

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

FAZZINO INVESTMENTS, LP
for itself and all others similarly situated,

Plaintiffs,

v.

BRAZOS VALLEY GROUNDWATER
CONSERVATION DISTRICT,

Defendant.

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CASE NO. 6:25-cv-00001-ADA-DTG

**PLAINTIFF’S UNOPPOSED MOTION TO WITHDRAW
APPLICATION FOR TEMPORARY INJUNCTION**

Now comes Plaintiff Fazzino Investments, L.P., on its own behalf and on behalf of the putative class, and files this Unopposed Motion to Withdraw its Application for Temporary Injunction [Dkt. No. 3], showing the Court as follows:

1. Plaintiff, for itself and all others similarly situated, filed its Original Complaint in this action on January 2, 2025.
2. On January 6, 2025, Plaintiff filed its Application for Temporary Injunction [Dkt. No. 3].
3. Plaintiff now believes that judicial economy would be best served by conducting certain class-related proceedings prior to requesting a temporary injunction in this matter. Specifically, Plaintiff intends to file a motion for appointment of interim class counsel, and to then seek a hearing on class certification. At that point, Plaintiff reserves the right to seek injunctive relief if such relief appears to be necessary.

4. Accordingly, Plaintiff moves to withdraw its Application for Temporary Injunction without prejudice to the refiling of the same after class certification in this matter.

Respectfully submitted,

/s/ Marvin W. Jones

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Attorneys for Plaintiff and the Putative Class

CERTIFICATE OF CONFERENCE

On the 24th day of March, 2025, I conferred with Jose E. de la Fuente, counsel for Defendant, who advised that Defendant does not oppose the relief sought in this motion.

/s/ Marvin W. Jones
Marvin W. Jones

CERTIFICATE OF SERVICE

I hereby certify that on this 25 day of March 2025, I caused a true and correct copy of the foregoing to be transmitted by the Court's electronic case filing system to the parties listed below:

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