

No. 14-18-00752-CV

**IN THE FOURTEENTH COURT OF APPEALS
HOUSTON, TEXAS**

JOSE BANDIN, MONICA BABAYAN AND 18 SHALLOWFORD PL. LLC

FILED IN
14th COURT OF APPEALS
HOUSTON, TEXAS
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Appellants, CHRISTOPHER A. PRINE
Clerk

v.

**FREE AND SOVEREIGN STATE OF VERACRUZ DE IGNACIO DE LA
LLAVE,**

Appellee.

On Appeal from the 334th District Court, Harris County, Texas
Trial Court No. 2018-06745, Hon. Steven Kirkland, Presiding

--and--

No. 14-18-00847-CV

**IN THE FOURTEENTH COURT OF APPEALS
HOUSTON, TEXAS**

CW OPERATING COMPANY, INC, ET AL
Appellants,

v.

**FREE AND SOVEREIGN STATE OF VERACRUZ DE IGNACIO DE LA
LLAVE,**

Appellee.

On Appeal from the 295th District Court, Harris County, Texas
Trial Court No. 2018-08341, Hon. Caroline E. Baker, Presiding

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STATEMENT OF THE CASE

Appellants in this combined appeal are Jose Antonio Bandin (“Bandin”)¹ and his wife Monica Babayan (“Babayan”),² along with several special purpose entities³ they formed to own properties in Texas. Collectively, we will refer to Appellants as the “Bandin Parties.” Appellee is the Free and Sovereign State of Veracruz de Ignacio de la Llave (“Veracruz”).

Veracruz filed four lawsuits in Harris County district courts against the Bandin Parties. Each suit alleged the Bandin Parties conspired with a former governor of Veracruz to steal money from the Mexican state and use it for their own personal purposes. The four suits have now been consolidated into one action.

The Bandin Parties filed motions to dismiss under Chapter 27 of the Texas Civil Practice & Remedies Code, commonly called the Texas Citizens Participation Act (“TCPA”). Prior to the consolidation of the four cases, the motion to dismiss in one trial court was denied by operation of law. Later, the consolidating court denied the remaining motions. The Bandin Parties appeal from the denials of their motions to dismiss.

¹ Bandin was sued by Veracruz as Jose Bandin and as Jose Ruiz and Jose A. Bandin. Using the Spanish custom of using the mother’s maiden name at the end, his full name is Jose Antonio Bandin Ruiz.

² Babayan was sued as Monica Babayan and Monica B. Canal.

³ The Bandin entities are: 18 Shallowford Pl., LLC, Banba Offices, LLC, 83 West Jagged Ridge, LLC, 87 West Jagged Ridge, LLC, 175 W. New Harmony, LLC, 18 Griffin Hill, LLC, 138 Bryce Branch, LLC, and 43 Spinning Wheel, LLC.

STATEMENT REGARDING ORAL ARGUMENT

With the prevalence of TCPA appeals, this Court is quite familiar with the legal standards governing them, but this appeal presents some novel issues and procedural complexity that make it a good candidate for oral argument. The Bandin Parties therefore request oral argument.

ISSUES PRESENTED

1. Did the Bandin Parties prove by a preponderance of the evidence that the four legal actions by Veracruz are based on, relate to, or are in response to the Bandin Parties' exercise of their right of free speech or right of free association?
2. Did Veracruz establish by clear and specific evidence a prima facie case for each element of its claims?
3. Can an adverse inference from the assertion of Fifth Amendment rights substitute for clear and specific evidence, when no such evidence has been presented?

STATEMENT OF FACTS

The Two Alleged Conspiracies

Veracruz paints a sordid picture of corruption and ill-gotten gains. It alleges that its former governor, Javier Duarte, “orchestrated a scheme in which hundreds of millions of dollars earmarked for social programs were diverted to an elaborate network of phantom companies.” 2 CR 567.⁴ Though Duarte was named as a defendant in each of the four suits, no discernible effort has been made to serve him, and he has not appeared.

Bandin and Babayan are in the real estate business. 2 CR 397. According to Veracruz, Bandin and Babayan conspired with and assisted Duarte in accomplishing the thefts. 2 CR 568. Though the original petitions were factually sketchy about how this conspiracy worked, Veracruz filled in lurid details as the cases proceeded.

The Bandin Parties, so it was claimed, used a group of local business people to send inflated invoices for road construction and the sale of medicine to defraud Veracruz. 2 CR 219-20. These invoices, sent at the request of Bandin and Babayan, were supposedly for road construction that never occurred and medicines that were never purchased. 2 CR 227. Bandin and Babayan “made sure” Duarte paid these

⁴ We will refer to the clerk’s record in No. 14-18-00752-CV as “1 CR __,” and the clerk’s record in No. 14-18-00847-CV as “2 CR __.” References to the reporter’s records in both cases will use the same shorthand and, because there were multiple hearings, the separate volumes of the record will follow the “RR” designation (for example, the first volume of the reporter’s record in the 00847 case will be 2 RR 1: __).

invoices. *Id.* Meanwhile, the people of Veracruz were left with shoddy, half-built roads and saline instead of insulin. 2 CR 270-71.

Once the local business people received the “stolen” funds, according to Veracruz, they sent the bulk of the money to Mexican corporate entities controlled by Duarte, Bandin, and Babayan. *Id.* Through these “shell” corporations, Bandin and Babayan purchased numerous properties, presumably the ones named in these four suits. 2 CR 259. It is not clear how this was accomplished. We are told only that the “monies were sent north to Houston.” 2 CR 270-71.

Veracruz suggests there were actually two conspiracies that are the basis of its claims—one between Bandin and Duarte, and another between Bandin and Babayan. 2 CR 273-74. The first conspiracy concocted the fake-roads-and-medicine scheme to get the money out of Mexico. The second conspiracy required Bandin and Babayan to incorporate several new Texas limited liability corporations, named as defendants. 2 CR 329-391. These corporations acquired properties in the Houston area. *Id.* Bandin and Babayan are alleged to have associated with other real estate investors. 1 RR 2:12. The filing of the property deeds and the association with other real estate investors, asserts Veracruz, are a “byproduct” of the theft. *Id.*

This was no small pilfering. Duarte is alleged to have absconded with nearly \$3 billion of his state’s money. 2 CR 560. Veracruz “believes” the amount stolen by Bandin and Babayan exceeds \$100,000,000. 2 CR 277.

As we will explain below, these eye-popping pleadings are important in determining the application of the TCPA, but they are no substitute for evidence. The statements are bold, but, when challenged to back them up, Veracruz could not do so. Of course, the Bandin Parties deny all of the allegations.⁵ 2 CR 579.

The First TCPA Motion to Dismiss

Because Veracruz chose to file essentially the same claims in four separate suits, the procedural history is a bit cumbersome. For a while, each of the suits proceeded on separate paths. It was not until after the TCPA issues played out in each case that the cases were consolidated in the oldest-filed trial court. 2 CR 545.

As this Court is well aware, the TCPA sets firm deadlines for filing the motion to dismiss and having it heard. The Bandin Parties filed separate motions to dismiss in each case.⁶ 1 CR 26-61, 2 CR 28-142, 2 CR 583-598. The first of these motions to be heard was the one filed in the 334th District Court. The hearing was held on July 13, 2018. 1 RR 2:1-22.

On the day before the hearing, Veracruz filed its response. 1 RR 88-271. The response asserts that the TCPA does not apply to this case, but if it does, Veracruz

⁵ As the Texas Supreme Court teaches us, the basis of a legal action is determined by the plaintiff's allegations, not the defendant's admissions or denials. *Hersh v. Tatum*, 526 S.W.3d 462, 467 (Tex. 2017). A defendant may, at the same time, deny having made the statements that are the alleged basis of the suit and also move to dismiss the suit under the TCPA.

⁶ One of the cases—No. 2018-08341 in the 113th District Court—was removed to federal court by other defendants before the Bandin Parties appeared. 2 CR 700-03. The TCPA motion to dismiss was filed in federal court and Veracruz responded there, and they are not included in the clerk's record. We are therefore attaching the motion and response in an appendix to this brief. No hearing had been held in federal court when the order to remand was issued. 2 CR 704-5.

can “easily” provide clear and specific evidence in support of each element of its claims. *Id.* at 97. In this brief, we will have a lot to say about the sufficiency of the “evidence” attached to the response, but that can wait until the argument section. At the end of the response Veracruz made an alternative request to conduct unspecified discovery, *id.* at 100, but this request was not argued at the hearing.

The Depositions of Bandin and Babayan

Hours after the hearing had concluded, Veracruz had a change of heart about discovery. Apparently, it concluded that furnishing clear and specific evidence was not as easy as it thought. Before the day was out, it filed an emergency motion for expedited discovery. 1 CR 272. In this one-page motion, Veracruz asked to depose Bandin and Babayan and send a limited amount of paper discovery related to the funds to buy the real estate in question. *Id.* And, as the 30-day clock for a ruling on the motion to dismiss was ticking, an emergency hearing was sought. 1 CR 275.

Thus began the saga that first landed this dispute before this Court. The 334th District Court conducted a hearing on July 20, 2018 and ordered the depositions of Bandin and Babayan. 1 RR 3: 1-21. (Veracruz did not press its request for “limited paper discovery” then or at any time thereafter.) Bandin and Babayan filed a petition for mandamus in this Court, along with a motion for emergency relief. This Court denied the emergency relief, and later denied the petition.⁷

⁷ The mandamus proceeding was docketed as No. 14-18-00605-CV. As a side note, one argument made by Bandin and Babayan was that the TCPA did not authorize discovery after the hearing had been held. We contended the trial court must grant the motion to dismiss if the

Once this Court denied emergency relief, Veracruz pushed to take the depositions as quickly as possible. It filed a motion to compel and for sanctions on August 1, 2018, and a hearing was held the very next day. The trial court ordered the depositions to take place immediately. 2 CR 236.

When the suits were filed, Veracruz alleged that Bandin and Babayan were residents of Texas. *See, e.g.*, 1 CR 5-6. By the time of the TCPA hearing, however, Veracruz claimed the two of them had “fled” to Spain and that they were “fighting extradition.” 1 RR 3:9. It was alleged that the husband and wife were “under investigation” in Mexico; indeed, if Veracruz was to be believed, Bandin had been indicted there. 1 CR 309. In addition, Veracruz alleged Bandin and Babayan were being investigated in the United States. 2 RR 1:23. Small wonder, then, that when Bandin and Babayan were deposed in Spain on the order of the trial court, they exercised their Fifth Amendment rights against self-incrimination. 1 CR 491-550.

On Friday, August 10, 2018, Veracruz served an amended response attaching the two depositions. Because the TCPA’s mandatory 30-days-from-the-hearing deadline to rule on the motion to dismiss, TEX. CIV. PRAC. & REM. CODE § 27.005, fell on Sunday August 12, 2018, the last-minute filing gave the trial court no time to

evidence offered at the hearing fell short. That argument did not meet with favor with the mandamus panel, and we are not raising it again on appeal. But, coincidentally, a separate panel of this Court faced a similar issue recently (ironically, in a review of a TCPA claim in the same district court) and concluded the TCPA “does not authorize the trial court to permit discovery *after* concluding the plaintiff’s evidence falls short.” *Landry’s Inc., et al v. Animal Legal Defense Fund, et al*, __ S.W.3d __, 2018 WL 5075116, at *18 (Tex. App.—Houston [14th Dist] Oct. 18, 2018, no pet. h.) (emphasis in original).

consider the new evidence. No order was issued, and the motion to dismiss was overruled by operation of law. TEX. CIV. PRAC. & REM. CODE § 27.008(a). A notice of appeal was filed. 1 CR 563-65.

The Second TCPA Battle

Meanwhile, the parties fought a second battle in the 295th District Court. The virtually identical TCPA motion to dismiss and response were filed. 2 CR 28-141, 2 CR 257-523. This battle, though, featured two new developments. First, the Bandin Parties sought to consolidate the four cases in the 295th District Court, the first-filed of the four cases. 2 CR 168-208. Then, on the day before the scheduled hearing on the TCPA motion, Veracruz moved to compel Bandin and Babayan to give another deposition on the grounds they were not entitled to Fifth Amendment protection. 2 CR 236-39.

The 295th District Court conducted two hearings. The first one considered both the motion to consolidate and the motion to dismiss, and the trial court asked for additional briefing on the Fifth Amendment issue. 2 RR 1:28-29. The second hearing gave the parties an opportunity to present arguments on whether non-US citizens, deposed in a foreign country, may assert a right against self-incrimination. 2 RR 2:1-18.

Following these hearings, the 295th issued two orders. The first order denied the motion to compel second depositions of Bandin and Babayan and, anticipating the consolidation of the cases, also denied the TCPA motions to dismiss in each of

the remaining cases. 2 CR 540-41. Notably, the trial court stated in its order that the denial of the TCPA motions was not based on “any substantive review” of the motions but merely accepting the “ruling” from the 334th District Court as “law of the case.” *Id.* This Court, in its *de novo* review, will be the first court to consider the substantive arguments by either side.

The second order consolidated the four cases. 2 CR 545. That order finally permitted the Bandin Parties to notice the appeal of the three other TCPA motions. 2 CR 549-52. This Court agreed to hear the two appeals together and ordered the parties to file single briefs addressing both appeals.

SUMMARY OF ARGUMENT

The net of the TCPA is wide enough to include the claims asserted by Veracruz. The pleadings demonstrate communications regarding matters of public concern, thereby implicating the Bandin Parties’ right of free speech as defined by the statute. Moreover, these same communications between parties pursuing their common interests comes within the right of association. The TCPA applies to these cases.

Once this Court determines that the statute applies, the burden shifts to Veracruz to supply clear and specific evidence to make a *prima facie* case for each element of its claims. It provided no proof whatsoever of damages, which alone is fatal to the claims. And its attempt to prove liability constitutes nothing more than conclusory statements and baseless opinions that are no probative evidence at all.

We presume Veracruz will rely heavily on the depositions of Bandin and Babayan, who asserted their rights against self-incrimination. As we will show, this Court is permitted to draw negative inferences from their assertions, but only if Veracruz submitted probative evidence on which to base its claims. No negative inferences could replace real evidence of damages, nor can they substitute for evidence of liability.

Veracruz's claims should have been dismissed.

ARGUMENT AND AUTHORITIES

I. The TCPA Applies to this Case.

A. The Scope of the TCPA

Under the TCPA, the burden fell on the Bandin Parties to prove first by a preponderance of the evidence that the act applies to this case. *Toth v. Sears Home Improvement Products, Inc.*, 557 S.W.3d 142, 149 (Tex. App.—Houston [14th Dist.] 2018, no pet.). This Court reviews de novo whether a movant has proven the act's applicability. *Id.* at 150. The Court considers the pleadings and any supporting or opposing affidavits in making this determination. *Id.*

Veracruz argued in the strongest possible terms that the TCPA ought not to apply to this case. It said the motion filed by the Bandin Parties was “a complete perversion of the intended purpose of the law.” 1 CR 92. Casting doubt on whether non-citizens could even assert the statutory rights, Veracruz said the motion “borders on the frivolous.” *Id.* And, it calls the application of the statute to a suit to recoup

stolen money “nonsensical.” 1 CR 93. Veracruz misapprehends the scope of the TCPA.

Contrary to Veracruz’s formulation, the TCPA is not limited to constitutional concepts, such as First Amendment rights. *Elite Auto Body LLC v. Autocraft Bodywerks, Inc.*, 520 S.W.3d 191, 204 (Tex. App.—Austin 2017, pet. dism’d) (“we must reject [plaintiff’s] attempts to limit TCPA ‘communications’ solely to those the First Amendment protects”). Texas decisions construing the TCPA have not limited the application of the act to weighty constitutional issues of great public concern. One court remarked on the variety of rather mundane complaints coming under the TCPA umbrella:

The dismissal mechanism of the statute has been applied in cases for fraud and barratry, a suit for contamination of a water well, a dispute between neighbors over a fence, defamation claims arising from an employment dispute, a snarl of competing claims arising from discussions among horse breeders on social media, and a host of other types of claims.

Long Canyon Phase II and III Homeowners’ Ass’n, Inc. v. Cashion, 517 S.W.3d 212, 216-17 (Tex. App.—Austin 2017, no pet.) (footnotes omitted).

The TCPA applies to a legal action that is “based on, relates to, or is in response to a party’s exercise of the right of free speech, right to petition, or right of association.” TEX. CIV. PRAC. & REM. CODE § 27.003(a). Each of those terms is defined in the statute, and the Supreme Court requires that we interpret the statute as it is written. “We presume the Legislature included each word in the statute for a

purpose and that words not included were purposely omitted.” *Lippincott v. Whisenhunt*, 462 S.W.3d 507, 509 (Tex. 2015).

