

pregnancy, a surgical birth will be necessary some time during the second to third week of August which will prevent RPG's counsel from appearing at trial during the second week of the two week docket.

5. Defendants agree to the continuance sought in this Joint Agreed Motion.

II.

6. The Parties respectfully request the Court to continue the trial in this matter for at least 180 days. The continuance of this case will not unreasonably interfere with the other business of the court. *See* Tex. R. Civ. P. 330(d). Moreover, this Motion for Continuance is not sought for the purpose of delay, but so that justice may be done.

III.

WHEREFORE, PREMISES CONSIDERED, Intervenor RPG Investments LLC and Defendants Ruth Kendall and Kevin Kendall, respectfully request that the Court grant this motion for continuance and continue the current trial setting for at least 180 days and issue a new docket control order. Further, Intervenor RPG Investments LLC and Defendants Ruth Kendall and Kevin Kendall, respectfully request for any such other and further relief, at law or in equity, to which they may be justly entitled.

Respectfully submitted,

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