmitted	Status
Gregory A.Scrivener		greg.scrivener@fordmurray.com	11/11/2025 3:58:33 PM	SENT
William H.Ford		bill.ford@fordmurray.com	11/11/2025 3:58:33 PM	SENT
Kennedy HatfieldAsel		hatfieldasel@fordmurray.com	11/11/2025 3:58:33 PM	SENT
Michael Suchosky		michael.suchosky@fordmurray.com	11/11/2025 3:58:33 PM	SENT

Case Contacts

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Associated Case Party: Victor Hollender

Name	BarNumber	Email	TimestampSubmitted	Status
Richard Mosty	14594800	rmosty@mostylaw.com	11/11/2025 3:58:33 PM	SENT

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Michael Suchosky on behalf of William Ford

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michael.suchosky@fordmurray.com

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Draw Energy Storage, LLC's Rule 91a Motion to Dismiss

Status as of 11/14/2025 1:39 PM CST

Associated Case Party: Victor Hollender

Richard Mosty	14594800	rmosty@mostylaw.com	11/11/2025 3:58:33 PM	SENT
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Associated Case Party: Rogers Draw Energy Storage, LLC

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Nikki Sims		nsims@mcguirewoods.com	11/11/2025 3:58:33 PM	SENT