

EXHIBIT A

**U.S. District Court [LIVE]
Western District of Texas (Waco)
CIVIL DOCKET FOR CASE #: 6:18-cv-00114-JCM**

Stratta et al v. Roe et al
Assigned to: Judge Jeffrey C. Manske
Demand: \$100,000
Case in other court: Fifth Circuit Court of Appeals, 18-50994
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 04/13/2018
Date Terminated: 04/14/2022
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

David Stratta

TERMINATED: 06/22/2020

represented by **Cullom Brantley Jones**

Sprouse Shrader Smith, PLLC
P.O. Box 15008
Amarillo, TX 79109
806-468-3300
Fax: 806-373-3454
Email: brantley.jones@sprouselaw.com
TERMINATED: 06/22/2020
ATTORNEY TO BE NOTICED

Mark D. Siegmund

Cherry Johnson Siegmund James, PLLC
400 Austin Ave.
Ste 9th Floor
Waco, TX 76701
254-732-2242
Fax: 866-627-3509
Email: msiegmund@cjsjlaw.com
TERMINATED: 06/22/2020
ATTORNEY TO BE NOTICED

Marvin W. Jones

Sprouse Shrader Smith, PLLC
P.O. Box 15008
701 S. Taylor, Ste 500
Amarillo, TX 79105
806-468-3300
Fax: 806-373-3454
Email: marty.jones@sprouselaw.com
TERMINATED: 06/22/2020
ATTORNEY TO BE NOTICED

Plaintiff

Anthony Fazzino

represented by **Cullom Brantley Jones**

(See above for address)
ATTORNEY TO BE NOTICED

Mark D. Siegmund

(See above for address)
ATTORNEY TO BE NOTICED

Marvin W. Jones
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Jan A. Roe
*Individually and in her official capacity as a
director of the Brazos Valley Groundwater
Conservation District*

represented by **Gabrielle Cherie Smith**
Lloyd Gosselink Rochelle and Townsend
PC
816 Congress Avenue
Suite 1900
Austin, TX 78701
512-322-5820
Fax: 512-472-0532
Email: gsmith@lglawfirm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James F. Parker , III
Lloyd Gosselink Rochelle & Townsend,
P.C.
816 Congress Ave., Suite 1900
Austin, TX 78701
512) 322-5878
Email: jparker@lglawfirm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jose E. de la Fuente
Lloyd Gosselink Rochelle & Townsend, PC
816 Congress Ave., Suite 1900
Austin, TX 78701
(512)322-5800
Fax: 512/472-0532
Email: jdelafuente@lglawfirm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren S. Aldredge
Cokinos Young
Las Cimas IV
900 S. Capital of Texas Hwy., Suite 425
Austin, TX 78746
512-615-1148
Email: laldredge@cokinoslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Allan Gershon

Lloyd Gosselink Rochelle & Townsend,
P.C.
816 Congress Avenue, Suite 1900
Austin, TX 78701
512-322-5872
Fax: 512-472-0532
Email: mgershon@lglawfirm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Billy L. Harris

*Individually and in his official capacity as a
director of the Brazos Valley Groundwater
Conservation District*

represented by **Gabrielle Cherie Smith**

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James F. Parker , III

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jose E. de la Fuente

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren S. Aldredge

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Allan Gershon

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Bryan F. Russ, Jr.

*Individually and in his official capacity as a
director of the Brazos Valley Groundwater
Conservation District*

represented by **Gabrielle Cherie Smith**

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James F. Parker , III

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jose E. de la Fuente

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren S. Aldredge

(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Allan Gershon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Jayson Barfknecht
*Individually and in his official capacity as a
director of the Brazos Valley Groundwater
Conservation District*

represented by **Gabrielle Cherie Smith**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James F. Parker , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jose E. de la Fuente
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren S. Aldredge
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Allan Gershon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Mark J. Carrabba
*Individually and in his official capacity as a
director of the Brazos Valley Groundwater
Conservation District*

represented by **Gabrielle Cherie Smith**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James F. Parker , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jose E. de la Fuente
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren S. Aldredge
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Allan Gershon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Gordon Peter Brien
*Individually and in his official capacity as a
director of the Brazos Valley Groundwater
Conservation District*

represented by **Gabrielle Cherie Smith**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James F. Parker , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jose E. de la Fuente
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Allan Gershon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren S. Aldredge
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Stephen C. Cast
*Individually and in his official capacity as a
director of the Brazos Valley Groundwater
Conservation District*

represented by **Gabrielle Cherie Smith**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James F. Parker , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jose E. de la Fuente
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren S. Aldredge
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Allan Gershon
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Brazos Valley Groundwater Conservation District

represented by **Gabrielle Cherie Smith**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James F. Parker , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jose E. de la Fuente
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren S. Aldredge
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Allan Gershon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amicus

Texas Farm Bureau

Amicus

Douglas Caroom

Amicus

Joshua D. Katz

Amicus

Texas and Southwestern Cattle Raisers Association

Date Filed	#	Docket Text
04/13/2018	1	COMPLAINT <i>Plaintiffs' Original Complaint</i> (Filing fee \$ 400 receipt number 0542-10682351). No Summons requested at this time, filed by Anthony Fazzino, David Stratta. (Jones, Marvin) (Entered: 04/13/2018)
04/13/2018	2	JS44 (Civil Cover Sheet) submitted by Anthony Fazzino, David Stratta. (Jones, Marvin) (Entered: 04/13/2018)
04/13/2018	3	Certificate of Interested Parties by Anthony Fazzino, David Stratta. (Jones, Marvin) (Entered: 04/13/2018)

04/13/2018		Case assigned to Judge Robert Pitman. CM WILL NOW REFLECT THE JUDGE INITIALS AS PART OF THE CASE NUMBER. PLEASE APPEND THESE JUDGE INITIALS TO THE CASE NUMBER ON EACH DOCUMENT THAT YOU FILE IN THIS CASE. (jch) (Entered: 04/13/2018)
04/13/2018		CASE REFERRED to Magistrate Judge Jeffrey C. Manske. (jch) (Entered: 04/13/2018)
06/08/2018	4	Unopposed MOTION for Extension of Time to File Answer by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Proposed Order). Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 06/08/2018)
06/10/2018		Text Order GRANTING 4 Motion for Extension of Time to Answer entered by Judge Jeffrey C. Manske. The Motion is uncontested. The agreed deadline for Defendants to answer or otherwise plead in response to Plaintiffs Original Complaint is extended to July 30, 2018.(jhg) (Entered: 06/10/2018)
06/11/2018		Set/Reset Deadlines: Jayson Barfknecht answer due 7/30/2018; Mark J. Carrabba answer due 7/30/2018; Stephen C. Cast answer due 7/30/2018; Billy L. Harris answer due 7/30/2018; Jan A. Roe answer due 7/30/2018; Bryan F. Russ, Jr. answer due 7/30/2018. (mc5) (Entered: 06/11/2018)
06/11/2018		Set/Reset Deadlines: Brazos Valley Groundwater Conservation District answer due 7/30/2018. (mc5) (Entered: 06/11/2018)
07/30/2018	5	MOTION to Dismiss for Lack of Jurisdiction by Brazos Valley Groundwater Conservation District, Gordon Peter Brien, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Proposed Order). Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 07/30/2018)
07/30/2018	6	ATTACHMENT <i>Exhibit 1 part 1</i> to 5 MOTION to Dismiss for Lack of Jurisdiction by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Gordon Peter Brien, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 07/30/2018)
07/30/2018	7	ATTACHMENT <i>Exhibit 1 part 2</i> to 5 MOTION to Dismiss for Lack of Jurisdiction by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Gordon Peter Brien, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 07/30/2018)
07/30/2018	8	ATTACHMENT <i>Exhibit 1 part 3</i> to 5 MOTION to Dismiss for Lack of Jurisdiction by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Gordon Peter Brien, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 07/30/2018)
07/30/2018	9	ATTACHMENT <i>Exhibit 1 part 4</i> to 5 MOTION to Dismiss for Lack of Jurisdiction by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Gordon Peter Brien, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 07/30/2018)
07/30/2018	10	ATTACHMENT <i>Exhibit 1 part 5</i> to 5 MOTION to Dismiss for Lack of Jurisdiction by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Gordon Peter Brien, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 07/30/2018)
07/30/2018	11	ATTACHMENT <i>Exhibit 1 part 6</i> to 5 MOTION to Dismiss for Lack of Jurisdiction by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Gordon Peter

