

*Bank Filed  
12/12/25  
4:30 p.m.  
RJS*

CAUSE NO. 25-18363

VICTOR HOLLENDER, BRUCE	§	IN THE DISTRICT COURT OF
NEITZKE, ESTHER SCHNEIDER, and	§	
SARAH RIVAS	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	GILLESPIE COUNTY, TEXAS
	§	
	§	
ROGERS DRAW ENERGY STORAGE,	§	
LLC, B&CWR, INC., d/b/a CACTUS	§	
CONSTRUCTION	§	216TH JUDICIAL DISTRICT
<i>Defendants.</i>		

PROPOSED ORDER ON DEFENDANT ROGERS DRAW ENERGY STORAGE,  
LLC'S RULE 91a MOTION TO DISMISS AND REQUEST FOR ATTORNEYS'  
FEES


Before the Court is Defendant Rogers Draw Energy Storage, LLC's ("Defendant") Rule 91a Motion to Dismiss and Request for Attorneys' Fees ("Motion").

Having considered the Motion, any timely responses and replies thereto, the arguments of counsel, Plaintiffs' live petition, the applicable law, and all other matters properly before the Court, the Court finds that the Motion is without merit and should be DENIED. IT IS THEREFORE ORDERED that the Motion is DENIED.

Furthermore, the Court finds that, pursuant to Texas Rule of Civil Procedure 91a.7, Plaintiffs are entitled to recover their costs and reasonable and necessary attorneys' fees incurred with respect to the challenged causes of action. The Court hereby ORDERS Plaintiffs to submit written proof of their fees and costs within fourteen (14) days of this Order, and Defendant may respond with any objections to such proof within seven (7) days thereafter.

IT IS SO ORDERED.

SIGNED on this 12<sup>th</sup> day of Dec, 2025.

  
HONORABLE ALBERT D. PATTILLO, III