

471-03472-2022

NO. _____

**HENRY MISHKOFF,
PLAINTIFF,**

V.

**T. CHASE GARRETT,
SCHEEF & STONE, LLP, AND
SONIA BRYANT,
DEFENDANTS.**

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IN THE DISTRICT COURT

JUDICIAL DISTRICT

COLLIN COUNTY, TEXAS

PLAINTIFF’S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Henry Mishkoff, hereinafter called Plaintiff, complaining of and about T. Chase Garrett (“Garrett”), Scheef & Stone, LLP (“Scheef & Stone”), and Sonia Bryant (“Bryant”), hereinafter called Defendants, and for cause of action shows unto the Court the following:

I. DISCOVERY CONTROL PLAN LEVEL

1. Plaintiff intends that discovery be conducted under Discovery Control Plan Level 2 of Rule 190 of the Texas Rules of Civil Procedure

II. PARTIES AND SERVICE

2. Plaintiff Henry Mishkoff is an individual whose address is 4062 Windhaven Lane, Dallas, TX 75287.

3. Defendant Garrett is a partner with the law firm of Scheef & Stone, LLP. He may be served with process at Scheef & Stone, 2600 Network Boulevard,

Frisco, TX 75034, or wherever he may be found. Service of Defendant Garrett can be effected by certified mail.

4. Defendant Scheef & Stone is a law firm with offices in several cities in Texas. It may be served with process by serving its Managing Partner, C. John Scheef, III, at Scheef & Stone, 2600 Network Boulevard, Frisco, TX 75034, or wherever he may be found. Service of Defendant Scheef & Stone can be effected by certified mail.

5. Defendant Bryant may be served with process at 4060 Windhaven Lane, Dallas, TX 75287, or wherever she may be found. Service of Defendant Bryant can be effected by certified mail.

III. JURISDICTION AND VENUE

6. The subject matter in controversy is within the jurisdictional limits of this court.

7. Plaintiff seeks monetary relief over \$1,000,000.00.

8. This court has jurisdiction over the parties because Plaintiff resides in Collin County, Texas; all Defendants reside and/or are employed in Collin County, Texas; and the defamation that is the subject of this lawsuit occurred in Collin County, Texas.

9. Venue in Collin County is proper in this cause under Section 15.002(a)(1) of the Texas Civil Practice and Remedies Code because all or a

substantial part of the events or omissions giving rise to this lawsuit occurred in this county.

IV. DEFINITIONS

10. **Defamation.** In Texas, a statement is defamatory if “a person of ordinary intelligence would interpret it in a way that tends to injure the subject’s reputation and thereby expose the subject to public hatred, contempt, or ridicule, or financial injury, or to impeach the subject’s honesty, integrity, virtue, or reputation.” See *Neyland v. Thompson*, 2015 WL 1612155 (Tex. App.—Austin 2015)

11. **Libel.** In Texas, “libel is a defamation expressed in written or other graphic form ... that tends to injure a living person's reputation and thereby expose the person to public hatred, contempt or ridicule, or financial injury....” (TEX. CIV. PRAC. & REM. CODE § 73.001)

V. FACTS

A. *The Defamatory Statement*

12. On or about May 25, 2022, Defendants filed a Counterclaim (hereinafter “the Counterclaim”) in the matter of Henry Mishkoff, Plaintiff, vs. Sonia Bryant, Defendant, in Cause No. 471-01040-2022 in the District Court in the 471st Judicial District of Collin County, Texas (Exhibit A).

13. On page 3 of the Counterclaim, in the section entitled “Statement of Facts,” in paragraph number 9, Defendants said, “He simply seems to enjoy

exposing himself to her security cameras:” followed by a graphic that appears to be a frame capture from a video (see Exhibit A, page 3). This statement (hereinafter referred to as “the Defamatory Statement”) is false in its entirety and is clearly defamatory and libelous in the State of Texas according to the definitions presented in the “Definitions” section of this Petition.

14. In the Defamatory Statement, the pronoun “He” clearly refers to Plaintiff, who is the only male mentioned in the body of the Counterclaim. Therefore, Defendants are claiming that Plaintiff exposes himself.

15. In the Defamatory Statement, the pronoun “her” clearly refers to Defendant Bryant, who is the only female mentioned in the body of the Counterclaim. Therefore, Defendants are claiming that Plaintiff exposes himself to Defendant Bryant’s security cameras.