		Brien, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 07/30/2018)
07/30/2018	12	ATTACHMENT <i>Exhibit 1 part 7</i> to 5 MOTION to Dismiss for Lack of Jurisdiction by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Gordon Peter Brien, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 07/30/2018)
07/30/2018	13	Motion to Dismiss for Failure to State a Claim by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Proposed Order). Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 07/30/2018)
07/31/2018	14	Unopposed MOTION for Extension of Time to File <i>Responsive Pleadings</i> by Brazos Valley Groundwater Conservation District, Gordon Peter Brien. (Attachments: # 1 Proposed Order). Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 07/31/2018)
08/01/2018		Text Order GRANTING 14 Motion for Extension of Time to File entered by Judge Jeffrey C. Manske. Having considered the Motion and the grounds therefor, the Court GRANTS Defendants Unopposed Motion for Extension of Time to File Responsive Pleadings for Defendant Gordon Peter Brien in his Official Capacity. (nc) (Entered: 08/01/2018)
08/27/2018	15	Unopposed MOTION for Extension of Time to File Response/Reply <i>Pleadings</i> by Anthony Fazzino. (Attachments: # 1 Proposed Order Order Granting the Motion for Extension of Time to File Responsive Pleadings). Motions referred to Judge Jeffrey C. Manske. (Jones, Marvin) (Entered: 08/27/2018)
08/28/2018	16	Unopposed MOTION for Extension of Time to File Response/Reply <i>Pleadings</i> by Anthony Fazzino. (Attachments: # 1 Proposed Order Order Granting the First Amend Motion for Extension of Time to File Responsive Pleadings). Motions referred to Judge Jeffrey C. Manske. (Jones, Marvin) (Entered: 08/28/2018)
08/29/2018		Text Order GRANTING 16 Motion for Extension of Time to File Response/Reply entered by Judge Jeffrey C. Manske. Having considered the Motion and the grounds therefor, the Court GRANTS Plaintiffs Amended Unopposed Motion for Extension of Time to Respond to Defendants Motions to Dismiss. Plaintiffs deadline to respond is extended to September 7, 2018. (This is a text-only entry generated by the court. There is no document associated with this entry.) (nc) (Entered: 08/29/2018)
08/29/2018		Text Order MOOTING 15 Motion for Extension of Time to File Response/Reply entered by Judge Jeffrey C. Manske. In light of the subsequently filed Amended Unopposed Motion for Extension of Time, the instant Motion is MOOT. (This is a text-only entry generated by the court. There is no document associated with this entry.) (nc) (Entered: 08/29/2018)
09/07/2018	17	RESPONSE to Motion, filed by Anthony Fazzino, re 13 Motion to Dismiss for Failure to State a Claim filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (Jones, Marvin) (Entered: 09/07/2018)
09/07/2018	18	RESPONSE to Motion, filed by Anthony Fazzino, re 5 MOTION to Dismiss for Lack of Jurisdiction filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District, Defendant Gordon Peter Brien (Jones, Marvin) (Entered: 09/07/2018)

09/14/2018	19	REPLY to Response to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 13 Motion to Dismiss for Failure to State a Claim filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (de la Fuente, Jose) (Entered: 09/14/2018)
09/14/2018	20	REPLY to Response to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 5 MOTION to Dismiss for Lack of Jurisdiction filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District, Defendant Gordon Peter Brien (de la Fuente, Jose) (Entered: 09/14/2018)
09/20/2018	21	ORDER REASSIGNING CASE. Case reassigned to Judge Alan D Albright for all proceedings. Judge Robert Pitman no longer assigned to case. Signed by Judge Robert Pitman. (jk) (Entered: 09/23/2018)
10/10/2018	22	ORDER. Telephone Conference set for 10/12/2018 10:00 AM before Judge Alan D Albright. Signed by Judge Alan D Albright. (tb) (Entered: 10/10/2018)
10/12/2018	23	Minute Entry for proceedings held before Judge Alan D Albright: Telephone Conference held on 10/12/2018. There was a discussion regarding the Motions to Dismiss - the Court is inclined to grant motions with the exception of the 5th amendment claims. The Judge is requesting additional briefing from the Plaintiffs by 2 weeks from 10/15. The responses from the Defendant are due several days after that. The Court will review case in 3 weeks from 10/15. (Minute entry documents are not available electronically.) (Court Reporter Kristie Davis.)(tb) (Entered: 10/12/2018)
10/29/2018	24	MOTION for Leave to File Amicus Brief by Douglas G. Caroom. by Texas Farm Bureau. (Attachments: # 1 Proposed Order, # 2 Brief). Motions referred to Judge Jeffrey C. Manske. (Caroom, Douglas) (Entered: 10/29/2018)
10/29/2018	25	RESPONSE to Motion, filed by Anthony Fazzino, re 13 Motion to Dismiss for Failure to State a Claim filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District, 5 MOTION to Dismiss for Lack of Jurisdiction filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District, Defendant Gordon Peter Brien (Jones, Marvin) (Entered: 10/29/2018)
10/31/2018	26	MOTION to Strike 25 Response to Motion,, by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Proposed Order). Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 10/31/2018)
10/31/2018	27	Response in Opposition to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 24 MOTION for Leave to File Amicus Brief by Douglas G. Caroom. filed by Amicus Texas Farm Bureau (Attachments: # 1 Exhibit, # 2 Proposed Order)(de la Fuente, Jose) (Entered: 10/31/2018)
10/31/2018	28	BRIEF regarding 23 Pretrial Conference,, by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris,

		Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 10/31/2018)
11/05/2018	29	MOTION for Leave to File Amicus Brief by James D. Bradbury. by Texas and Southwestern Cattle Raisers Association. (Attachments: # 1 Brief Amicus Brief, # 2 Proposed Order Proposed Order). Motions referred to Judge Jeffrey C. Manske. (Bradbury, James) (Entered: 11/05/2018)
11/09/2018	30	ORDER GRANTING 5 Motion to Dismiss for Lack of Jurisdiction. Terminated party Gordon Peter Brien, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, Jayson Barfknecht and Brazos Valley Groundwater Conservation District. Court finds that Plaintiffs' claims against Defendant District are barred by the Eleventh Amendment. Accordingly, the Court lacks jurisdiction over both Plaintiffs' Section 1983 claims against the District and its Directors in their official capacities. These claims are DISMISSED WITHOUT PREJUDICE because of lack of subject-matter jurisdiction. With respect to the Plaintiff Fazzino's takings claim, it is DISMISSED WITHOUT PREJUDICE because it is not ripe for adjudication. Signed by Judge Alan D Albright. (lad) (Entered: 11/09/2018)
11/09/2018	31	Response in Opposition to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 29 MOTION for Leave to File Amicus Brief by James D. Bradbury. filed by Amicus Texas and Southwestern Cattle Raisers Association (Attachments: # 1 Exhibit, # 2 Proposed Order)(de la Fuente, Jose) (Entered: 11/09/2018)
11/28/2018	32	Appeal of Final Judgment 30 by Anthony Fazzino and David Stratta. (Filing fee \$ 505 receipt number 0542-11498761) (Jones, Marvin) Modified on 2/17/2022 (lad). (Entered: 11/28/2018)
11/28/2018		NOTICE OF APPEAL following 32 Notice of Appeal (E-Filed) by Anthony Fazzino, David Stratta. Per 5th Circuit rules, the appellant has 14 days, from the filing of the Notice of Appeal, to order the transcript. To order a transcript, the appellant should fill out Form DKT-13 (Transcript Order) and follow the instructions set out on the form. This form is available in the Clerk's Office or by clicking the hyperlink above. (mc5) (Entered: 11/29/2018)
12/03/2018	34	ORDER GRANTING 13 DEFENDANTS' RULE 12(b)(6) MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED ON THE BASIS OF QUALIFIED IMMUNITY. These claims are DISMISSED WITH PREJUDICE because of the failure to state a claim. Signed by Judge Alan D Albright. (lad) (Entered: 12/04/2018)
12/04/2018	33	FINAL JUDGMENT. ORDERED that Plaintiffs' Equal Protection and First Amendment claims against Defendant Directors in their individual capacities are DISMISSED WITH PREJUDICE. FURTHER ORDERED that any remaining pending motions are now MOOT. FINALLY ORDERED that this case is CLOSED. Signed by Judge Alan D Albright. (lad) (Entered: 12/04/2018)
12/05/2018	35	TRANSCRIPT REQUEST by Anthony Fazzino for dates of 10/12/2018. Proceedings Transcribed: Telephone Conference discussing the Motions to Dismiss. Court Reporter: Kristie M. Davis.. (Jones, Marvin) (Entered: 12/05/2018)
12/10/2018	36	Amended Appeal of Final Judgment 33 , 34 , 30 by Anthony Fazzino and David Stratta. No filing fee submitted (Jones, Marvin) Modified on 2/17/2022 (lad). (Entered: 12/10/2018)
12/10/2018	37	Transcript filed of Proceedings held on 10-12-18, Proceedings Transcribed: Telephonic Status Conference. Court Reporter/Transcriber: Kristie Davis, Telephone number: 254-340-6114. Parties are notified of their duty to review the transcript to ensure compliance

