

**CAUSE NO. 2023-10403**

**SAMURAI MARTIAL SPORTS, INC.** § **IN THE DISTRICT COURT OF**  
**and IHAB S. AHMED** §  
**v.** § **HARRIS COUNTY, TEXAS**  
§  
**BANKUNITED, N.A. AND** §  
**CRE PROPERTIES, INC.** § **165<sup>th</sup> JUDICIAL DISTRICT**

**SAMURAI MARTIAL SPORTS, INC.'S**  
**RESPONSE TO DEFENDANTS' MOTION TO DISMISS UNDER RULE 91a**

TO THE HONORABLE JUDGE URSULA A. HALL:

Plaintiff Samurai Martial Sports, Inc. hereby files it's Response to Defendants' Motion To Dismiss Under Rule 91a and in support respectfully shows the Court as follows:

1. Defendants filed their Motion to Dismiss on May 05, 2023.
2. Defendants' Motion to Dismiss is set for hearing on June 16, 2023 at 12:30 p.m.
3. Plaintiffs filed their First Amended Petition on June 09, 2023 thus rendering Defendants' Motion to Dismiss moot.
4. Plaintiffs dispute that their claim to the subject Property was fully and finally divested by a proper foreclosure sale. To the contrary, Plaintiffs assert that the foreclosure sale was wrongful and should be set aside. Further, Plaintiffs assert that the resulting Substitute Trustee's Deed should be deemed void ab initio. In addition, Plaintiff Ihab S. Ahmed asserts that the Correction Substitute Trustee's Deed does not comply with the Rule 11 Agreement and therefore should be deemed void ab initio.

**PRAYER**

Samurai Martial Sports, Inc. requests that the Court DENY Defendants' Motion to Dismiss Pursuant to Rule 91a and for such other and further relief, both general and special, at law or in equity, to which Samurai Martial Sports, Inc. may be entitled.

Respectfully submitted,

VILT LAW, P.C.

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ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

I certify that the above foregoing document was served upon all counsel and/or parties of record in accordance with the Texas Rules of Civil Procedure via electronic and/or hand delivery on the 9th day of June, 2023.

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/s/ Robert C. Vilt  
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