

ORIGINAL

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FILE NO: 76995.000001

FILED

OCT 14 PM 4:20

JOHN E. WARREN  
COUNTY CLERK

October 14, 2011

James Albert Jennings  
Erhard & Jennings, P.C.  
1601 Elm Street, Suit 4242  
Dallas, Texas 75201

VIA EMAIL

David M. Taylor  
Thompson Coe Cousins & Irons, L.L.P.  
700 North Pearl Street  
25<sup>th</sup> Floor - Plaza of the Americas  
Dallas, Texas 75201

VIA EMAIL

Re: No. PR-10-1517-3; *In Re: Estate of Max D. Hopper, Deceased*; in the Probate Court No. 3, Dallas County, Texas

Dear Jim and David:

The Independent Administrator proposes the following with respect to its First Amended Complaint to Compel Delivery of Papers Belonging to the Estate of Max D. Hopper (the "Complaint"):

1. The Administrator will serve a document request on Jo Hopper requesting the following documents (the "Withheld Documents"): 4429-4430; 4438; 4439-4463; 4464-4465; 4482-4496; 4520-4527; 4601-4603; 4977-4983; and 4984-4988;
2. Within 10 days after service of the document request, Jo Hopper will respond to the document requests in accordance with the Texas Rules of Civil Procedure and produce the Withheld Documents, other than privileged letters or emails to which Michael Graham was a party;
3. The Administrator will nonsuit the Complaint;

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4. The Administrator will not refile the Complaint with respect to the Withheld Documents and the Williamson Production previously produced (1 - 5249, except for the Withheld Documents). This Rule 11 agreement, including the nonsuit, is not an admission by any party of any matter; and
5. The parties to this Rule 11 agreement agree that all of the Withheld Documents, whether produced or not under this Agreement, are Confidential Information under the Protective Order entered by the Court on October 7, 2011 for all purposes.

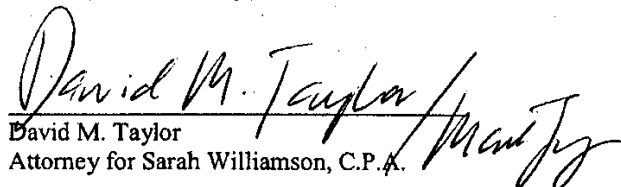
If this proposal is acceptable, please sign in the space below to confirm our agreement for purposes of Rule 11.

Sincerely,

  
John C. Eichman

JCE:pkc

 <sup>by Megan Maeruss</sup>  
~~James Albert Jennings~~ (per Mr. Jennings instructions)  
Kenneth B. Tomlinson  
Attorney for Jo N. Hopper

  
David M. Taylor  
Attorney for Sarah Williamson, C.P.A.