



July 3, 2020

The Honorable Suzanne Covington
VIA EMAIL SUBMISSION: suzanne.covington@judgecovington.com

Re: *WC 1st and Trinity LP, et al., v. the Roy F. and Joann Cole Mitte Foundation;*
American Arbitration Association Case Number 01-19-0000-5347

Dear Judge Covington:

I write to further update you regarding matters that may affect this arbitration and the overall proceedings.

While Mr. Chester notes the Attorney General's intervention in his July 2, 2020 correspondence to you, he failed to inform you that at the request of the Office of the Attorney General, the Parties have agreed to enter settlement discussions by participating in a mediation that will include the Attorney General's office.

The Parties are in the process of scheduling that mediation at the earliest possible time. At the last hearing in district court on Thursday, June 25, 2020, Mr. Chester informed Judge Soifer of Mitte's willingness to mediate. Judge Soifer set certain deadlines in the district court case two weeks from last Thursday, noting that the timing:

"has the benefit of also giving you-all time to see if you can mediate the case in between now and two weeks from now, because you were talking about two or three weeks."

(Excerpted from the transcript of the June 25, 2020 hearing).

Claimants have stated they will make themselves available for mediation at any date in this two-week period when Mitte can be available. As of this correspondence, Mitte has not yet confirmed its availability, though we understand that it may be available on July 8 or July 9.

As to Mr. Chester's comments related to the scheduling order, I have been having discussions with Mr. Wynne, the new attorney in this matter who entered an appearance on behalf of Mr. Paul and World Class Capital Group, about availability for a final hearing date. As you have previously recognized, it makes the most sense to agree on a final hearing date and work backward from there. I have discussed final hearing dates with Mr. Wynne. I have also reached out to Mr. Chandrasoma, who appeared pro se, asking him if he had retained an attorney, and if so, to please let me know who that is so that we may discuss final hearing dates with his attorney. I fully anticipate conferring with Mr. Chester about possible final hearing dates once I

have heard back from Mr. Wynne and Mr. Chandrasoma or his new lawyer so that a scheduling order may be finalized and agreed.

Respectfully submitted,

HANCE SCARBOROUGH, LLP
400 W. 15th Street, Suite 950
Austin, Texas 78701
Telephone: (512) 479-8888
Facsimile: (512) 482-6891

By: /s/ Terry L. Scarborough
Terry L. Scarborough
State Bar No. 17716000
tscarborough@hslawmail.com
V. Blayre Peña
State Bar No. 24050372
bpena@hslawmail.com

ATTORNEYS FOR CLAIMANTS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been sent via email on July 3, 2020, to the following counsel of record:

MCGINNIS LOCHRIDGE LLP

Ray C. Chester
rchester@mcginnislaw.com
Michael A. Shaunessy
mshaunessy@mcginnislaw.com
600 Congress Avenue, Suite 2100
Austin, Texas 78701
Telephone: (512) 495-6000
Facsimile: (512) 495-6361

STREUSAND, LANDON, OZBURN & LEMMON, LLP

Stephen W. Lemmon
lemmon@slollp.com
Rhonda B. Mates
mates@slollp.com
1801 South Mopac, Ste. 320
Austin, Texas 78746
Telephone: (512) 236-9900
Facsimile: (512) 236-9904

OFFICE OF THE ATTORNEY GENERAL

Joshua R. Godbey, Division Chief
joshua.godbey@oag.texas.gov
Cathleen M. Day, Assistant Attorney General
cathleen.day@oag.texas.gov
Financial Litigation and Charitable Trusts
Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

/s/ Terry L. Scarborough
Terry L. Scarborough