16. According to *The Merriam-Webster Dictionary*, to “expose oneself” is “to show one’s sexual organs in public” (<https://www.merriam-webster.com/dictionary/expose%20oneself>). As an example, it offers, “He was arrested for *exposing himself* (to women) in the park.” It offers no alternative definitions. Other online dictionaries yield nearly identical results. Some dictionaries also offer secondary definitions, but none of those definitions makes any sense if substituted for the phrase “exposing himself” in the Defamatory Statement. Therefore, the Defamatory Statement clearly states that Plaintiff enjoys showing his

sexual organs to Defendant Bryant's security cameras. There is no reasonable non-defamatory interpretation of the Defamatory Statement.

17. The colon at the end of the Defamatory Statement suggests that the graphic that follows is intended to illustrate the so-called "fact" presented in the Defamatory Sentence.

18. The graphic presented by Defendants to illustrate their so-called "fact" that "He simply seems to enjoy exposing himself to her security cameras" appears to be a recorded image of Plaintiff, who appears to be fully clothed. However, the image is somewhat dark and lacks contrast, so some viewers of the photo might not reach the conclusion that Plaintiff is fully clothed, especially with the contradictory language in the Defamatory Statement. Images (both digital and print) tend to degrade with repeated copying, so some viewers of subsequent generations of the image may not be able to determine with certainty whether the image actually represents Plaintiff exposing himself. (In fact, some viewers might reasonably conclude that the photo was intentionally darkened so as not to distribute a sexually explicit photo as part of the Counterclaim.)

19. Indecent exposure is explicitly defined as a sex crime in Texas.

20. The Defamatory Statement not only claims that Plaintiff exposes himself, but it also says that Plaintiff "seems to enjoy" it, suggesting that Plaintiff derives pleasure from committing sex crimes.

21. The Defamatory Statement not only claims that Plaintiff derives pleasure from committing sex crimes, but it also claims that Plaintiff perversely enjoys committing those sex crimes specifically so that they can be recorded by Defendant Bryant's security cameras.

22. If Plaintiff enjoyed exposing himself to Defendant Bryant's security cameras, he surely would have exposed himself to the video camera she's been audaciously pointing directly at the window of his second bedroom for the last two years. But as he's a scrupulously modest person, he has never done that.

B. Elements of Libel

23. In Texas, a libel claim must prove that (a) there was a published statement, (b) the statement was defamatory concerning the plaintiff, and (c) the defendant acted with either actual malice (if the plaintiff was a public official or public figure) or negligence (if the plaintiff was a private figure) regarding the truth of the statement.

24. **There was a published statement.** The libel was published in the Counterclaim, which is attached to this Petition as Exhibit A.

25. **The statement was defamatory concerning Plaintiff.** Falsely accusing Plaintiff of a sex crime indisputably tends to injure Plaintiff's reputation and thereby exposes Plaintiff to public hatred, contempt, or ridicule.

26. **Defendants acted with negligence regarding the truth of the statement.** There appears to be no reason for a prestigious law firm to promulgate a groundless accusation of a sex crime other than a careless disregard for the truth. Defendants may well have acted with actual malice rather than with indifference and inattention, perhaps intending to intimidate Plaintiff by demonstrating the harm they might be able to cause him as a result of their superior resources. However, not being a public official or a public figure, Plaintiff does not need to address the issue of malice and does not plan to do so.

27. **Actual Harm.** Texas considers several types of defamatory statements to be so injurious that the plaintiffs need not actually prove that they suffered harm. Among these types of statements are (a) statements imputing that the plaintiff committed a crime and (b) statements imputing that the plaintiff has engaged in sexual misconduct. In the current case, the Defamatory Statement meets both criteria, so Plaintiff does not need to address the issue of actual harm and does not plan to do so.

C. Privilege and Immunity

28. **Privilege.** In Texas, communications concerning matters published as part of judicial proceedings are privileged, but only insofar as the communications are relevant to the proceedings. The Defamatory Statement appeared in a judicial proceeding in which Plaintiff was accused of trespassing, so Defendants' accusation

that Plaintiff committed a sex crime was not relevant to the proceedings. Therefore, the Defamatory Statement is not a privileged communication.