Veracruz is not the only party to lament the breadth of its reach; many judges, practicing lawyers, and commentators have groused about the scope of the act, too.⁸ But “[t]he TCPA casts a wide net.” *Adams v. Starside Custom Builders, LLC*, 547 S.W.3d 890, 894 (Tex. 2018). “It is broadly worded, and as a result, it has been very broadly applied.” *Abatecola v. 2 Savages Concrete Pumping, LLC*, 2018 WL 3118601 at *4 (Tex. App.—Houston [14th Dist.] June 26, 2018, no pet. h.) (mem. op.). Courts, in fact, have noted that the statute requires that it be “construed liberally to effectuate the purpose and intent fully.” TEX. CIV. PRAC. & REM. CODE § 27.011(b). *See, e.g., Grant v. Pivot Tech. Solutions, Ltd.*, 556 S.W.3d 865, 872(Tex. App.—Austin 2018, no pet. h.).

B. The Exercise of the Right of Free Speech

Veracruz’s suits relate to the Bandin Parties’ right of free speech, as it is defined in the TCPA. TEX. CIV. PRAC. & REM. CODE § 27.001(3) (“a communication made in connection with a matter of public concern”). To begin, there can be no serious debate that, as pleaded by Veracruz, the issues involve matters of public concern. The statute includes “health or safety,” “community well-being,” “the

⁸ For instance, Justice Jennings, dissenting in *Porter-Garcia v. Travis Law Firm*, 2018 WL 4027023 (Tex. App.—Houston [1st Dist.] Aug. 23, 2018, no pet.), would limit applicability of the act to constitutional rights. His view, however, has not met with favor at the Texas Supreme Court.

government,” and “a public official” as matters of public concern. *Id.* at § 27.001(7). This case involves all of those.

The social programs in Veracruz were to provide medicine for sick children and other programs were to provide roads for the citizenry (“health or safety”). 1 CR 288. The state faces massive budgetary shortfalls (“community well-being”). 1 CR 298. The plaintiff is itself a governmental entity, and the gravamen of the case is the alleged wrongdoing by the former governor of the state (“a public official”).

Veracruz lays out in its own pleadings many types of communications⁹ about these matters of public concern. It claims Bandin and Babayan conspired with Duarte, which could happen only by means of communication. They purportedly contacted local business people in Veracruz and arranged for these locals to send sham invoices to the state government. Necessarily, they would have communicated with banks about sending the money “north” to the United States. To set up their “shell” corporations, Bandin and Babayan communicated with the Texas Secretary of State, and to acquire their properties, they filed deeds with county clerk.

Our Supreme Court has made it clear the communication need not be public. *Lippincott*, 462 S.W.3d at 509 (“The plain language of the statute imposes no requirement that the form of the communication be public.”). It does not even have to be directly related to the matters of public concern. *ExxonMobil Pipeline Co. v.*

⁹ The statute also defines “communication” as including “the making or submitting of a document in any form or medium, including oral, visual, written, audiovisual, or electronic.” § 27.001(1).

Coleman, 512 S.W.3d 895, 902 (Tex. 2017) (“The TCPA does not require that the statements specifically ‘mention’ health, safety, environmental, or economic concerns, nor does it require more than a ‘tangential relationship’ to the same”).

Here, by Veracruz’ own admission, there is more than a tangential relationship between the filing of the property deeds and the matters of public concern. 1 RR 12 (“The filing of the property deeds and the association is all a byproduct of that....”). The property deeds and incorporation documents in this case are no different than the UCC financing statements filed with the Secretary of State and the county property records in *Quintanilla v. West*, 534 S.W.3d 34 (Tex. App.—San Antonio 2017, pet. granted). In *Quintanilla*, the plaintiff sued for slander of title and fraudulent liens, and the defendant moved to dismiss under the TCPA. The court held that the financing statements were communications made in connection with a matter of public concern and therefore an exercise of the defendant’s right of free speech. *Id.* at 45-46.

Similarly, a dispute between a homeowner and his HOA’s attorney regarding the sale of Galveston beachfront properties was held to involve matters of public concern. *Schimmel v. McGregor*, 438 S.W.3d 847, 858-59 (Tex. App.—Houston [1st Dist.] 2014, pet. denied). The attorney’s statements to the City of Galveston were an exercise of free speech protected by the TCPA.

In *Montoya v. San Angelo Community Medical Center*, 2018 WL 2437508 (Tex. App.—Austin May 31, 2018, pet. filed) (mem. op.), a physician sued a hospital

for defamation, business disparagement, restraint of trade, and tortious interference. The doctor alleged that by conduct and a “whisper campaign” the hospital discouraged patients from being treated by the doctor. The court of appeals commented about how the “whisper campaign” could fit into the TCPA’s free speech definition:

The supreme court has explained that any communication, no matter its form or medium and regardless whether it was made in a public forum or privately, that is made in connection with a matter of public concern falls within the scope of the TCPA....

Id. at *10. The dismissal of the doctor’s tortious interference, antitrust, and conspiracy claims under the TCPA was affirmed.

This Court has also followed the Supreme Court’s instruction to construe the statute liberally. In *Toth*, a flooring contractor’s communications with a customer constituted the exercise of free speech. And, in *Abatecola*, a non-compete and trade secrets case, even where the plaintiffs’ petition failed to mention communications of any kind, this Court inferred that the hiring of the employee in question and interfering with customers “would necessarily have required communications or ‘the making or submitting of a statement or document in any form or medium, including oral, visual, written, audiovisual, or electronic.’” 2018 WL 3118601 at *7 (quoting the statute at § 27.001(1)).

No inference is required here. The pleadings in this case expressly rely on communications made by the Bandin Parties that are related to matters of public

concern. The Bandin Parties proved by a preponderance of the evidence that Veracruz's legal actions related to their rights of free speech.

C. The Exercise of the Right of Association

An independent basis for applying the TCPA is found in the definition of exercise of the right of association. TEX. CIV. PRAC. & REM. CODE § 27001(2) (“a communication between individuals who join together to collectively express, promote, pursue, or defend common interests”). As the trial court remarked, this definition tracks closely to the legal definition of a conspiracy, minus the wrongful intent. 1 RR 2:6 (“that sounds like a conspiracy”). And, conspiracy allegations are at the heart of this case.

As we have pointed out, Veracruz alleges two conspiracies. Bandin and Babayan, on the one hand, and Duarte, on the other, joined together in the first alleged conspiracy to pursue their putative common interests. The TCPA makes no distinction between common interests for good or for bad, but if it appears unseemly to rely on an alleged conspiracy to steal money, there remains the second conspiracy between Bandin and Babayan, who are jointly pursuing their real estate business. Either fit the definition of “association.”

Texas courts have liberally applied the TCPA in several recent “association” cases. In the *Grant* case, for example, one company (GTS) sold assets to another (Acquisition), but the relationship soured and litigation ensued. Acquisition asserted claims against GTS and individuals associated with GTS for breach of contract,

tortious interference, breach of fiduciary duty, fraud, conversion, theft, misappropriation of trade secrets, and civil conspiracy, among other claims. The GTS defendants asserted that their communications with each other to pursue employment with GTS were protected under the TCPA. The Austin court of appeals agreed these communications were an exercise of the right of association. 556 S.W.3d at 879.

The Austin court went further. The plaintiffs in *Grant* alleged that the GTS defendants conspired to commit illegal acts, such as theft of trade secrets, and did so with a common plan. This conspiracy allegation cemented the court's holding that the suit was based on, related to, or in response to the GTS defendants' right of association. *Id.* at 881. *See also, Elite Auto Body LLC v. Autocraft Bodywerks, Inc.*, 520 S.W.3d 191, 205 (Tex. App.—Austin 2017, pet. dism'd) (complaints regarding communications aimed at luring employees were protected as exercise of right of association).

This Court's decision in *Abatecola* reinforces the point. As mentioned above, this was a non-compete case involving the hiring away of an employee from one company to another. The Court held that the individuals who made communications in connection with the hiring of the employee joined together to collectively express, promote, pursue or defend common interests. The tortious interference claims were therefore related to the right of association and subject to the TCPA. 2018 WL 3118601 at *8-9.

We have already detailed from the pleadings the communications among the alleged conspirators. These communications plainly relate to the right of Bandin and Babayan to join together to pursue their common interests. Veracruz bemoans that the statute was not intended to protect an alleged “thief,” 1 CR 93-94, but its beef is with the language of the TCPA. The Bandin Parties proved that the claims for conversion, theft, and conspiracy fall within the TCPA.

This first-step application of the statute, of course, does not automatically dismiss the claims. Instead, it shifts the burden to the plaintiff to provide clear and specific evidence that establishes a prima facie case for each element of the claims. It is to that issue we now turn.

II. The Evidence Fails to Meet the Test.

A. The Rules of the Road

Now that the courts have dealt with dozens, perhaps hundreds, of TCPA appeals, certain coalescing principles have formed about the quality of evidence required to avoid dismissal of a claim subject to the act:

- “[A] prima facie case represents the minimum quantity of evidence necessary to support a rational inference that the allegation fact is true.” *Harwood v. Gilroy*, 2017 WL 2791321 at *3 (Tex. App.—San Antonio, 2017, no pet.) (mem. op.).

- Mere notice pleadings are insufficient; the plaintiff must show the factual basis for its claim. *In re Lipsky*, 460 S.W.3d 579, 590-91 (Tex. 2015).
- “Conclusory statements and bare baseless opinions are not probative and accordingly do not establish a prima facie case.” *Grant*, 556 S.W.3d at 882.
- “Conjecture, guess, or speculation cannot survive ‘clear and specific’ scrutiny under chapter 27.” *Holt Texas, Ltd. v. M&M Crushed Stone Products, Inc.*, 2018 WL 3998661 at *6 (Tex. App.—San Antonio 2018, no pet.) (mem. op.).

Applying these standards to the evidence in this record, Veracruz’s evidence falls short of proving a prima facie case on each element of its claims.

B. No evidence of damages at all.

We recognize that the assertion of Fifth Amendment rights by Bandin and Babayan presents an unusual problem, one we will deal with in Part III below. Setting that issue aside for the moment, there is one glaring deficiency in Veracruz’s case that is unaffected by the Fifth Amendment issue. That deficiency, in fact, permits this Court to rule without even reaching the more complicated point: There is no proof of damages.

Damages are an essential element of both of Veracruz's claims—conversion and theft.¹⁰ *See, e.g., Lopez v. Lopez*, 271 S.W.3d 780, 784 (Tex. App.—Waco 2008, no pet.) (elements of conversion); TEX. CIV. PRAC. & REM. CODE § 134.002(2) (civil theft); TEX. PENAL CODE § 31.03(a) (criminal theft). A failure to prove damages alone is enough to warrant dismissal of a claim. *Adams v. Starside Custom Builders, LLC*, 2018 WL 4042518 (Tex. App.—Austin 2018, no pet.) (mem. op. on remand); *Grant*, 2018 WL 3677634 at 883 (“the plain language of the TCPA requires at this stage ‘clear and specific’ evidence of a ‘prima facie case’ as to every essential element of each and every claim, *including damages*”)(emphasis added).

Veracruz alleges that the Bandin Parties stole hundreds of millions of dollars belonging to the Mexican state. Veracruz is not merely in the best position to collect and present evidence of its own missing money and where it went. It may be the *only* party in a position to do so. Veracruz ought to have documents no other party has, such as treasury records, bank account information, government reports, deposit and withdrawal receipts, and the like. With its investigatory authority and government power, it is uniquely placed to trace the money it claims to have lost. It ought to know how much it lost, and how much went into Bandin's pockets.

And yet, none of that was presented in response to the motions to dismiss. Veracruz offered no documentary evidence that money belonging to the Mexican

¹⁰ Civil conspiracy and constructive trust are not true claims. Conspiracy is a theory of vicarious liability, and constructive trust is an equitable remedy. *See, KCM Fin. LLC v. Bradshaw*, 457 S.W.3d 70, 87 (Tex. 2015) (constructive trust).

state found its way to Bandin or Babayan. It made no effort to quantify the amount of stolen funds. The sole “evidence” of damages consists of this one sentence from the Declaration of Armando Garcia Cedas: “The amount of money believed to have been stolen by Mr. Bandin and his wife exceeds \$100,000,000.” 1 CR 315. Conclusory statements and bare baseless opinions, though, are not evidence. This single sentence is as bare as you can get.

This Court recently dealt with a very similar TCPA issue in the *Toth* case. Recall in that case that a disgruntled customer (Langham) sued Sears for problems with flooring products supplied by Sears. Sears third-partied a contractor (Toth) for making statements to Langham detrimental to Sears’ position in the lawsuit. When Toth appealed the denial of his TCPA motion to dismiss, this Court evaluated the evidence as follows:

At bottom, all we have is Sears’s conclusory allegation that Toth complicated Sears’s efforts to settle Langham’s claim. Sears did not attempt to quantify any measure of its purported damages or show with evidence how its settlement with Langham—including settlement consideration, defense costs, or other expenses—would have been different had Toth not breached the agreement by the conduct Sears alleges. Because there is no clear and specific evidence of any injury, we conclude that Sears did not establish a prima facie case of an essential element of its breach of contract claim against Toth.

557 S.W.3d at 158.

The damages hole in Veracruz’s proof is not one that could be cured by Bandin’s and Babayan’s invocation of the Fifth Amendment. For one thing, they would have no knowledge of how Veracruz claimed to be harmed by any allegedly

wrongful conduct. For another, they were not asked clearly and specifically about any amounts of money allegedly stolen or received. There is simply no way to draw inferences from the Fifth Amendment assertions that could supply the missing damages information.

As we will explain, the other elements of Veracruz's claims also suffer from proof shortcomings. But first we need to grapple with the Fifth Amendment issue.

III. Assertions of Fifth Amendment Rights do not Replace Evidence.

A. The Effect of Invoking Fifth Amendment Rights.

It is true in certain circumstances a fact finder may draw a negative inference from a witness's assertion of a right to remain silent. *Baxter v. Palmigiano*, 425 U.S. 308, 318, 96 S.Ct. 1551 (1976). But as the United States Supreme Court makes clear in *Baxter*, "the Fifth Amendment does not forbid adverse inferences against parties to civil actions when they refuse to testify *in response to probative evidence offered against them.*" *Id.* (emphasis added).

Two Texas cases shed light on the issue. In *Wilz v. Flournoy*, 228 S.W.3d, 674 (Tex. 2007), the Texas Supreme Court considered a claim for conversion, breach of fiduciary duty, and constructive fraud brought by a guardian of an incapacitated son against the ex-husband and his new wife. The ex-husband and his wife each invoked the Fifth Amendment privilege against self-incrimination. This was not, however, the only evidence brought to the jury. The guardian traced several checks drawn on the incapacitated son's account by the ex-husband. The Supreme Court

held the jury was permitted to draw negative inferences from the Fifth Amendment invocations and ordered a constructive trust on the property acquired from the ill-gotten gains.

Contrast the holding in *Wilz* with the subsequent case of *Webb v. Maldonado*, 331 S.W.3d 879 (Tex. App.—Dallas 2011, pet. denied). *Webb* was a wrongful death case in which the plaintiffs were appealing a grant of a no-evidence motion for summary judgment. The sole “evidence” presented by the plaintiffs in response to the motion was the defendant’s deposition testimony in which he asserted his Fifth Amendment rights. Just as does this Court, the *Webb* court thus confronted directly whether negative inferences from the refusal to testify alone satisfied the obligation to provide evidence to defeat the no-evidence motion.

In dealing with the plaintiffs’ argument that the negative inferences satisfied all of the elements of their claims, the court of appeals noted that the plaintiffs offered no probative evidence against the defendant. “Although the trial court was free to draw a negative inference, ‘the claim of privilege is not a substitute for relevant evidence.’” *Id.* at 883 (citing *United States v. Rylander*, 460 U.S. 752, 761, 103 S.Ct. 1548 (1983)). Without probative evidence, the negative inference that could be drawn did not rise above “mere suspicion,” and mere suspicion is less than the scintilla of evidence necessary to raise a fact issue to defeat summary judgment. 331 S.W.3d at 883.

It logically follows that if the naked negative inference cannot reach the scintilla standard, it cannot reach the “clear and specific” standard of the TCPA. We will now examine whether Veracruz submitted any probative evidence on the essential elements of its claims.

B. Conjecture and Speculation, not Facts.

In support of its case, Veracruz attached these documents: (1) a declaration from Armando Garcia Cedas, an alleged special prosecutor in Mexico, (2) a declaration from James K. Ellis, a former FBI agent, (3) a complaint filed by Mr. Cedas (which Veracruz mistakenly calls an “indictment), (4) an alleged statement of investigation from Veracruz, (5) property records from Harris County Appraisal District and corporate formation documents from the Texas Secretary of State, and (6) newspaper articles from the Mexican press. 1 CR 103-271.

Each of these exhibits suffers from its own set of infirmities, but what they have in common is they are all hearsay, and some are hearsay within hearsay. We objected to these exhibits, 1 CR 79, and no effort was made by Veracruz to prove they were admissible. Even if they were competent evidence, they are not probative of the elements of the claims.