		with the FRCP 5.2(a)/FRCrP 49.1(a). A copy may be purchased from the court reporter or viewed at the clerk's office public terminal. If redaction is necessary, a Notice of Redaction Request must be filed within 21 days. If no such Notice is filed, the transcript will be made available via PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed Redaction Request due 12/31/2018, Redacted Transcript Deadline set for 1/10/2019, Release of Transcript Restriction set for 3/11/2019, Appeal Record due by 12/26/2018, (Davis, Kristie) (Entered: 12/10/2018)
12/10/2018	38	DESIGNATION of Record on Appeal by Anthony Fazzino and David Stratta re 36 Notice of Appeal (E-Filed) (Jones, Marvin) Modified on 2/17/2022 (lad). (Entered: 12/10/2018)
01/24/2019		Certification of the Electronic Record on Appeal has been accepted by the 5th Circuit re Notice of Appeal. Attorneys are advised that they may now download the EROA from the Fifth Circuit CM/ECF site by following these instructions here (tb) (Entered: 01/24/2019)
06/22/2020	39	Certified copy of USCA JUDGMENT/MANDATE Remanding 36 Notice of Appeal (E-Filed) filed by Anthony Fazzino. AFFIRMING the judgment dismissing Strattas First Amendment claim; REVERSING the dismissal of BVGCD for lack of jurisdiction, and REVERSING and REMANDING the judgment dismissing all other claims and defendants.IT IS FURTHER ORDERED that defendants-appellees pay to plaintiffs-appellants the costs on appeal to be taxed by the Clerk of this Court.(lad) (Entered: 06/22/2020)
07/06/2020	40	ANSWER to 1 Complaint by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit)(de la Fuente, Jose) (Entered: 07/06/2020)
07/07/2020	41	DOCKET CONTROL ORDER with deadlines for filing scheduling and discovery plans. Signed by Judge Jeffrey C. Manske. (lad) (Entered: 07/07/2020)
07/27/2020	42	Certificate of Interested Parties by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 07/27/2020)
07/27/2020	43	Rule 26(f) Discovery Report/Case Management Plan <i>Joint Rule 26(F) Report</i> by Anthony Fazzino, David Stratta. (Jones, Marvin) (Entered: 07/27/2020)
07/27/2020	44	Proposed Scheduling Order by Anthony Fazzino, David Stratta. (Jones, Marvin) (Entered: 07/27/2020)
07/30/2020	45	MOTION for Judgment on the Pleadings by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit). Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 07/30/2020)
08/10/2020	46	SCHEDULING ORDER: Consent to Trial by Magistrate due by 8/31/2020. Amended Pleadings and Joinder of Parties due by 8/31/2020. Motions due by 11/2/2020. Pretrial Conference set for 2/4/2021 10:30 AM before Judge Alan D Albright Jury Selection and Jury Trial set for 2/16/2021 09:00 AM before Judge Alan D Albright. Signed by Judge Alan D Albright. (am) (Entered: 08/10/2020)
08/14/2020	47	Opposed MOTION for Leave to File Response to Defs' Rule 12(c) Partial Motion for Judgment on the Pleadings by Anthony Fazzino, David Stratta. (Attachments: # 1 Exhibit

		Exh A - Response to Defs' Rule 12(c) Partial Motion for Judgment on the Pleadings). Motions referred to Judge Jeffrey C. Manske. (Jones, Marvin) (Entered: 08/14/2020)
08/14/2020	48	Proposed Pretrial Order <i>Granting Motion for Leave to File Response to Defs Rule 12c Partial Motion for Judgment on the Pleadings</i> by Anthony Fazzino, David Stratta. (Jones, Marvin) (Entered: 08/14/2020)
08/17/2020	49	Unopposed MOTION for Leave to File Response to Defs' Rule 12(c) Partial Motion for Judgment on the Pleadings by Anthony Fazzino. (Attachments: # 1 Exhibit Exh A - Response to Defs' Rule 12(c) Partial Motion for Judgment on the Pleadings, # 2 Proposed Order Order Granting Motion for Leave). Motions referred to Judge Jeffrey C. Manske. (Jones, Marvin) (Entered: 08/17/2020)
08/18/2020		Text Order GRANTING 49 Motion for Leave to File entered by Judge Jeffrey C. Manske. The Clerk is directed to enter Plaintiff Anthony Fazzino's Response to Defendants' Rule 12(c) Partial Motion for Judgment on the Pleadings, found at Exhibit 1 of the instant Motion. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 08/18/2020)
08/18/2020		Text Order MOOTING 47 Motion for Leave to File entered by Judge Jeffrey C. Manske. The relief requested in the instant Motion was previously GRANTED pursuant to ECF No. 49. The instant Motion is therefore moot. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 08/18/2020)
08/18/2020	50	RESPONSE to Motion re 45 MOTION for Judgment on the Pleadings filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (am) (Entered: 08/18/2020)
08/24/2020	51	REPLY to Response to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 45 MOTION for Judgment on the Pleadings filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (de la Fuente, Jose) (Entered: 08/24/2020)
08/27/2020	52	Unopposed MOTION for Extension of Time to Amend <i>Complaint</i> by Anthony Fazzino. (Attachments: # 1 Exhibit A - Plaintiff's First Amended Complaint, # 2 Proposed Order Order Granting Motion for Leave). Motions referred to Judge Jeffrey C. Manske. (Jones, Marvin) (Entered: 08/27/2020)
08/27/2020		Text Order GRANTING 52 Motion for Leave to Amend Complaint entered by Judge Jeffrey C. Manske. The Clerk of the Court is directed to enter Plaintiff's Amended complaint, attached as exhibit 1 to the instant Motion. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 08/27/2020)
08/27/2020	53	FIRST AMENDED COMPLAINT filed by Anthony Fazzino.(am) (Entered: 08/27/2020)
08/27/2020	54	STIPULATION <i>Regarding Defendants' Rule 12(c) Motion for Judgment on the Pleadings</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 08/27/2020)
08/28/2020	55	CONSENT to Trial by US Magistrate Judge by Anthony Fazzino. (Jones, Marvin) (Entered: 08/28/2020)

08/31/2020	56	NOTICE and Statement Regarding Consent to Magistrate by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Bryan F. Russ, Jr (de la Fuente, Jose) (Entered: 08/31/2020)
09/03/2020	57	MOTION for Summary Judgment by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit). Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 09/03/2020)
09/17/2020	58	RESPONSE to Motion, filed by Anthony Fazzino, re 57 MOTION for Summary Judgment filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (Attachments: # 1 Proposed Order)(Jones, Marvin) (Entered: 09/17/2020)
09/17/2020	59	RESPONSE to Motion, filed by Anthony Fazzino, re 57 MOTION for Summary Judgment filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (<i>Amended</i>) (Attachments: # 1 Proposed Order)(Jones, Marvin) (Entered: 09/17/2020)
09/24/2020	60	REPLY to Response to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 57 MOTION for Summary Judgment filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (Attachments: # 1 Exhibit, # 2 Exhibit)(Parker, James) (Entered: 09/24/2020)
09/24/2020	61	Unopposed MOTION for Leave to File Defendants' First Amended Answer by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit Amended Answer, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Proposed Order). Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 09/24/2020)
09/30/2020	62	DESIGNATION OF EXPERT WITNESSES by Anthony Fazzino. (Jones, Marvin) (Entered: 09/30/2020)
10/19/2020		Text Order GRANTING 61 Motion for Leave to File entered by Judge Jeffrey C. Manske. The Clerk of Court is directed to enter the Amended Answer, attached to the instant Motion as Exhibit 1. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 10/19/2020)
10/19/2020	63	ANSWER to 53 Amended Complaint by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L)(am) (Main Document 63 replaced on 10/19/2020) (am). (Entered: 10/19/2020)
10/29/2020	64	MOTION to Quash by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ,

