

**IN THE 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-0001-ADA-DTG

**PLAINTIFF’S [OPPOSED] MOTION FOR ENTRY OF ORDER
APPOINTING INTERIM CO-LEAD CLASS COUNSEL**

NOW COMES Plaintiff Fazzino Investments, LP and moves the Court to enter the attached Order Appointing Interim Co-Lead Class Counsel, showing the Court as follows:

1. On April 22, 2025, Plaintiff filed its Opposed Motion to Appoint Interim Co-Lead Counsel (Motion).
2. On October 2, 2025, the Court granted Plaintiff’s Motion and directed Plaintiff’s counsel to tender a proposed order (Order), a copy of which is attached. Plaintiff drafted such an Order and filed the same. Defendant then requested that the Court delay entering the Order until it had the opportunity to review and provide comments.
3. On two occasions thereafter, Plaintiff attempted to contact counsel for Defendant by telephone in an attempt to confer regarding the Order. On October 14, 2025, Defendant emailed proposed revisions to the Order. The parties have been unable to agree on the proposed Order.
4. Plaintiff now submits the Order and requests that the Court enter it.

WHEREFORE, Plaintiff moves the Court to enter the attached Order Appointing Interim Co-Lead Counsel.

Dated: October 15, 2025

/s/ Marvin W. Jones

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Interim Class Counsel for the Putative Class

CERTIFICATE OF CONFERENCE

I certify that on October 14, 2025, I conferred with counsel for Defendant concerning the proposed Order Appointing Interim Co-Lead Class Counsel, who indicated he was opposed to the Order in its present form.

/s/ Marvin W. Jones
Marvin W. Jones

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2025, I served a true and correct copy of Plaintiff's [Opposed] Motion for Entry of Order Appointing Interim Class Counsel on Defendant's counsel via electronic mail.

/s/ Marvin W. Jones
Marvin W. Jones