1. The Cedas Declaration.

Mr. Cedas, apparently a Veracruz government official investigating the claims, couches his statements as made on “information and belief.” 1 CR 103 (“Based upon information and belief, and this State’s investigation, it is believed

that Mr. Bandin and Mrs. Babayan participated in a conspiracy with Javier Duarte to steal money from the State of Veracruz.”) He never discloses the “information” he relies on, nor does he cite any corroboration for his “belief.” His declaration is not the kind of “unambiguous,” “sure,” “free from doubt,” and “explicit” evidence required. *In re Lipsky*, 460 S.W.3d at 586-87.

Veracruz touts its investigation into the alleged conspiracies. 1 CR 88-89. If Mr. Cedas is indeed the official with knowledge of the investigation, one might expect him to supply at least some of the missing details—perhaps government audits revealing missing funds, or bank transfers of monies to Duarte, or the government contracts for public works, or the fake or inflated invoices to Veracruz—anything to substantiate his barren beliefs. These should all be in Veracruz’s possession. But nothing accompanied the Cedas Declaration. It is pure *ipse dixit*.

2. *The Ellis Declaration.*

Mr. Ellis provides a one-page “expert opinion” about Mr. Bandin’s ostensible involvement in laundering ill-gotten gains. It is based exclusively on hearsay and speculation. 1 CR 210. He says he reviewed “available evidence,” but does not attach, much less describe, any of it. *Id.* Mr. Ellis refers to a meeting with the Governor of the State of Veracruz and his staff. *Id.* No additional information is provided. We do not know when the meeting occurred, who attended, or what was discussed. He references newspaper articles (maybe the ones attached to the

response, but maybe not), and the “indictment” (which we will explain below), among other things. *Id.* As an “expert” opinion, his declaration falls woefully short of the Texas standards for the admission of opinion testimony.

Mr. Ellis also draws adverse inferences from the fact that Bandin and Babayan acquired property in Texas during the time that Duarte was governor of Veracruz. But no matter how many awards and commendations Mr. Ellis may have received for his service in the FBI, purchasing property is not proof of theft. Bandin and Babayan are in the real estate business, after all.¹¹

Because bare baseless conclusions are not probative evidence, the Ellis Declaration meets the same fate as the Cedas Declaration.

3. The so-called “indictment.”

When Veracruz filed its initial response, it supplied a Spanish document, without translation, it called “Indictment of Bandin.” 1 CR 106-12. It explained in a footnote that “Mexico’s judicial system does not mirror the United States [sic], and so the term ‘indictment’ does not have a direct corollary in Mexico, but based on information and belief the closest American counterpart for Exhibit 3 is an indictment.” 1 CR 89. When the translation was finally provided in an amended response, it was revealed to be nothing more than a complaint prepared by Mr.

¹¹ Mr. Ellis thereby violates Occam’s razor, the principle of philosophy that the simplest solution, the one requiring the least speculation and assumption, is usually the right one.

Cedas. 1 CR 325-32. That revelation did not stop Veracruz from continuing to cite the document misleadingly as an indictment. 1 CR 297.

The Cedas Complaint is dated June 21, 2018, after the Bandin Parties moved to dismiss the suits. That timing itself, just a few days before the Cedas Declaration, raises suspicion the complaint was manufactured as evidence for the response to the motion to dismiss. The complaint has no substance; it merely repeats the unadorned accusations made in his Declaration and pastes a journalist's story as filler. It is hearsay within hearsay. Once again, it offers no facts and no support.

4. The "statement of investigation."

Veracruz never provided an English translation of the exhibit it called a "statement of investigation." 1 CR 104-05. To this day, we do not know what it is. This Court is not obliged to give credence to an unauthenticated Spanish-language document.

5. Property records and incorporation documents.

It is a matter of public record that Bandin and Babayan purchased properties in Texas and incorporated limited liability companies to own those properties. This is standard business practice in the real estate industry and no evidence of wrongdoing. Veracruz provided no information about the source of funds to acquire the properties.

6. Newspaper articles.

Veracruz submitted several newspaper stories, ultimately with English versions. 1 CR 431-90. These are classic hearsay. *City of Austin v. Houston Lighting & Power Co.*, 844 S.W.2d 773, 791 (Tex. App.—Dallas 1992, writ denied) (“Generally, Texas courts consider newspaper articles inadmissible hearsay.”). Many of the articles cite unnamed sources, or quotes from other persons, piling hearsay upon hearsay. These stories, like the other “evidence” relied on by Veracruz, do not provide the clear and specific evidence required by the TCPA.

Veracruz tacitly admitted its hodgepodge of hearsay was insufficient when, after the first TCPA hearing, it sought the depositions of Bandin and Babayan. Later, Veracruz must have known that the assertion of Fifth Amendment rights left it without clear and specific evidence because it then sought to compel the witnesses to testify as if they had no Fifth Amendment rights. 2 CR 236-39. When that motion was denied, 2 CR 540-41, Veracruz was empty-handed. Veracruz’s failure to present probative evidence requires the dismissal of the cases, even if this Court indulges Veracruz with negative inferences from the deposition testimony.

CONCLUSION AND PRAYER

The orders denying the TCPA motions to dismiss should be reversed, the claims asserted by Veracruz against the Bandin Parties should be dismissed, and the cases remanded to the 295th District Court for consideration of the attorneys’ fees and sanctions required by the statute.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2018, a true and correct copy of the forgoing document has been served on all counsel of record, by the Electronic Service Provider, if registered, otherwise by email and/or fax.

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CERTIFICATE OF COMPLIANCE

1. This brief complies with the type-volume limitation of Tex. R. App. P. 9.4(i)(2)(B) because it contains 7006 words, excluding the parts of the brief exempted by Tex. R. App. P. 9.4(i)(1).

2. This brief complies with the typeface requirements of Tex. R. App. P. 9.4(e) because it has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in 14 point font.

Dated: November 30, 2018.

/s/ Murray Fogler

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No. 14-18-00752-CV

**IN THE FOURTEENTH COURT OF APPEALS
HOUSTON, TEXAS**

JOSE BANDIN, MONICA BABAYAN AND 18 SHALLOWFORD PL., LLC.
Appellants,

v.

**FREE AND SOVEREIGN STATE OF VERACRUZ DE IGNACIO DE LA
LLAVE,**
Appellee.

On Appeal from the 334th District Court, Harris County, Texas
Trial Court No. 2018-06745, Hon. Steven Kirkland, Presiding

--and--

No. 14-18-00847-CV

**IN THE FOURTEENTH COURT OF APPEALS
HOUSTON, TEXAS**

CW OPERATING COMPANY, INC, ET AL
Appellants,

v.

**FREE AND SOVEREIGN STATE OF VERACRUZ DE IGNACIO DE LA
LLAVE,**
Appellee.

On Appeal from the 295th District Court, Harris County, Texas
Trial Court No. 2018-08341, Hon. Caroline E. Baker, Presiding

APPENDIX

- A. The Bandin Defendants' Motions to Dismiss Under Rule 12(B)(6) and Texas Citizens Participation Act (ANTI-SLAPP)
- B. Plaintiff's Response to the Bandin Defendants' Motion to Dismiss Under Rule 12(B)(6) and the TCPA

APPENDIX A

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FREE AND SOVEREIGN STATE OF	§	CIVIL ACTION NO. 4:18-cv-
VERACRUZ DE IGNACIO DE LA	§	00835
LLAVE	§	
	§	
<i>Plaintiff,</i>	§	
	§	
vs.	§	JURY TRIAL DEMANDED
	§	
CW OPERATING CO., ET AL	§	
<i>Defendants.</i>		

**THE BANDIN DEFENDANTS’ MOTIONS TO DISMISS UNDER RULE
12(B)(6) AND TEXAS CITIZENS’ PARTICIPATION ACT (ANTI-SLAPP)**

Defendants Jose Bandin and Monica Babayan (the “Bandin Defendants”) file these motions to dismiss Plaintiff’s claims, pursuant to Federal Rule of Civil Procedure 12(b)(6) and Chapter 27 of the Texas Civil Practice and Remedies Code, commonly referred to as the Texas Citizens’ Participation Act or “TCPA.”

INTRODUCTION

This case arises out of the alleged corruption and theft of public funds from the government by a public official. Plaintiff contends that Javier Duarte De Ochoa (“Duarte”), when he was the Governor of Veracruz from 2010 to 2016, engaged in a scheme to divert money earmarked for public social programs to a network of sham companies, which in turn, purchased properties in the United States with the allegedly stolen funds. Plaintiff alleges that the Bandin Defendants “conspired with

Duarte and his associates to steal and embezzle, and commit fraud on Plaintiff.”
Pl’s. Compl. at 5. “The purpose of the conspiracy was to move as much money as possible from the State of Veracruz to the United States for the benefit of Mr. Duarte and his family.” *Id.*

These far-fetched allegations—describing a vast international conspiracy—are devoid of any factual detail that show Plaintiff is entitled to relief against the Bandin Defendants. Plaintiff merely alleges a series of conclusory allegations, stacking one inference upon another, without providing any basis for their claims that the Bandin Defendants were actually part of a conspiracy with the former governor of Veracruz to steal government funds. Plaintiff’s claims fail to satisfy the pleading standards of Rule 8 of the Federal Rules of Civil Procedure, as recently articulated by the United States Supreme Court, and should therefore be dismissed under Rule 12(b)(6) for failure to state a claim upon which relief may be granted.

Furthermore, Plaintiff’s poorly pleaded claims are precisely the type of legal action the TCPA is intended to deter. Very little is clear from the tangled web of conclusory allegations in Plaintiff’s petition. But there is one unmistakable common thread—Plaintiff’s claims against the Bandin Defendants implicate constitutionally protected communications relating to a matter of public concern and their right of association. In essence, the Bandin Defendants are being sued because of their alleged association in pursuing real estate investments that Plaintiff contends were

purchased with government funds stolen by a public figure. The Bandin Defendants’ deny these allegations. Because these allegations implicate a matter of public concern and the right of association, the TCPA requires Plaintiff to demonstrate a “clear and specific” basis for its allegations before its claims may proceed.

I. RULE 12(B)(6) MOTION TO DISMISS.

Rule 12(b)(6) allows dismissal if a plaintiff fails “to state a claim upon which relief can be granted.” FED. R. CIV. P. 12(b)(6). Over the last decade, the Supreme Court has clarified the standard by which a complaint is evaluated when determining whether it satisfies Rule 8’s requirement of a “short and plain statement of the claim showing that the pleader is entitled to relief.” *Id.* 8(a)(2); *Ashcroft v. Iqbal*, 129 S.Ct. 1937, 1949-52 (2009); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 554-63 (2007).

In order to survive a motion to dismiss under Rule 12(b)(6), a complaint must provide some factual basis for the inference that the defendant is liable for the misconduct alleged. *Ashcroft*, 129 S.Ct. at 1949. Labels, conclusions, or mere recitations of the elements of a cause of action do not satisfy Rules 8 or 12(b)(6). *Id.*; *Twombly*, 550 U.S. at 555-56. To sufficiently plead a claim, the face of the complaint must contain enough factual allegations to suggest that the right to relief is more than just speculative. *Id.*; *see also Lexington Ins. Co. v. S.H.R.M. Catering Servs., Inc.*, 567 F.3d 182, 184 (5th Cir. 2009). As the Supreme Court explained, “the pleading standard Rule 8 announces does not require ‘detailed factual

allegations,’ but it demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation.” *Iqbal*, 129 S.Ct. at 1949 (citing *Twombly*, 550 U.S. at 555).

While a court must generally accept as true all factual allegations contained in a complaint, only well-pled allegations of fact are entitled to the assumption of truth. *Ashcroft*, 129 S.Ct. at 1949; *Baker v. Putnal*, 75 F.3d 190, 196 (5th Cir. 1996). “[C]onclusory allegations or legal conclusions masquerading as factual conclusions” are not assumed to be true and “will not suffice to prevent a motion to dismiss.” *Fernandez-Montes v. Allied Pilots Ass’n*, 987 F.2d 278, 284 (5th Cir. 1993).

A. Plaintiff’s Claims Against the Bandin Defendants Fail to State a Claim Upon Which Relief May Be Granted.

Plaintiff alleges that the Bandin Defendants “conspired with Javier Duarte to steal government funds from the State of Veracruz.” Pl.’s Compl. at 2. This bare assertion is the totality of Plaintiff’s allegations against the Bandin Defendants. Plaintiff fails to plead any facts to support its assertion that the Bandin Defendants were involved in such a conspiracy or caused Plaintiff any injury.

Specifically, Plaintiff fails to provide factual support for numerous assumptions that Plaintiff’s claims rely upon, including without limitation, how Duarte orchestrated his scheme to divert public monies to sham companies, or how the Bandin Defendants are involved in such a conspiracy. Plaintiff fails to explain what, if anything, the Bandin Defendants did wrong, or how their alleged wrongful

acts caused Plaintiff any harm. The Bandin Defendants are lumped together with Duarte as a bad actor, but there is no explanation of how they are linked to Duarte.

To compound matters, Plaintiff has alleged no factual basis to support its claims that money was stolen from the state of Veracruz by Duarte; nor has it alleged any factual basis to support its claim that stolen funds were diverted to banks in the United States. And Plaintiff's complaint is entirely silent on the Bandin Defendants' alleged role in this conspiracy. Plaintiff's allegations against are precisely the "bare assertions" that amount to "nothing more than a formulaic recitation of the elements." *Twombly*, 550 U.S. at 555-57.

Plaintiff's claims must therefore be dismissed. As the Supreme Court explained, a case like this one, alleging a vast international conspiracy, is the precise type of case in which a district court may "insist upon some specificity in pleading before allowing a potentially massive factual controversy to proceed." *Twombly*, 550 U.S. at 558 (internal citations omitted). It is appropriate for this Court to consider the expense of proceeding to discovery when, as here, the factual allegations in the complaint are insufficient to lead to a plausible inference that a defendant may be liable. *Id.* at 557-58. Given the likely expense of discovery, the conclusory allegations contained in the Plaintiff's complaint, and its inability to specify facts upon which their claims rest, Plaintiff's claims should be dismissed.

II. TCPA MOTION TO DISMISS.

Recognizing that the legal system can be used as a hammer to threaten those who would otherwise freely exercise their constitutional rights, the Texas legislature enacted the TCPA to protect the rights to petition, speak freely, and associate freely by permitting early dismissal of unmeritorious lawsuits that impact those rights. TEX. CIV. PRAC. & REM. CODE §§ 27.001-.011. To protect these important rights, the TCPA is to be “construed *liberally* to effectuate its purpose and intent *fully*.” *Id.* § 27.011(b) (emphasis added).

The TCPA is routinely applied as Texas substantive law to state-law claims proceeding in federal courts. *See, e.g., Cuba v. Pylant*, 814 F.3d 701, 706 n.6 (5th Cir. 2016) (citing *Henry v. Lake Charles Am. Press, L.L.C.*, 566 F.3d 164, 169 (5th Cir. 2009)); *Lamons Gasket Co. v. Flexitallic L.P.*, 9 F.Supp.3d 709, 711 (S.D. Tex. 2014).

The TCPA provides that “[i]f a legal action is based on, relates to, or is in response to a party’s exercise of the right of free speech, right to petition, or right of association, that party may file a motion to dismiss the legal action.” *Id.* § 27.003. The filing of a motion under the TCPA initiates a two-step procedure to determine whether the lawsuit should be dismissed.

First, the movant has the initial burden of showing by a preponderance of the evidence that the TCPA applies. *Coleman*, 512 S.W.3d at 898 (quoting § 27.005(b)).

If the movant meets that burden, the trial court must dismiss the claims unless the responding party points to “clear and specific evidence” that establishes a prima facie case for each essential element of its claim. *In re Lipsky*, 460 S.W.3d 579, 586-87 (Tex. 2015) (quoting § 27.005(c)).

A. The TCPA Applies to this Case.

The TCPA defines “exercise of the right of free speech” as “a communication made in connection with a matter of public concern.” TEX. CIV. PRAC. & REM. CODE § 27.001(3). A “communication” includes “the making or submitting of a statement or document in any form or medium, including oral, visual, written, audiovisual, or electronic.” *Id.* § 27.001(1). A “matter of public concern” includes “an issue related to: (A) health or safety; (B) environmental, economic, or community well-being; (C) the government; (D) a public official or public figure; or (E) a good, product, or service in the marketplace.” *Id.* § 27.001(7).

Plaintiff’s claims implicate four of these criteria—though only one needs to be satisfied for the TCPA to apply—because they relate to: (1) health or safety, (2) environmental, economic, or community well-being, (3) the government, and (4) a public official or public figure. Indeed, Plaintiff’s petition explicitly details how this lawsuit affects a matter of public concern by alleging that “hundreds of millions of dollars earmarked for social programs were diverted” by Duarte, a public figure, and

the “money stolen by Duarte rightfully belongs to the people of the State of Veracruz.” Pl.’s Pet. at 2. Plaintiff’s allegations go directly to the heart of the TCPA.

