

CAUSE NO. 2024-22273

JEFF AND PAM STALLONES,

Plaintiffs,

vs.

JOSE O. RODRIGUEZ,
MARIA F. RODRIGUEZ, AND
JOHN DOE TREE TRIMMING SERVICE

Defendants.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

269th JUDICIAL DISTRICT

PLAINTIFFS' DESIGNATION OF EXPERT WITNESSES

Plaintiffs, Jeff and Pam Stallones, file their designation of expert witnesses as follows:

I.

Pursuant to the Texas Rules of Civil Procedure, Plaintiffs designate the expert witnesses as set forth in Exhibit "A".

II.

Plaintiffs reserve the right to supplement this designation with additional designations of expert witnesses pursuant to the Texas Rules of Civil Procedure and the Court's Scheduling Order.

III.

Without conceding their expertise or qualifications to testify at this time, Plaintiffs reserve the right to elicit opinion testimony from experts designated by Defendants.

IV.

Plaintiffs reserve the right to call undesignated rebuttal expert witnesses, whose testimony cannot be reasonably foreseen until the presentation of evidence.

V.

Plaintiffs reserve the right to withdraw the designation of any expert and to aver positively that any such previously designated expert will not be called as a witness at trial, and to re-designate the same as a consulting expert, who cannot be called by opposing counsel.

VI.

Plaintiffs reserve the right to elicit any expert opinion or lay testimony at the time of trial which would be of benefit to the jury to determine the material issues of fact and which would not violate of any existing court order or the Texas Rules of Civil Procedure.

VII.

Without conceding their expertise or qualifications to testify at this time, Plaintiffs hereby designate adverse parties, potentially adverse parties, and/or all witnesses associated with adverse parties, all parties to this suit, and all experts designated by any party to this suit, even if the designated party is not a party to this suit at the time of trial. In the event a present or future party designates any expert but then is dismissed for any reason from the suit or fails to call any designated expert, Plaintiffs reserve the right to designate and/or call any such party or any such experts previously designated by any party.

Plaintiffs reserve whatever additional rights it may have with regard to experts pursuant to the Texas Rules of Civil Procedure, the Texas Rules of Evidence, the case law construing the same, and the rulings of this Court.

Respectfully submitted,

/S/ Robert J. Kruckemeyer

Robert J. Kruckemeyer

State Bar No. 11735700

Email: bob@kruckemeyerlaw.com

Michael T. Kruckemeyer

State Bar No. 24106171

Email: mike@kruckemeyerlaw.com

244 Malone Street

Houston, Texas 77007

(713) 600-7574

(713) 600-7579 Facsimile

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served on all counsel of record on this 28th day of March, 2025, through the electronic delivery system.

/S/ Robert J. Kruckemeyer

Robert J. Kruckemeyer

EXHIBIT "A"

Robert J. Kruckemeyer
244 Malone Street
Houston, Texas 77007
713-600-3473

Mr. Kruckemeyer may testify regarding the attorneys' fees incurred by the parties in this case, including fees incident to any appeal. It is expected that the opinion of Mr. Kruckemeyer will be that the attorneys' fees incurred by Plaintiffs, and the hourly rates paid in the defense of the claims asserted against Plaintiffs, are reasonable, necessary, and customary. It is expected that the opinion of Mr. Kruckemeyer will be that the attorneys' fees incurred by Plaintiffs, and the hourly rates paid in the defense of the claims asserted against Plaintiffs, if any, are not reasonable, necessary, and customary. Mr. Kruckemeyer may also have opinions as to the reasonableness and necessity of the fees allegedly incurred and/or sought by all other parties to this litigation. More specific details of their opinions are not known at this time and are dependent and based upon the length and complexity of trial and other relevant factors that will not be known until the time of trial.

Mr. Kruckemeyer is qualified by knowledge, education, training, and experience to testify as an expert in the area of attorneys' fees. In forming his assessments and opinions, Mr. Kruckemeyer will rely upon his familiarity with the issues in this case, his background and experience in representing clients in similar cases, and their familiarity with the range of fees customarily charged in cases such as this in Texas. Mr. Kruckemeyer bases his opinions on his experience in handling cases such as this in Texas and his knowledge of the case file.