29. **Immunity.** In Texas, attorneys are immune from civil liability for actions taken in connection with representing a client in litigation, but only insofar as the actions in question were part of the discharge of the attorney's duties in representing the client. The Defamatory Statement appeared in a judicial proceeding in which Plaintiff was accused of trespassing, so the accusation that Plaintiff committed a sex crime was not part of the discharge of the attorneys' duties in representing the client. Therefore, the attorneys who published the Defamatory Statement are not immune from civil liability.

VI. DEFENDANTS' LIABILITY

30. All preceding paragraphs are incorporated by reference as if set out herein.

31. Defendant Garrett's signature appears at the bottom of the Counterclaim that contains the Defamatory Statement that is the subject of this lawsuit (see Exhibit A, page 5). Defendant Garrett either wrote the Defamatory Statement himself or is responsible for its inclusion in the Counterclaim. Defendant Garrett is properly named as a Defendant in this action.

Respectfully submitted,
SCHEEF & STONE, LLP
/s/ **7. Chase Garrett**
T. Chase Garrett
Texas Bar No. 24069764
chase.garrett@solidcounsel.com
2600 Network Blvd., Suite 400
Frisco, Texas 75034
(214) 472-2100 – Telephone
(214) 472-2150 – Facsimile
Attorney for Defendant

32. Defendant Scheef & Stone’s name appears immediately below the phrase “Respectfully submitted” at the bottom of the Counterclaim that contains the Defamatory Statement that is the subject of this lawsuit (see Exhibit A, page 5). Having claimed responsibility for submitting the Counterclaim, Defendant Scheef & Stone must also accept responsibility for its contents. Defendant Scheef & Stone is properly named as a Defendant in this action.

Respectfully submitted,
SCHEEF & STONE, LLP
/s/ **7. Chase Garrett**
T. Chase Garrett
Texas Bar No. 24069764
chase.garrett@solidcounsel.com
2600 Network Blvd., Suite 400
Frisco, Texas 75034
(214) 472-2100 – Telephone
(214) 472-2150 – Facsimile
Attorney for Defendant

33. Defendant Garrett signed the Counterclaim as “Attorney for Defendant” (see Exhibit A, page 5). The defendant in that Counterclaim was Sonia

Bryant, who is a defendant in this action. An attorney acts on behalf of his client and represents that client. An attorney's acts are the acts of his client. An attorney is the instrument of his client's will, and the client may fairly be tagged with the attorney's errors. Defendant Bryant is properly named as a Defendant in this action.

Respectfully submitted,
SCHEEF & STONE, LLP
/s/ T. Chase Garrett
T. Chase Garrett
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(214) 472-2100 – Telephone
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Attorney for Defendant

VII. CAUSE OF ACTION: LIBEL

34. All preceding paragraphs are incorporated by reference as if set out herein.

35. Plaintiff is a private individual and is neither a public official nor a public figure for any purpose.

36. Defendants are all non-media defendants.

37. The Defamatory Statement, made and published by Defendants, was a statement of fact that was false, both in its particular details and in the main point, essence, or gist in the context in which it was made.

38. The Defamatory Statement, made and published by Defendants, directly and/or indirectly referred to Plaintiff.

39. The Defamatory Statement, made and published by Defendants, was libelous per se because it injured Plaintiff's reputation and has exposed Plaintiff to public hatred, contempt, ridicule, and/or financial injury.

40. The Defamatory Statement, made and published by Defendants. was libelous per se because it impeached Plaintiff's integrity, virtue, and/or reputation.

41. The Defamatory Statement, made and published by Defendants, was libelous per se because it injured Plaintiff in his office, profession, and/or occupation.

42. The Defamatory Statement, made and published by Defendants, was libelous per se to the extent it falsely charged Plaintiff with the commission of a crime.

43. In the alternative, the Defamatory Statement, made and published by Defendants, was libelous through innuendo and/or implication.

44. Defendants are strictly liable for the damages caused by the libel.

45. Alternatively, Defendants knew the Defamatory Statement was false or they showed reckless disregard for the truth.

46. Alternatively, Defendants knew or should have known the Defamatory Statement was false.

47. Plaintiff is entitled to recover exemplary (punitive) damages, actual damages, presumed damages, special damages, general damages, and/or nominal damages.

