

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	§	
<i>Intervenor-Plaintiff</i>	§	GILLESPIE COUNTY, TEXAS
v.	§	
ROGERS DRAW ENERGY STORAGE,	§	
LLC, B&CWR, INC., d/b/a CACTUS	§	
CONSTRUCTION	§	
<i>Defendants.</i>	§	216TH JUDICIAL DISTRICT

PLAINTIFFS' NOTICE OF NON-SUIT WITHOUT PREJUDICE

TO THE HONORABLE JUDGE OF SAID COURT:

Pursuant to Texas Rule of Civil Procedure 162, Plaintiffs Victor Hollender, Bruce Neitzke, Esther Schneider, and Sarah Rivas ("Plaintiffs") file this Notice of Non-Suit Without Prejudice as to B&CWR, Inc. d/b/a Cactus Construction for all claims and causes of action in Plaintiff's First Amended Petition and Application for Temporary Injunction and Permanent Injunction.

This Notice of Nonsuit does not, in any way, effect Plaintiffs' claims and causes of action against Rogers Draw Energy Storage, LLC.

Respectfully submitted,

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By: /s/ Ross Sutherland

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2025, a true and correct copy of the foregoing was served electronically on all attorneys of record in compliance with Rules 21 and 21a of the Texas Rules of Civil Procedure.

/s/ Ross Sutherland
Ross Sutherland

Automated Certificate of eService

This automated certificate of service was created by the efilng system. The filer served this document via email generated by the efilng system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Carla Matheson on behalf of Ross Sutherland

Bar No. 24117114

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Envelope ID: 109161514

Filing Code Description: Notice

Filing Description: Plaintiff's Notice of Non-suit Without Prejudice

Status as of 12/16/2025 3:37 PM CST

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

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Associated Case Party: Victor Hollender

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Carla Matheson on behalf of Ross Sutherland

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Envelope ID: 109161514

Filing Code Description: Notice

Filing Description: Plaintiff's Notice of Non-suit Without Prejudice

Status as of 12/16/2025 3:37 PM CST

Associated Case Party: Victor Hollender

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Associated Case Party: Rogers Draw Energy Storage, LLC

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Associated Case Party: Gillespie County, Texas

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