The opinion of Mr. Kruckemeyer regarding reasonable and necessary fees will be consistent with the evidentiary factors set forth by the Texas Supreme Court, the Fifth Circuit, and Rule 1.04 of the Texas Disciplinary Rules of Professional Conduct. The opinions concerning fees will be consistent with the following:

- a. The time and labor required, the novelty and difficulty of the questions involved, and the skill required to perform the legal service properly;
- b. The likelihood that the acceptance of the particular employment will preclude other employment by the lawyer;
- c. The fee customarily charged in the locality for similar legal services;
- d. The amount involved and the result obtained;
- e. The time limitations imposed by the client or the circumstances;
- f. The nature and length of the professional relationship with the client;
- g. The experience, reputation, and ability of the lawyer or lawyers performing the

services; and

- h. Whether the fee is fixed or contingent on results obtained or uncertainty of collection before the legal services have been rendered.

Plaintiffs and Mr. Kruckemeyer reserve the right to amend and/or supplement his opinions as other information or discovery becomes available. A resume for Mr. Kruckemeyer is attached hereto. Plaintiffs will make Mr. Kruckemeyer available for deposition and, incident thereto, and to the extent not disclosed herewith, will make available the materials described in Rule 194.2(f)(4)(A).

Michael Gabrielse
Burditt Consultants LLC
310 Longmire Road
Conroe, Texas 77304
936-756-3041

Mr. Gabrielse is an Urban Forester. He has visited the site where the trees were cut down and recorded field data during the visit.

Mr. Gabrielse is expected to testify concerning his appraisal of the vegetation loss by the Rodriguez trespass onto the Plaintiffs' property located at 7506 Kalebs Pond Court, Spring, Texas 77389.

Mr. Gabrielse is expected to testify as to the damages that Plaintiffs have suffered with respect to the loss of vegetation. Mr. Gabrielse report has previously been produced to the Defendants. Plaintiffs will make Mr. Gabrielse available for deposition and, incident thereto, and to the extent not disclosed herewith, will make available the materials described in Rule 194.2(f)(4)(A).

ROBERT J. KRUCKEMEYER

244 Malone Street
Houston, Texas 77007
(713) 600-3473

bob@kruckemeyerlaw.com
kruckemeyerlaw.com

LEGAL EXPERIENCE:

2000 to
Present

THE KRUCKEMEYER LAW FIRM
Attorney at Law

First chair jury and bench trials in federal and state courts, in arbitration, before administrative agencies, and arguments before the state courts of appeal. See Addendum "A" for description of clients and cases.

Texas Lawyer Litigator of the Week, May 2012.

Texas Bar Foundation Sustaining Life Fellow, 2009 - present.

Bar Register of Preeminent Lawyers, 2005 - present.

Awarded "AV" rating by Martindale-Hubbell Law Directory signifying peer recognition of preeminent legal ability and highest ethical standards, 1999 – present.

1993 to
2000

BROOCKS, BAKER & LANGE, L.L.P.
Partner, Commercial Litigation

1985 to
1993

CHAMBERLAIN, HRDLICKA, WHITE, WILLIAMS & MARTIN
Associate, Litigation Section

1984 to
1985

BRACEWELL & PATTERSON
Associate, Litigation Section

See Addendum "B" for non-legal professional activities.

EDUCATION:

Saint Louis University School of Law, J.D., 1984, *cum laude*.

Saint Louis University, B.A., Political Science, 1981, *magna cum laude*.
Soccer, 1978-1980, 1980 NCAA DIV. I Midwest Regional Champions

PERSONAL:

Born July 14, 1959. Married Peggy Fennewald May 18, 1985. We have three sons: Jonathan (b.1986), Joseph (b.1991) and Michael (b.1991); I am a Lector, Hospitality Minister and former Chair of the Parish Council at St. Ignatius Loyola Catholic Church. I am the holder of two United States Patents entitled, *Method for Deterring Forgeries and Authenticating Signatures*.

