

CAUSE NO. 2024-28050

SHEBA D. MUHARIB, and AABLE
FINANCIAL GROUP, INC.

Plaintiffs,

v.

CENTRA 417 SAN JACINTO
PARTNERS, LLC, CENTRA CAPITAL
INVESTMENTS, LLC, DAVID HECHT,
and ROBERT A. SCHLANGER,

Defendants.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

133rd JUDICIAL DISTRICT

**DEFENDANT ROBERT A. SCHLANGER'S FIRST SUPPLEMENTAL
ORIGINAL ANSWER**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, ROBERT A SCHLANGER, Defendant herein ("Defendant Schlanger"), in the above-styled and numbered cause, who reserves the right to file other and further pleadings, exceptions and denials, and files this First Supplemental Original Answer to Plaintiffs' Verified Original Petition and Application for Temporary Restraining Order, Temporary Injunction, and Permanent Injunction, and would respectfully show unto the Court the following:

**I.
GENERAL DENIAL**

1.

Pursuant to Tex.R.Civ.P. 92, Defendant Schlanger generally denies the allegations contained in Plaintiffs' Verified Original Petition and Application for Temporary Restraining Order, Temporary Injunction, and Permanent Injunction and demands that the same be proven by a preponderance of the evidence as is required by the Constitution and the laws of the State of Texas.

**II.
VERIFIED DEFENSE**

1.

Additionally and/or alternatively, without waiver of any of the above and foregoing defenses, pursuant to Tex.R.Civ.P. 93, Defendant Schlanger asserts the verified denial that Defendant Schlanger is not a necessary party based on Defendant Schlanger's reasonable belief that he was named as party solely in the capacity as a substitute trustee under a deed of trust, contract lien, or security instrument.

2.

Additionally and/or alternatively, without waiver of any of the above and foregoing defenses, pursuant to Tex.R.Civ.P. 93, Defendant Schlanger asserts the verified denial that Defendant Schlanger is not liable in his capacity as a substitute trustee.

III.
AFFIRMATIVE DEFENSES

1.

Additionally and/or alternatively, without waiver of any of the above and foregoing defenses, pursuant to Tex.R.Civ.P. 94, Defendant Schlanger asserts the affirmative defense that Plaintiffs' claims are barred by the doctrine of attorney immunity and/or absolute privilege.

WHEREFORE, PREMISES CONSIDERED, Defendant Schlanger prays that upon a final hearing hereof:

1. a take nothing judgment on Plaintiffs' claims against Defendant Schlanger;
2. Defendant Schlanger's reasonable attorneys' fees for trial and any appeal;
3. pre-judgment and post-judgment interest at the highest rates allowed by law;
4. costs of Court; and
5. for such other and further relief, both general and special, at law and/or in equity, to which Defendant Schlanger may show himself to be justly entitled.

Respectfully submitted,

By: /s/ Stacey L. Kremling

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ATTORNEYS FOR DEFENDANT
ROBERT A. SCHLANGER

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded to Plaintiffs SHEBA D. MUHARIB and AABLE FINANCIAL GROUP, INC. and Defendants via their respective attorneys of record, on this the 4th day of February, 2025, as follows:

<p><u>VIA E-SERVICE –</u> <u>charles@whittierlaw.international</u></p> <p>Charles A. Whittier Whittier Law Group, PLLC 1000 Main Street, Suite 2300 Suite 1100-#1660 Houston, Texas 77002 (917) 699-9197 - Telephone</p> <p>ATTORNEYS FOR PLAINTIFFS SHEBA D. MUHARIB and AABLE FINANCIAL GROUP, INC.</p>	<p><u>VIA E-SERVICE -</u> <u>cgibson@mwzmlaw.com</u></p> <p>Crystal G. Gibson Director of Litigation Mackie Wolf Zientz & Mann, P.C. 14160 Dallas Pkwy, Suite 900 Dallas, Texas 75254 (214) 635-2670 – Telephone</p> <p>ATTORNEYS FOR DEFENDANTS CENTRA CAPITAL INVESTMENTS, LLC, CENTRA 417 SAN JACINTO PARTNERS LLC, and DAVID HECHT</p>
<p><u>VIA E-SERVICE -</u> <u>rab@rabpc.com</u></p> <p>Richard A. Battaglia Richard A. Battaglia, P.C. P.O. Box 131276 Houston, Texas 77219-1276 (713) 521-3570 – Telephone</p> <p>ATTORNEYS FOR DEFENDANTS CENTRA CAPITAL INVESTMENTS, LLC, CENTRA 417 SAN JACINTO PARTNERS LLC, and DAVID HECHT</p>	<p><u>VIA E-SERVICE –</u> <u>mark@hopkinslawtexas.com</u></p> <p>Mark D. Hopkins Hopkins Law, PLLC 2802 Flintrock Trace, Suite B103 Austin, Texas 78738 (512) 600-4320 – Telephone</p> <p>ATTORNEYS FOR DEFENDANTS CENTRA CAPITAL INVESTMENTS, LLC, CENTRA 417 SAN JACINTO PARTNERS LLC, and DAVID HECHT</p>

/s/ Stacey L. Kremling
Stacey L. Kremling

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

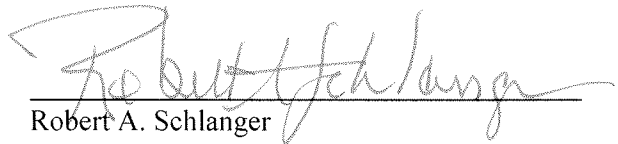
133rd JUDICIAL DISTRICT

VERIFICATION

STATE OF TEXAS §
§
COUNTY OF HARRIS §

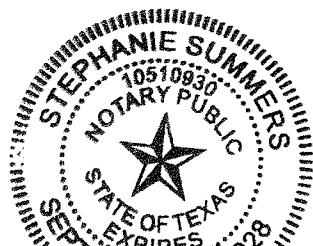
BEFORE ME, the undersigned notary public, on this date personally appeared Robert A. Schlanger, Defendant herein, who, after being by me duly sworn on upon his oath, deposed and stated that he is over the age of eighteen (18) years, of sound mind, and duly competent and qualified to make this verification from his own personal knowledge; that he has read the foregoing Defendant Robert A. Schlanger's First Supplemental Original Answer to Plaintiffs' Verified Original Petition and Application for Temporary Restraining Order, Temporary Injunction, and Permanent Injunction and that the averments thereof are true and correct within his personal knowledge.

FURTHER AFFIANT SAYETH NAUGHT.


Robert A. Schlanger

STATE OF TEXAS §
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COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Robert A. Schlanger, individually, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged, sworn and subscribed to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated, on this the 4th day of February, 2025.




Notary Public, State of Texas



Automated Certificate of eService

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Stacey Kremling on behalf of Brian Womac
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Envelope ID: 96947396
Filing Code Description: No Fee Documents
Filing Description:
Status as of 2/4/2025 11:19 AM CST

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