

**CAUSE NO. 2024-34815**

**TERRY MCGOVERN and  
TERRY MCGOVERN, PLLC,  
*Plaintiffs***

**vs.**

**BERGQUIST LAW FIRM, PLLCS,  
DAVID W. BERGQUIST PLLC, and  
DAVID BERGQUIST,  
*Defendants***

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**IN THE DISTRICT COURT**

**61<sup>st</sup> JUDICIAL DISTRICT**

**HARRIS COUNTY, TEXAS**

**JOINT MOTION TO ENTER ORDER GRANTING INTERPLEADER**

Plaintiffs Terry McGovern and Terry McGovern, PLLC (“McGovern”) and Defendants Bergquist Law Firm, PLLC, David W. Bergquist PLLC, and David Bergquist (“Bergquist”) file this Joint Motion to Enter Order Granting Interpleader and would respectfully show as follows.

In this lawsuit, McGovern, an attorney, has sued his former law firm Bergquist Law Firm (“BLF”) its principal David Bergquist, alleging breach of contract (a partnership agreement) and breach of fiduciary duty, and seeking declaratory relief. *See* Pet. Relevant here, McGovern seeks a declaration that that BLF does not have an enforceable contingency fee interest in several cases, including a personal injury case that McGovern settled relating to Chavis Shanae Ward because BLF was “terminated for cause.” *Id.* ¶ 38. Bergquist denies these allegations.

Ward’s personal injury case is pending in the 268<sup>th</sup> Judicial District Court for Fort Bend County, Texas. After Ward reached a settlement with the defendant in that case, Fort Bend County, BLF and Bergquist (“Defendants”) made a claim to the settlement proceeds. Thereafter, Fort Bend County filed a petition in interpleader in Ward’s lawsuit asking that court to permit it to interplead the funds into the registry of the Fourt Bend County court. McGovern filed a response to that motion, requesting the funds to be interplead into this Court’s registry because this Court had dominant jurisdiction over the dispute between McGovern and Bergquist.

The Fort Bend County court agreed and entered an order on February 25, 2025 that required Fort Bend County to deposit the sum of \$100,000 into the registry of this Court within 60 days or by April 25, 2025. *See* Exhibit 1. Fort Bend County attempted to comply with that order but was told by the Harris County District Clerk that an order from a Harris County court was required. Accordingly, McGovern, with the consent of Fort Bend County, and Defendants herein, ask the Court to enter the attached order accepting the funds.

Respectfully submitted,

**THE KASSAB LAW FIRM**

/s/ David Eric Kassab

LANCE CHRISTOPHER KASSAB

Texas State Bar No. 00794070

lance@kassab.law

DAVID ERIC KASSAB

Texas State Bar No. 24071351

david@kassab.law

1214 Elgin Street

Houston, Texas 77004

Telephone: (713) 522-7400

Facsimile: (713) 522-7410

Electronic Service: eserve@kassab.law

**ATTORNEYS FOR PLAINTIFFS**

**BERGQUIST LAW FIRM**

/s/ David Bergquist (w/ permission)

DAVID W. BERGQUIST

Texas Bar No. 24040512

1812 Durham Drive

Houston, Texas 77007

Tel. (713) 655-8000

Fax. (713) 739-0000

dwb@bergquistlawfirm.com

**ATTORNEY FOR DEFENDANTS AND COUNTER-CLAIMANTS**

### **CERTIFICATE OF CONFERENCE**

I hereby certify that on April 22, 2025 I conferred with counsel for Fort Bend County, Cheyenne Troutt, and David Bergquist concerning the relief requested in this motion. The motion is agreed.

/s/ David Eric Kassab  
DAVID ERIC KASSAB

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this document has been forwarded to all parties pursuant to the Texas Rules of Civil Procedure on this the April 23, 2025.

/s/ David Eric Kassab  
DAVID ERIC KASSAB

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.

David Kassab on behalf of Catherine Holte

Bar No. 24141101

david@kassab.law

Envelope ID: 99989868

Filing Code Description: Motion (No Fee)

Filing Description: Joint Motion to Enter Order Granting Interpleader

Status as of 4/23/2025 1:23 PM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Lance ChristopherKassab		eserve@kassab.law	4/23/2025 12:45:11 PM	SENT
Taylor Pounds		tp@bergquistlawfirm.com	4/23/2025 12:45:11 PM	SENT
David WBergquist		dwb@bergquistlawfirm.com	4/23/2025 12:45:11 PM	SENT
David Bergquist 2		dwb2@bergquistlawfirm.com	4/23/2025 12:45:11 PM	SENT