ADDENDUM "A"

REPRESENTATIVE CLIENTS:

The following is a partial list of clients that I have recently represented:

Enterprise Rent-A-Car, Inc.
Mercury Air Group, Inc.
TransAmerican Power Products, Inc.
Greater Houston Football Coaches
Everest Fuel Management, LLC

Frost Bank
Amegy Bank, N. A.
Associated Energy Group, LLC.
Gama Aviation, LLC
Allegiance Bank

REPRESENTATIVE CASES:

My practice has been dedicated to commercial and personal injury litigation in state and federal courts, in arbitration and before administrative agencies.

As commercial entities, my clients require me to prosecute, as well as to defend, lawsuits. Accordingly, I have both prosecuted and defended contract actions, corporate dissolutions, products liability matters, oil & gas matters, banking, real estate, landlord/tenant disputes, securities, negligence, fraud, DTPA, breach of fiduciary duty, unfair competition, copyright infringement, commercial transactions, trade secrets, patent, probate and RICO actions.

I have first chaired jury trials with recoveries of over \$11 million (fraud and breach of fiduciary duty), \$1,000,000 (breach of contract action with the defense of a securities fraud counterclaim) and lesser amounts. I have negotiated settlements of over \$1.2 million (personal injury through a product defect) \$5.5 million (personal injury through birth defect) and have obtained extraordinary relief including garnishments of over \$1.5 million, \$600,000 and lesser amounts (sale of jet fuel to foreign air carriers).

I have defended clients to take nothing judgments or nuisance value settlements wherein the plaintiffs were initially seeking millions of dollars in damages (corporate dissolutions; commodities futures trading; copyright infringement; lender liability and unfair competition). I have obtained injunctive relief in various matters (executive lease rights of mineral lease; theft of trade secrets) and avoided injunctive relief being entered against my clients (unfair competition).

It is imperative that the client obtains value for the services provided and it is essential that the litigation process itself do as little harm as possible to the client.

I was named Texas Lawyer Litigator of the Week in the May 14, 2012 edition for my representation of the Greater Houston Football Coaches Association in a three-week jury trial. After the trial the jury forewoman made a personal donation to my client. I was featured in a Law360 article published on March 9, 2020 regarding the \$11,000,000 fraud recovery on behalf of Ali and Raed Abdallah.

ADDENDUM "B"

NON-LEGAL PROFESSIONAL ACTIVITIES:

I enjoy serving the United States, Texas and my community. I have served as an Advance Associate for President Donald J. Trump and Vice President Mike Pence. I have served as an Advance Representative for President Ronald Reagan and Vice President George H. W. Bush, President George H. W. Bush and Vice President Dan Quayle and as a Senior Advance Representative for President George W. Bush and Mrs. Bush and Vice President Richard B. Cheney.

2018
to
2021

**THE WHITE HOUSE, EXECUTIVE OFFICE OF THE
PRESIDENT AND VICE PRESIDENT**
Advance Associate

Assisted in the organization and execution of President Donald J. Trump and Vice President Mike Pence's travel including event structure and logistics. I interacted with the political and business leaders in the locations that the President and Vice President visited. Operational logistics are coordinated with the U. S. Secret Service, the White House Communications Agency and the White House Military Office.

2012
to
2016

HOUSTON DYNAMO ACADEMY
Founder, Academic Mentoring Program

Founded mentoring program in which professionals academically mentor players at the Houston Dynamo Academy to ensure academic eligibility during their time with academy and to gain acceptance to college.

2011
to
2013

TEXAS EDUCATION AGENCY
Campus Distinction Designation Committee for Academic Achievement
in English Language Arts

Appointed by Governor Rick Perry to formulate criteria for campus distinction designations.

