

IN THE THIRTEENTH COURT OF APPEALS
CORPUS CHRSTI – EDINBURG, TEXAS

**In Re SPACE EXPLORATION
TECHNOLOGIES CORP.
AND LAUREN KRUEGER,**

Relator

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FILED IN
13th COURT OF APPEALS
CORPUS CHRISTI/EDINBURG, TEXAS

3/8/2024 5:18:30 PM

KATHY S. MILLS
Clerk

No. 13-24-00042-CV

**REAL PARTY IN INTEREST, HECTOR GARCIA, JR'S AGREEMENT TO
REAL PARTIES IN INTEREST JOSE RUIZ'S AND HUMBERTO
GARCIA'S AMENDED REPLY IN SUPPORT OF MOTION TO ABATE**

ORIGINAL PROCEEDING FROM CAUSE No. 2020-DCL-03930
444TH DISTRICT COURT OF CAMERON COUNTY, TEXAS
HON. DAVID A. SANCHEZ, PRESIDING

TO THE HONORABLE JUSTICES OF THIS COURT:

Real Party in Interest, Hector Garcia, Jr. (hereinafter "Real Party"), files this Agreement to the Amended Reply in Support of Motion to Abate filed by Real Parties in Interest, Jose Ruiz and Humberto Garcia, ("Real Parties in Interest") in this matter. Real Party respectfully shows:

Real Parties in Interest filed their original Motion to Abate on February 14, 2024. Real Party filed his Response to Real Parties' Motion to Abate on February 16, 2024. Pending the resolution of the Motion to Abate, Real Parties

in Interest and Real Party each filed a Second Extension of Time to File their Responses to Petition for Writ of Mandamus on February 21, 2024. Space Exploration Technologies Corp., (“Relator”) filed its Response to Second Motions for Extension of Time on February 21, 2024 and later filed its Response to the Motion to Abate on February 26, 2024. Real Parties in Interest filed their Reply in Support of the Motion to Abate on March 7, 2024 and amended it on March 8, 2024.

In their reply, Real Parties in Interest asserted two main points: I. Relator failed to present a complete record of the trial along with the petition. II. Abatement is clearly a more efficient remedy than dismissal to allow the trial court to issue an amended order. Real Party in Interest, Hector Garcia, Jr. agrees with and joins to assert each of those points in his present reply.

Respectfully Submitted,
BLIZZARD & ZIMMERMAN, P.L.L.C.
1174 North 3rd St.
Abilene, Texas 79601
Tel: (325) 676.1000
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By: /s/Sarah Durham
Sarah Durham
State Bar No. 24116309

CERTIFICATE OF SERVICE

I hereby certify that I have reviewed the above Agreement to Real Parties in Interest, Jose Ruiz's and Humberto Garcia's, Reply in Support of Motion to Abate and that it was served in accordance with Rule 9.5 of the Texas Rules of Appellate Procedure on William Peterson, Michelle Pector, Jared Wilkerson, and David Oliveira, attorneys for Space Exploration Technologies Corp. d/b/a SpaceX, at: William.peterson@morganlewis.com, michelle.pector@morganlewis.com, jared.wilkerson@morganlewis.com, and doliveira@roflp.com, respectively, in addition to D. Alan Erwin, attorney for Lauren Elizabeth Krueger, at aerwin@roflp.com, Michael Garatoni, attorney for Hector Garcia at e-service@daspitlaw.com, and Brady Voss, attorney for Jose Ruiz and Humberto Garcia, at brandy@brandyvosslaw.com.

By: /s/ Sarah Durham
Sarah Durham

Automated Certificate of eService

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Jacob Blizzard on behalf of Sarah Durham

Bar No. 24116309

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Envelope ID: 85381913

Filing Code Description: Response

Filing Description: Real Party in Interest's Agreement to Real Parties in Interests' Amended Reply in Support of Motion to Abate

Status as of 3/11/2024 7:33 AM CST

Associated Case Party: Space Exploration Technologies Corp.

Name	BarNumber	Email	TimestampSubmitted	Status
David G. Oliveira	15254675	doliveira@rofflp.com	3/8/2024 5:18:30 PM	SENT
William R. Peterson		william.peterson@morganlewis.com	3/8/2024 5:18:30 PM	SENT
Michelle Pector		michelle.pector@morganlewis.com	3/8/2024 5:18:30 PM	SENT
Jared Wilkerson		jared.wilkerson@morganlewis.com	3/8/2024 5:18:30 PM	SENT

Associated Case Party: LaurenElizabethKrueger

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Dan Alan Erwin	6653020	aerwin@rofflp.com	3/8/2024 5:18:30 PM	SENT

Associated Case Party: Jose Ruiz

Name	BarNumber	Email	TimestampSubmitted	Status
Brandy Wingate Voss		brandy@brandyvosslaw.com	3/8/2024 5:18:30 PM	SENT
Michael Raphael Cowen	795306	efilings@cowenlaw.com	3/8/2024 5:18:30 PM	SENT
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Julie Balovich		julie@brandyvosslaw.com	3/8/2024 5:18:30 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
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Jacob Blizzard on behalf of Sarah Durham

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Associated Case Party: Hector Garcia Jr.

Name	BarNumber	Email	TimestampSubmitted	Status
Michael Garatoni		e-service@daspitlaw.com	3/8/2024 5:18:30 PM	SENT

Associated Case Party: Humberto Garcia

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