VIII. RETRACTION

48. All preceding paragraphs are incorporated by reference as if set out herein.

49. Pursuant to the Texas Civil Practices and Remedies Code, Plaintiff requests that Defendants correct, clarify, or retract the Defamatory Statement detailed above. The statement is defamatory: (a) by injuring Plaintiff's reputation and exposing Plaintiff to public hatred, contempt or ridicule, and/or financial injury; (b) by impeaching Plaintiff's honesty, integrity, virtue, and/or reputation; (c) by injuring Plaintiff in his office, profession, and/or occupation; and (d) by falsely charging Plaintiff with the commission of a crime or failing to report a crime.

IX. DAMAGES

50. All preceding paragraphs are incorporated by reference as if set out herein.

51. When Defendants uploaded the Counterclaim to the Collin County Courts' e-file system, it became available to every individual and company in the entire world via the Collin County Judicial Online Search system (<https://apps.collincountytx.gov/JudicialRecords/Search>). Individuals, attorneys,

and other interested parties gained access to the Counterclaim almost immediately via online services such as re:SearchTX, UniCourt, and others. Subscribers to re:SearchTX, for example, would have automatically been notified about the Counterclaim if they had previously configured a responsive Search Alert. (The Collin County District Clerk filed the Counterclaim at 2:51 P.M. on May 25, 2022. Plaintiff received an automatic notification about the filing of the Counterclaim at 8:30 A.M. the next morning.) Those subscribers would then be able to download the Counterclaim either manually or via automated systems, and they would then be free to distribute the Counterclaim (and the Defamatory Statement that it contained) as far and wide as they pleased simply by clicking the “Share Case” button.

52. Like a bullet fired from a gun, now that the Counterclaim has been made available to the public via the Internet, it cannot possibly be recalled. It has essentially been permanently etched into digital stone. No number of corrections, clarifications, or retractions from Defendants can put the bullet back into the chamber or erase the revolting message that Defendants have carved into the permanence of cyberspace. Irrevocable damage has been done.

53. Plaintiff has spent decades building an impeccable reputation, both personally and professionally. As a freelance software developer, a published author, and an entrepreneur, Plaintiff has been secure in the knowledge that prospective clients, publishers, and investors will not uncover any damaging information about

him, no matter how diligently they search. But in the words of Warren Buffet, “It takes twenty years to build a reputation and five minutes to ruin it.”

54. Because of the reach of the Internet, Plaintiff will never even be able to estimate the number of people who have read the Defamatory Statement and who are therefore aware that Plaintiff has been accused of committing a sex crime.

55. Plaintiff currently lives on Social Security income as supplemented by his dwindling savings. Plaintiff applies for employment and/or contract jobs on a regular basis, occasionally submits proposals and manuscripts to publishers and literary agents, and is currently in the process of launching a new business.

56. If Plaintiff is rejected by a potential employer or client, he will never know if he was rejected because a more suitable applicant was selected or because the potential employers or clients did their due diligence, discovered that Plaintiff had been accused of a sex crime, and decided that they could not risk the liability of hiring someone who has had that kind of vile accusation leveled against him.

57. If Plaintiff has a proposal or manuscript rejected by a publisher or agent, he will never know if it was rejected because it did not suit the publisher’s or agent’s requirements or because the publishers or agents did their due diligence, discovered that Plaintiff had been accused of a sex crime, and decided that they could not risk the liability of being professionally associated with someone who was accused of committing such a heinous crime.

58. If Plaintiff is unable to secure funding for his new business, he will never know if he was rejected because the business plan did not suit the investors' goals or because the investors did their due diligence, discovered that Plaintiff had been accused of a sex crime, and decided that they could not risk the liability of investing in a business that was being launched by someone who had been accused of committing a sexual offense.

59. Plaintiff is occasionally contacted by companies and recruiters to ask if he's interested in a particular position. In the future, a company with an open position that's a good fit for Plaintiff's talents may discover that Plaintiff has been accused of committing a sex crime and refrain from contacting Plaintiff for that reason. Should that happen, Plaintiff will likely never even know about it, leaving Plaintiff to wonder for the rest of his life if he's missing out on opportunities that were withheld from him specifically due to the Defamatory Statement. (This is especially likely to happen with tech companies, because [a] they are the companies most likely to be interested in Plaintiff, because of his background; and [b] they are the companies who best know how to conduct thorough and sophisticated searches.)