		Jr. (Attachments: # 1 Exhibit, # 2 Proposed Order). Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 10/29/2020)
10/30/2020	65	NOTICE of Attorney Appearance by Mark D. Siegmund on behalf of Anthony Fazzino, David Stratta. Attorney Mark D. Siegmund added to party Anthony Fazzino(pty:pla), Attorney Mark D. Siegmund added to party David Stratta(pty:pla) (Siegmund, Mark) (Entered: 10/30/2020)
11/09/2020	66	RESPONSE to Motion, filed by Anthony Fazzino, re 64 MOTION to Quash filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District <i>and Request for Expedited Ruling</i> (Jones, Marvin) (Entered: 11/09/2020)
11/16/2020	67	ORDER DENYING 64 Motion to Quash Signed by Judge Jeffrey C. Manske. (am) (Entered: 11/16/2020)
12/09/2020	68	Agreed MOTION to Extend Scheduling Order Deadlines by Anthony Fazzino. (Attachments: # 1 Proposed Order). Motions referred to Judge Jeffrey C. Manske. (Jones, Marvin) (Entered: 12/09/2020)
12/10/2020		Text Order GRANTING 68 Motion to Extend Scheduling Order Deadlines entered by Judge Alan D Albright. Came on for consideration is Parties' Joint Agreed Motion to extend deadlines. Noting that the Motion is a joint agreed motion, the Court GRANTS the Motion. Parties shall have up to and including January 29, 2021 to conduct fact discovery and expert discovery. (This is a text-only entry generated by the court. There is no document associated with this entry.) (hs) (Entered: 12/10/2020)
01/08/2021	69	ORDER: Motion Hearing set for 1/11/2021 09:30 AM before Judge Alan D Albright. Signed by Judge Alan D Albright. (lad) (Entered: 01/08/2021)
01/08/2021	70	Unopposed MOTION for Extension of Time to File Response/Reply as to 57 MOTION for Summary Judgment by Anthony Fazzino. (Attachments: # 1 Exhibit Exh A - Pltfs Supplemental Response to Defendants Rule 56 Motion for Partial Summary Judgment, # 2 Proposed Order). Motions referred to Judge Jeffrey C. Manske. (Jones, Marvin) (Entered: 01/08/2021)
01/11/2021	71	Minute Entry for proceedings held before Judge Alan D Albright. Motion Hearing held on 1/11/2021 re 57 MOTION for Summary Judgment filed by Bryan F. Russ, Jr., Jan A. Roe, Jayson Barfknecht, Mark J. Carrabba, Billy L. Harris, Stephen C. Cast, Brazos Valley Groundwater Conservation District, 45 MOTION for Judgment on the Pleadings filed by Bryan F. Russ, Jr., Jan A. Roe, Jayson Barfknecht, Mark J. Carrabba, Billy L. Harris, Stephen C. Cast, Brazos Valley Groundwater Conservation District. PARTIES ANNOUNCE READY. STATEMENTS AND ARGUMENTS OF COUNSEL HEARD. FEBRUARY TRIAL DATE TO BE CONTINUED TO LATE SPRING, EARLY SUMMER. WRITTEN ORDER FORTHCOMING. (Minute entry documents are not available electronically.) (Court Reporter Kristie Davis.)(bw) (Entered: 01/12/2021)
01/15/2021	72	NOTICE <i>Vacation Notice of Attorney James F. Parker</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr (Parker, James) (Entered: 01/15/2021)
01/21/2021	73	NOTICE <i>of Withdrawal of Certain Counsel of Record</i> by Jayson Barfknecht, Gordon Peter Brien, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr (Aldredge, Lauren) (Entered: 01/21/2021)
01/21/2021	74	DEFICIENCY NOTICE: re 73 Notice (Other) (lad) (Entered: 01/21/2021)

01/22/2021	75	Joint MOTION <i>to Enter Second Amended Scheduling Order</i> by Anthony Fazzino. (Attachments: # 1 Exhibit A). Motions referred to Judge Jeffrey C. Manske. (Siegmond, Mark) (Entered: 01/22/2021)
01/22/2021	76	NOTICE <i>Vacation Notice of Attorney Jose E. de la Fuente</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr (de la Fuente, Jose) (Entered: 01/22/2021)
01/26/2021	77	SECOND AMENDED SCHEDULING ORDER: Pretrial Conference set for 7/7/2021 09:30 AM before Judge Alan D Albright, Jury Trial set for 7/19/2021 09:00 AM before Judge Alan D Albright. Signed by Judge Alan D Albright. (lad) (Entered: 01/26/2021)
03/04/2021		Text Order GRANTING 70 Motion for Leave to Enter Supplemental Response to Defendants' Rule 56 Motion For Partial Summary Judgement entered by Judge Jeffrey C. Manske. The Clerk is directed to enter the supplemental response, attached to the instant Motion as exhibit 1. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 03/04/2021)
03/04/2021	78	Supplemental RESPONSE to Motion, filed by Anthony Fazzino, re 57 MOTION for Summary Judgment filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (lad) (Entered: 03/04/2021)
03/16/2021	79	Joint MOTION <i>To Modify Second Amended Scheduling Order</i> re 77 Scheduling Order by Anthony Fazzino. (Attachments: # 1 Proposed Order Exhibit A). Motions referred to Judge Jeffrey C. Manske. (Siegmond, Mark) (Entered: 03/16/2021)
03/17/2021		Text Order GRANTING 79 Motion entered by Judge Jeffrey C. Manske. It is therefore ORDERED that the deadline for any party to make an objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, not later than 14 days after the Parties receive a transcript of the expert's deposition. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 03/17/2021)
03/30/2021	80	ORDER GRANTING IN PART AND DENYING IN PART 45 Motion for Judgment on the Pleadings Signed by Judge Alan D Albright. (lad) (Entered: 03/30/2021)
03/30/2021		CASE NO LONGER REFERRED to Magistrate Judge Jeffrey C. Manske. (mc5) (Entered: 03/30/2021)
03/31/2021	81	Opposed MOTION to Exclude <i>TESTIMONY OF GABRIEL COLLINS</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(de la Fuente, Jose) (Attachment 2 replaced on 3/31/2021 to add highlighted lines) (bw). (Entered: 03/31/2021)
04/05/2021		CASE REFERRED to Magistrate Judge Jeffrey C. Manske per request by chambers. (mc5) (Entered: 04/05/2021)
04/05/2021	82	ORDER SETTING VIDEO CONFERENCE, (Video Conference set for 4/15/2021 02:00 PM before Judge Jeffrey C. Manske). IT IS FURTHER ORDERED that the Plaintiff submit a five (5) page brief summarizing the discovery issues to be discussed at the hearing via email by Friday, April 9, 2021 by 5:00 pm. IT IS FURTHER ORDERED that Defendant submit responsive briefing not to exceed five (5) pages via email by Tuesday, April 13, 2021 by 5:00 pm. Signed by Judge Jeffrey C. Manske. (mg2) (Entered: 04/05/2021)