The communications made in connection with these matters of public concern are the numerous documents filed in the public record relating properties at issue and the entities that own such properties, including but not limited to the deeds, land records, taxation and appraisal information, and ownership and formation documents. Because Plaintiff contends that the “funds used to purchase these propert[ies] were stolen from Veracruz,” *see* Pl’s. Pet. at 2, these communications—*i.e.*, the land and ownership records—relate to a matter of public concern.

Furthermore, Plaintiff’s allegations implicate the Bandin Defendants’ right of association. The TCPA defines “[e]xercise of the right of association” as “a communication between individuals who join together to collectively express, promote, pursue, or defend common interests.” TEX. CIV. PRAC. & REM. CODE § 27.001(2). The Bandin Defendants filed numerous documents in the public record for the collective purpose of furthering and developing their common interests in acquiring and investing in real estate. Thus, Plaintiff’s allegations relate to the Bandin Defendants’ right of association, and the TCPA applies.

B. Plaintiff Cannot Present Clear and Specific Evidence to Support a Prima Facie Case for Each Element of Their Causes of Action.

Because the Bandin Defendants have established the TCPA applies to this case, the burden shifts to Plaintiff to establish by “clear and specific evidence a prima

facie case for each essential element of” Plaintiff’s causes of action, including conversion, theft liability act, constructive trust, civil conspiracy, joint and several liability, and Texas Penal Code section 31.03(e)(7). *Id.* § 27.005(c). Plaintiff cannot satisfy its heavy burden.

“Prima facie evidence is evidence that, until its effect is overcome by other evidence, will suffice as proof of a fact in issue. In other words, a prima facie case is one that will entitle a party to recover if no evidence to the contrary is offered by the opposite party.” *Rehak Creative Servs., Inc. v. Witt*, 404 S.W.3d 716, 725 (Tex. App.—Houston [14th Dist.] 2013, pet. denied), *disapproved on other grounds by Lipsky*, 460 S.W.3d at 587. The Texas Supreme Court has defined “clear” as “free from doubt,” “sure,” or “unambiguous,” while “specific” is understood to mean “explicit” or “relating to a particular named thing.” *Lipsky*, 460 S.W.3d at 590. Plaintiff cannot satisfy this burden for any of elements of any of the causes of action alleged against the Bandin Defendants. These claims must therefore be dismissed.

C. The Bandin Defendants are Entitled to Fees and Sanctions.

Upon dismissing Plaintiff’s claims, the Court “shall award” the Bandin Defendants fees and sanctions. TEX. CIV. PRAC. & REM. CODE § 27.009(e).

CONCLUSION & PRAYER

The Bandin Defendants request that (1) the Court dismiss Plaintiff’s claims, pursuant to Rule 12(b)(6); (2) alternatively, the Court stay all discovery until the

Court has ruled on this motion as required by TEX. CIV. PRAC. & REM. CODE § 27.003(c); (3) set a hearing on the motion within 60 days as required by § 27.004(a); (4) grant their motion to dismiss pursuant to § 27.005(b); (5) award attorneys' fees, sanctions, and costs of court to them as mandated by § 27.009(a); and (6) grant such other and further relief to which they may be entitled.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2018, a true and correct copy of the forgoing document has been served on all counsel of record, listed below, by the Electronic Service Provider, if registered, otherwise by email and/or fax.

/s/ Murray Fogler

MURRAY FOGLER

APPENDIX B

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

FREE AND SOVEREIGN STATE OF
VERACRUZ DE IGNACIO DE LA LLAVE,

Plaintiff,

VS.

CW OPERATING CO., INC., *et al.*,
Defendants.

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Civil Action No. 4:18-CV-00835

**PLAINTIFF'S RESPONSE TO THE BANDIN DEFENDANTS' MOTION
TO DISMISS UNDER RULE 12(B)(6) AND THE TCPA**

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

FREE AND SOVEREIGN STATE OF
VERACRUZ DE IGNACIO DE LA LLAVE,

Plaintiff,

VS.

CW OPERATING CO., INC., *et al.*,
Defendants.

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Civil Action No. 4:18-CV-00835

**PLAINTIFF’S RESPONSE TO THE BANDIN
DEFENDANTS’ MOTION TO DISMISS UNDER RULE 12(B)(6) AND THE TCPA**

Plaintiff files this response to Defendants’ motion to dismiss pursuant to FRCP 12(b)(6) and Chapter 27 of the CPRC (“TCPA”). In support thereof, Plaintiff respectfully shows the following:

1. This Case Should be Remanded; Alternatively, Motion for Severance of Interpleader claims.

This case was removed based upon federal question jurisdiction (the Edge Act); however, after removal, Plaintiff filed a motion to dismiss the removing party without prejudice and for remand (Doc 6). Plaintiff’s motion to dismiss was granted. (Doc 8). Accordingly, any basis for removal was dissolved. More importantly, Plaintiff filed a motion to remand that not a single party filed a response to. Pursuant to Local Rule LR7.4, a failure to respond will be taken as a representation of no opposition. As no party opposes remand, this case should be remanded back to state court for the remaining parties. Such a ruling would moot the remaining issues and the balance of the arguments presently before the Court. However, in an abundance of caution, Plaintiff also requests that this Court sever the interpleader actions from Plaintiff’s claims against

the remaining parties – Javier Duarte, Jose Bandin, Monica Babayan, and CW Operating – pursuant to FRCP 21.

Courts apply the same standards to analyze claims for which severance or separate trials have been requested. Courts conduct this analysis based on the following factors: (1) whether the claims arise out of the same transaction or occurrence; (2) whether the posture of discovery as to the respective claims suggests that they should not be tried jointly; (3) whether the claims present common questions of fact or law; (4) whether the claims will require testimony of different witnesses and documentary proof; and (5) the prejudice to either party in the event separate trials are ordered. *See Williams v. Transport Service Co. of Ill.*, 2008 WL 2002283, *2 (E.D.La. May 7, 2008) (applying factors in context of Rule 21 severance motion). Rule 21 severances are reviewed for abuse of discretion. *Brunet v. United Gas Pipeline Co.*, 15 F.3d 500, 505 (5th Cir.1994).

The interpleader actions presently before this Court are separate and distinct from the theft claims pending against the other defendants. The interpleader actions involve parties who are simply holding stolen funds.¹ The theft claims are against the parties that actually stole the funds – Javier Duarte, Jose Bandin, and Monica Babayan. Obviously, a bank having custody of stolen funds is radically different than individual actors participating in the theft of those funds. For one, there is no allegation of wrong doing in the interpleader claims. In the theft claims, there obviously is the allegation of wrong doing. These two different fact patters and claims will involve vastly different offers of proof, different evidence, different witnesses, and different experts. The discovery for these different types of claims will also diverge – for the theft claims, the Plaintiff will put on evidence that a fraudulent scheme or theft occurred – likely in Mexico – and then through additional fraudulent conduct that money was moved into the United States (via

¹ Based on Plaintiff's current information.

Houston) and used to make deposits into banks (among other things). For the interpleader claims, there will likely not be any discovery conducted – the money is in the registry of the Court already. Importantly, no party will suffer any prejudice because of severance – in fact, severance would likely benefit the parties that filed interpleader actions – the banks and CW Operating. For one, they would no longer be parties to litigation that will likely involve mass amounts of discovery and motion practice. Nevertheless, this case is ripe for remand, and this Court should send this action back to state court. However, in the event remand does not occur, Plaintiff addresses Defendants’ other arguments below.

2. Factual Summary.

Javier Duarte was the Governor of the Mexican state of Veracruz from 2010 to 2016. Prior to that, Mr. Duarte was a congressman representing the Veracruz area. During this time, he and his co-conspirators stole billions of dollars from the State of Veracruz through various methods of graft. Once stolen, the stolen funds were sent north to banks in the Houston area. Once here, the cash was used to buy real estate and make other investments. Some of the cash was sent overseas. Over time, the Mexican media began to notice the spending habits and the financial irregularities of Mr. Duarte and his associates. As these controversies surrounding his office mounted, Mr. Duarte fled Mexico and was later indicted. Mr. Duarte became a fugitive from the law. He was eventually captured in Guatemala and extradited back to Mexico. He currently awaits trial for his financial misdeeds in Veracruz. Mr. Duarte’s wife was also recently arrested – in London – for these same crimes. After much investigative work, the Mexican authorities have revealed a global conspiracy spanning several continents that was based in Houston and used to steal Veracruz’s wealth.² Mexico’s investigation has revealed that two close Duarte associates, Jose Bandin and his wife, Monica Babayan, participated in and were the

² Exhibit 1: Declaration of Armando Cedas.

beneficiaries of the theft of Veracruz's funds.³ Mr. Bandin was a childhood friend of Mr. Duarte. Tellingly, Bandin and Babayan have since both fled Mexico, and now even the United States, and are both currently reside in Spain. Based on information and belief, Mr. Bandin was recently indicted in Mexico.⁴ It seems highly unlikely that either Defendant will ever appear in a U.S. court or sit for a deposition in the United States for fear of criminal prosecution. Nevertheless, during Mr. Duarte's time in office, both Mr. Bandin and Ms. Babayan purchased numerous properties and created a slew of corporate entities in which to purchase and own them – some of which are provided below. They also deposited funds in Houston area banks. Defendants' acquisitions perfectly correspond with Mr. Duarte's time in office as Governor – it began in 2010 and concluded in 2016.⁵ Each of the purchase and formation dates comport with this time table. By way of example, during this time period, the Defendants either together or individually purchased at least the following Texas properties⁶:

- 83 West Jagged Ridge, The Woodlands, TX 77389;
- 87 West Jagged Ridge, The Woodlands, TX 77389;
- 175 W. New Harmony, The Woodlands, TX 77389;
- 18 Griffin Hill, Spring, TX 77382;
- 138 Bryce Branch Circle, The Woodlands, TX 77382;
- 43 N. Spinning Wheel, Spring, TX 77382;
- 8350 Ashlane Way, Suite 3, The Woodlands, TX 77382;

³ Exhibit 1: Declaration of Armando Cedas; Exhibit 2: Statement of investigation of Veracruz; Exhibit 3: Indictment of Bandin.

⁴ Exhibit 3: Indictment of Bandin. Obviously, Mexico's judicial system does not mirror the United States, and so the term 'indictment' does not have a direct corollary in Mexico, but based on information and belief the closest American counterpart for Exhibit3 is an indictment.

⁵ There were multiple properties purchased during Mr. Duarte's time as congressman that are related to graft and that are the subject of other lawsuits, but such are not a part of the current case.

⁶ Exhibit 4: Property records from the Harris County Appraisal District.

- 8350 Ashlane Way, Suite 4, The Woodlands, TX 77382;
- 8350 Ashlane Way, Suite 8, The Woodlands, TX, 77382;
- 18 Shallowford Place, Tomball TX 77375; and
- 38 Shallowford Place, Tomball, TX 77375.

Moreover, Defendants created or formed these corporate entities in the same time period to purchase and own these properties⁷:

- 18 Shallowford PL, LLC;
- 83 West Jagged Ridge, LLC;
- 87 West Jagged Ridge, LLC;
- 175 W. New Harmony, LLC;
- 18 Griffin Hill, LLC;
- 138 Bryce Branch Circle, LLC;
- 43 Spinning Wheel, LLC; and
- Banba Offices, LLC.

Because of these purchases, and the Defendants' involvement in the theft that afforded these purchases, Defendants are currently facing criminal prosecution in Mexico.⁸ The State of Veracruz, facing massive budgetary shortfalls, employed the undersigned to obtain these stolen funds back from Defendants.

**3. Response to Defendants' Motion to Dismiss Pursuant to FRCP 12(b)6;
Alternatively, Motion for Leave to Amend.**

Defendant moves to dismiss based on Federal Rule of Civil Procedure 12(b)(6). A Rule 12(b)(6) motion to dismiss argues that, irrespective of jurisdiction, the complaint fails to assert

⁷ Exhibit 5: Corporate formation documents from the Texas Secretary of State.

⁸ Exhibit 1: Declaration of Cedas; Exhibit 2, Statement of investigation from the State of Veracruz, Exhibit 3: Indictment of Bandin.

facts that give rise to legal liability of Defendant. The Federal Rules of Civil Procedure requires that each claim in a complaint include “a short and plain statement...showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2). The claims must include enough factual allegations “to raise a right to relief above the speculative level.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007). Thus, “[t]o survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’ ” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Twombly*, 550 U.S. at 570).

The Court must accept as true all well-pleaded facts contained in Plaintiff's Complaint and view them in the light most favorable to Plaintiff. *Baker v. Putnal*, 75 F.3d 190, 196 (5th Cir. 1996). In deciding a Rule 12(b)(6) motion, “[f]actual allegations must be enough to raise a right to relief above the speculative level.” *Twombly*, 550 U.S. at 555; *Gonzalez v. Kay*, 577 F.3d 600, 603 (5th Cir. 2009). The Supreme Court has further expounded upon the *Twombly* standard, “explaining that ‘[t]o survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.’ ” *Gonzalez*, 577 F.3d at 603 (quoting *Iqbal*, 556 U.S. at 678). “A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Id.* “It follows, that ‘where the well-pleaded facts do not permit the court to infer more than the mere possibility of misconduct, the complaint has alleged—but it has not ‘shown’—‘that the pleader is entitled to relief.’ ” *Id.*

In *Iqbal*, the Supreme Court established a two-step approach for assessing the sufficiency of a complaint in the context of a Rule 12(b)(6) motion. First, the Court identifies conclusory allegations and proceeds to disregard them, for they are “not entitled to the assumption of truth.” *Iqbal*, 556 U.S. at 681. Second, the Court “consider[s] the factual allegations in [the complaint]

to determine if they plausibly suggest an entitlement to relief.” *Id.* “This standard ‘simply calls for enough facts to raise a reasonable expectation that discovery will reveal evidence of’ the necessary claims or elements.” *Morgan v. Hubert*, 335 Fed.Appx. 466, 470 (5th Cir. 2009). This evaluation will “be a context-specific task that requires the reviewing court to draw on its judicial experience and common sense.” *Iqbal*, 556 U.S. at 679.

In the instant case, Plaintiff pled the following in its original petition in state court:

Mr. Duarte orchestrated a scheme in which hundreds of millions of dollars earmarked for social programs were diverted to an elaborate network of phantom companies – among other misdeeds. Indeed, he is alleged to have absconded with nearly \$3 billion of his state’s money. This stolen money was used to make investments and purchase luxury homes and cars all over the United States...

*Each of the Defendants named conspired with Javier Duarte to steal government funds from the State of Veracruz. Defendant Jose A. Bandin, who is married to Defendant Monica Babayan, has very close ties to Javier Duarte.*⁹

In other words, Plaintiff alleged that Duarte and the Bandin Defendants conspired to divert money away from social programs in Veracruz and into their personal coffers. Importantly, Plaintiff pled from where the money was stolen (Veracruz based social programs), how it was stolen (diverted money sent to recently created phantom companies), and where it went (used to purchase property in the United States and deposited in U.S. banks). Importantly, in the petition Plaintiff also provides the locations of the stolen funds – BBVA and Wells Fargo. As this Court is aware, those banks have since interpled those funds.

Furthermore, the evidence submitted with this response (which is responsive to the Anti-SLAPP motion, as well) perfectly corresponds with Plaintiff’s allegations. Defendants set up phantom companies that they controlled, and used these companies to purchase real estate across Texas. Plaintiff not only pled specifically what Defendants

⁹ Plaintiff’s Original Petition.

stole, how they stole it, and where the money went (BBVA and Wells Fargo), but Plaintiff submitted proof of the phantom companies and the related real estate purchases. Similarly, Plaintiff pled how Defendant stole the money – diverting public funds for social programs via graft. Such is more than enough facts to state a claim to relief that is plausible on its face. And Plaintiff’s petition contains much more than ‘bare assertions’ as Defendants argue. Plaintiff clearly alleged theft and conspiracy against these defendants. Defendants’ argument seems to suggest that Plaintiff is required to prove its entire claim at the pleading stage (“how Duarte orchestrated his scheme...how the Bandin Defendants are involved...”). Such is obviously wrong. Plaintiff is not required to marshal its evidence, or provide evidence for all of its allegations, and certainly is not required to do so when it drafts its petition. Defendants argue for a standard that does not exist.

Obviously, Plaintiff’s claims are claims upon which relief can be granted – theft; similarly, Plaintiff’s pleadings provide this Court with the reasonable expectation that discovery will reveal evidence of the necessary claims or elements. Plaintiff has provided Defendants with much more than a plausible inference that a defendant may be liable for stealing. Defendants’ motion should be denied.

In the event that this Court gives credence to any of Defendants’ arguments, Plaintiff requests leave to amend its complaint.

4. Response to Defendants’ Anti-SLAPP Motion.

a. Relevant law.

