

**NO. C-1-PB-14-001245**

**In Re:** § **In the Probate Court No. 1**  
§  
§ **of**  
§  
**TEL Offshore Trust** § **Travis County, Texas**

**NOTICE OF RULE 11 AGREEMENT**

Defendant Glenn M. Karisch, as Attorney Ad Litem for certain of the unit holders of TEL Offshore Trust (“Ad Litem”) files the attached Rule 11 Agreement dated December 7, 2016 between counsel for Ad Litem, counsel for RNR Production Land and Cattle, counsel for Albert and Joyce Speisman and counsel for Defendants, The Bank of New York Mellon Trust Company, N. A., Gary C. Evans, Jeffrey S. Swanson, and Thomas H. Owen, Jr. (“Defendants”) concerning a draft expert report and mediation.

Respectfully submitted,

SCOTT DOUGLASS & McCONNICO, L.L.P.  
303 Colorado Street, Suite 2400  
Austin, Texas 78701  
(512) 495-6300 – Telephone  
(512) 495-6399 – Facsimile

By: /s/ Daniel C. Bitting  
Daniel C. Bitting  
State Bar No. 02362480  
Cynthia L. Saiter  
State Bar No. 00797367

**ATTORNEYS FOR AD LITEM**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served or will be served in accordance with the Court's orders regarding service dated September 28, 2015 and January 21, 2016.

/s/ Daniel C. Bitting  
Daniel C. Bitting

Daniel C. Bitting  
Direct Dial: 512.495.6325  
dbitting@scottdoug.com

December 7, 2016

***VIA EMAIL:***

Paul Trahan  
Daniel McClure  
Peter Stokes  
Norton Rose Fulbright US, L.L.P.  
98 San Jacinto Boulevard, Suite 1100  
Austin, Texas 78701-4255

***VIA EMAIL:***

Craig Haynes  
Rachelle H. Glazer  
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One Arts Plaza  
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***VIA EMAIL:***

Shannon Ratliff  
Lisa Paulson  
Ratliff Law Firm  
600 Congress Avenue, Suite 3100  
Austin, Texas 78701

***VIA EMAIL:***

R. James George, Jr.  
114 West 7<sup>th</sup> Street, Suite 1100  
Austin, TX 78701

In Re: Cause No. C-1-PB-14-001245; In Re TEL Offshore Trust

Dear Counsel:

Pursuant to Tex. R. Civ. P. 11, this letter will confirm our agreement concerning our providing the preliminary expert report of our petroleum engineer expert, Michael Wiggins. I have informed you that Mr. Wiggins has done a preliminary report which, among other

December 7, 2016

Page 2

things, calculates damages for the Ad Litem's claims against the Trustees. You have asked us to provide you a copy of that report before the December 13, 2016 mediation. I am willing to do so on the condition that you agree that it is a settlement communication protected under Tex. R. Evid. 408 and will not be admissible in evidence or used to cross-examine Mr. Wiggins if he testifies and prepares an updated report.

Please sign below to confirm your agreement to that condition. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel C. Bitting". The signature is fluid and cursive, with the first name being the most prominent.

Daniel C. Bitting

DCB:mlp

AGREED:

A handwritten signature in black ink, appearing to read "Paul Trahan". The signature is written in a cursive style and is underlined.

Paul Trahan

Daniel McClure

Peter Stokes

**ATTORNEYS FOR GARY C. EVANS,  
JEFFREY S. SWANSON, AND**

December 7, 2016

Page 3

**THOMAS H. OWEN, JR.**



Craig Haynes ~~AWA~~

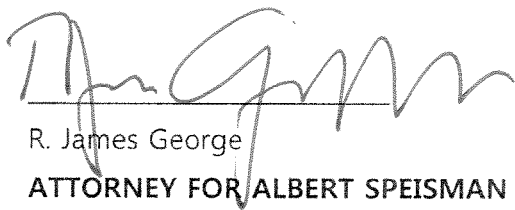
Rachelle H. Glazer

**ATTORNEYS FOR THE BANK OF NEW YORK  
MELLON TRUST COMPANY, N.A.**

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Shannon Ratliff

**ATTORNEYS FOR RNR PRODUCTION  
LAND AND CATTLE**



R. James George

**ATTORNEY FOR ALBERT SPEISMAN  
AND JOYCE E. SPEISMAN**

December 7, 2016

Page 3

**THOMAS H. OWEN, JR.**

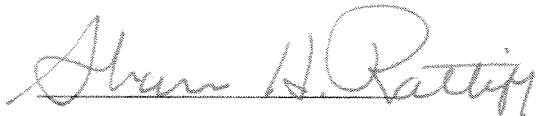
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Craig Haynes

Rachelle H. Glazer

**ATTORNEYS FOR THE BANK OF NEW YORK**

**MELLON TRUST COMPANY, N.A.**



Shannon Ratliff

**ATTORNEYS FOR RNR PRODUCTION**

**LAND AND CATTLE**

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R. James George

**ATTORNEY FOR ALBERT SPEISMAN**

**AND JOYCE E. SPEISMAN**