04/12/2021	83	ORDER RESETTING VIDEO CONFERENCE for 4/15/2021 03:45 PM before Judge Jeffrey C. Manske. Signed by Judge Jeffrey C. Manske. (lad) (Entered: 04/12/2021)
04/15/2021	84	ORDER: The Court ORDERS Plaintiffs Motion to Compel DENIED and FURTHER ORDERS the April 15, 2021 hearing CANCELED. Signed by Judge Jeffrey C. Manske. (lad) (Entered: 04/15/2021)
04/29/2021	85	MOTION for Reconsideration re 84 Order Cancelling Deadline <i>and Order Denying Plaintiff's Motion to Compel</i> by Anthony Fazzino. (Attachments: # 1 Exh A - Seely Depo, # 2 Exh B - Email, # 3 Exh C - Motion to Compel Seely, # 4 Exh D - Defendant's Response Brief, # 5 Exh E - Seely Report). Motions referred to Judge Jeffrey C. Manske. (Jones, Marvin) (Entered: 04/29/2021)
05/03/2021	86	RESPONSE to 85 MOTION for Reconsideration re 84 Order Cancelling Deadline <i>and Order Denying Plaintiff's Motion to Compel</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit)(Parker, James) (Entered: 05/03/2021)
05/07/2021	87	REPLY to Response to Motion, filed by Anthony Fazzino, re 85 MOTION for Reconsideration re 84 Order Cancelling Deadline <i>and Order Denying Plaintiff's Motion to Compel</i> filed by Plaintiff Anthony Fazzino (Jones, Marvin) (Entered: 05/07/2021)
05/17/2021	88	Third Amended SCHEDULING ORDER: Pretrial Conference set for 7/7/2021 10:30 AM before Judge Alan D Albright, Jury Trial set for 7/19/2021 09:00 AM before Judge Alan D Albright. Signed by Judge Alan D Albright. (lad) (Entered: 05/18/2021)
05/25/2021	89	ORDER RESETTING Final Pretrial Conference for 7/7/2021 01:30 PM before Judge Alan D Albright. Signed by Judge Alan D Albright. (bot1) (Entered: 05/25/2021)
05/25/2021	90	ORDER, Jury Selection and Trial RESET for 7/12/2021 09:00 AM before Judge Alan D Albright. Signed by Judge Alan D Albright. (bot2) (Entered: 05/25/2021)
05/27/2021	91	Unopposed MOTION to Continue by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit, # 2 Proposed Order). Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 05/27/2021)
06/01/2021		Text Order DENYING 91 Motion to Continue entered by Judge Alan D Albright. Came on for consideration is Defendants' Motion to Continue Trial. The Court DENIES the Motion. (This is a text-only entry generated by the court. There is no document associated with this entry.) (hs) (Entered: 06/01/2021)
06/01/2021	92	Joint MOTION for Reconsideration re Order on Motion to Continue, by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr.. Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 06/01/2021)
06/02/2021	93	NOTICE of Filing Consent to US Magistrate by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr (Attachments: # 1 Exhibit)(de la Fuente, Jose) (Entered: 06/02/2021)
06/02/2021	94	Joint MOTION to Vacate <i>Trial Setting and Set Status Conference</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Proposed Order). Motions referred to Judge Jeffrey C. Manske. (de la Fuente, Jose) (Entered: 06/02/2021)

06/03/2021		CASE NO LONGER REFERRED to Magistrate Judge Jeffrey C. Manske. (ab4) (Entered: 06/03/2021)
06/03/2021	95	ORDER REFERRING CASE to Magistrate Judge Jeffrey C. Manske. Signed by Judge Alan D Albright. (ab4) (Entered: 06/03/2021)
06/04/2021		Text Order GRANTING 94 Motion to Vacate entered by Judge Jeffrey C. Manske. The July 12, 2021 trial setting is hereby VACATED. The parties are FURTHER ORDERED to confer on an appropriate trial and final pretrial date and to submit such dates to the Court by June 18, 2021. The parties may contact Judge Manske's law clerk, Kyle Gardner, at kyle_gardner@txwd.uscourts.gov to discuss available dates. If necessary, the Court will set a status conference, but only in the event the dates for pretrial and trial cannot be resolved absent a conference. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 06/04/2021)
06/09/2021	96	Opposed MOTION to Exclude <i>Testimony of Harry Seely</i> by Anthony Fazzino. (Attachments: # 1 Exhibit Exh A - Seely's Expert Report, # 2 Exhibit Exh B - Depo of Harry Seely)(Jones, Marvin) (Entered: 06/09/2021)
06/16/2021	97	Response in Opposition to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 96 Opposed MOTION to Exclude <i>Testimony of Harry Seely</i> filed by Plaintiff Anthony Fazzino (Attachments: # 1 Exhibit, # 2 Exhibit)(de la Fuente, Jose) (Entered: 06/16/2021)
06/18/2021	98	Joint MOTION to Enter Fourth Amended Scheduling Order by Anthony Fazzino. (Attachments: # 1 Exhibit A)(Siegmond, Mark) Modified on 6/23/2021 (lad). (Entered: 06/18/2021)
06/22/2021	99	Opposed MOTION for Leave to File Plaintiff's Response to Defendants Opposed Objection to and Motion to Exclude Testimony of Gabriel Collins by Anthony Fazzino. (Attachments: # 1 Exhibit Exh A - Plt's Response to Defs' Opposed Objection to and Motion to Exclude Testimony of Gabriel Collins)(Jones, Marvin) Modified on 6/23/2021 (lad). (Entered: 06/22/2021)
06/22/2021	100	Reply to RESPONSE , filed by Anthony Fazzino, re 96 Opposed MOTION to Exclude <i>Testimony of Harry Seely</i> filed by Plaintiff Anthony Fazzino (Attachments: # 1 Proposed Order)(Siegmond, Mark) Modified on 6/23/2021 (lad). (Entered: 06/22/2021)
06/22/2021	101	FOURTH AMENDED SCHEDULING ORDER:Dispositive Motions due by 9/14/2021. Pretrial Conference set for 10/28/2021 10:30 AM before Jeffrey C. Manske. Jury Selection and Trial set for 11/1/2021 09:00 AM before Jeffrey C. Manske. Signed by Judge Jeffrey C. Manske. (ir) Modified on 6/23/2021 (lad). (Entered: 06/23/2021)
06/23/2021		Text Order GRANTING 99 Motion for Leave to File entered by Judge Jeffrey C. Manske. Although the Motion is opposed, Defendants have indicated that they will not be substantively responding. Accordingly, the Court finds there is good cause for permitting the response. The Clerk of Court is therefore directed to enter Exhibit 1 to the instant Motion. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 06/23/2021)
06/23/2021		Text Order MOOTING 92 Motion for Reconsideration entered by Judge Jeffrey C. Manske. The trial date at issue has been subsequently modified. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 06/23/2021)
06/23/2021	102	REPLY to Response to Motion, filed by Anthony Fazzino, re 81 Opposed MOTION to Exclude <i>TESTIMONY OF GABRIEL COLLINS</i> filed by Defendant Bryan F. Russ, Jr.,

		Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (lad) (Entered: 06/23/2021)
06/29/2021	103	REPLY to Response to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 81 Opposed MOTION to Exclude filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (de la Fuente, Jose) (Entered: 06/29/2021)
07/07/2021	104	NOTICE <i>Vacation Letter of Jose E. de la Fuente</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr (de la Fuente, Jose) (Entered: 07/07/2021)
07/14/2021	105	MOTION for Summary Judgment <i>on Fifth Amendment Taking Claim</i> by Anthony Fazzino. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Proposed Order Proposed Order)(Jones, Marvin) (Entered: 07/14/2021)
07/15/2021	106	MOTION for Summary Judgment <i>on Plaintiff's Equal Protection Claim</i> by Anthony Fazzino. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Proposed Order) (Jones, Marvin) (Entered: 07/15/2021)
07/26/2021	107	MOTION for Summary Judgment <i>under Rule 56</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit)(de la Fuente, Jose) (Entered: 07/26/2021)
07/28/2021	108	Opposed MOTION for Leave to File Plaintiff's Second Amended Complaint by Anthony Fazzino. (Attachments: # 1 Exhibit A - Second Amended Complaint, # 2 Exhibit B - Deposition Excerpts of Alan Day, # 3 Exhibit C - Deposition Excerpts of John Seifert) (Jones, Marvin) (Entered: 07/28/2021)
07/28/2021	109	RESPONSE to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 105 MOTION for Summary Judgment <i>on Fifth Amendment Taking Claim</i> filed by Plaintiff Anthony Fazzino (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit)(de la Fuente, Jose) (Entered: 07/28/2021)
07/29/2021	110	Unopposed MOTION for Extension of Time to File Response/Reply as to 107 MOTION for Summary Judgment <i>under Rule 56</i> by Anthony Fazzino. (Attachments: # 1 Proposed Order)(Siegmond, Mark) (Entered: 07/29/2021)
07/29/2021		Text Order GRANTING 110 Motion for Extension of Time to File Response/Reply entered by Judge Jeffrey C. Manske. IT IS THEREFORE ORDERED that Plaintiff has up to and including August 19, 2021 to file a response to Defendants' Motion for Summary Judgment. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 07/29/2021)
07/29/2021	111	RESPONSE to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 106 MOTION for Summary Judgment <i>on Plaintiff's Equal Protection Claim</i> filed by Plaintiff Anthony Fazzino (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit)(de la Fuente, Jose) (Entered: 07/29/2021)