Chapter 27, also known as the Texas Citizens Participation Act, is an Anti-SLAPP statute. *See In re Lipsky*, 411 S.W.3d 530, 536 n. 1 (Tex.App.—Fort Worth 2013, orig.

proceeding) (“*Lipsky I*”), mand. denied, 460 S.W.3d 579 (Tex.2015) (“*Lipsky II*”). “SLAPP” is an acronym for “Strategic Lawsuits Against Public Participation.” *Id.* The purpose of the Act is “to encourage and safeguard the constitutional rights of persons to petition, speak freely, associate freely, and otherwise participate in government to the maximum extent permitted by law and, at the same time, protect the rights of a person to file meritorious lawsuits for demonstrable injury.” Tex. Civ. Prac. & Rem.Code § 27.002.

The Act provides a mechanism for early dismissal of suits based on a party's exercise of the right of free speech, the right to petition, or the right of association. *Id.* § 27.003. Section 27.003 allows a litigant to seek dismissal of a “legal action” that is “based on, relates to, or is in response to a party's exercise of the right of free speech, right to petition, or right of association.” *Id.* § 27.003(a).

The Act imposes the initial burden on the movant to establish by a preponderance of the evidence “that the legal action is based on, relates to, or is in response to the party's exercise of ... the right to petition.” *Id.* § 27.005(b). The Act then shifts the burden to the non-movant, allowing the non-movant to avoid dismissal only by “establish[ing] by clear and specific evidence of a prima facie case for each essential element of the claim in question.” *Id.* § 27.005(c). When determining whether to dismiss the legal action, the court must consider “the pleadings and supporting and opposing affidavits stating the facts on which the liability or defense is based.” *Id.* § 27.006(a). The court may allow specified and limited discovery relevant to the motion on a showing of good cause, but otherwise all discovery in the legal action is suspended until the court has ruled on the motion to dismiss. *Id.* §§ 27.003, .006(b).

b. Anti-SLAPP statute simply does not apply to this case.

In the instant case, Defendants' anti-SLAPP motion is a complete perversion of the intended purpose of the law. As an initial matter, Defendants are claiming its protections for Mexican citizens that have fled to Spain (under indictment), where they currently reside. To argue that Plaintiff is somehow infringing upon Defendants' first amendment rights, when Defendants are neither citizens of this country, nor even residing here, borders on the frivolous. Indeed, these facts likely end any inquiry into the applicability of this law for Defendants.

However, laying that aside, even assuming the Defendants can utilize the law's protections, the law is only intended to protect citizens who petition or speak on matters of public concern from retaliatory lawsuits that seek to intimidate or silence them. TEX. CIV. PRAC. & REM. CODE §§ 27.001–.011. The Anti-SLAPP statute defines the “exercise of the right of free speech” as “a communication made in connection with a matter of public concern.” See Tex. Civ. Prac. & Rem.Code § 27.001(3). A “communication” includes “the making or submitting of a statement or document in any form or medium, including oral, visual, written, audiovisual, or electronic.” *Id.* § 27.001(1). A “matter of public concern” includes an issue related to “(A) health or safety; (B) environmental, economic, or community well-being; (C) the government; (D) a public official or public figure; or (E) a good, product, or service in the marketplace.” *Id.* § 27.001(7).

Defendants cannot point to a single legitimate instance in which they have made some statement from which Plaintiff is trying to silence or intimidate them. In this case, Plaintiff claims that Defendants stole Plaintiff's property – this has no relation to Defendant's First Amendment rights. Defendants' argument perverts the SLAPP statute. Instead of claiming that Plaintiff's suit is “based on, relates to, or is in response to” Defendants' “exercise of the

right of free speech, right to petition, or right of association,” – as is required under this exact language of the statute – Defendants contend that the practical *effect* of Plaintiff’s lawsuit is an infringement on those rights. If the Texas Legislature and the Texas courts interpreting this statute wished for the statute to cover claims that *caused* possible infringement of a person’s rights of free speech, to petition or associate, they would have said so. However, the statute does not say that, and no court has ever said that. Defendants’ motion is frivolous and should be dismissed.

Similarly, Defendants cannot point to a single petition or act of public concern for which they are being retaliated against or intimidated. It would be one thing if Defendants were some of the journalists that stood up to the graft and cronyism involving Duarte in Veracruz, and then got sued for defamation, or even if Defendants had stood up to the current administration and were now arguing that they are being sued in response to that, but such is not the case. Defendants do not fall into any of those categories. Defendants conspired with Governor Duarte to steal Veracruz’s funds, and then stole Veracruz’s money in conjunction with Duarte. Defendants stole money that was intended for social programs. Further, based upon information and belief, Defendant Bandin is under indictment in Mexico.¹⁰ With this stolen money, Defendants opened bank accounts and purchased real estate across the Houston area, and across Texas. Plaintiff Veracruz filed suit against Defendants to recoup these monies and property. Defendants’ argument that it is being silenced or intimidated somehow because Plaintiff attempts to recoup monies stolen from it is nonsensical. If such were the case, then every thief would be able to argue they were being intimidated and silenced by their accuser. Such was not the

¹⁰ Exhibit 3: Indictment of Bandin.

purpose of the Anti-SLAPP statute, and this Court should reject Defendants' attempt to make it so.

Moreover, the private purchase of real estate is clearly not a matter of 'public concern.' Defendants are attempting to argue that the filing of property deeds in private real estate transactions, and the ability to invest stolen funds in private real estate transactions, are the communications that need to be protected. However, it has been held multiple times that statements made in the context of private business disputes do not constitute speech related to a matter of public concern under the TCPA. *See Brugger v. Swinford*, No. 14-16-00069-CV, 2016 WL 4444036, at *3 (Tex. App.–Houston [14th Dist.] Aug. 23, 2016, no pet.) (mem. op.) (lawyer's allegedly defamatory statements to shareholders about a corporate officer were made in course of dispute between the shareholders and corporation, and were not communications in connection with a matter of public concern); *Lahijani v. Melifera Partners, LLC*, No. 01-14-01025-CV, 2015 WL 6692197, at *4 (Tex. App.–Houston [1st Dist.] Nov. 3, 2015, no pet.) (mem. op.) (statements critical of real estate agent with respect to commission and sharing of expenses in real estate joint venture did not relate to a "service in the marketplace," but were limited to the private business dispute, and were therefore not made in connection with a matter of public concern under the TCPA); *I-10 Colony, Inc. v. Lee*, Nos. 01-14-00465-CV & 01-14-00718-CV, 2015 WL 1869467, at *5 (Tex. App.–Houston [1st Dist.] Apr. 23, 2015, no pet.) (mem. op.) (fraud claim was not based on communications about lawyer's services in the marketplace, but on allegation that defendant lawyer fraudulently represented to plaintiff that the lawyer would comply with a previous judgment; therefore, TCPA did not apply). Importantly, Plaintiff is not trying to stop Defendants from making any statement or associating with any person or activity. Plaintiff is not attempting to stop Defendants from investing in real estate.

Plaintiff is only trying to recover monies that were stolen from the state. Defendants' argument is flimsy, and requires both verbal contortions and tortured logic to apply the TCPA to this situation. The reality is that the TCPA does not apply to Defendants.

Defendants have fallen well short of their burden to demonstrate the applicability of the TCPA. Plaintiff's suit's intent is simply to recover money that was stolen by Defendants, not to restrict Defendants first amendment rights (to the extent they have any). If Defendant's argument is correct, then no theft or embezzlement case could ever proceed until the Plaintiff proved a prima facie case before filing – without the benefit of discovery. Such is not and cannot be the rule. Defendant's motion has no merit and should be denied.

c. Plaintiff's Prima Facie Case.

In the unlikely event that this Court determines the TCPA does apply, Plaintiff provides the following demonstration of a prima facie case. A prima facie standard generally “requires only the minimum quantum of evidence necessary to support a rational inference that the allegation of fact is true.” *In re E.I. DuPont de Nemours & Co.*, 136 S.W.3d 218, 223 (Tex.2004) (orig.proceeding) (internal quotation marks and citation omitted); see, e.g., *Newspaper Holdings, Inc. v. Crazy Hotel Assisted Living, Ltd.*, 416 S.W.3d 71, 80 (Tex.App.—Houston [1st Dist.] 2013, pet. denied) (applying standard in Chapter 27 case and explaining that Legislature's use of “prima facie case” implies imposition of minimal factual burden). “Prima facie evidence is evidence that, until its effect is overcome by other evidence, will suffice as proof of a fact in issue. In other words, a prima facie case is one that will entitle a party to recover if no evidence to the contrary is offered by the opposite party.” *Rehak*, 404 S.W.3d at 726 (citation omitted); *cf. Kerlin v. Arias*, 274 S.W.3d 666, 668 (Tex.2008) (per curiam) (explaining that summary-judgment movant's presentation of prima facie evidence of deed's validity established his right to

summary judgment unless non-movants presented evidence raising fact issue related to validity). “Conclusory statements are not probative and accordingly will not suffice to establish a prima facie case.” *Better Bus. Bureau of Metro. Houston, Inc. v. John Moore Servs., Inc.*, 441 S.W.3d 345, 355 (Tex.App.—Houston [1st Dist.] 2013, pet. denied) (citing *In re E.I. DuPont*, 136 S.W.3d at 223–34); *see also Lipsky II*, 460 S.W.3d at 592 (explaining that “bare, baseless opinions” are not “a sufficient substitute for the clear and specific evidence required to establish a prima facie case” under the Act).

The Act does not define “clear and specific” evidence; consequently, Texas courts have given these terms their ordinary meaning. *See TGS–NOPEC Geophysical Co. v. Combs*, 340 S.W.3d 432, 439 (Tex.2011). “Clear” means “free from doubt,” “sure,” or “unambiguous.” *Black’s Law Dictionary* 307 (10th ed.2014); *Lipsky II*, 460 S.W.3d at 590 (approving this definition of “clear”); *see also Webster’s Third New Int’l Dictionary* 419 (2002) (“easily understood,” “without obscurity or ambiguity,” “easy to perceive or determine with certainty”). “Specific” means “explicit” or “relating to a particular named thing.” *Black’s Law Dictionary*, at 1616; *Lipsky II*, 460 S.W.3d at 590 (approving this definition of “specific”); *see also Webster’s Third New Int’l Dictionary*, at 2187 (“being peculiar to the thing or relation in question,” “characterized by precise formulation or accurate restriction,” or “free from such ambiguity as results from careless lack of precision or from omission of pertinent matter”). Texas courts have concluded that the term “clear and specific evidence” refers to the quality of evidence required to establish a prima facie case, while the term “prima facie case” refers to the amount of evidence required to satisfy the non-movant’s minimal factual burden. *See Combined Law Enforcement Ass’n of Tex. v. Sheffield*, No. 03–13–00105–CV, 2014 WL 411672, at *10 (Tex.App.—Austin Jan. 31, 2014, pet. denied) (mem.op.).

Thus, if this Court determines that Defendants carried their initial burden to prove that the Plaintiff's claims are covered by the TCPA, the Court must then determine whether the Plaintiff marshaled the minimum quantum of "clear and specific evidence" necessary to support a rational inference establishing each essential element of the claims. Unlike Defendants' argument, Plaintiff's burden is not a heavy one. In fact, Plaintiff is only required to put forth evidence that supports an inference that its claims have merit. Plaintiff can easily do so. Plaintiff provides this Court with sworn declarations from the Mexican special prosecutor overseeing this investigation that provides the money at issue belonged to Veracruz, how it was stolen, who stole it, how much was stolen, and where the funds went. Moreover, Plaintiff hired an ex-FBI agent who provides sworn testimony that corroborates the testimony of Mexico's special prosecutor. Also, Plaintiff provides multiple newspaper articles published by the Mexican press which provide context and additional information about the crimes of Defendants Bandin, Babayan, and Duarte.¹¹

i. Conversion

In the instant case, Plaintiff provides sworn declarations from both the General Legal Director for the Ministry of Veracruz (special prosecutor) Armando Cedas in Mexico. Mr. Cedas involved with the investigation and prosecution of these Defendants, along with an ex-FBI agent, James Ellis, who hired to further investigate these crimes in the United States by Plaintiff.¹² Each provide that these Defendants diverted state money intended for social programs into their personal coffers, and then sent those funds to Houston, where it was deposited in banks and used to purchase real estate. Along with these affidavits, Plaintiff provides information on some of the properties in question that were purchased by Defendants

¹¹ Exhibit 7: Articles in the Mexican press regarding Defendants.

¹² Exhibit 1: Declaration of Cedas; Exhibit 6: Declarations from James K. Ellis.

during Duarte's term in office.¹³ Although the properties listed are not part of this lawsuit (those claims and parties are pending in a different state court case in Harris County), the information involving those properties is instructive for Defendants' crimes. Moreover, each of the corporate entities in question was formed by Defendants during Duarte's term in office.¹⁴ Additionally, Plaintiff provides this Court that Defendants are currently under investigation in Mexico for these crimes, and that Bandin has been indicted.¹⁵ Such has been provided in Plaintiff's petition, as well.¹⁶

To prove conversion, Plaintiff must show that it owned the funds in question, Defendants took control over these funds, and that Plaintiff suffered injury. Each of these elements is easily met with the affidavits provided and the property records submitted. Moreover, the funds in question are now in the form of the properties listed, or the bank accounts identified. The funds originally belonged to Veracruz, and Defendants stole them.¹⁷ After stealing them, the funds were sent north to the US, where they were invested and spent. Some of those funds are before this Court.

ii. Theft Liability Act/ Texas Penal Code 31.03(e)(7)

Much like conversion, the Texas Theft Liability Act and Texas Penal Code 31 provide the following elements: Plaintiff had a possessory right to the property, Defendant unlawfully stole the Plaintiff's property, the taking was made with the intent to deprive the Plaintiff of the property, and the Plaintiff sustained damages as a result. Plaintiff re-incorporates the same proof as instituted above. Defendants stole the funds of Veracruz.¹⁸ Duarte was arrested for such.

¹³ Exhibit 4: Property records.

¹⁴ Exhibit 5: Corporate formation documents.

¹⁵ Exhibit 3: Indictment of Bandin.

¹⁶ Plaintiff's original petition.

¹⁷ Exhibit 1: Declaration of Cedas

¹⁸ Exhibit 1: Declaration of Cedas; Exhibit 6: Declarations from James K. Ellis.

Defendants are under investigation for these crimes, including Bandin who was indicted. Based upon information and belief, Defendants fled to Spain after the investigation was initiated and remain there currently. Plaintiff easily meets the elements of the Texas Theft Liability Act.

iii. Constructive Trust

A party seeking to impose a constructive trust must establish (1) breach of a special trust or fiduciary relationship or actual or constructive fraud, (2) unjust enrichment of the wrongdoer, and (3) an identifiable res that can be traced back to the original property. *KCM Fin. LLC v. Bradshaw*, 457 S.W.3d 70, 87 (Tex.2015). Plaintiff re-incorporates all evidence previously provided; Mr. Duarte had a special, fiduciary relationship with the State of Veracruz, and he and Defendants Bandin and Babayan used that special relationship to steal money for their own benefit. Some of those funds were funneled to purchase real estate – those properties are an identifiable *res* that can be traced back to the original funds of Veracruz.¹⁹ Additionally, the bank accounts in question received those funds. A small fraction of those funds were entered into the registry of this Court. It is clear that Plaintiff can meet each of these elements, as well.

iv. Civil Conspiracy

An actionable civil conspiracy is a combination by two or more persons to accomplish an unlawful purpose or to accomplish a lawful purpose by unlawful means. *Great National Life Insurance Co. v. Chapa*, 377 S.W.2d 632, 635 (Tex.1964); *State v. Standard Oil Co.*, 130 Tex. 313, 107 S.W.2d 550, 559 (1937). The essential elements are: (1) two or more persons; (2) an object to be accomplished; (3) a meeting of minds on the object or course of action; (4) one or more unlawful, overt acts; and (5) damages as the proximate result. 15A C.J.S. Conspiracy § 1(2) (1967). In the current case there are at least two civil conspiracies; one between Bandin and Babayan, and another between Duarte, Bandin and Babayan. For both conspiracies, the unlawful

¹⁹ Exhibit 1: Declaration of Cedas; Exhibit 3: Indictment of Bandin.

act(s) is the theft of Veracruz state funds – for which Duarte and his wife are in custody, and for which both Bandin and Babayan are under investigation in Mexico.²⁰ Moreover, these stolen funds were used to purchase the properties previously identified and deposit the funds in the accounts in question.²¹ Plaintiff can easily meet these elements, as well.

v. Motion for Leave to Conduct Discovery

Alternatively, pursuant to CPRC 27.006(b), Plaintiff requests leave to conduct discovery on these issues. As this Court is aware, once this motion is filed, discovery is stayed. There is no public way for Plaintiff to discover Defendants' ability to source of the funds that Defendants used to purchase this real estate. Such is obviously relevant information that will be highly pertinent to Plaintiff's case. This limited and specific discovery would provide relevant information to the Court's analysis.

5. Conclusion

Plaintiff filed a motion to remand once the removing party was dismissed from the case. No Defendant filed a response to the motion to remand; as such, those parties are unopposed to remand. This case is ripe to be sent back to state court. Along with this response, Plaintiff moves to sever the interpleader actions from the theft type claims being asserted by Plaintiff. There should be no impediment to remand at this point, and the rest of Defendants' motions should be rendered moot.

