

-----Original Message-----

From: LovettM@gtlaw.com

To: trip888@aol.com; rkuehm@williamskherkher.com; wendy@brfamilylaw.com

Sent: Tue, Feb 23, 2010 6:58 am

Subject: RE: Records Request.

Wally, unfortunately, Dan is still not correct. The requested information is exempt from disclosure under Rule of Judicial Administration, pursuant to Rule 12.5(a), which specifically exempts from disclosure:

*Judicial Work Product and Drafts.* Any record that relates to a judicial officer's adjudicative decision-making process prepared by that judicial officer, by another judicial officer, or by court staff, an intern, or any other person acting on behalf of or at the direction of the judicial officer.

As you no doubt no, an *amicus* attorney, pursuant to Texas Family Code Section 107.001(a) is "an attorney appointed by the court in a suit, other than a suit filed by a governmental entity, whose role is to provide legal services necessary to assist the court in protecting a child's best interests rather than to provide legal services to the child." As the court's *amicus*, Ms. Burgower is clearly a person acting on behalf of or at the direction of the judicial officer. Ms. Burgower's email inquiring about the order clearly relates to the court's judicial decision-making process, and of course, the email was prepared by Ms. Burgower, who is acting as an arm of the court, since by statute, her role is to *assist* the court.

I have no idea what Ms. Burgower's email says, but am confident that it is nothing inappropriate, since both Judge Hellums and Ms. Burgower have said so on the record. There is only so much control that any of us have over any of our clients, but yours continues to cross the line by harassing and attempting to intimidate everyone involved with this case, with your apparent blessing. I believe that he is deliberately trying to menace all of the people involved to keep them from doing their jobs. Mercifully, it doesn't seem to be working, but as an officer of the court, and as his attorney, if you are not going to advise him, then I think at a minimum, you have a duty not to inundate us with filings that you have apparently not vetted, such as these last two. Thanks for your email.

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**From:** [trip888@aol.com](mailto:trip888@aol.com) [<mailto:trip888@aol.com>]

**Sent:** Monday, February 22, 2010 3:58 PM

**To:** Lovett, Mary-Olga (Shld-Hou-LT); [rkuehm@williamskherkher.com](mailto:rkuehm@williamskherkher.com); [wendy@brfamilylaw.com](mailto:wendy@brfamilylaw.com)  
**Subject:** Records Request.

Everybody,

Mary Olga was correct in her response regarding Dan's Freedom of Information Act or Public Information Act Request. As a result Dan has withdrawn his Open Records Request filed on Friday and substituted the Attached. As with any other request for a Public Document I am uncertain Notice is required but I am forwarding same to all the attorney's so we are all informed as to what is being requested.  
Wally