08/02/2021	112	RESPONSE to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 108 Opposed MOTION for Leave to File Plaintiff's Second Amended Complaint filed by Plaintiff Anthony Fazzino (de la Fuente, Jose) (Entered: 08/02/2021)
08/04/2021	113	REPLY to Response to Motion, filed by Anthony Fazzino, re 105 MOTION for Summary Judgment <i>on Fifth Amendment Taking Claim</i> filed by Plaintiff Anthony Fazzino (Jones, Marvin) (Entered: 08/04/2021)
08/05/2021	114	REPLY to Response to Motion, filed by Anthony Fazzino, re 106 MOTION for Summary Judgment <i>on Plaintiff's Equal Protection Claim</i> filed by Plaintiff Anthony Fazzino (Jones, Marvin) (Entered: 08/05/2021)
08/09/2021	115	REPLY to Response to Motion, filed by Anthony Fazzino, re 108 Opposed MOTION for Leave to File Plaintiff's Second Amended Complaint filed by Plaintiff Anthony Fazzino (Jones, Marvin) (Entered: 08/09/2021)
08/17/2021	116	RESPONSE to Motion, filed by Anthony Fazzino, re 107 MOTION for Summary Judgment <i>under Rule 56</i> filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Proposed Order)(Jones, Marvin) (Entered: 08/17/2021)
08/20/2021	117	ORDER DENYING 81 Motion to exclude. Signed by Judge Jeffrey C. Manske. (jc5) (Entered: 08/20/2021)
08/20/2021	118	ORDER DENYING 96 Motion to exclude. Signed by Judge Jeffrey C. Manske. (jc5) (Entered: 08/20/2021)
08/23/2021	119	ORDER GRANTING 57 Motion for Summary Judgment; DENYING 106 Motion for Summary Judgment. Signed by Judge Jeffrey C. Manske. (jc5) (Entered: 08/23/2021)
08/24/2021	120	Unopposed MOTION for Leave to Exceed Page Limitation of <i>Reply in Support of Rule 56 Motion for Summary Judgment</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Proposed Order)(de la Fuente, Jose) (Entered: 08/24/2021)
08/25/2021		Text Order GRANTING 120 Motion for Leave to File Excess Pages entered by Judge Jeffrey C. Manske. The Clerk of Court is directed to enter Exhibits 1 through 3 to the instant Motion. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 08/25/2021)
08/25/2021	121	REPLY to Response to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 107 MOTION for Summary Judgment <i>under Rule 56</i> filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (Attachments: # 1 Exhibit A, # 2 Exhibit B)(jc5) (Entered: 08/25/2021)
08/27/2021	122	Unopposed MOTION <i>for Leave to File Sur-Reply</i> re 121 Reply to Response to Motion,, by Anthony Fazzino. (Attachments: # 1 Exhibit A)(Siegmond, Mark) (Entered: 08/27/2021)

08/31/2021		Text Order GRANTING 122 Motion for Leave to File Sur-Reply entered by Judge Jeffrey C. Manske. The Clerk of Court is directed to enter exhibit 1 to the instant Motion. (This is a text-only entry generated by the court. There is no document associated with this entry.) (kg) (Entered: 08/31/2021)
08/31/2021	123	Sur-reply to Motion, filed by Anthony Fazzino, re 57 MOTION for Summary Judgment filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (lad) (Entered: 08/31/2021)
08/31/2021	124	ORDER DENYING as MOOT 85 Motion for Reconsideration. Signed by Judge Jeffrey C. Manske. (ir) (Entered: 08/31/2021)
09/17/2021	125	MOTION in Limine by Anthony Fazzino. (Jones, Marvin) (Entered: 09/17/2021)
09/21/2021	126	Opposed MOTION to Bifurcate by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit)(de la Fuente, Jose) (Entered: 09/21/2021)
09/24/2021	127	Amended MOTION in Limine by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 09/24/2021)
09/24/2021	128	MOTION <i>Objection</i> re 125 MOTION in Limine by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 09/24/2021)
09/24/2021		Text Order MOOTING 128 Motion entered by Judge Jeffrey C. Manske. CM/ECF document 128 was erroneously docketed as a pending motion rather than objections. This order is entered solely for docket control purposes and does not constitute a ruling on the plaintiffs' motions or the defendants' objections. (This is a text-only entry generated by the court. There is no document associated with this entry.) (jhg) (Entered: 09/24/2021)
09/24/2021	129	RESPONSE to Motion, filed by Anthony Fazzino, re 126 Opposed MOTION to Bifurcate filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (Jones, Marvin) (Entered: 09/24/2021)
09/24/2021	130	Miscellaneous Objection to 127 Amended MOTION in Limine by Anthony Fazzino. (Jones, Marvin) (Entered: 09/24/2021)
09/24/2021	131	STATUS REPORT <i>Joint Status Report and Request for Status Conference</i> by Anthony Fazzino. (Jones, Marvin) (Entered: 09/24/2021)
09/24/2021	132	Pretrial Disclosures [<i>Proposed</i>] <i>Joint Pretrial Order</i> by Anthony Fazzino. (Attachments: # 1 Exhibit 1 - Pltfs Appearance of Counsel, # 2 Exhibit 2 - Defs Appearance of Counsel, # 3 Exhibit 3 - Joint Statement of Case, # 4 Exhibit 4 - Pltfs Contentions, # 5 Exhibit 5 - Defs Contentions, # 6 Exhibit 6 - Pltfs Exhibit List, # 7 Exhibit 7 - Defs Exhibit List, # 8 Exhibit 8 - Pltfs Jury Witness List, # 9 Exhibit 8-A Pltfs Bench Trial Witness List, # 10 Exhibit 9 - Defs Jury Witness List, # 11 Exhibit 9-A Defs Bench Trial Witness List, # 12 Exhibit 10 - Pltfs Deposition Designations, # 13 Exhibit 11 - Pltfs Proposed Jury Instructions, # 14 Exhibit 12 - Defs Proposed Jury Instructions, # 15 Exhibit 13 - Pltfs Proposed Verdict Form, # 16 Exhibit 14 - Defs Proposed Verdict Form, # 17 Exhibit 15 - Pltfs Voir Dire Questions, # 18 Exhibit 16 - Defs Voir Dire Questions, # 19 Exhibit 17 - Pltfs Memo on the Issue, # 20 Exhibit 18 - Defs Proposed Findings of Fact and

		Conclusions of Law, # 21 Exhibit 19 - Pltfs Motion in Limine, # 22 Exhibit 20 - Defs Amended Motion in Limine)(Jones, Marvin) (Entered: 09/24/2021)
09/30/2021	133	ORDER SETTING STATUS CONFERENCE (Status conference via VIDEO set for 10/19/2021 01:30 PM before Judge Jeffrey C. Manske). Signed by Judge Jeffrey C. Manske. (jc5) (Entered: 09/30/2021)
09/30/2021	134	Miscellaneous Objection to <i>Plaintiff's Jury Witness List</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe. (de la Fuente, Jose) (Entered: 09/30/2021)
10/01/2021	135	Miscellaneous Objection <i>Plaintiff's Objections to Defendant's Exhibits</i> by Anthony Fazzino. (Jones, Marvin) (Entered: 10/01/2021)
10/01/2021	136	Miscellaneous Objection <i>Defendants Objections to Plaintiff's Proposed Trial Exhibits</i> by Brazos Valley Groundwater Conservation District. (de la Fuente, Jose) (Entered: 10/01/2021)
10/01/2021	137	Miscellaneous Objection <i>Defendants Objections to Plaintiffs Deposition Designations</i> by Brazos Valley Groundwater Conservation District. (de la Fuente, Jose) (Entered: 10/01/2021)
10/07/2021	138	RESPONSE <i>Plaintiff's Response to Defendants Objections to Plaintiffs Jury Witness List</i> to 134 Miscellaneous Objection by Anthony Fazzino. (Jones, Marvin) (Entered: 10/07/2021)
10/14/2021	139	RESPONSE <i>Defendants' Reply</i> to 138 Response by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (de la Fuente, Jose) (Entered: 10/14/2021)
10/15/2021	140	Opposed MOTION to Strike <i>Plaintiff's Late Disclosures and Designations</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit)(de la Fuente, Jose) (Entered: 10/15/2021)
10/18/2021	141	ORDER DENYING 105 Motion for Summary Judgment: Plaintiffs Traditional Motion for Summary Judgment on Fifth Amendment Taking Claim (ECF No. 105) be DENIED. It is further ORDERED that Defendants Rule 56 Motion for Summary Judgment (ECF No. 107) be DENIED. Signed by Judge Jeffrey C. Manske. (jc5) (Entered: 10/18/2021)
10/18/2021	142	ORDER GRANTING IN PART AND DENYING IN PART 108 Motion for Leave to File: The Court ORDERS Plaintiffs Motion for Leave to Amend GRANTED IN PART as to Plaintiffs Fifth Amendment Taking Claim and DENIED IN PART as to Plaintiffs Equal Protection Claims. Signed by Judge Jeffrey C. Manske. (jc5) (Entered: 10/18/2021)
10/18/2021	143	ORDER DENYING 126 Motion to Bifurcate Signed by Judge Jeffrey C. Manske. (jc5) (Entered: 10/18/2021)
10/18/2021	144	Response in Opposition to Motion, filed by Anthony Fazzino, re 140 Opposed MOTION to Strike <i>Plaintiff's Late Disclosures and Designations</i> filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (Attachments: # 1 Exhibit Email with Supplemental Production, # 2 Exhibit Seely Report, # 3 Exhibit Glen Report)(Jones, Marvin) (Entered: 10/18/2021)
10/18/2021	145	Exhibit List (<i>First Amended</i>) by Anthony Fazzino.. (Jones, Marvin) (Entered: 10/18/2021)

