

CAUSE NO. 25-18363

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

**RULE 11 AGREEMENT REGARDING
AGREED TEMPORARY INJUNCTION**

Plaintiffs Victor Hollender, Bruce Neitzke, Esther Schneider, and Sarah Rivas; Intervenor Plaintiff Gillespie County, Texas; and Defendant Rogers Draw Energy Storage, LLC file this agreement under Texas Rule of Civil Procedure 11. Without agreeing to the merits of any claims or defenses raised in this case, the parties agree to the entry of the Agreed Temporary Injunction attached as Exhibit A to this Rule 11 Agreement. The parties further agree as follows:

1. Defendant agrees that the Agreed Temporary Injunction is enforceable and will not make any argument that the Agreed Temporary Injunction is void or otherwise unenforceable based on any alleged failure to comply with procedural requirements.
2. The Parties agree that the terms of this Rule 11 Agreement will not be used to argue that any party has waived any claims or defenses or has

conceded any claims or defenses. The Parties agree that by entering into this Rule 11 Agreement, Defendant is not waiving its Plea to the Jurisdiction or any defenses thereto.

3. The Parties agree to jointly request the soonest available trial date, subject to counsel, party, witness, and court availability.
4. Intervenor Gillespie County, Texas agrees not to issue additional stop work orders or similar purported violations while the Agreed Temporary Injunction remains in effect. This Rule 11 Agreement shall not impact the existing stop work orders issued by Intervenor Gillespie County, Texas.



Ross Sutherland
Counsel for Plaintiffs Victor Hollender,
Bruce Neitzke, Ester Schneider, and
Sarah Rivas



Mick McKamie
Counsel for Intervenor-Plaintiff Gillespie
County, Texas



Jeremiah Anderson
Counsel for Defendant Rogers Draw
Energy Storage LLC

Automated Certificate of eService

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Jessi Abramson on behalf of Ross Sutherland

Bar No. 24117114

jabramson@scottdoug.com

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

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Gregory A.Scrivener		greg.scrivener@fordmurray.com	1/16/2026 4:10:13 PM	SENT
Jeremiah Anderson	24040432	jjanderson@mcguirewoods.com	1/16/2026 4:10:13 PM	SENT
Alfred Huebinger	24065460	jhuebinger@mcguirewoods.com	1/16/2026 4:10:13 PM	SENT
William H.Ford		bill.ford@fordmurray.com	1/16/2026 4:10:13 PM	SENT
Ross Sutherland		rsutherland@scottdoug.com	1/16/2026 4:10:13 PM	SENT
Michelle Joyner		mjoyner@scottdoug.com	1/16/2026 4:10:13 PM	SENT
Kennedy HatfieldAsel		hatfieldasel@fordmurray.com	1/16/2026 4:10:13 PM	SENT
Jennifer R.Cook		jrcook@mcguirewoods.com	1/16/2026 4:10:13 PM	SENT
Jennifer Juneau		jjuneau@scottdoug.com	1/16/2026 4:10:13 PM	SENT
Anthony Arguijo		aarguijo@scottdoug.com	1/16/2026 4:10:13 PM	SENT
Shelby Hart-Armstrong		sharmstrong@scottdoug.com	1/16/2026 4:10:13 PM	SENT
Jessi Abramson		jabramson@scottdoug.com	1/16/2026 4:10:13 PM	SENT
Carla Matheson		cmatheson@scottdoug.com	1/16/2026 4:10:13 PM	SENT
Sam Causey		scausey@mostylaw.com	1/16/2026 4:10:13 PM	SENT
Michael Suchosky		michael.suchosky@fordmurray.com	1/16/2026 4:10:13 PM	SENT

Associated Case Party: Victor Hollender

Name	BarNumber	Email	TimestampSubmitted	Status
Richard Mosty	14594800	rmosty@mostylaw.com	1/16/2026 4:10:13 PM	SENT
Charles Mosty	24041532	cdmosty@mostylaw.com	1/16/2026 4:10:13 PM	SENT

Associated Case Party: Rogers Draw Energy Storage, LLC

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Associated Case Party: Rogers Draw Energy Storage, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Nikki Sims		nsims@mcguirewoods.com	1/16/2026 4:10:13 PM	SENT

Associated Case Party: Gillespie County, Texas

Name	BarNumber	Email	TimestampSubmitted	Status
Rachel Raggio		rraggio@toase.com	1/16/2026 4:10:13 PM	SENT
Sara Neel		sneel@gillespiecounty.gov	1/16/2026 4:10:13 PM	SENT
William M. McKamie		mmckamie@toase.com	1/16/2026 4:10:13 PM	SENT
Rebecca Meek		rmeek@toase.com	1/16/2026 4:10:13 PM	SENT