

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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