

CAUSE NO. 2023-10348

SUMMER ENERGY LLC,
Plaintiff,

v.

HARTMAN SHORT TERM INCOME
PROPERTIES XX, INC.; HARTMAN
VREIT XXI, INC.; HARTMAN 1400
BROADFIELD LLC; HARTMAN 16420
PARK TEN LLC; HARTMAN 7915 FM
1960 LLC; HARTMAN 11211, LLC;
HARTMAN SPE, LLC; HARTMAN
SPECTRUM, LLC; HARTMAN
TIMBERWAY II LLC; HARTMAN
VILLAGE POINTE, LLC; HARTMAN
PARK TEN PLACE I & II LLC; and
HARTMAN RICHARDSON TECH
CENTER, LLC,
Defendants.

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

295TH JUDICIAL DISTRICT

PLAINTIFF SUMMER ENERGY LLC'S NOTICE OF NONSUIT WITH PREJUDICE

Pursuant to Tex. R. Civ. P. 162, Plaintiff Summer Energy LLC nonsuits with prejudice all causes of action asserted against Defendants Hartman 1400 Broadfield LLC, Hartman 16420 Park Ten LLC, Hartman 7915 FM 1960 LLC, Hartman 11211, LLC, Hartman SPE, LLC, Hartman Spectrum, LLC, Hartman Timberway II LLC, Hartman Village Pointe, LLC, Hartman Park Ten Place I & II LLC, and Hartman Richardson Tech Center, LLC (“Defendants”).

On September 15, 2023, Hartman SPE filed a Suggestion of Bankruptcy stating that Hartman SPE had filed for Chapter 11 Bankruptcy on September 13, 2023, which is pending as Case No. 1:23-bk-11452, *In re Hartman SPE LLC*, in the U.S. Bankruptcy Court for the District of Delaware. While the claims against Hartman SPE are stayed during the pendency of the bankruptcy, the dismissal of a defendant/debtor from a lawsuit does not violate the bankruptcy stay. *Darr v. Altman*, 20 S.W.3d 802, 807 (Tex.

App.—Houston [14th Dist.] 2000, no pet.) (*citing Orion Investments, Inc. v. Dunaway & Associates, Inc.*, 760 S.W.2d 371, 374 (Tex. App.—Fort Worth 1988, writ denied)).

Therefore, Plaintiff prays that this Court dismiss with prejudice Plaintiff's claims against Defendants, with Plaintiff and Defendants to bear their own costs.

Dated: May 10, 2024

Respectfully submitted,

DOBROWSKI STAFFORD L.L.P.

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served on all counsel listed below either electronically through the Court's filing system, direct e-mail, facsimile or U.S. First Class Mail on May 10, 2024:

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