

From: [Kresta L. McCall](#)
To: [Jon Miller](#)
Cc: [Mike Gershon](#); bharrison@jw.com; lsherman@jw.com; jfreeland@mandf.com; [Jacobs, Kevin](#); [Williams, Paulina](#); [Jeffress, Katie](#)
Subject: RE: Cause No. 24-002626-CV-472; Texas A&M University System vs. Brazos Valley Groundwater Conservation District, et al
Date: Thursday, December 5, 2024 11:57:48 AM
Attachments: [image004.png](#)
[image005.png](#)
[image880028.png](#)
[image494702.png](#)
[image741557.png](#)
[image490728.png](#)

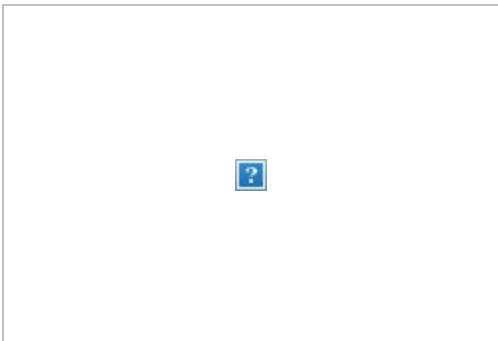
Thank you for the update!

We look forward to seeing everyone tomorrow.

Thank you,

Kresta McCall

Court Coordinator
472nd District Court
300 E. 26th Street, Suite 2600
Bryan, Texas 77803
979-361-2603
kmccall@brazoscountytexas.gov



From: Jon Miller <miller@rodgersmiller.com>
Sent: Thursday, December 5, 2024 10:55 AM
To: Kresta L. McCall <KMccall@brazoscountytexas.gov>
Cc: mgershon@lglawfirm.com; bharrison@jw.com; lsherman@jw.com; jfreeland@mandf.com; kevin.jacobs@bakerbotts.com; paulina.williams@bakerbotts.com; katie.jeffress@bakerbotts.com
Subject: RE: Cause No. 24-002626-CV-472; Texas A&M University System vs. Brazos Valley Groundwater Conservation District, et al

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Dear Kresta,

This morning my clients nonsuited without prejudice their affirmative claims in the case which makes the pleas to the jurisdiction and the motions to continue tomorrow's hearing moot. Our summary judgment motion and its arguments do go directly against the Plaintiff's claims and remain live for the Court to consider tomorrow. This should streamline the proceedings tomorrow so that we can simply go straight to the MSJ.

We look forward to seeing you at 9:00 a.m. tomorrow. Thanks.

Jon Miller



Civil Trial Law



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From: Jon Miller

Sent: Monday, November 25, 2024 1:56 PM

To: Kresta L. McCall <kmccall@brazoscountytexas.gov>

Cc: mgershon@lglawfirm.com; bharrison@jw.com; lshepherd@jw.com; jfreeland@mandf.com;

Jacobs, Kevin <kevin.jacobs@bakerbotts.com>; Williams, Paulina

<paulina.williams@bakerbotts.com>; Jeffress, Katie <katie.jeffress@bakerbotts.com>

Subject: RE: Cause No. 24-002626-CV-472; Texas A&M University System vs. Brazos Valley Groundwater Conservation District, et al

Dear Kresta:

The attached letter is being e-filed today. We urge the Court to keep the December 6 hearing on the docket. Thank you.

Jon Miller



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From: Jon Miller

Sent: Friday, November 22, 2024 4:53 PM

To: Kresta L. McCall <kmccall@brazoscountytexas.gov>

Cc: mgershon@lglawfirm.com; bharrison@jw.com; lsheerman@jw.com; jfreeland@mandf.com;

Jacobs, Kevin <kevin.jacobs@bakerbotts.com>; Williams, Paulina

<paulina.williams@bakerbotts.com>; Jeffress, Katie <katie.jeffress@bakerbotts.com>

Subject: Cause No. 24-002626-CV-472; Texas A&M University System vs. Brazos Valley Groundwater Conservation District, et al

Dear Kresta:

I have been retained by Intervenor UW Brazos Valley Farm LLC and related persons/ entities to serve as co-counsel in this case, and I will be filing a Notice of Appearance on Monday of next week. Baker Botts and its lawyers will continue to be the attorneys in charge for those clients.

I write in regard to the hearing currently set for 9:00 a.m. on Friday December 6, 2024. As you know, a hearing is set for that time on my clients' Motion for Summary Judgment. Yesterday, counsel for Texas A&M University System sent you a letter purporting to be an objection to the setting based on Local Rule of Administration 3.13(b)(4). **That rule applies only to scheduling conflicts**, and counsel's letter does not indicate that there is a scheduling conflict. Therefore, my clients believe it would be improper to remove or alter the hearing set for December 6.

Early next week my co-counsel and I will be filing a response to the matters stated in yesterday's letter from TAMU's counsel. In the meantime, please keep the hearing set for 9:00 a.m. on December 6. Thank you, and have a great weekend!

Jon Miller



Civil Trial Law



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