

CAUSE NO. D-1-GV-10-000454

STATE OF TEXAS  
*Plaintiff,*

IN THE DISTRICT COURT OF

v.

RETIREMENT VALUE, LLC,  
RICHARD H. "DICK" GRAY,  
HILL COUNTRY FUNDING, LLC,  
a Texas Limited Liability Company,  
HILL COUNTRY FUNDING, a  
Nevada Limited Liability Company, and  
WENDY ROGERS,  
*Defendants,*

TRAVIS COUNTY, TEXAS

AND

JAMES SETTLEMENT SERVICES, LLC,  
ET AL.  
*Third-Party Defendants.*

126<sup>th</sup> JUDICIAL DISTRICT

**THIRD-PARTY DEFENDANT, MICHAEL McDERMOTT'S REPLY TO THE  
RECEIVER'S PLEA TO THE JURISDICTION**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Third-Party Defendant, **Michael McDermott** ("McDermott"), and files this Reply to the Receiver's Plea to the Jurisdiction as follows:

**I. ARGUMENTS AND AUTHORITY**

**Response to the Receiver's Plea to the Jurisdiction and Objection to McDermott's Motion to Enforce.**

McDermott has addressed the Receiver's Plea to the Jurisdiction and Objection to McDermott's Motion to Enforce by way of an Independent Lawsuit against the Receiver; John Morgan, in his official capacity as the Commissioner of the TSSB; the TSSB; and RV. Accordingly, the Receiver's Plea to the Jurisdiction should be denied as moot.

**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Third-Party Defendant, Michael McDermott, respectfully requests the following upon consideration of the applicable briefing:

1. The Court deny the Receiver's Plea to the Jurisdiction as moot;
2. McDermott further prays for any other relief to which he is justly entitled at law or in equity, including the protection of his constitutional rights.

Respectfully submitted,

**DE LEON & WASHBURN, P.C.**

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By: /s/ Hector De Leon

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ATTORNEYS FOR THIRD-PARTY DEFENDANT  
MICHAEL MCDERMOTT

**CERTIFICATE OF SERVICE**

I hereby certify that on the 22<sup>nd</sup> day of June, 2015, a true and correct copy of the above and foregoing document was served on the following via ProDoc e-service and/or email.

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/s/ Ben De Leon  
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Unofficial copy Travis Co. District Clerk Volva L. Price