

# Robert John Myers & Associates

*Attorneys at Law*

## West Fort Worth Law Center

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Legal Specialization

July 8, 2008

**Via Facsimile**

Mr. Neal Adams, Esq.  
Mr. Jerry D. Bullard, Esq.  
Adams, Lynch and Loftin, PC  
3950 Highway 360  
Grapevine, Texas 76051

re: *Brimer v. Maxwell, Richie and Davis*; 236<sup>th</sup> DC;  
Tarrant County, Texas

Gentlemen:

Attached, please find Ms. Davis' responsive pleading which is filed with the Court July 8<sup>th</sup>, 2008. I called your office yesterday afternoon, asking for Mr. Adams, in order to confer with you about an expeditious setting, but did not reach you. I have, however, conferred with counsel for Messrs. Maxwell and Richie, and the parties on this side of the docket concur that the matter should be resolved expeditiously in the interests of the voters of Senate District 10.

All counsel on our side of the docket are available for hearing on your client's request for temporary relief and/or trial on the merits at any time beginning next Monday morning through and including the end of July with the exception of July 24<sup>th</sup>, when Mr. Hicks has a conflict. I thus request that you reply to either me or to Mr. Wood's office upon your receipt of this correspondence, with dates when you are available for hearing before the court on any of the days beginning next Monday, through and including the end of July with the exception of the 24<sup>th</sup>. When I have heard from you, I will contact Judge Lowe's court coordinator to arrange a hearing time and date. While we always prefer agreement, if I do not hear from you promptly, I will request a setting at the Court's first availability.

As your client has publicly pronounced that his only interest in filing this lawsuit is in "insuring that his opponent is legally qualified to run" or words to that effect, our side feels certain that he will concur with our assessment that the matter needs to be resolved expeditiously. We know of no seriously contested material facts. Taking Mr. Brimer's publicly stated reason for filing this suit as true, Ms. Davis does not understand why he waited to bring this action until some seven months after the facts he alleges in his suit were known to him. No operative facts have changed since January.

Nonetheless, Mr. Brimer's tardiness in bringing his suit makes expeditious resolution of same all the more important, in the interests of the voters of Senate District 10. Ms. Davis is sure that, as a public servant, Mr. Brimer will readily agree and will not seek delay of presentation of this case to the Court for decision for any reason. I thus await your prompt reply. Thank you for your courtesies.

Kindest regards,

A handwritten signature in black ink, appearing to read "Robert J. Myers". The signature is stylized with large, flowing loops and a prominent initial "R".

Robert J. Myers

c: Ms. Davis  
Messrs. Wood and Ray  
Messrs. Hicks and Dunn  
Mr. Hill