Nevertheless, Defendants' motions to dismiss have no merit either way. Plaintiff's petition was sufficiently pled to specifically that Plaintiff's funds were stolen, identify who was stealing the funds in question, how they were being stolen, and what was happening to the funds

²⁰ *Id.*

²¹ Exhibit 6: Declaration of Jim Ellis.

once stolen. Defendants' 12(b)(6) motion should be denied. For similar reasons, Defendant's Anti-SLAPP motion should meet the same fate.

With growing frequency, Defendants file motions to dismiss pursuant to the Anti-SLAPP statute. Many of these motions involve conduct (like this one) that has nothing to do with the infringement of first amendment rights contemplated by the legislature. As this Court is also aware, the purpose of the statute was to protect whistle blowers and the like who were sued by those attempting to shut them up. The instant case is a far cry from the intent of the law. Unfortunately, the real reason these motions get filed is because the strategic advantages of this procedure far outweigh any merit the motion may have. These motions provide movants with an excellent way to cause delay and expense to the other side – Defendants are afforded an automatic interlocutory appeal if their motion is denied. And if their motion is granted, Defendants are necessarily awarded fees and costs. The motion before the Court is a perfect example of the way in which this law has been perverted over the years to fill a strategic need of Defendants. However, Defendants' motion has no merit either way. Defendants claim that statements they are making in private business transactions – filing deeds and associating for real estate investment – are being infringed upon. Unfortunately for Defendants' argument, statements made in private business disputes do not apply for the TCPA. Undeterred by this, Defendants ask that Plaintiff's claims be dismissed upon that basis alone. Defendants do not even address whether foreign nationals who are not currently residing in the United States can even seek the protections of the TCPA – Plaintiff respectfully submits they cannot. Defendants motions should be considered moot or denied, and Plaintiff's case should be remanded back to Harris County state court.

Respectfully submitted,

THE BUZBEE LAW FIRM

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document will be served or has been served on all interested parties in accordance with the Federal Rules of Civil Procedure on the June 27, 2018, Service on E-Filing Users will be automatically accomplished through the Notice of Electronic Filing; non-Filing Users will be served by certified mail, return receipt requested and/or via facsimile

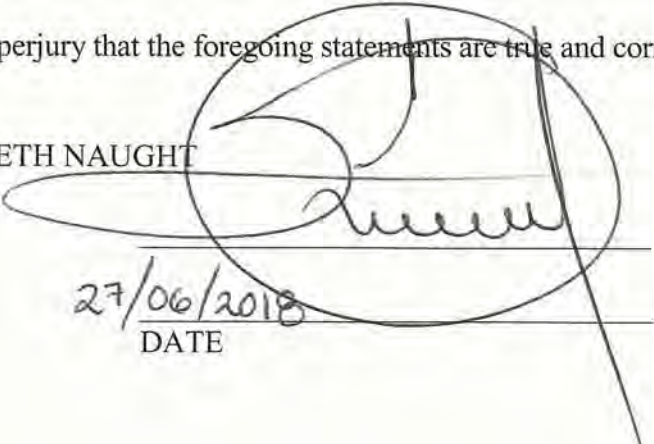
/s/ Christopher J. Leavitt

Christopher J. Leavitt

DECLARATION OF

1. My name is ARMANDO GARCÍA CEDAS. I am over the age of twenty-one, am fully competent to make this declaration pursuant to 28 § 1746 and under the penalty of perjury have personal knowledge of the facts and statements in this declaration, and each of the facts and statements are true and correct.
2. I am the Director General Jurídico de la Secretaría de Gobierno del Estado de Veracruz, for the State of Veracruz. As part of my role, I am involved in the investigation of corruption and graft involving the State of Veracruz. As part of this investigation, Jose Bandin was identified as someone who was part of this corruption and graft. Mr. Bandin was a childhood friend of the ex-Governor Javier Duarte. Monica Babayan is the wife of Jose Bandin.
3. Based upon information and belief, and this State's investigation, it is believed that Mr. Bandin and Mrs. Babayan participated in a conspiracy with Javier Duarte to steal money from the State of Veracruz.
4. The nature of these various conspiracies was to divert monies meant for social programs in the State of Veracruz to Jose Bandin and his wife. Additionally, Mr. Bandin and his wife would set up a series of shell companies to receive these funds. From there, the money was sent to Houston, Texas in the United States. The money was used to buy properties and other investment products in the United States. The amount of money believed to have been stolen by Mr. Bandin and his wife exceeds \$100,000,000. These stolen funds were used to purchase the property in question.
5. Another form of graft was to obtain government contracts for public works from Mr. Duarte's administration. During the duration of the contract, Mr. Bandin and Monica Babayan would overcharge the government for the work being done, or not do the work at all, while diverting these ill-gotten gains for their personal use.
6. These individuals and their various shell companies are under investigation in the State of Veracruz.
7. I declare under penalty of perjury that the foregoing statements are true and correct.

FURTHER DECLARANT SAYETH NAUGHT


27/06/2018
DATE

PLAINTIFF'S
EXHIBIT

1

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SEGOB
ESTADO DE VERACRUZ

VER Gobierno
SECRETARÍA DE GOBIERNO

SG-DGJ/0474/02/2018
Xalapa de Enríquez, Veracruz
14 de febrero de 2018



LIC. JORGE WINCKLER ORTIZ
FISCAL GENERAL DEL ESTADO DE VERACRUZ.
PRESENTE.

El que suscribe LIC. ROGELIO FRANCO CASTÁN, Secretario de Gobierno del Estado de Veracruz, con fundamento en el artículo 32 fracción II del Reglamento Interior de la Secretaría de Gobierno, vengo a solicitar información respecto a denuncias presentadas en contra ciudadanos que hayan participado en actos de corrupción, en relación con ex servidores público de la administración estatal anterior, cuyos nombres son los siguientes:

- 1.- John Castro.
- 2.- Javier Braun Burillo.
- 3.- Emilio Braun Burillo.
- 4.- Marcell Felipe.
- 5.- Ana Castillo.
- 6.- Monica M. Tubilla.
- 7.- José Antonio Bandin.
- 8.- Mónica Babayan.
- 9.- José Mansur Jr.
- 10.- Jaime Reverte.
- 11.- Julio Antimo.
- 12.- Iñaki Negrete.

La misma deberá estar descrita en los siguientes términos:

Carpeta de Investigación	Nombre del Denunciado (s)	Hechos (brevemente)	Denunciante (s)	Monto (s)	Estado que guarda.
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Dada la importancia de la información, solicito respetuosamente que la misma se nos entregue a la brevedad posible.

Sin otro particular reciba un cordial saludo.

ATENTAMENTE

LIC. ROGELIO FRANCO CASTÁN.
SECRETARIO DE GOBIERNO

C.c.p. Archivo y minutarío.
RFC/AGC

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Acuse



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VER Gobierno
SECRETARÍA DE GOBIERNO



SG-DGJ/0473/02/2018
Xalapa de Enríquez, Veracruz
14 de febrero de 2018

LIC. JORGE WINCKLER ORTIZ
FISCAL GENERAL DEL ESTADO DE VERACRUZ.
PRESENTE.

Por instrucciones del LIC. ROGELIO FRANCO CASTÁN, Secretario de Gobierno del Estado de Veracruz, con fundamento en el artículo 32 fracción II del Reglamento Interior de la Secretaría de Gobierno, vengo a solicitar información respecto a denuncias presentadas en contra del representante legal y/o administrador único de las empresas denominadas "fastasmas", así como de los ex servidores públicos que participaron en la contratación de las mismas, las cuales son las siguientes:

- a) CERENE S.A. DE C.V.
- b) INMOBILIARIA MANSUR S.A DE C.V.
- c) M2 CÓRDOBA, S.A DE C.V.
- d) DARAHOU S.A. DE C.V.
- e) M1 MÉXICO S.A. DE C.V.

La misma deberá estar descrita en los siguientes términos:

Carpeta de Investigación	Nombre del Denunciado (s)	Hechos (brevemente)	Denunciante (s)	Monto (s)	Estado que guarda.
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Dada la importancia de la información, solicito respetuosamente que la misma se nos entregue a la brevedad posible.

Sin otro particular reciba un cordial saludo.

ATENTAMENTE

LIC. ROGELIO FRANCO CASTÁN.
SECRETARIO DE GOBIERNO

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**ASUNTO: SE FORMULA DENUNCIA
Y/O QUERELLA SOBRE HECHOS
PROBABLEMENTE DELICTIVOS.**

**MTRO. FERNANDO BASTOS PULIDO
FISCAL DE LA DIRECCIÓN DE INVESTIGACIONES
MINISTERIALES DE LA FISCALÍA GENERAL DE JUSTICIA
EN EL ESTADO DE VERACRUZ.
P R E S E N T E**

Lic. Armando García Cedas, en mi carácter de Director del Jurídico de la Secretaría de Gobierno del Estado de Veracruz, personalidad que acredito con la copia certificada del nombramiento respectivo, la cual anexo al presente, potestad Jurídica que me concede lo previsto en el artículos 32 fracción III del Reglamento Interior de la Secretaría de Gobierno del Estado de Veracruz de Ignacio de la Llave, publicado en la Gaceta Oficial del Estado, el día seis de diciembre del año 2016, a través del número extraordinario 486; señalando como domicilio para oír y recibir toda clase de notificaciones el ubicado en Palacio de Gobierno, Calle Enríquez s/n esquina Leandro Valle, C.P. 91000, Colonia Centro, Xalapa, Veracruz; autorizando para presentar y desahogar cuantos y tantos datos de prueba sean necesarios para demostrar la responsabilidad a quien o quienes se denuncia, siendo los C.C. Lics. Lauro Hugo López Zumaya, Armando García Cedas, Enoch Castelán Enríquez, Lilian Marisol Domínguez Gómez, Edgar Castillo Águila, Aarón Viceñas Prado, Arnulfo Condado Martínez, Heladio Yobal Yobal, José de Jesús Rodríguez Fernández, Raúl Vidal Ramos, profesionistas que se acreditaran en el momento procesal oportuno.

Que mediante el presente libelo vengo a formular **DENUNCIA O QUERELLA POR HECHOS PRESUNTAMENTE DELICTIVOS EN CONTRA DE C. JOSE BANDIN Y/O JOSE BANDIN RUIZ, MONICA BABAYAN Y/O DE QUIEN O**



QUIENES RESULTEN RESPONSABLES, POR EL DELITO DE LAVADO DE DINERO, FRAUDE Y LO QUE RESULTE.

Para ello Señor Director de Investigaciones Ministeriales, en este acto jurídico invoco los artículos 1º, 8º, 14, 16, 17, 18, 19, 20 apartados "A" y "C", 21, de **Nuestra Máxima Ley de Leyes en nuestro País, artículos 52 de la Constitución Estatal en nuestro Estado de Veracruz, numerales 1º, 2º, 3º, 4º, 15, 16, 17, 18, 19, 105, 106, 108, 109, 110, 127, 128, 129, 130, 131, 132, 212, 213, 214, 215, 216, 217, 221, 222, 223, 224, 230, 251, 259, 260, 261, 262, 263, 265, 272**, entre otros del código Nacional de Procedimientos Penales Único de Nuestro País; **artículos 1º, 2º, 3º, 4º, 6º, 9º, 1, 12, 13, 15, 18, 19, 20, 21, del Código Represivo en nuestro Estado de Veracruz**, ante usted y con el debido respeto le manifiesto los siguientes:

H E C H O S:

PRIMERO.- Señor Director de Investigaciones Ministeriales, para comprobar los hechos dolosos que se denuncian, durante la administración estatal en el periodo 2010-2016, se presentó una serie de hechos relativos al uso y desvío de recursos públicos del Gobierno del Estado de Veracruz, actos en los cuales se encuentra involucrado el C. Javier Duarte de Ochoa, ex Gobernador del Estado de Veracruz, en estos hechos se ha señalado la existencia de diversas empresas fantasmas, utilizadas para la contratación de prestación obras, servicios o bienes, que jamás fueron entregados o realizados. Por estos hechos se desviaron muchos recursos pertenecientes a la administración estatal, para esto se utilizó a prestanombres.

Es el caso que dentro de las distintas personas señaladas como responsables de ser prestanombres del C. Javier Duarte de Ochoa, ex Gobernador del Estado de Veracruz, se encuentra el C. José Bandin y/o José Bandin Ruiz, así como Mónica Babayan, ello mediante la utilización de diversas empresas fantasmas.

De estos actos se tiene conocimiento que los recursos públicos desviados a esas empresas fueron trasladados a los Estados Unidos de América.

Cabe señalar que se han presentado diversas denuncias ante la Procuraduría General de la República, debido al tipo delitos y a que fueron desviados recursos de origen federal.

SEGUNDO.- Estos son hechos públicos, por lo que solicito se investiguen dado que es estado a ha sido afectado en sus recursos económicos, al ser utilizados éstos para aspectos de adquisición de diversas propiedades principalmente en Texas, Florida y Nueva York, en el País de Estados Unidos de América.

En aquel país se han localizado diversas propiedades, señalándose al C. C. José Bandín y/o José Bandín Ruiz, así como Mónica Babayan.

En diversos medios de comunicación se ha hecho públicos estos ilícitos, tal como lo señala la periodista Claudia Guerrero Martínez, en su publicación de fecha 25 de julio de 2016.

Entre lo utópico y lo verdadero
Por Claudia Guerrero Martínez
25 de julio del 2016.

Porres, Mansur y Bandín, el exclusivo Club de Javier Duarte

Conocen, inteligentes lectoras y lectores, a Jaime Porres Fernández-Cavada, José Antonio Bandín Ruiz y Moisés Mansur Cysneiros...Quizá, para la mayoría de los veracruzanos, estos nombres los han escuchado o leído en revistas de negocios, socialité o medios de comunicación afines a la administración de Javier Duarte de Ochoa...Actualmente, estas personas son investigadas por la PGR, por ser los principales prestanombres del actual Gobernador de Veracruz, Javier Duarte de Ochoa...

Los excesos de estos pillos empresarios y Javier Duarte se podrían contar en varias entregas, como por ejemplo, uno de estos hoy millonarios de Córdoba, como es Jaime Porres, quien hace unos años, es recordado por bajar de su coche con insultos a Javier Duarte de Ochoa y le realizaba un constante bulling... El antes considerado perdedor o "lúcer" y hoy, Gobernador de Veracruz, olvidó las agresiones en el pasado... En un cumpleaños de Jaime Porres, quien festejaba en su exclusivo departamento de Miami, recibió de regalo un automóvil Bentley del año, con valor en el mercado por más de \$6 millones de pesos y este fue obsequiado por el ocurrente Mandatario Estatal, Javier Duarte de Ochoa... Y pagado, no precisamente de los ahorros o bolsillos del Gobernador de Veracruz...

Y los excesos van más allá, contribuyendo a que la PGR investigue estos datos... Actualmente, Moisés Mansur es dueño de un rancho con caballos de rejoneo en Valle de Bravo y este también cuestionado empresario de Córdoba, regaló uno de sus caballos a Paulina Romero, hija del líder petrolero Carlos Romero Deschamps valuado en más de \$100 mil dólares... Mansur Cysneiros le regaló el equino a Paulina Romero, porque la conoció en Veracruz, en el primer año de gobierno de Javier Duarte. Cabe destacar, que durante los meses de enero y febrero del 2012, Carlos Romero Deschamps aún se ostentaba como "padrino" de Duarte de Ochoa y de tener buenas relaciones con Javier, hasta que un día, según fuentes cercanas a Duarte y por cuestiones de dinero, el Gobernador de Veracruz ya no le contestaba el teléfono y esa fue la razón de su distanciamiento. Debemos puntualizar, que tanto el líder petrolero y su hija Paulina Romero acudían a montar el caballo en el rancho de Moisés Mansur, ubicado en el Estado de México, mismo, cuenta con enfermería de caballos, cuando paradójicamente, en Veracruz no hay medicinas y los servicios de salud son insuficientes...

Uno más, es José Antonio Bandín Ruiz, quien se asoció en el tema de las empresas fantasmas proveedoras del Gobierno de Javier Duarte de Ochoa, facturando a nombre de su esposa, Mónica Babayan Canal, mismas, son investigadas por la PGR... Actualmente, la familia vive en Woodlands, Texas, en los Estados Unidos, junto con sus hijos y presumen, entre otras cosas, de un automóvil de lujo Rolls Royce... Buscando sus empresas financiadas con dinero de los veracruzanos, encontramos un desplegado de varias de ellas, 26 en total, curiosamente, fundadas en los años 2012, 2013, 2014 y 2015, con la liga <https://www.corporationwiki.com/Texas/The-Woodlands/jose-antonio-bandin/103669601.aspx>

También, buscando los registros en los Estados Unidos, la PGR podrá investigar todas las propiedades de estas personas, como son casas, terrenos y edificios, adquiridos principalmente en Woodlands, Texas... Además, mansiones ubicadas en Tecamachalco, en el Estado de México, una de ellas propiedad de José Antonio Bandín Ruiz, así como departamentos en Acapulco o el mencionado rancho de Moisés Mansur, con su cuadra de caballos... Como veracruzana, nos indigna conocer que estos hoy millonarios cordobeses, no tenían dinero, ni negocios antes de la administración de Javier Duarte de Ochoa y hoy, son grandes empresarios, gracias a los desvíos de recursos de las finanzas en Veracruz y para beneficio de estos ladrones...

