

CAUSE NO. 2017-CVF-001299-D1

GUILLERMO CASTRO JR., PETRA CASTRO, §
ANDRES PERES, VANESSA PEREA, PEDRO §
BALLESTEROS, §
Plaintiffs, §

IN THE DISTRICT COURT

VS. §

ALBERT F MULLER III, GREG EBE, §
VIRGINIA MULLER, AND ALBERT §
MULLER JR., INDIVIDUALLY AND AS §
BOARD MEMBERS OF LA BOTA RANCH §
OWNERS ASSOCIATION, INC. AND LA §
BOTA PROPERTY OWNERS ASSOCIATION, §
INC., §
Defendants.

49TH JUDICIAL DISTRICT

WEBB COUNTY, TEXAS

FINAL JUDGMENT

On March 21, 2022, this case was called for trial. Plaintiff, Guillermo Castro Jr., Petra Castro, Andres Perez, Vanessa Perez, and Pedro Ballesteros appeared through their attorney Doanh “Zone” T. Nguyen, and announced ready for trial. Defendant, Albert Mueller Jr, Virginia Muller, Albert Muller III, and Greg Ebe appeared through their attorneys Christopher M. Ramey and Cristina Guerrero, and announced ready for trial.

After a jury was impaneled and sworn, it heard the evidence and argument of counsels. In response to the jury charge, the jury returned a verdict finding Defendants in breach of their fiduciary duty that the court received, filed and entered of record.

On June 1, 2022, this case was called for a hearing on damages before the Court. The Court heard the evidence and argument of counsels.

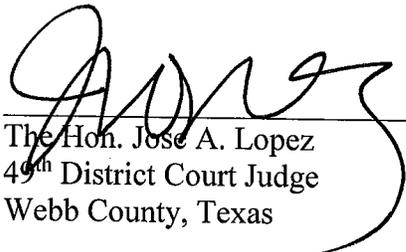
The Court hereby RENDERS judgment for the Plaintiffs. The Court hereby ORDERS the Plaintiffs to recover the following:

1. The following Board Members are hereby removed as Board Members of the La Bota Property Owners Association, Inc. and the La Bota Ranch Owners Association, Inc.: Albert Mueller Jr., Virginia Mueller, Albert Mueller III, and Greg Ebe. These individuals are hereby removed from the said La Bota Property Owners Association, Inc. and La Bota Ranch Owners Association, Inc. and are prohibited from holding such a position now or in the future.
2. Albert Mueller Jr., Virginia Mueller, Albert Mueller III, and/or Greg Ebe are hereby prohibited from directly or indirectly managing supervising, directing, or approving any of the decisions made on behalf of either La Bota Property Owners Association, Inc., now or in the future.
3. Both La Bota Property Owners Association, Inc. and La Bota Ranch Owners Association, Inc. shall replace the board members of the respective Associations as allowed by the formation document of the respective Associations, but without input from Albert Mueller Jr., Virginia Mueller, Albert Mueller III, or Greg Ebe.
4. As a result of the current LBPOA AND LBROA bylaws and regulations, the Court finds that there is no mechanism in place to guide the Parties to appoint replacement Board Members in a situation like this one. Therefore, the Court hereby appoints a Receiver with the specific and exclusive duty to appoint replacement Board Members for both the LBPOA and LBROA. The Court hereby appoints Mr. Derly Uribe, a Laredo attorney and resident, as the receiver in this matter. The receiver shall accomplish this task as soon as possible but no later than 45 days from this Judgment. After the appointments have been made

and the replacement Board Members have accepted and signed off on their respective duties, rights and obligations, the receiver's duty shall terminate and the newly appointed Board Members shall proceed to operate LBPOA and LBROA in accordance with the current regulations, bylaws, and laws of this State.

5. The new board members/management of the respective Association are to conduct themselves in a conflict free and transparent environment that is totally and solely beneficial to the members of the respective Associations.
6. No contracts, debts, or vendors shall be approved, consented to, or entered into, unless they meet the said criteria of being conflict free and transparent on behalf of the members of the respective Associations. Every current contract or valid lease shall be evaluated with the same criteria.
7. This Judgment finally disposes of all claims and all Parties and is appealable.
8. The Court orders execution to issue for this Judgment.

Signed and entered on this 28th day of November, 2022.


The Hon. Jose A. Lopez
49th District Court Judge
Webb County, Texas