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VOLUME 1 OF 1 VOLUME
PRETRIAL HEARING

FEBRUARY 26, 2002

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CLERK OF COURT
JANUARY 1, 2002

1 MR. CASTRO: Does that mean it has been
2 withdrawn, Your Honor, because I was served with a copy of
3 that?

4 THE COURT: Yeah. Well, this plea of
5 abatement filed by Bob Marshall Denison -- I don't know
6 whether it was ever filed or not, was it?

7 MS. SHAY: Yes, Your Honor.

8 THE COURT: All right. When did you file it?

9 MS. SHAY: I believe it was a week or two
10 ago. I can't recall the exact date.

11 THE COURT: But it's withdrawn?

12 MS. SHAY: Well, Your Honor, basically, we
13 have filed another lawsuit that is not part of the removal
14 action and we ask that that particular proceeding be
15 abated and not proceed to trial until we get a ruling on
16 our appeal.

17 THE COURT: You're not asking for a plea of
18 abatement in this case?

19 MS. SHAY: Not in this case.

20 THE COURT: All right. That takes care of
21 that then.

22 Now, I guess the next thing is -- well, the
23 next thing I was going to talk about is -- Mr. Castro, I
24 received here a few weeks ago, a proposed order to sell
25 some personal property, some cattle, and I didn't see that

1 the other attorneys had approved it. I didn't see they
2 had been notified of it. So I didn't sign it. I didn't
3 sign it. Do you still want to sell those cattle?

4 MR. CASTRO: Your Honor, I did notify all
5 counsel of that.

6 THE COURT: They didn't approve the proposed
7 judgment.

8 MR. CASTRO: Oh, no. No. And the way that
9 we did the one before, this was Judge Connally, the way
10 that he wanted to do it. He's the one who entered the
11 temporary injunction over our objections, but he entered
12 the temporary injunction and he said any time that
13 something needs to be done, just send me a motion and an
14 order.

15 THE COURT: Well, I didn't know about that.
16 I'm sorry.

17 MR. CASTRO: We did that before and he just
18 signed off on it and sent it back to us. So that's the
19 reason I did it this way.

20 THE COURT: That's all right. I just didn't
21 know what your agreement was. Did you sell your cattle?

22 MR. CASTRO: Yes, sir, we had to. Yes. Yes,
23 we had to.

24 THE COURT: Well, we don't need to go into
25 that then, do we? All right.

1 STATE OF TEXAS)

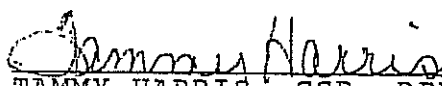
2 COUNTY OF TAYLOR)

3 I, Tammy Harris, Deputy Court Reporter in and for
4 the 39th District Court of Stonewall County, State of
5 Texas, do hereby certify that the above and foregoing
6 pages contains a true and correct transcription of all
7 portions of evidence and other proceedings requested in
8 writing by counsel for the parties to be included in this
9 volume of the Reporter's Record, in the above-styled and
10 numbered cause, all of which occurred in open court or in
11 chambers and were reported by me.

12 I further certify that this Reporter's Record of
13 the proceedings truly and correctly reflects the exhibits,
14 if any, admitted by the respective parties.

15 I further certify that the total cost for the
16 preparation of this Reporter's Record is _____ and was
17 will be paid by Mr. Castro.

18 WITNESS MY OFFICIAL HAND this the 19th day of
19 March, 2002.

20 
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