Y cómo se conocieron estos pillos prestanombres de Javier Duarte de Ochoa. La historia entre Mansur y Bandín inicia en la juventud, cuando

José Antonio Bandín rentaba un departamento de una sola recámara y un cuarto de servicio... Él y Moisés Mansur Cysneiros eran amigos desde la preparatoria y Bandín permite a Mansur vivir en el cuarto de servicio. Luego, Moisés Mansur entra a estudiar a la Universidad Iberoamericana y ahí, conoce a Javier Duarte de Ochoa y se hacen entrañables amigos.... Más adelante, José Antonio Bandín se casa con Mónica Babayan Canal, quien actualmente se ha convertido en una de las principales prestanombres de Javier Duarte y de su propio esposo, sin olvidar que Mónica es hija de "Ludy" o Ludivina Canal, quien también se incluye en la lista de prestanombres de varios lucrativos e ilegales negocios...

Si bien, se conocía la situación de insolvencia y pobredumbre de los aquí nombrados en esta entrega, cuando Javier Duarte llega de Gobernador de Veracruz, Bandín y Mansur hacen un giro impresionante con escoltas, autos de lujos, relojes costosísimos, inmuebles como el expuesto en Tecamachalco o el departamento en Acapulco, para luego, José Bandín Ruiz le dice a su esposa que en México hay mucha inseguridad y la cambia de residencia, para vivir con sus hijos en Woodlands, Texas, lugar donde compra su primera casa y ahí, siguió adquiriendo más propiedades, una de ellas a nombre de su suegra, Ludivina Canal, a quien también le pusieron a su nombre un departamento en Bosques de las Lomas... Y la familia se fue uniendo a esta injustificada fortuna, como es el caso de hermanos y familiares de José Antonio Bandín, quienes son propietarios de terrenos en Texas, en los Estados Unidos a nombre de Maricarmen y Juan Carlos Bandín Ruiz, así como de Rocío Durán...

Los excesos y excentricidades también se observan en Moisés Mansur, con la adquisición del rancho de caballos rejoneadores en Valle de Bravo, así como una mansión en Ixtapa Zihuatanejo... Moy Mansur utiliza las aeronaves del Gobierno de Veracruz para viajar a esa playa de Guerrero, así como propiedades en Texas. Existen antecedentes de que en la Ciudad de México, Moisés Mansur y Javier Duarte son socios y dueños de inversiones, como es el caso de inmuebles ubicados en la exclusiva zona de Prado Norte, en las Lomas de Chapultepec... Moisés Mansur ha escalado tanto como nuevo millonario, que se le vincula con la sobrina de Carlos Peralta Quintero, acusado de ser uno de los beneficiados en el sexenio de Carlos Salinas de Gortari... Y las excentricidades de "Moy" Mansur se han incrementado a tal grado, que cualquier evento donde acude este empresario cordobés, sus escoltas tienen que llevar la comida y el vino preferido de su jefe, porque se ostenta de ser fino su paladar y no come, ni toma cualquier cosa... Pero eso sí, a Bandín Ruiz y a Moy Mansur se les vincula con la propiedad de taquerías en la Colonia Condesa, de la Ciudad de México...

Print Details

Element	Detail
Cond / Desir / Util	Good
Grade Adjustment	B
Foundation Type	Slab
Heating / AC	Central Heat/AC
Exterior Wall	Brick / Veneer
Exterior Wall	Frame / Concrete Blk
Physical Condition	Good
Element	Units
Room: Bedroom	2
Room: Total	6
Room: Full Bath	2
Room: Half Bath	1

Description	Area
BASE AREA PRI	864
ONE STORY MAS PRI	140
BASE AREA UPR	864
FRAME OVERHANG UPR	40

RP-2016-105627
03/15/2016 ER \$28.00

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED
(With Third Party Vendor's Lien)

THE STATE OF TEXAS

§

COUNTY OF HARRIS

§

THAT MARC T. TRONZO AND WIFE, KELLY M TRONZO, hereinafter referred to as "Grantor" (whether one or more), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by JUAN CARLOS RUIZ, A MARRIED PERSON, hereinafter referred to as "Grantee" (whether one or more), the receipt and sufficiency of which are hereby acknowledged and confessed, and for the further consideration of the execution and delivery by Grantee of one certain Promissory Note of even date herewith, in the original principal sum of Two Hundred Sixty-Five Thousand Ten And No/100 Dollars (\$265,010.00), payable to the order of CALIBER HOME LOANS, INC., hereinafter called "Mortgagee"; said Promissory Note being secured by a Vendor's Lien and the Superior Title herein retained and reserved in favor of Grantor and assigned and conveyed, without recourse, to Mortgagee, and also being secured by a Deed of Trust of even date herewith from Grantee to THOMAS E. BLACK, JR, Trustee, reference to said Promissory Note and Deed of Trust being hereby made for all purposes; Grantor has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, the following described real property, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

together with all improvements thereon, if any, and all rights, privileges, tenements, hereditaments, rights of way, easements, appurtenances and appurtenances, in anyway appertaining thereto, and all right, title, and interest of Grantor in and to any streets, ways, alleys, strips or gores of land adjoining the above described property or any part thereof (hereinafter referred to as the "Property").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, unto Grantee and Grantee's heirs or assigns FOREVER. Grantor does hereby bind Grantor and Grantor's heirs, executors, and administrators TO WARRANT AND FOREVER DEFEND all and singular the said Property unto Grantee and Grantee's heirs and assigns against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

But it is expressly agreed that Grantor reserves and retains for Grantor, and Grantor's heirs and assigns, a Vendor's Lien, as well as the Superior Title, against the Property until the above described Promissory Note and all interest therein have been fully paid according to the terms thereof, when this Deed shall become absolute.

WHEREAS, Mortgagee, at the special instance and request of Grantee, having paid to Grantor a portion of the purchase price of the Property, as evidenced by the above described Promissory Note, Grantor hereby assigns, transfers, conveys and delivers, without recourse, to Mortgagee said Vendor's Lien and Superior Title against said Property to secure the payment of said Promissory Note, and subrogates Mortgagee to all rights and remedies of Grantor in the Property by virtue thereof.


RP-2016-105627

To the extent applicable to and enforceable against the Property, this Deed is executed, delivered and accepted subject to the following: any liens described herein; ad valorem taxes for the current and all subsequent years, and subsequent assessments for prior years due to changes in land usage or ownership; zoning ordinances, utility district assessments, and standby fees, if any; all valid utility easements created by the dedication deed or plat of the platted subdivision in which the Property is located, covenants and restrictions common to the platted subdivision in which the Property is located, mineral reservations, and maintenance or assessment liens (if any), all as shown by the real property records of the County Clerk of the County in which said Property is located; and any title or rights asserted by anyone (including, but not limited to, persons, corporations, governments or other entities) to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or to any land extending from the line of the harbor or bulkhead lines as established or changed by any government or to filled-in lands, or artificial islands, or to riparian rights or other statutory water rights, or the rights or interests of the State of Texas or the public generally in the area extending from the line of mean low tide to the line of vegetation or the right of access thereto, or right of easement along and across the same, if any.

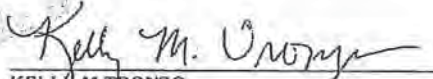
The contract between Grantor, as the seller, and Grantee, as the buyer, may contain limitations as to warranties. To the extent said contract provides for such limitations to survive this conveyance, they shall be deemed incorporated herein by reference. However, the warranty of title contained in this Deed is hereby expressly excluded from any limitations as to warranties contained in the contract referenced in this paragraph.

When this Deed is executed by more than one person, or when Grantee is more than one person, the instrument shall read as though pertinent verbs, nouns and pronouns were changed correspondingly, and when executed by or to a legal entity other than a natural person, the words "heirs, executors and administrators" or "heirs and assigns" shall be construed to mean "successors and assigns". Reference to any gender shall include either gender and in the case of a legal entity other than a natural person, shall include the neuter gender, all as the case may be. The term "Mortgagee" shall include the Mortgagee's heirs, successors and assigns, as applicable.

DATED the 11TH day of MARCH, 2016.



MARC T. TRONZO



KELLY M. TRONZO

After Recording Return To Grantee
At GRANTEE'S MAILING ADDRESS:

JUAN CARLOS RUIZ
8976 CHATSWORTH DRIVE
HOUSTON, TX 77024

RP-2016-105627

ACKNOWLEDGMENTS

The State of TEXAS §

County of HARRIS §

This instrument was acknowledged before me on the 11 day of March, 2016, by MARC T. TRONZO and KELLY M TRONZO.



B. Beck
Notary Public

B. Beck
Notary's Name (printed)

RP-2016-105627

Form 205
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512 463-5709
Filing Fee: \$300



This space reserved for office use.

Certificate of Formation
Limited Liability Company

FILED
In the Office of the
Secretary of State of Texas
FEB 13 2015
Corporations Section

Article 1 – Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

18 Shallowford PL, LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

TWOOFFICESUITES, LLC

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

First Name	M.I.	Last Name	Suffix
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C. The business address of the registered agent and the registered office address is:

8350 Ashlane Way suite 104	The Woodlands	TX	77382
Street Address	City	State	Zip Code

Article 3—Governing Authority

(Select and complete either A or B and provide the name and address of each governing person.)

A. The limited liability company will have managers. The name and address of each initial manager are set forth below.

B. The limited liability company will not have managers. The company will be governed by its members, and the name and address of each initial member are set forth below.

GOVERNING PERSON 1			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
Juan	I	Babayan	
First Name	M.I.	Last Name	Suffix
OR			
IF ORGANIZATION			
Organization Name			
ADDRESS			
8350 ashlane way suite 104#23	The Woodlands	TX	USA 77382
Street or Mailing Address	City	State	Country

GOVERNING PERSON 2				
NAME (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
Ludivina		Canal		
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
OR				
IF ORGANIZATION				
<i>Organization Name</i>				
ADDRESS				
8350 ashlane way suite 104#23		The Woodlands		TX USA 77382
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

GOVERNING PERSON 3				
NAME (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
Monica		Babayan		
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
OR				
IF ORGANIZATION				
<i>Organization Name</i>				
ADDRESS				
350 ashlane way suite 104#23		The Woodlands		TX USA 77382
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

Article 4 – Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer:

Lawgistic, Ltd. Co

Name

800 Town & Country Blvd. Suite 300

Houston

TX 77024

Street or Mailing Address

City

State Zip Code

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: February 11, 2015



Signature of organizer

Juan Luna - Manager

Printed or typed name of organizer

Form 401-A
(Revised 12/09)




**Acceptance of Appointment
and
Consent to Serve as Registered Agent
§5.201(b) Business Organizations Code**

The following form may be used when the person designated as registered agent in a registered agent filing is an individual.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I acknowledge, accept and consent to my designation or appointment as registered agent in Texas for		
<i>Name of represented entity</i>		
I am a resident of the state and understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if I resign.		
X:	<i>Signature of registered agent</i>	<i>Printed name of registered agent</i> <i>Date (mm/dd/yyyy)</i>

The following form may be used when the person designated as registered agent in a registered agent filing is an organization.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I am authorized to act on behalf of <u>TWOFFICESUITES, LLC</u>		
<i>Name of organization designated as registered agent</i>		
The organization is registered or otherwise authorized to do business in Texas. The organization acknowledges, accepts and consents to its appointment or designation as registered agent in Texas for:		
<u>18 SHALLOWFORD PL, LLC</u>		
<i>Name of represented entity</i>		
The organization takes responsibility to receive any process, notice, or demand that is served on the organization as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if the organization resigns.		
X:	 <i>Signature of person authorized to act on behalf of organization</i>	Antonio Bandin, manager-representative on behalf of TWOFFICESUITES, LLC <i>Date (mm/dd/yyyy)</i> 02-11-2015

<p>Form 201 (Revised 05/11)</p> <p>Submit in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555 FAX: 512/463-5709 Filing Fee: \$300</p>	 <p>Certificate of Formation For-Profit Corporation</p>	<p style="text-align: right;">This space reserved for office use.</p> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">FILED</p> <p style="text-align: center;">In the Office of the Secretary of State of Texas</p> <p style="text-align: center; font-size: 1.2em;">JUN 01 2012</p> <p style="text-align: center; font-weight: bold;">Corporations Section</p>
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Article 1 – Entity Name and Type

The filing entity being formed is a for-profit corporation. The name of the entity is:

83 West Jagged Ridge, Inc.

The name must contain the word "corporation," "company," "incorporated," "limited" or an abbreviation of one of these terms.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Mónica	Babayan		Ms.
<small>First Name</small>	<small>M.I.</small>	<small>Last Name</small>	<small>Suffix</small>

C. The business address of the registered agent and the registered office address is:

43 Spinning Wheel Cr.	The Woodlands	TX	77382	
<small>Street Address</small>	<small>City</small>	<small>State</small>	<small>Zip Code</small>	

Article 3 – Directors

(A minimum of 1 director is required.)

The number of directors constituting the initial board of directors and the names and addresses of the person or persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and qualified are as follows:

Director 1:				
Mónica	Babayan		Ms.	
<small>First Name</small>	<small>M.I.</small>	<small>Last Name</small>	<small>Suffix</small>	
43 Spinning Wheel Cr.	The Woodlands	TX	77382	USA
<small>Street or Mailing Address</small>	<small>City</small>	<small>State</small>	<small>Zip Code</small>	<small>Country</small>

Director: 2				
José	Antonio	Bandin	Mr.	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
43 Spinning Wheel Cr.	The Woodlands	TX	77382	USA
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Director: 3				
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Article 4 – Authorized Shares

(Provide the number of shares in the space below, then select option A or option B, do not select both.)

The total number of shares the corporation is authorized to issue is: 5,000

A. The par value of each of the authorized shares is: \$1.00

B. The shares shall have no par value.

If the shares are to be divided into classes, you must set forth the designation of each class, the number of shares of each class, the par value (or statement of no par value), and the preferences, limitations, and relative rights of each class in the space provided for supplemental information on this form.

Article 5 – Purpose

The purpose for which the corporation is formed is for the transaction of any and all lawful business for which a for-profit corporation may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer:

Jorge M. Corona

Name

29101 FM 2978 Rd., Ste. F-4

Street or Mailing Address

Magnolia

City

TX

State

77354

Zip Code

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: June 1, 2012

Jorge M. Corona

Signature of organizer

Jorge M. Corona

Printed or typed name of organizer

<p>Form 632 (Revised 05/11)</p> <p>Return in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555 FAX: 512 463-5709</p> <p>Filing Fee: See instructions</p>	 <p>Certificate of Conversion of a Corporation Converting to a Limited Liability Company</p>	<p style="text-align: right;">This space reserved for office use.</p> <div style="text-align: right; padding-right: 20px;"> <p>FILED In the Office of the Secretary of State of Texas OCT 17 2013</p> <p>Corporations Section</p> </div>
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Converting Entity Information

The name of the converting corporation is: 83 WEST JAGGED RIDGE, INC

The jurisdiction of formation of the corporation is: TEXAS

The date of formation of the corporation is: JUNE 1ST, 2012

The file number, if any, issued to the corporation by the secretary of state, is: 801606128

Plan of Conversion—Alternative Statements

The corporation named above is converting to a limited liability company. The name of the limited liability company is:
83 WEST JAGGED RIDGE, LLC

The limited liability company will be formed under the laws of: TEXAS

- The plan of conversion is attached.
- If the plan of conversion is not attached, the following statements must be completed.*
- Instead of attaching the plan of conversion, the corporation certifies to the following statements:

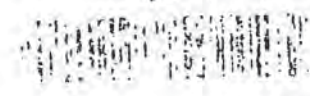
A signed plan of conversion is on file at the principal place of business of the corporation, the converting entity. The address of the principal place of business of the corporation is:

<u>8350 ASHLANE WAY SUITE 104</u>	<u>THE WOODLANDS</u>	<u>TX</u>	<u>USA</u>	<u>77382</u>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

A signed plan of conversion will be on file after the conversion at the principal place of business of the limited liability company, the converted entity. The address of the principal place of business of the limited liability company is:

<u>8350 ASHLANE WAY SUITE 104</u>	<u>THE WOODLANDS</u>	<u>TX</u>	<u>USA</u>	<u>77382</u>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

A copy of the plan of conversion will be furnished on written request without cost by the converting entity before the conversion or by the converted entity after the conversion to any owner or member of the converting or converted entity.



