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JAMES ALBERT JENNINGS
BOARD CERTIFIED LABOR AND EMPLOYMENT LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

January 23, 2015

Via email mcneill@bgvllp.com

Mr. Christopher M. McNeill
Block & Garden, LLP
Sterling Plaza
5949 Sherry Lane, Suite 900
Dallas, Texas 75225

RE: Cause No. DC-13-09969 (the "Action")/ **Rule 11 Agreement Regarding: Assets Previously Released in regard to the Hopper Estate (Cause No. PR-10-1517-3) to the Parties in Undivided Interests from the Independent Administrator, and then, Partition of Them Between the Parties as Sought per this Action**

Dear Mr. McNeill:

Per the agreement of the parties, the parties have agreed to waive (and not seek to enforce against each other) the present deadlines in the Level 3 Scheduling Order signed by the Court on September 15, 2014, pending binding agreements to partition, and effectuation of the actual partition of, the assets presently jointly held and as described and sought in this Action. If such an agreed/binding partition cannot be agreed upon and fully effectuated to the satisfaction of the parties by March 25, 2015, the parties hereby agree to re-submit jointly, an appropriate and new proposed Level 3 Scheduling Order to the Court. That new Order would reset the trial date and all other dates so that the earliest present date in the Order (e.g., the deadline for filing amended pleadings asserting claims or defenses) would be no earlier than June 1, 2015 with all other dates extended therefrom accordingly as per the general "time-spacing" as reflected in the current Level 3 Scheduling Order (i.e., adding at least the same number of days between dates, counting from June 1, as currently between such dates).

129 Lakeside Drive
Malakoff, Texas
75148

EAST TEXAS OFFICE (ATHENS AREA)

(469) 688-9675

Mr. Christopher M. McNeill
January 23, 2015
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TIME IS OF THE ESSENCE

If the above accurately reflects the agreement between the parties as mutually drafted and agreed **by you and us**, please sign below and return to our offices so that we may file this Agreement with the Court as a Rule 11 Agreement pursuant to the Texas Rules of Civil Procedure.

The parties further agree this Rule 11 need not be filed to be effective and is effective upon signature of both **our client and your clients, through their respective attorneys.**

The parties agree a facsimile or email signature hereto is the equivalent of an original for all purposes.

We look forward to working with you to resolve all the details of the partition and costs attendant thereto and to date.

Sincerely,

James Albert Jennings

JAJ:je

Cc: Client

AGREED TO:

Christopher M. McNeill, attorney on behalf of
Defendants Laura S. Wassmer and Stephen B.
Hopper

James Albert Jennings, attorney on behalf
of Plaintiff Mrs. Jo N. Hopper

Dated: _____

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Mr. Christopher M. McNeill
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Page 2

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James Albert Jennings

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Cc: Client

AGREED TO:


Christopher M. McNeill, attorney on behalf of
Defendants Laura S. Wassmer and Stephen B.
Hopper


James Albert Jennings, attorney on behalf
of Plaintiff Mrs. Jo N. Hopper

Dated:

01/23/2015

Dated:

1/23/15