60. A couple of decades ago, Plaintiff was involved in an intellectual-property lawsuit that is typically styled as *Taubman v WebFeats*. ("WebFeats" is one of Plaintiff's DBAs.) Plaintiff won the precedent-setting case, which is now studied in law schools throughout the country and around the world. If law students decide

to learn more information about Plaintiff, they may conduct not only the Google-type searches that are available to the general public, but they may also search the various legal databases with which they are familiar, and are thus even more likely to learn of the spurious accusation in the Defamatory Statement than a member of the general public might be. So in the future, if Plaintiff seeks legal representation and is turned down by a prospective attorney, Plaintiff will be left to wonder if he was rejected by the attorney because of, say, a conflict of interest with other clients, or if he was rejected by the attorney because the attorney did not wish to represent a client against whom such an unforgivable accusation had been leveled.

61. There are myriad blogs, YouTube channels, and other social media sites that have been created by attorneys to feature unusual cases so that they can attract viewers and thereby either gain clients or earn money (or both). Any of these sites could feature the Countersuit that contains the Defamatory Statement at any time. If that segment goes viral, Plaintiff will suddenly become notorious as the man who was accused of a sex crime as part of a property lawsuit. Sites like these could go viral at any time, for any reason, with no warning or logic. This could happen, tomorrow, this could happen next month, or this could happen next year. If and when it happens, Plaintiff will have to suffer the ignominy of being the subject of whispers and nudges whenever he's in public, a humiliating spectacle that will haunt Plaintiff **for the rest of his life.**

62. Because, as previously noted, the bullet cannot be put back in the gun, Plaintiff will have to suffer the uncertainty of not knowing whether he's losing potential employers, clients, publishers, agents, investors, attorneys, and even friends because they're familiar with Defendants' accusation and feel that it's prudent to avoid associating with Plaintiff. And Plaintiff will have to suffer through this horrible uncertainty **for the rest of his life.**

63. If Plaintiff is ever asked on any kind of application if he has ever been accused of a sex crime, he will have to say that yes, he has been. This humiliating "admission" is certain to evoke disgust in the minds of anyone who reads it, and that powerful initial impression is not likely to be counteracted by the subsequent revelation that the accusation was totally without merit. This will leave Plaintiff at a distinct disadvantage over other applicants, a situation with which Plaintiff will have to deal **for the rest of his life.**

64. Plaintiff has suffered damages including but not limited to lost income, injury to reputation, emotional pain, suffering, mental anguish, and loss of enjoyment of life, within the jurisdictional limits of this court.

X. JURY DEMAND

65. Plaintiff hereby demands a trial by jury.

XI. CONDITIONS PRECEDENT

66. All conditions precedent to Plaintiff's claim for relief have been performed or have occurred.

XII. REQUEST FOR DISCLOSURE

67. Under Texas Rule of Civil Procedure 194, Plaintiff requests that Defendant disclose, within 30 days of the service of this request, the information or material described in Rule 194.2.

XIII. PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff asks that the Court issue citations for each Defendant to appear and answer, and that Plaintiff be awarded a judgment against Defendants for the following:

- a) Exemplary (punitive) damages;
- b) Actual damages;
- c) Presumed damages;
- d) Special damages;
- e) General damages;
- f) Nominal damages;
- g) Pre- and post-judgment interest;
- h) Attorneys' fees (if any);
- i) Costs of court; and

j) Such further relief, both general and special, at law or in equity, to which Plaintiff may show himself to be justly entitled.

Respectfully submitted,

Henry Mishkoff

/s/ Henry Mishkoff

Henry Mishkoff

4062 Windhaven Lane

Dallas, TX 75287

(214) 458-3600

HankMishkoff@gmail.com

Exhibit A

CAUSE NO. 471-01040-2022

HENRY MISHKOFF	§	IN THE DISTRICT COURT
	§	
<i>Plaintiff,</i>	§	
	§	
vs.	§	471 ST JUDICIAL DISTRICT
	§	
SONIA BRYANT	§	
	§	
<i>Defendant.</i>	§	COLLIN COUNTY, TEXAS

DEFENDANT’S ORIGINAL COUNTERCLAIM

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant/Counter-Plaintiff Sonia Bryant, (“Bryant”) by and through her undersigned counsel, files this Original Counterclaim against Plaintiff/Counter-Defendant Henry Mishkoff (“Mishkoff”) pursuant to Texas Rule of Civil Procedure 97 and in support thereof would respectfully show the Court as follows:

I.
DISCOVERY LEVEL

1. Pursuant to the TEXAS RULES OF CIVIL PROCEDURE, Bryant requests that this case be governed by a Level 3 Scheduling Order with dates negotiated by the parties or entered by the Court in absence of an agreement by the parties.

