

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

From: Wendy Burgower <wendy@brfamilylaw.com>

To: 'Dan Gawlikowski' <Dan.Gawlikowski@idera.com>; LovettM@gtlaw.com;  
rkuehm@williamskherkher.com

Cc: melody@brfamilylaw.com; Trip888@aol.com; 'Charlotte D. Rainwater' <charlotte@brfamilylaw.com>

Sent: Tue, Mar 9, 2010 8:51 am

Subject: RE: Certificate of Conference

First of all, I will not be “returning” calls or emails in the evening. I am going to try to answer your inquiry, but will not engage in any exchange on my response. I am the amicus attorney and my authority is different than the attorney who is representing a party parent in this matter. One of my duties is to expedite proceedings and work to ensure that needed orders are timely signed.

This response is sent to you as a courtesy. There will be no follow up to the anticipated slew of emails that you are going to send – I understand the response is not going to satisfy you. Again, you should have your attorney speak for you and explain legal procedures and remember—just because I have a communication with the court that is not copied to your attorney, that does not make that exchange “ex parte”—as an ex parte communication involves substantive information. I assure you the email I sent to the court was much like the earlier ones you have already and I will not turn it over to you as the precedent is just not appropriate.

If you are not leaving the state with Brisa next week – then please sign the Rule 11. You will note that it only addresses your spring break and does not involve the taping of your daughter. So, please discuss with Wally and Wally, please let me know if we can get this resolved.

Wendy S. Burgower  
Burgower & Rainwater, L.L.P  
3355 W. Alabama, Suite 825  
Houston, Tx 77098  
(713) 529-3982

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**From:** Dan Gawlikowski [<mailto:Dan.Gawlikowski@idera.com>]

**Sent:** Tuesday, March 09, 2010 7:50 AM

**To:** 'Wendy Burgower'; [LovettM@gtlaw.com](mailto:LovettM@gtlaw.com); [rkuehm@williamskherkher.com](mailto:rkuehm@williamskherkher.com)

**Cc:** [melody@brfamilylaw.com](mailto:melody@brfamilylaw.com); [Trip888@aol.com](mailto:Trip888@aol.com); Charlotte D. Rainwater; Dan Gawlikowski

**Subject:** RE: Certificate of Conference

Ms. Burgower,

Still waiting on a response to my below questions... Let me reiterate the questions for you:

What about the *ex parte* email that you sent to the Judge on October 22, 2009? Don't you want to save everybody the pain and expense of having to go to court on the Motion to Compel and just provide everybody with a copy like you should have done, according to Rule 21 of the TRCP, when you first sent the *ex parte* email to the Judge? Actually, it was third *ex parte* email that you sent to the Judge. I'm curious as to why you only billed me for the *ex parte* email to the Judge that you sent on October 22, 2009 and not the *ex parte* emails that you sent to the Judge on October 8, 2009 & October 15, 2009? Any reason for that? Please advise

Daniel Gawlikowski • Idera • Key Account Manager

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**From:** Dan Gawlikowski

**Sent:** Monday, March 08, 2010 4:13 PM

**To:** 'Wendy Burgower'; [LovettM@gtlaw.com](mailto:LovettM@gtlaw.com); [rkuehm@williamskherkher.com](mailto:rkuehm@williamskherkher.com)

**Cc:** [melody@brfamilylaw.com](mailto:melody@brfamilylaw.com); [Trip888@aol.com](mailto:Trip888@aol.com); Charlotte D. Rainwater; Dan Gawlikowski

**Subject:** RE: Certificate of Conference

You're right nothing is funny about how this case is being treated by you. Based on your prior actions in this case, I want to respectfully make you aware that your "legal" opinion on any matter related to this case doesn't mean much to me. After all the facts and evidence are presented to the Judge, we'll see what they decide is "factually correct"...

What about the *ex parte* email that you sent to the Judge on October 22, 2009? Don't you want to save everybody the pain and expense of having to go to court on the Motion to Compel and just provide everybody with a copy like you should have done, according to Rule 21 of the TRCP, when you first sent the *ex parte* email to the Judge? Actually, it was third *ex parte* email that you sent to the Judge. I'm curious as to why you only billed me for the *ex parte* email to the Judge that you sent on October 22, 2009 and not the *ex parte* emails that you sent to the Judge on October 8, 2009 & October 15, 2009? Any reason for that? Please advise

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