10/19/2021	146	ORDER Setting Hearing Via Video Hearing on 140 Opposed MOTION to Strike <i>Plaintiff's Late Disclosures and Designations</i> : Motion Hearing set for 10/27/2021 03:00 PM before Judge Jeffrey C. Manske. case is set for a hearing with the Honorable Judge Jeffrey C. Manske on Wednesday, October 27, at 3:00 p.m. The hearing will be conducted by video at https://txwduscourts.zoomgov.com/j/1611260782?pwd=SXhoWHAUvUWxTWW5JUy8vbWU1N1dsZz09 and will be attended by at least one counsel for each party having appeared as of the date of this order. Signed by Judge Jeffrey C. Manske. (jc5) (Entered: 10/19/2021)
10/19/2021	147	Minute Entry for proceedings held before Judge Jeffrey C. Manske: Status Conference held on 10/19/2021. CASE CALLED FOR STATUS CONFERENCE RE: OPPOSED MOTION TO STRIKE. COUNSEL FOR THE PARTIES ENTERED APPEARANCES. COURT AND COUNSEL DISCUSS THE PENDING MOTION AND DATES SET FOR TRIAL. THE COURT SETS A FURTHER STATUS CONFERENCE ON THE OPPOSED MOTION TO STRIKE FOR 10/27/21 AT 3:00 PM. DATE TO BE VACATED IF THE COURT SOONER MAKES A RULING. (Minute entry documents are not available electronically.) (Court Reporter FTR.) (jc5) (Entered: 10/20/2021)
10/20/2021	148	NOTICE of Change of Address by Mark D. Siegmund (Siegmund, Mark) (Entered: 10/20/2021)
10/25/2021	149	NOTICE of vacation of Attorney Jose E. de la Fuente by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr (de la Fuente, Jose) (Entered: 10/25/2021)
10/26/2021	150	ORDER CONTINUING TRIAL AND FINAL PRE-TRIAL CONFERENCE: the Final Pre-Trial Conference set for 10:30 a.m. on October 28, 2021 and Jury Selection and Trial set for 9:30 a.m. on November 1, 2021 are CONTINUED and will be re-set at a later date. Signed by Judge Jeffrey C. Manske. (jc5) (Entered: 10/26/2021)
10/26/2021	151	ORDER CANCELING DISCOVERY HEARING re 146 Order Setting Hearing on Motion: discovery hearing scheduled for October 27, 2021 IS HEREBY CANCELED. Signed by Judge Jeffrey C. Manske. (jc5) (Entered: 10/26/2021)
11/02/2021	152	NOTICE of vacation of Attorney C. Brantley Jones by Anthony Fazzino (Jones, C.) (Entered: 11/02/2021)
11/16/2021	153	Joint MOTION to Enter Fifth Amended Scheduling Order by Anthony Fazzino. (Attachments: # 1 Proposed Order)(Siegmund, Mark) (Entered: 11/16/2021)
11/17/2021	154	FIFTH AMENDED SCHEDULING ORDER: Pretrial Conference set for 3/17/2022 10:30 AM before Judge Jeffrey C. Manske. Jury Selection set for 3/21/2022 09:00AM before Judge Jeffrey C. Manske. Jury Trial set for 3/21/2022 09:00 AM before Judge Jeffrey C. Manske. Signed by Judge Jeffrey C. Manske. (jc5) Modified on 11/18/2021 (jc5). (Entered: 11/18/2021)
12/07/2021		Text Order MOOTING 140 Motion to Strike entered by Judge Jeffrey C. Manske. In accordance with the parties' continuing effort to confer and resolve discovery issues before trial, the present Motion is rendered MOOT without prejudice to refile. (This is a text-only entry generated by the court. There is no document associated with this entry.) (eglc) (Entered: 12/07/2021)
12/13/2021	155	Joint MOTION for Entry of Agreed Protective Order by Anthony Fazzino. (Attachments: # 1 Ex. A)(Siegmund, Mark) (Entered: 12/13/2021)
12/13/2021	156	MOTION to Quash and in the Alternative, Motion for Protective Order Against Brazos Valley Groundwater Conservation District's Subpoenas to Non-Parties UW Brazos Valley Farm LLC and Brazos Valley Farm Acquisition Co., L.L.C. by UW Brazos Valley Farm

		LLC, Brazos Valley Farm Acquisition Co., L.L.C.. (Attachments: # 1 Exhibit A - Original Complaint in Underlying Lawsuit, # 2 Exhibit B - Subpoena to Brazos Valley Farm, # 3 Exhibit C - Subpoena to Brazos Valley Farm Acquisition Co., # 4 Exhibit D - Declaration of David Lynch, # 5 Proposed Order)(Jacobs, Kevin) (Entered: 12/13/2021)
12/14/2021	157	ORDER GRANTING 155 Joint Motion for entry of Protective Order. Signed by Judge Jeffrey C. Manske. (lad) (Entered: 12/14/2021)
12/20/2021	158	RESPONSE to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 156 MOTION to Quash <i>and in the Alternative, Motion for Protective Order Against Brazos Valley Groundwater Conservation District's Subpoenas to Non-Parties UW Brazos Valley Farm LLC and Brazos Valley Farm Acquisition Co., L.L.C.</i> filed by Notice Only Party UW Brazos Valley Farm LLC, Notice Only Party Brazos Valley Farm Acquisition Co., L.L.C. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit)(de la Fuente, Jose) (Entered: 12/20/2021)
12/27/2021	159	RESPONSE in Support, filed by UW Brazos Valley Farm LLC, re 156 MOTION to Quash <i>and in the Alternative, Motion for Protective Order Against Brazos Valley Groundwater Conservation District's Subpoenas to Non-Parties UW Brazos Valley Farm LLC and Brazos Valley Farm Acquisition Co., L.L.C.</i> filed by Notice Only Party UW Brazos Valley Farm LLC, Notice Only Party Brazos Valley Farm Acquisition Co., L.L.C. (Jacobs, Kevin) (Entered: 12/27/2021)
12/28/2021	160	RESPONSE to Motion, filed by Anthony Fazzino, re 156 MOTION to Quash <i>and in the Alternative, Motion for Protective Order Against Brazos Valley Groundwater Conservation District's Subpoenas to Non-Parties UW Brazos Valley Farm LLC and Brazos Valley Farm Acquisition Co., L.L.C.</i> filed by Notice Only Party UW Brazos Valley Farm LLC, Notice Only Party Brazos Valley Farm Acquisition Co., L.L.C. (Attachments: # 1 Exhibit A - Excerpt)(Jones, Marvin) (Entered: 12/28/2021)
01/04/2022	161	REPLY to Response to Motion, filed by Brazos Valley Farm Acquisition Co., L.L.C., UW Brazos Valley Farm LLC, re 156 MOTION to Quash <i>and in the Alternative, Motion for Protective Order Against Brazos Valley Groundwater Conservation District's Subpoenas to Non-Parties UW Brazos Valley Farm LLC and Brazos Valley Farm Acquisition Co., L.L.C.</i> filed by Notice Only Party UW Brazos Valley Farm LLC, Notice Only Party Brazos Valley Farm Acquisition Co., L.L.C. (Jacobs, Kevin) (Entered: 01/04/2022)
01/04/2022	162	REPLY to Response to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 156 MOTION to Quash <i>and in the Alternative, Motion for Protective Order Against Brazos Valley Groundwater Conservation District's Subpoenas to Non-Parties UW Brazos Valley Farm LLC and Brazos Valley Farm Acquisition Co., L.L.C.</i> filed by Notice Only Party UW Brazos Valley Farm LLC, Notice Only Party Brazos Valley Farm Acquisition Co., L.L.C. (de la Fuente, Jose) (Entered: 01/04/2022)
01/24/2022	163	MOTION to Compel <i>Skiles Entities to Comply with Subpoenas Duces Tecum</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Appendix)(de la Fuente, Jose) (Entered: 01/24/2022)
01/31/2022	164	RESPONSE to Motion, filed by C.A. Skiles Family Partnership, Ltd., re 163 MOTION to Compel <i>Skiles Entities to Comply with Subpoenas Duces Tecum</i> filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (Attachments: # 1 Exhibit Declaration of Dan