II.
PARTIES

2. Henry Mishkoff is an individual residing in Collin County, Texas. Henry Mishkoff has already made an appearance herein and may be served with a copy of this Counterclaim pursuant to Rules 21 and 21a of the Texas Rules of Civil Procedure.

III.
JURISDICTION, VENUE, AND TRCP 47 STATEMENT

3. This Court has subject matter jurisdiction over this matter because the amount in controversy is within the jurisdictional limits of the Court, and the Counter-Plaintiff seeks monetary relief under \$100,000.

4. Venue is proper pursuant to TEX. CIV. PRAC. & REM. CODE § 15.062.

IV.
STATEMENT OF FACTS

5. Bryant owns the real property located at 4060 Windhaven Lane, Dallas, Texas 75287 (“Bryant’s Property”). Bryant is a single mother.

6. Mishkoff owns the neighboring property at 4062 Windhaven Lane, Dallas, Texas, directly south of Bryant’s home.

7. Mishkoff has entered onto Bryant’s Property countless times without her authorization or consent for the purpose of harassing her.

8. In each of these instances of claimed trespass, Mr. Mishkoff veers far out of the express easement granted across her property. In each of these instances of claimed trespass, Mr. Mishkoff can make no claim, much less a credible claim, that he was exercising his rights to an “implied easement” as the photographic and videographic evidence shows him underneath Bryant’s carport or on other areas of the Bryant Property where he makes no claim to an implied easement.

9. He simply seems to enjoy exposing himself to her security cameras:



10. In one instance, Mr. Mishkoff brought third parties that appeared to be surveyors onto her property without her prior consent and the police were called.



11. On other occasions, Mr. Mishkoff has physically entered upon Bryant's real property for the purpose of taking pictures and conducting surveillance for this lawsuit without Bryant's permission.

12. Each of the complained entries onto Bryant's real property was done without her consent or authorization and has interrupted her right to possession, free of trespassing.

13. Pursuant to Rule 54 of the TEXAS RULES OF CIVIL PROCEDURE, Bryant generally avers that all conditions precedent have been performed or have occurred.

V.
CAUSE OF ACTION: TRESPASS

14. Bryant incorporates by reference each of the allegations in the preceding paragraphs of the Petition as if they were set forth in their entirety herein.

15. The law holds the property of every person so sacred that no one can set foot upon another's property without the property owner's leave. Every unauthorized entry is a trespass, even if no damage is done. *See General Mills Restaurants, Inc. v. Texas Wings, Inc.*, 12 S.W.3d 827 (Tex. App. Dallas 2000). A trespasser is liable to the property owner even when there is no proof of actual damages in any specific amount. *Id.*

16. As shown herein, Bryant owned certain real property located at 4060 Windhaven Lane, Dallas, Texas.

17. Henry Mishkoff has physically, intentionally, and voluntarily entered Bryant's property on numerous occasions in order to harass Bryant or to surveil her property. Each such entry was never authorized by Bryant or any of her agents.

18. Each such unauthorized entry onto Bryant's property has caused injury to Bryant's right to possession. As such, Bryant seeks nominal damages within the jurisdictional limits of this Court.

VI.
PRAYER FOR RELIEF

Bryant requests that the Court enter judgment against Henry Mishkoff, and that she recover nominal damages, costs of Court, attorney's fees, pre-judgment and post-judgment interest, and all other relief to which it may be justly entitled.

Respectfully submitted,

SCHEEF & STONE, LLP

/s/ *T. Chase Garrett*

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(214) 472-2150 – Facsimile

Attorney for Defendant

CERTIFICATE OF SERVICE

I certify that on May 25, 2022, a true and correct copy of the foregoing was sent to all parties who have made an appearance or their attorney of record in accordance with Texas Rules of Civil Procedure.

/s/ *T. Chase Garrett*