

CAUSE NO. D-1-GN-18-007636

THE ROY F. & JOANN COLE MITTE	§	IN THE DISTRICT COURT OF
FOUNDATION,	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	TRAVIS COUNTY, TEXAS
	§	
WC 1st AND TRINITY, LP, WC 1st AND	§	
TRINITY GP, LLC, WC 3rd AND	§	
CONGRESS, LP AND WORLD CLASS	§	
CAPITAL GROUP, LLC	§	
<i>Defendants.</i>	§	IN THE 126TH JUDICIAL DISTRICT

ATTORNEY GENERAL OF TEXAS’S NOTICE OF NONSUIT

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES KEN PAXTON, Attorney General of Texas, and in accordance with Texas Rule of Civil Procedure 162, files this Notice of Nonsuit of his Petition in Intervention in the above-referenced cause.

The Attorney General hereby gives notice to this Court that he is taking a nonsuit without prejudice of his Petition in Intervention, which was brought for and on behalf of the interest of the general public of this state in charity, pursuant to Section 123.002 of the Texas Property Code. The Attorney General hereby notifies this Court and the parties that his nonsuit shall be effective immediately on its filing date.

Respectfully submitted,

KEN PAXTON
Attorney General of Texas

JEFFREY C. MATEER
First Assistant Attorney General

RYAN L. BANGERT
Deputy First Assistant Attorney General

DARREN L. McCARTY
Deputy Attorney General for Civil Litigation

/s/ Joshua R. Godbey
Joshua R. Godbey, Division Chief
Assistant Attorney General
State Bar No. 24049996
Financial Litigation and Charitable Trusts Division
Office of the Attorney General
P.O. Box 12548/Mail Stop 017
Austin, Texas 78711-2548
Telephone: (512) 475-4209
Facsimile: (512) 477-2348
joshua.godbey@oag.texas.gov

On behalf of the Public Interest in Charity

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2020, the foregoing *Attorney General's Notice of Nonsuit* was filed with the Clerk of this Court and served on all parties of record via EFileTexas.gov efilings service:

Ray C. Chester/Michael A. Shaunessy
McGinnis Lochridge, LLP
rchester@mcginnislaw.com
mshaunessy@mcginnislaw.com

Counsel for Plaintiff Mitte Foundation

Stephen Lemmon/Rhonda B. Mates
Streusand, Landon, Ozburn & Lemmon, LLP
lemmon@slollp.com
mates@slollp.com

Counsel for Receiver

Terry L. Scarborough/V. Blayre Peña
Hance Scarborough, LLP
tscarborough@hslawmail.com
bpena@hslawmail.com

Wallace B. Jefferson/ Nicholas Bacarisse
Alexander Dubose & Jefferson LLP
wjefferson@adjtlaw.com
nbacarisse@adjtlaw.com

Counsel for Defendants

Michael J. Wynne/Heather Martinez
Gregor Wynne Arney, PLLC
mwynne@gcfirm.com
hmartinez@gcfirm.com

Counsel for Super Majority Parties

/s/ Joshua R. Godbey
Joshua R. Godbey, Division Chief
Assistant Attorney General

Mitte Foundation v. WC 1st and Trinity, et al./
AG Notice of Nonsuit

Page 2 of 2

Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Laura Edwards on behalf of Joshua Godbey
Bar No. 24049996
laura.edwards@oag.texas.gov
Envelope ID: 46708034
Status as of 10/1/2020 8:58 AM CST

Associated Case Party: WC 1st and Trinity, LP

Name	BarNumber	Email	TimestampSubmitted	Status
Viola Pena	24050372	bpena@hslawmail.com	9/30/2020 12:08:30 PM	SENT
Wallace Jefferson	19	wjefferson@adjtlaw.com	9/30/2020 12:08:30 PM	SENT
Nicholas Bacarisse	24073872	nbacarisse@adjtlaw.com	9/30/2020 12:08:30 PM	SENT
Terry Lane Scarborough	17716000	tscarborough@hslawmail.com	9/30/2020 12:08:30 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Michael A. Shaunessy	18134550	mshaunessy@mcginnislaw.com	9/30/2020 12:08:30 PM	SENT
Joshua Godbey	24049996	Joshua.Godbey@oag.texas.gov	9/30/2020 12:08:30 PM	SENT
Ray Chester	4189065	rchester@mcginnislaw.com	9/30/2020 12:08:30 PM	SENT
Heather Martinez		hmartinez@gcfirm.com	9/30/2020 12:08:30 PM	SENT

Associated Case Party: GregoryS.Milligan

Name	BarNumber	Email	TimestampSubmitted	Status
Rhonda Bear Mates	24040491	Mates@slollp.com	9/30/2020 12:08:30 PM	SENT
Stephen W. Lemmon		lemmon@slollp.com	9/30/2020 12:08:30 PM	SENT

Associated Case Party: World Class Interests, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Michael JohnWynne		mwynne@gcfirm.com	9/30/2020 12:08:30 PM	SENT

Associated Case Party: Ken Paxton on Behalf of the Public Interest in Charity

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Laura Edwards on behalf of Joshua Godbey
Bar No. 24049996
laura.edwards@oag.texas.gov
Envelope ID: 46708034
Status as of 10/1/2020 8:58 AM CST

Associated Case Party: Ken Paxton on Behalf of the Public Interest in Charity

Name	BarNumber	Email	TimestampSubmitted	Status
Cathleen Day	24105783	cathleen.day@oag.texas.gov	9/30/2020 12:08:30 PM	SENT