

CAUSE NO. 2023-13849

IVAN LEDET AND BENITA LEDET,

Plaintiffs,

v.

BANK OF AMERICA, N.A., N.A.

Defendant.

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IN THE DISTRICT COURT

113TH JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

DEFENDANT'S DESIGNATION OF EXPERTS

Defendant, Bank of America, N.A. files its designation of experts pursuant to Tex. R. Civ. P. 195.

The following expert is expected to give testimony, under Tex. R. Evid. 702 and 703 at the trial of this proceeding. Additionally, the witness may have factual knowledge in regard to the dispute before this Court. Therefore, these witnesses may also give factual testimony and opinion testimony under Tex. R. Evid. 701.

1. Robert L. Negrin
McCarthy Holthus, LLP
1255 West 15th Street, Suite 1060
Plano, Texas 75075
(713) 515-9005

Mr. Negrin may testify as to attorney fees, costs and expenses incurred for legal representation in this matter. Mr. Negrin may testify in rebuttal to testimony and evidence offered by Plaintiff on the issue of attorney's fees sought by Plaintiff.

The general substance of the expert's mental impressions and opinions are that based on the "lodestar" approach and the provisions under Rule 1.04 of the rules of the State Bar of Texas and precedent from courts within the Fifth Circuit of the United States of America, relative to the

issue of attorney's fees. Mr. Negrin may testify regarding the work performed in this proceeding as counsel for defendants or any one of them, while associated with the law firm of McCarthy Holthus, LLP. Mr. Negrin may offer testimony that the attorney's fees charged to Defendant by McCarthy Holthus, LLP are reasonable and were reasonable and necessary fees to be charged to Defendants for work requested by Defendants. The mental impressions and opinions are based on the elements set forth in Rule 1.04 and precedent within Texas courts.

McCarthy Holthus, LLP keeps systematic records of time entries from which attorney's fee bills are generated to their respective clients. Robert Negrin has reviewed time entries and those of the attorneys and paraprofessionals for McCarthy Holthus, LLP. It is anticipated that by the time this case is to be tried, that all of the testifying experts on the issue of attorney's fees will have reviewed salient portions of the file regarding issues in this matter, the time records of McCarthy Holthus, LLP, collateral documents necessary to prove and show how McCarthy Holthus, LLP set its fee in accordance with the "lodestar" approach and Rule 1.04 of the State Bar Rules.

Bank of America, N.A. reserves its right to call, cross-examine, impeach, or otherwise rely upon the testimony of any individual designated by any other party pursuant to the Texas Rules of Civil Procedure.

Defendant further reserves its right to call, cross-examine, impeach or otherwise rely upon the testimony of any individual designated as an expert witness by any other party pursuant to the Texas Rules of Civil Procedure or orders of this court.

Defendant further reserves its right to ask questions in the nature of opinions and impressions from the persons identified as having knowledge of relevant facts or who are offering mixed lay and expert testimony. Defendant reserves the right to question such persons on matters concerning foreclosure proceedings, damages sought by Plaintiffs, and all other issues raised related to the pleadings in this proceeding.

Respectfully submitted,

MCCARTHY HOLTHUS, LLP

/s/ Rob Negrin

Robert L. Negrin/ TBN: 14865550

Cole Patton / TBN: 24037247

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**ATTORNEYS FOR DEFENDANT,
BANK OF AMERICA, N.A.**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing designation was served on the following according to the Texas Rules of Civil Procedure on March 18, 2024.

Jason A. LeBoeuf
675 Town Square Blvd.,
Suite 200, Bldg 1A
Garland, TX 75040
jason@leboeuf-lawfirm.com

/s/ Rob Negrin
Robert L. Negrin

Unofficial Copy Office of Marilyn Burgess District Clerk

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.

Ashley Crout on behalf of Robert Negrin
Bar No. 14865550
acrout@mccarthyholthus.com
Envelope ID: 85654661
Filing Code Description: No Fee Documents
Filing Description: Defendant's Designation of Expert
Status as of 3/18/2024 12:02 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
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