

CAUSE NO.2025-18654

**QUIROZ INVESTMENT GROUP, LLC, AND
QUEST TRUST COMPANY FBO HYONUK
SONG IRA #42727-11**

Plaintiffs,

vs.

**BRENDA SCHMIDT AND
VICTOR D. WALKER, P.C.,
Defendants.**

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IN THE DISTRICT COURT

113th JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

**ORIGINAL ANSWER OF DEFENDANT
LAW OFFICE OF VICTOR D. WALKER, P.C.**

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant **Law Office of Victor D. Walker, P.C.** (hereinafter "Defendant" or "Law Office"), incorrectly named as "Victor D. Walker, P.C." in Plaintiff's Original Petition, files this Original Answer pursuant to the Texas Rules of Civil Procedure and respectfully shows:

I. CLARIFICATION OF DEFENDANT'S NAME

1. Defendant is a professional corporation registered with the Texas Secretary of State as **Law Office of Victor D. Walker, P.C.** Plaintiff's Original Petition incorrectly names Defendant as "Victor D. Walker, P.C." Defendant has raised this misnomer in its Rule 91a Motion to Dismiss filed on April 25, 2025, and reiterates it herein.

II. SPECIAL EXCEPTION – INCORRECT NAMING OF DEFENDANT

2. Pursuant to **TRCP 90** and **91**, Defendant specially excepts to Plaintiff's Original Petition for incorrectly naming Defendant as "Victor D. Walker, P.C." The correct legal name, as registered with the Texas Secretary of State, is **Law Office of Victor D. Walker, P.C.** This misnomer creates ambiguity in the pleadings and may cause confusion. Defendant requests that the Court order Plaintiffs to amend their petition to reflect the correct name and grant such other relief as is just.

Defendant reserves the right to assert additional defenses, including misidentification, if discovery reveals Plaintiffs intended to sue a different entity.

III. General Denial

3. Subject to the Rule 91a Motion to Dismiss filed on April 25, 2025, which seeks dismissal of Plaintiff's "money had and received" claim based on the attorney immunity doctrine, Defendant asserts a general denial to all allegations in Plaintiff's Original Petition, pursuant to **TRCP 92**, and demands strict proof thereof, or such higher standard as may be applicable..

IV. AFFIRMATIVE DEFENSES

4. Defendant denies that the conditions precedent necessary for any recovery hereunder by Plaintiffs has occurred or has been satisfied.

5. For further answer, Defendant would show that the damages, if any, allegedly sustained by the Plaintiff was caused, in whole or in part, by the Plaintiffs' negligence, or the negligence of others for whom Defendant is not responsible.

6. For further answer, Defendant denies that it owed any common law, statutory or contractual duty to Plaintiffs for which it could possibly be liable in actual or exemplary damages.

7. For further answer, Defendant denies that any act or inaction by Defendant was a producing or proximate cause of damage to Plaintiff.

8. For further answer, Defendant denies that the Plaintiffs are entitled to attorneys' fees whether actual or under equitable principles based on money had and received, any declaratory relief or under any other applicable laws of the State of Texas.

V. Reservation of Rights

9. Defendant reserves the right to assert additional defenses, including but not limited to those raised in the Rule 91a Motion to Dismiss, if discovery progresses and based on the Court's ruling on said motion.

VI. Prayer

WHEREFORE, PREMISES CONSIDERED, Defendant Law Office of Victor D. Walker, P.C. prays that this Honorable Court render judgment that Plaintiffs take nothing in this suit against Defendant and that this the Court:

1. Grant dismissal of Plaintiff's claims per the Rule 91a Motion to Dismiss and deny all relief sought by Plaintiffs;
2. Award Defendant its reasonable and necessary attorney's fees and costs and expenses;
3. And or in the alterative, sustain Defendant's special exception and order Plaintiffs to amend their petition to reflect the correct name, Law Office of Victor D. Walker, P.C. and;
4. Grant Defendant such other and further relief, general or special, at law or in equity, to which Defendant may show itself justly entitled..

Respectfully submitted,

**LAW OFFICE OF VICTOR D. WALKER,
P.C.**

/s/ Victor D. Walker

Victor D. Walker

SBN: 00789775

9800 Centre Parkway, Suite 210

Houston, Texas 77036

Tel: (713) 724-5300

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Email: vwalker@walkersecuritieslaw.com

ATTORNEY FOR DEFENDANT,

CERTIFICATE OF SERVICE

I hereby certify that on **April 26, 2025**, a true and correct copy of **Defendants Original Answer** was forwarded by e-service, certified mail, or facsimile to all parties entitled to notice, pursuant to Rule 21a of the Texas Rules of Civil Procedure as indicated below:

Jeffrey C. Jackson
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JEFFREY JACKSON & ASSOCIATES, PLLC
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ATTORNEY FOR PLAINTIFFS

Via E-Serve

BRENDA M. SCHMIDT
24206 Broken Bow Lane
Hockley, TX 77447
DEFENDANT

Via CRRM 7002 3150 0001 4644 8904

/s/ Victor D. Walker
VICTOR D. WALKER

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.

Victor Walker

Bar No. 789775

vwalker@walkersecuritieslaw.com

Envelope ID: 100132544

Filing Code Description: Answer/ Response / Waiver

Filing Description: Defendants Original Answer

Status as of 4/28/2025 9:28 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
JEFFREY C.JACKSON		JEFF@JJACKSONPLLC.COM	4/27/2025 12:00:28 AM	SENT
QUIROZ INVESTMENT GROUP LLC C.JACKSON		JEFF@JJACKSONPLLC.COM	4/27/2025 12:00:28 AM	SENT
QUEST TRUST COMPANY (FBO HYONUK SONG IRA #42727-11) TRUST		JEFF@JJACKSONPLLC.COM	4/27/2025 12:00:28 AM	SENT