

AGREED TO AS TO FORM AND SUBSTANCE:

/s/ Austin R DuBois

Austin R. DuBois, SBN: 24065170

BARRY & SEWART, PLLC

4151 Southwest Freeway, Suite 680

Houston, Texas 77027

Tel. (713) 722-0281

Fax. (713) 722-9786

Email: austin@barryandsewart.com

Attorneys for RPG Investments LLC

/s/ Jeffrey Wells Oppel

Jeffrey Wells Oppel, SBN: 15291800

OPPEL & GOLDBERG, P.L.L.C

1010 Lamar, Suite 1420

Houston, Texas 77002

Tel: (713) 659-9200

Fax: 713-659-9300

Email: joppel@ogs-law.com

Attorney for Ruth M. and Kevin Kendall

Unofficial Copy Office of Marilyn Burgess District Clerk