

**HOOVER SLOVACEK LLP**

A REGISTERED LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AT LAW  
GALLERIA TOWER II  
5051 WESTHEIMER, SUITE 1200  
HOUSTON, TEXAS 77056

(713) 977-8686  
FAX (713) 977-5395

DYLAN B. RUSSELL  
PARTNER

[russell@hooverslovacek.com](mailto:russell@hooverslovacek.com)

Board Certified - Civil Appellate law  
Texas Board of Legal Specialization

REPLY TO:  
P.O. BOX 4547  
HOUSTON, TEXAS 77210-4547

FILED IN  
14th COURT OF APPEALS  
HOUSTON, TEXAS

8/24/2023 10:19:23 AM

DEBORAH M. YOUNG  
Clerk of The Court

August 24, 2023

***Via E-File***

Mary Zamarron, Deputy Clerk  
Fourteenth Court of Appeals  
301 Fannin, Suite 245  
Houston, Texas 77002

RE: No. 14-22-00694-CV; *Michael Joseph Bitgood a/k/a Michael Easton v. Karina Martinez, et al.*, in the Court of Appeals for the Fourteenth Judicial District of Houston, Texas.

Dear Ms. Zamarron,

Please bring this letter to the Court's attention.

Today, the Court "carried with the case" Appellees' Opposed Motion to Clarify the Procedural Background & for the Court to Modify its Order. That motion sought to have this Court modify its July 13, 2023 order to allow Appellees to file a confidential settlement agreement *in camera*, instead of "under seal" pursuant to Rule 76a.

Thus, Appellees remain confused as to whether the Court's July 13, 2023 order requested them to go to the trial court to have that court conduct a Rule 76a hearing and then potentially sign an order sealing the confidential settlement agreement that Appellees have been trying to file with this Court so that: (1) Appellant's appeal can be dismissed as moot; and (2) Appellees (and their under-signed counsel) do not get sued by Appellant, or worse,<sup>1</sup> for having filed that settlement agreement without a court order authorizing me to do so.

---

<sup>1</sup> *E.g., State of Texas v. Michael J. Bitgood*, Case No. 14-23-00047-CR, available at <https://search.txcourts.gov/Case.aspx?cn=14-23-00047-CR&coa=coa14> (last visited Aug. 24, 2023).

Accordingly, Appellees plan to file a Rule 76a motion in the trial court as soon as practicable so that any sealing order signed by the assigned judge can be supplemented as part of the clerk's record in this appeal, after which point Appellees hope to be able to file the confidential settlement agreement with this Court, which Appellees believe would render this appeal moot, such that the merits of this appeal need not be reached.

Respectfully submitted,

**HOOVER SLOVACEK LLP**

By: /s/ Dylan B. Russell

Dylan B. Russell

State Bar No. 24041839

5051 Westheimer, Suite 1200

Houston, Texas 77056

Telephone: (713) 977-8686

Facsimile: (713) 977-5395

Email: [russell@hooverslovacek.com](mailto:russell@hooverslovacek.com)

**ATTORNEY FOR APPELLEES**

**CERTIFICATE OF SERVICE**

I hereby certify that on this, the 24th day of August, 2023, a true and correct copy of the foregoing document was served to all counsel of record as follows:

**Via e-service**

Brad Beers

5020 Montrose Blvd., Ste. 700

Houston, Texas 77006

Email: [Brad@Beers.law](mailto:Brad@Beers.law)

*Attorney for Appellant,*

*Michael J. Bitgood a/k/a*

*Michael Easton*

/s/ Dylan B. Russell

Dylan B. Russell

### Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Dylan Russell on behalf of Dylan Russell

Bar No. 24041839

russell@hooverslovacek.com

Envelope ID: 78868823

Filing Code Description: Letter

Filing Description: Letter re: Appellees Opposed Motion to Clarify the Procedural Background & for the Court to Modify its Order

Status as of 8/24/2023 10:36 AM CST

Associated Case Party: MichaelJosephBitgood a/k/a Michael Easton

Name	BarNumber	Email	TimestampSubmitted	Status
Brad Beers		Brad@Beers.Law	8/24/2023 10:19:23 AM	SENT

Associated Case Party: KARINA MARTINEZ

Name	BarNumber	Email	TimestampSubmitted	Status
Dylan Russell		russell@hooverslovacek.com	8/24/2023 10:19:23 AM	SENT

Associated Case Party: IMPERIAL LOFTS, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Dylan Russell		russell@hooverslovacek.com	8/24/2023 10:19:23 AM	SENT

Associated Case Party: MARIANNA SULLIVAN

Name	BarNumber	Email	TimestampSubmitted	Status
Dylan Russell		russell@hooverslovacek.com	8/24/2023 10:19:23 AM	SENT