

CAUSE NO. 31662

FREDDIE ANASTASI AND ELLEN HUGHES, §	IN THE DISTRICT COURT
<i>Plaintiffs,</i> §	
§	
v. §	BURLESON COUNTY, TEXAS
§	
SOMERVILLE PLACE PROPERTY OWNERS §	
ASSOCIATION, INC., KELLIE ELSON, §	
CRYSTAL GILLIAM, ROBIN GRAHAM, §	
AND SUSAN RAO §	
<i>Defendants.</i> §	21ST JUDICIAL DISTRICT

**RULE 11 AGREEMENT REGARDING OPERATIONS AND SCHEDULING**

Plaintiffs Freddie Anastasi (“Anastasi”) and Ellen Hughes (“Hughes”), and Defendants Somerville Place Property Owners Association, Inc. (“SPPOA”), Kellie Elson (“Elson”), Crystal Gilliam (“Gilliam”), Robin Graham (“Graham”), and Susan Rao (“Rao”) hereby agree as follows pursuant to Rule 11, subject to any further order of the trial court in the above-captioned case and cause:

1. The Temporary Injunction hearing set for November 17, 2025, shall be passed. The Parties (defined as Plaintiffs, Defendants, and any agents and representatives thereof, including any Board Members) are agreed that the hearing shall be rescheduled for 1:30 p.m. on February 5, 2026, pending approval of the trial court for such date and setting.
2. The Parties are further agreed that in the interim and pending an order of the trial court SPPOA and the members of its Board, agents, and representatives shall refrain from the following:
  - a. Charging any fines, costs, assessments, or prices absent a court order allowing such action.
  - b. To the extent any payments for assessments or fines may nonetheless be received by SPPOA such funds shall be maintained in trust and not utilized absent an order of the court.
  - c. SPPOA is authorized to reschedule the semi-annual member's meeting previously set for October 25, 2025, to January 17, 2026 and use the existing agenda previously created for the October 25, 2025 meeting, however such meeting shall be directly supervised by general counsel in order to ensure compliance with all relevant laws and

regulations. Counsel for all Parties may be present for any semi-annual or annual members meeting. In the event general counsel is not appointed by the meeting date, or cannot attend the January 17, 2026 semi-annual member's meeting, counsel for any parties present shall jointly supervise any semi-annual member's meeting or annual members meeting.

- d. Holding any meeting of the Board of SPPOA.
3. The Parties are agreed to apply to the trial court to request appointment of a general counsel for SPPOA. Counsel for all parties will carry out a joint conference with general counsel after the appointment thereof. All parties are agreed that they will not communicate directly with general counsel, absent an order from the court, but will only communicate through their attorneys, and it is agreed that all attorney communications to general counsel by telephone, Zoom/Teams, or in person will include counsel for all Parties, and all attorney communications with general counsel by email, text, written correspondence, or otherwise shall be copied to all other attorneys.
4. The Parties are further agreed that general counsel appointed by the Court will have access and will account for any physical personal property or original documents of SPPOA in the present custody or possession of any Party or Board Member, including specifically any financial documents that are only physically available and cannot be otherwise copied, any voting totals and/or ballots from prior members meetings and/or board meetings, any proxy documents for voting, any petitions for removal from the board and supporting documents submitted therewith, and the contents of the safety deposit box maintained by SPPOA. Any sealed items or documents shall be unsealed only at such time as all parties are in agreement or by order of the court. This section does not apply to routine mail received by SPPOA. It is agreed that no Party shall access the safety deposit box without Court order, agreement of all Parties, or request from general counsel.
5. The Parties are further agreed that general counsel appointed by the Court will receive all access information regarding SPPOA accounts, including but not limited to the SPPOA website, Facebook, email, checking, and/or savings accounts belonging to SPPOA. To the extent possible, general counsel will be provided with his or her own unique login and access credentials.

6. In the interest of comity, the Parties further agree not to make any defamatory or disparaging statements, comments, or remarks about any other Party, orally or in writing, and refrain from posting any such statements, comments, or remarks, with such provision specifically including that Parties will not publish any information regarding members of the families of any Party and not to publicly engage in any disparaging remarks regarding any family of any Party.

By:   
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ATTORNEYS FOR SOMERVILLE PLACE PROPERTY OWNERS ASSOCIATION, INC.

## Automated Certificate of eService

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Envelope ID: 108126868  
Filing Code Description: No Fee Documents  
Filing Description: Rule 11 Agreement  
Status as of 11/17/2025 2:11 PM CST

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