2001
to
2009

**THE WHITE HOUSE, EXECUTIVE OFFICE OF THE
PRESIDENT AND VICE PRESIDENT**
Senior Advance Representative

Assisted in the organization and execution of President George W. Bush and Vice President Richard B. Cheney's domestic and international travels (France, Slovenia, United Arab Emirates, Ukraine) including event structure and logistics. I interacted with the political and business leaders in the locations that the President and Vice President visited. Operational logistics were coordinated with the U. S. Secret Service, the White House Communications Agency and the White House Military Office.

2004
to
2010

HUMANITIES TEXAS
Board Member

Appointed by Governor Rick Perry to 3 two-year terms to Humanities Texas. Humanities Texas is the state adjunct of the National Endowment for the Humanities and approves and administers grants to projects focusing on matters of public interest and concern and fosters public appreciation for the humanities.

2000

REPUBLICAN OBSERVER
Volusia County, Florida

Assisted in observing the manual recount of ballots cast in Volusia County, Florida the 2000 Presidential election.

1999
to
2001

BUSH FOR PRESIDENT, INC.
Senior Advance Representative

Assisted in the organization and execution of Governor George W. Bush's visits to various cities and events including travel and event structure.

1999

1999 TEXAS INAUGURAL COMMITTEE
Senior Advance Representative

Assisted in the organization and execution of the 1999 Texas Inaugural activities for Governor George W. Bush and Lieutenant Governor Rick Perry.

1997
to
2003

TEXAS POLYGRAPH EXAMINERS BOARD
Assistant Presiding Officer

Appointed by Governor George W. Bush to a six-year term as a public member of the Texas Polygraph Examiners Board. The Board licensed polygraph examiners and established, issued and enforced regulations relative to polygraph examiners' activities.

1996

REPUBLICAN PARTY OF TEXAS STATE CONVENTION
State Delegate

Delegate to State Convention from Senatorial District 7. Chairman of Precinct Caucus from Precinct 515 of Harris County.

1995

1995 TEXAS INAUGURAL COMMITTEE
Advance Representative

Assisted in the organization and execution of the 1995 Texas Inaugural activities for Governor George W. Bush and Lieutenant Governor Bob Bullock.

1992 **THE WHITE HOUSE, EXECUTIVE OFFICE OF THE PRESIDENT AND VICE PRESIDENT**
Advance Representative

Assisted in the organization of President George H. W. Bush and Vice President Dan Quayle's visits to various cities throughout the United States including travel and event structure.

May 1991 **UNITED STATES DEPARTMENT OF STATE**
Volunteer, Office of Protocol

Assisted Assistant Chief of Protocol during the visit to Houston of Her Majesty Queen Elizabeth II and His Royal Highness The Prince Philip, Duke Of Edinburgh.

July 1990 **UNITED STATES DEPARTMENT OF STATE**
United States Staff, Office of Protocol

Assisted Assistant Chief of Protocol during 1990 Economic Summit. Responsible for coordinating movement of heads of delegations.

May 1983 **SPECIAL WHITE HOUSE TASK FORCE, WILLIAMSBURG, VA.**
United States Staff

Summit advance for all Finance Ministers and Personal Representatives at 1983 Economic Summit.

1982-1983 **THE WHITE HOUSE, EXECUTIVE OFFICE OF THE VICE PRESIDENT**
Advance Representative

Assisted in the organization of Vice President George H. W. Bush's visits to various cities throughout the United States.

1979-1980 **GEORGE BUSH FOR PRESIDENT**
Volunteer, Campaign Organizer

Organized grass roots support for George H. W. Bush for President in St. Louis, Missouri.

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Robert Kruckemeyer on behalf of Robert Kruckemeyer
Bar No. 11735700
bob@kruckemeyerlaw.com
Envelope ID: 99040324
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Filing Description: No Fee Documents
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Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Michael ThomasKruckemeyer		mike@kruckemeyerlaw.com	3/28/2025 4:59:07 PM	SENT
Bruce Tough		service@toughlawfirm.net	3/28/2025 4:59:07 PM	SENT
Robert J.Kruckemeyer		bob@kruckemeyerlaw.com	3/28/2025 4:59:07 PM	SENT