		MacLemore, # 2 Exhibit Declaration of Dan Bornmeier)(MacLemore, Dan) (Entered: 01/31/2022)
02/01/2022	165	Opposed MOTION for Leave to File Second Supplemental Designation of Expert Witnesses by Anthony Fazzino. (Attachments: # 1 Exhibit A - Appraisal, # 2 Exhibit B - Skiles Farm Valuation Report Excerpt, # 3 Exhibit C - Pltf's Second Supplemental Designation of Expert Witnesses, # 4 Proposed Order Proposed Order)(Jones, Marvin) (Entered: 02/01/2022)
02/07/2022	166	REPLY to Response to Motion, filed by Brazos Valley Groundwater Conservation District, re 163 MOTION to Compel <i>Skiles Entities to Comply with Subpoenas Duces Tecum</i> filed by Defendant Bryan F. Russ, Jr., Defendant Jan A. Roe, Defendant Jayson Barfknecht, Defendant Mark J. Carrabba, Defendant Billy L. Harris, Defendant Stephen C. Cast, Defendant Brazos Valley Groundwater Conservation District (Attachments: # 1 Exhibit)(de la Fuente, Jose) (Entered: 02/07/2022)
02/07/2022	167	Response in Opposition to Motion, filed by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr, re 165 Opposed MOTION for Leave to File Second Supplemental Designation of Expert Witnesses filed by Plaintiff Anthony Fazzino (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(de la Fuente, Jose) (Entered: 02/07/2022)
02/11/2022	168	REPLY to Response to Motion, filed by Anthony Fazzino, re 165 Opposed MOTION for Leave to File Second Supplemental Designation of Expert Witnesses filed by Plaintiff Anthony Fazzino (Attachments: # 1 Exhibit 01, # 2 Exhibit 02, # 3 Exhibit 03, # 4 Exhibit 04, # 5 Exhibit 05, # 6 Exhibit 06, # 7 Exhibit 07, # 8 Exhibit 08, # 9 Exhibit 09, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16)(Jones, Marvin) (Entered: 02/11/2022)
02/14/2022	169	MOTION to Quash <i>Notice of Deposition and Subpoena</i> by Brazos Valley Groundwater Conservation District. (Attachments: # 1 Exhibit)(de la Fuente, Jose) (Entered: 02/14/2022)
02/15/2022	170	Sur-reply to Motion, filed by Brazos Valley Groundwater Conservation District, re 165 Opposed MOTION for Leave to File Second Supplemental Designation of Expert Witnesses filed by Plaintiff Anthony Fazzino (Attachments: # 1 Exhibit)(de la Fuente, Jose) (Entered: 02/15/2022)
02/15/2022	171	Unopposed MOTION for Leave to File Sur-Reply to Plaintiff's Motion for Leave to File Second Supplemental Expert Designation by Brazos Valley Groundwater Conservation District. (de la Fuente, Jose) (Entered: 02/15/2022)
02/16/2022		Text Order GRANTING 171 Motion for Leave to File entered by Judge Jeffrey C. Manske. Defendants' sur-reply at ECF No. 170 is deemed filed with leave of court. (This is a text-only entry generated by the court. There is no document associated with this entry.) (eglc) (Entered: 02/16/2022)
02/18/2022	172	REPLY to Response to Motion, filed by Anthony Fazzino, re 165 Opposed MOTION for Leave to File Second Supplemental Designation of Expert Witnesses filed by Plaintiff Anthony Fazzino (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Jones, Marvin) (Entered: 02/18/2022)
02/18/2022	173	RESPONSE <i>Reply to Defendant's Sur-Reply to Plaintiff's Motion for Leave to File Second Supplemental Designation of Expert Witnesses</i> to 170 Sur-reply to Motion, by Anthony Fazzino. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Jones, Marvin) (Entered: 02/18/2022)

02/20/2022	174	Unopposed MOTION to File Response to Defendants' Sur-Reply re 171 Unopposed MOTION for Leave to File Sur-Reply to Plaintiff's Motion for Leave to File Second Supplemental Expert Designation by Anthony Fazzino. (Attachments: # 1 Exhibit A, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3)(Siegmond, Mark) (Entered: 02/20/2022)
02/22/2022		Text Order GRANTING 174 Motion entered by Judge Jeffrey C. Manske. The Clerk of Court is directed to enter Exhibits 1, 2, 3, and 4. (This is a text-only entry generated by the court. There is no document associated with this entry.) (eglc) (Entered: 02/22/2022)
02/22/2022	175	REPLY TO DEFENDANTS SUR-REPLY TO PLAINTIFFS MOTION FOR LEAVE TO FILE SECOND SUPPLEMENTAL DESIGNATION OF EXPERT WITNESSES (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3) (zv). (Entered: 02/22/2022)
02/22/2022	176	ORDER DENYING 165 Motion for Leave to File; GRANTING 169 Motion to Quash Signed by Judge Jeffrey C. Manske. (bw) (Entered: 02/22/2022)
02/22/2022	177	ORDER DENYING 156 Motion to Quash and GRANTING 163 Motion to Compel. Signed by Judge Jeffrey C. Manske. (bw) (Entered: 02/22/2022)
02/22/2022	178	MOTION to Exclude <i>Testimony of Gabriel Collins</i> by Jayson Barfknecht, Brazos Valley Groundwater Conservation District, Mark J. Carrabba, Stephen C. Cast, Billy L. Harris, Jan A. Roe, Bryan F. Russ, Jr. (Attachments: # 1 Exhibit, # 2 Exhibit)(de la Fuente, Jose) (Entered: 02/22/2022)
02/25/2022	179	Joint MOTION to Stay Case by Anthony Fazzino. (Attachments: # 1 Proposed Order) (Siegmond, Mark) (Entered: 02/25/2022)
02/28/2022	180	ORDER GRANTING 179 Motion to Stay Case. The Court GRANTS the Motion and ORDERS that the above referenced case and all pending deadlines are hereby STAYED for a period of forty-five (45) days from the date of this Order. All trial and pre-trial settings are hereby CONTINUED. The parties shall file a notice giving a status update on this matter to the Court by April 14, 2022. Signed by Judge Jeffrey C. Manske. (zv) (Entered: 02/28/2022)
03/11/2022	181	NOTICE <i>Vacation Letter</i> by Anthony Fazzino (Jones, Marvin) (Entered: 03/11/2022)
03/11/2022	182	NOTICE <i>Vacation Letter</i> by Anthony Fazzino (Jones, C.) (Entered: 03/11/2022)
04/14/2022	183	STIPULATION of Dismissal <i>Joint Stipulation of Dismissal</i> by Anthony Fazzino. (Siegmond, Mark) (Entered: 04/14/2022)
04/14/2022		DEFICIENCY NOTICE: re 183 Stipulation of Dismissal. If you are voluntarily dismissing using 41(a)(1)(a) then you will need to state that in the body of the stipulation. However, if you are not voluntarily dismissing based off of that rule then you will need to file a Motion to Dismiss with a Proposed Order. Thank you. (zv) (Entered: 04/14/2022)
04/14/2022	184	STIPULATION of Dismissal <i>Joint Stipulation of Dismissal</i> by Anthony Fazzino. (Siegmond, Mark) (Entered: 04/14/2022)

PACER Service Center			
Transaction Receipt			
06/09/2026 09:41:20			
PACER Login:	jedelafuente2411	Client Code:	3809-08
Description:	Docket Report	Search Criteria:	6:18-cv-00114-JCM
Billable Pages:	25	Cost:	2.50