Certificate of Formation for the Converted Entity

The converted entity is a Texas limited liability company. The certificate of formation of the Texas limited liability company is attached to this certificate either as an attachment or exhibit to the plan of conversion, or as an attachment or exhibit to this certificate of conversion if the plan has not been attached to the certificate of conversion.

Approval of the Plan of Conversion

The plan of conversion has been approved as required by the laws of the jurisdiction of formation and the governing documents of the converting entity.

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is accepted and filed by the secretary of state.
B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is:
C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is:

The following event or fact will cause the document to take effect in the manner described below:

Tax Certificate

- Attached hereto is a certificate from the comptroller of public accounts that all taxes under title 2, Tax Code, have been paid by the corporation.
In lieu of providing the tax certificate, the limited liability company as the converted entity is liable for the payment of any franchise taxes.

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: 10/9/2013

Handwritten signature of Jose Antonio Bandin

Jose Antonio Bandin - Manager/Secretary
Signature and title of authorized person on behalf of the converting entity

Form 205
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512 463-5709
Filing Fee: \$300



This space reserved for office use.

Certificate of Formation
Limited Liability Company

FILED
In the Office of the
Secretary of State of Texas
OCT 17 2013
Corporations Section

Article 1 - Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

87 WEST JAGGED RIDGE, LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 - Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

Capitol Corporate Services, Inc.

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

First Name M.I. Last Name Suffix

C. The business address of the registered agent and the registered office address is:

800 Brazos, Ste 400 Austin TX 78701
Street Address City State Zip Code

Article 3 - Governing Authority

(Select and complete either A or B and provide the name and address of each governing person.)

A. The limited liability company will have managers. The name and address of each initial manager are set forth below.

B. The limited liability company will not have managers. The company will be governed by its members, and the name and address of each initial member are set forth below.

GOVERNING PERSON 1			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
JOSE	A	BANDIN	
First Name	M.I.	Last Name	Suffix
OR:			
IF ORGANIZATION			
Organization Name			
ADDRESS			
42 Spotted Lily Way	The Woodlands	TX	USA 77354
Street or Mailing Address	City	State	Country Zip Code

GOVERNING PERSON 2			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
Monica		Babayan	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
OR			
IF ORGANIZATION			
<i>Organization Name</i>			
ADDRESS			
42 Spotted Lily Way	The Woodlands	TX	USA 77354
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i> <i>Zip Code</i>

GOVERNING PERSON 3			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
OR			
IF ORGANIZATION			
<i>Organization Name</i>			
ADDRESS			
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i> <i>Zip Code</i>

Article 4 – Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

<p>This Filing entity is being formed under a Plan of Conversion.</p> <p>The name, file number, date of formation, jurisdiction of formation of the converting entity, and address, is:</p> <p>87 WEST JAGGED RIDGE, Inc File Number: 801606132 06/01/2012</p> <p>Domestic for Profit Corporation TEXAS</p> <p>43 Spinning Wheel Cr. The Woodlands, TX, 77382, USA</p>

Organizer

The name and address of the organizer:

LAWGISTIC, LTD CO

Name

800 TOWN & COUNTRY SUITE 300

Street or Mailing Address

HOUSTON

City

TX 77024

State Zip Code

Effectiveness of Filing (Select either A, B, or C.)

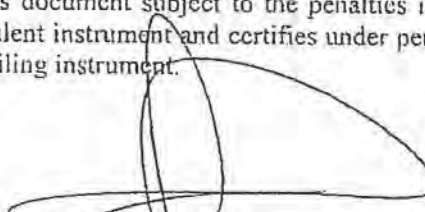
- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: OCTOBER 9TH, 2013



Signature of organizer

LAWGISTIC, LTD.CO

Printed or typed name of organizer

Form 401-A
(Revised 12/09)




**Acceptance of Appointment
and
Consent to Serve as Registered Agent
§5.201(b) Business Organizations Code**

The following form may be used when the person designated as registered agent in a registered agent filing is an individual.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I acknowledge, accept and consent to my designation or appointment as registered agent in Texas for		
<i>Name of represented entity</i>		
I am a resident of the state and understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if I resign.		
x:		
<i>Signature of registered agent</i>	<i>Printed name of registered agent</i>	<i>Date (mm/dd/yyyy)</i>

The following form may be used when the person designated as registered agent in a registered agent filing is an organization.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I am authorized to act on behalf of <u>Capitol Corporate Services, Inc.</u>		
<i>Name of organization designated as registered agent</i>		
The organization is registered or otherwise authorized to do business in Texas. The organization acknowledges, accepts and consents to its appointment or designation as registered agent in Texas for: 83 WEST JAGGED RIDGE, LLC		
<i>Name of represented entity</i>		
The organization takes responsibility to receive any process, notice, or demand that is served on the organization as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if the organization resigns.		
x:		
<i>Signature of person authorized to act on behalf of organization</i>	<i>Printed name of authorized person</i>	<i>Date (mm/dd/yyyy)</i>

<p>Form 201 (Revised 05/11)</p> <p>Submit in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555 FAX: 512/463-5709 Filing Fee: \$300</p>	 <p>Certificate of Formation For-Profit Corporation</p>	<p style="text-align: right;">This space reserved for office use.</p> <p style="text-align: center;">FILED In the Office of the Secretary of State of Texas</p> <p style="text-align: center;">JUN 01 2012</p> <p style="text-align: center;">Corporations Section</p>
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Article 1 – Entity Name and Type

The filing entity being formed is a for-profit corporation. The name of the entity is:

87 West Jagged Ridge, Inc.

The name must contain the word “corporation,” “company,” “incorporated,” “limited” or an abbreviation of one of these terms.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Mónica	Babayan		Ms.
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>

C. The business address of the registered agent and the registered office address is:

43 Spinning Wheel Cr.	The Woodlands	TX	77382	
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	

Article 3 – Directors

(A minimum of 1 director is required.)

The number of directors constituting the initial board of directors and the names and addresses of the person or persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and qualified are as follows:

Director 1				
Mónica	Babayan		Ms.	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
43 Spinning Wheel Cr.	The Woodlands	TX	77382	USA
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Director: 2				
José	Antonio	Bandin	Mr.	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
43 Spinning Wheel Cr.	The Woodlands	TX	77382	USA
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Director: 3				
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Article 4 – Authorized Shares

(Provide the number of shares in the space below, then select option A or option B, do not select both.)

The total number of shares the corporation is authorized to issue is: 5,000

A. The par value of each of the authorized shares is: \$1.00

B. The shares shall have no par value.

If the shares are to be divided into classes, you must set forth the designation of each class, the number of shares of each class, the par value (or statement of no par value), and the preferences, limitations, and relative rights of each class in the space provided for supplemental information on this form.

Article 5 – Purpose

The purpose for which the corporation is formed is for the transaction of any and all lawful business for which a for-profit corporation may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer:

Jorge M. Corona

Name

29101 FM 2978 Rd., Ste. F-4

Street or Mailing Address

Magnolia

City

TX

State

77354

Zip Code

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: June 1, 2012

Jorge M. Corona

Signature of organizer

Jorge M. Corona

Printed or typed name of organizer

Form 632
(Revised 05/11)

Return in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512 463-5709

Filing Fee: See instructions



**Certificate of Conversion
of a
Corporation Converting
to a
Limited Liability Company**

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas

OCT 17 2013

Corporations Section

Converting Entity Information

The name of the converting corporation is:
87 WEST JAGGED RIDGE, INC

The jurisdiction of formation of the corporation is: TEXAS

The date of formation of the corporation is: JUNE 1ST, 2012

The file number, if any, issued to the corporation by the secretary of state, is: 801606132

Plan of Conversion—Alternative Statements

The corporation named above is converting to a limited liability company. The name of the limited liability company is:

87 WEST JAGGED RIDGE, LLC

The limited liability company will be formed under the laws of: TEXAS

The plan of conversion is attached.

If the plan of conversion is not attached, the following statements must be completed.

Instead of attaching the plan of conversion, the corporation certifies to the following statements:

A signed plan of conversion is on file at the principal place of business of the corporation, the converting entity. The address of the principal place of business of the corporation is:

<u>8350 ASHLANE WAY SUITE 104</u>	<u>THE WOODLANDS</u>	<u>TX</u>	<u>USA</u>	<u>77382</u>
<small>Street or Mailing Address</small>	<small>City</small>	<small>State</small>	<small>Country</small>	<small>Zip Code</small>

A signed plan of conversion will be on file after the conversion at the principal place of business of the limited liability company, the converted entity. The address of the principal place of business of the limited liability company is:

<u>8350 ASHLANE WAY SUITE 104</u>	<u>THE WOODLANDS</u>	<u>TX</u>	<u>USA</u>	<u>77382</u>
<small>Street or Mailing Address</small>	<small>City</small>	<small>State</small>	<small>Country</small>	<small>Zip Code</small>

A copy of the plan of conversion will be furnished on written request without cost by the converting entity before the conversion or by the converted entity after the conversion to any owner or member of the converting or converted entity.

Certificate of Formation for the Converted Entity

The converted entity is a Texas limited liability company. The certificate of formation of the Texas limited liability company is attached to this certificate either as an attachment or exhibit to the plan of conversion, or as an attachment or exhibit to this certificate of conversion if the plan has not been attached to the certificate of conversion.

Approval of the Plan of Conversion

The plan of conversion has been approved as required by the laws of the jurisdiction of formation and the governing documents of the converting entity.

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is accepted and filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Tax Certificate


- Attached hereto is a certificate from the comptroller of public accounts that all taxes under title 2, Tax Code, have been paid by the corporation.
- In lieu of providing the tax certificate, the limited liability company as the converted entity is liable for the payment of any franchise taxes.

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: 10/9/2013

Jose Antonio Bandin - Manager
Signature and title of authorized person on behalf of the converting entity Secretary

<p>Form 205 (Revised 05/11):</p> <p>Submit in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555 FAX: 512 463-5709 Filing Fee: \$300:</p>	 Certificate of Formation Limited Liability Company	<p>This space reserved for office use:</p> <p>FILED In the Office of the Secretary of State of Texas OCT 17 2013 Corporations Section</p>
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Article 1 – Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

83 WEST JAGGED RIDGE, LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

Capitol Corporate Services, Inc.

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
-------------------	-------------	------------------	---------------

C. The business address of the registered agent and the registered office address is:

<u>800 Brazos, Ste 400</u>	<u>Austin</u>	<u>TX</u>	<u>78701</u>
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Article 3 – Governing Authority

(Select and complete either A or B and provide the name and address of each governing person.)

A. The limited liability company will have managers. The name and address of each initial manager are set forth below.

B. The limited liability company will not have managers. The company will be governed by its members, and the name and address of each initial member are set forth below:

GOVERNING PERSON 1			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL:			
<u>JOSE</u>	<u>A</u>	<u>BANDIN</u>	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
OR			
IF ORGANIZATION			
<i>Organization Name</i>			
ADDRESS			
<u>42 Spotted Lily Way</u>	<u>The Woodlands</u>	<u>TX</u>	<u>USA 77354</u>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country Zip Code</i>

GOVERNING PERSON 2					
NAME (Enter the name of either an individual or an organization, but not both.)					
IF INDIVIDUAL					
Monica		Babayan			
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>		
OR					
IF ORGANIZATION					
<i>Organization Name</i>					
ADDRESS					
42 Spotted Lily Way		The Woodlands		TX	USA 77354
<i>Street or Mailing Address</i>		<i>City</i>		<i>State</i>	<i>Country Zip Code</i>

GOVERNING PERSON 3					
NAME (Enter the name of either an individual or an organization, but not both.)					
IF INDIVIDUAL					
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>		
OR					
IF ORGANIZATION					
<i>Organization Name</i>					
ADDRESS					
<i>Street or Mailing Address</i>		<i>City</i>		<i>State</i>	<i>Country Zip Code</i>

Article 4 – Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

<p>This Filing entity is being formed under a Plan of Conversion.</p> <p>The name, file number, date of formation, jurisdiction of formation of the converting entity, and address, is:</p> <p>83 WEST JAGGED RIDGE, Inc File Number: 801606128 06/01/2012</p> <p>Domestic for Profit Corporation TEXAS</p> <p>43 Spinning Wheel Cr. The Woodlands, TX, 77382, USA</p>

Organizer

The name and address of the organizer:

LAWGISTIC, LTD CO

Name

800 TOWN & COUNTRY SUITE 300

Street or Mailing Address

HOUSTON

City

TX 77024

State Zip Code

Effectiveness of Filing (Select either A, B, or C.)

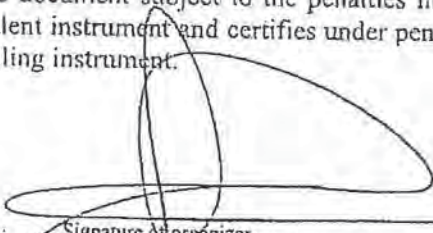
- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: OCTOBER 9TH, 2013



Signature of organizer

LAWGISTIC, LTD.CO

Printed or typed name of organizer

Form 401-A
(Revised 12/09)



**Acceptance of Appointment
and
Consent to Serve as Registered Agent
§5.201(b) Business Organizations Code**

The following form may be used when the person designated as registered agent in a registered agent filing is an individual.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I acknowledge, accept and consent to my designation or appointment as registered agent in Texas for		
<i>Name of represented entity</i>		
I am a resident of the state and understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if I resign.		
X: _____		
<i>Signature of registered agent</i>	<i>Printed name of registered agent</i>	<i>Date (mm/dd/yyyy)</i>

The following form may be used when the person designated as registered agent in a registered agent filing is an organization.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I am authorized to act on behalf of <u>Capitol Corporate Services, Inc.</u>		
<i>Name of organization designated as registered agent</i>		
The organization is registered or otherwise authorized to do business in Texas. The organization acknowledges, accepts and consents to its appointment or designation as registered agent in Texas for: 87 WEST JAGGED RIDGE, LLC		
<i>Name of represented entity</i>		
The organization takes responsibility to receive any process, notice, or demand that is served on the organization as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if the organization resigns.		
X: <u>Krista All</u> Krista All, Asst. Secretary on behalf		
<i>Signature of person authorized to act on behalf of organization</i>		<i>Printed name of authorized person</i>
		Date (mm/dd/yyyy) 10/16/2013

Form 201
(Revised 05/11)
 Submit in duplicate to:
 Secretary of State
 P.O. Box 13697
 Austin, TX 78711-3697
 512 463-5555
 FAX: 512/463-5709
Filing Fee: \$300



This space reserved for office use.

FILED
 In the Office of the
 Secretary of State of Texas
FEB 29 2012
Corporations Section

**Certificate of Formation
 For-Profit Corporation**

Article 1 – Entity Name and Type

The filing entity being formed is a for-profit corporation. The name of the entity is:
 175 W New Harmony, Inc.

The name must contain the word "corporation," "company," "incorporated," "limited" or an abbreviation of one of these terms.

Article 2 – Registered Agent and Registered Office
 (See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Mónica		Babayan		Ms.
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>		<i>Suffix</i>

C. The business address of the registered agent and the registered office address is:

43 Spinning Wheel Cr.	The Woodlands	TX	77382
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Article 3 – Directors

(A minimum of 1 director is required.)

The number of directors constituting the initial board of directors and the names and addresses of the person or persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and qualified are as follows:

Director				
Mónica		Babayan		Ms.
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>		<i>Suffix</i>
43 Spinning Wheel Cr.	The Woodlands	TX	77382	USA
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

RECEIVED
FEB 29 2012
 Secretary of State

Director 2				
José	Antonio	Bandin		Mr.
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>		<i>Suffix</i>
43 Spinning Wheel Cr.	The Woodlands	TX	77382	USA
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Director 3				
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>		<i>Suffix</i>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Article 4 – Authorized Shares

(Provide the number of shares in the space below; then select option A or option B, do not select both.)

The total number of shares the corporation is authorized to issue is: 5,000

A. The par value of each of the authorized shares is: \$1.00

OR

B. The shares shall have no par value.

If the shares are to be divided into classes, you must set forth the designation of each class, the number of shares of each class, the par value (or statement of no par value), and the preferences, limitations, and relative rights of each class in the space provided for supplemental information on this form.

Article 5 – Purpose

The purpose for which the corporation is formed is for the transaction of any and all lawful business for which a for-profit corporation may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer:

Jorge M. Corona

Name

32222 Tamina Rd., Ste. F-2

Street or Mailing Address

Magnolia

City

TX

State

77354

Zip Code

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: February 29, 2012

/s/ Jorge M. Corona
Signature of organizer

Jorge M. Corona
Printed or typed name of organizer

Certificate of Formation for the Converted Entity

The converted entity is a Texas limited liability company. The certificate of formation of the Texas limited liability company is attached to this certificate either as an attachment or exhibit to the plan of conversion, or as an attachment or exhibit to this certificate of conversion if the plan has not been attached to the certificate of conversion.

Approval of the Plan of Conversion

The plan of conversion has been approved as required by the laws of the jurisdiction of formation and the governing documents of the converting entity.

Effectiveness of Filing (Select either A, B, or C)

A. This document becomes effective when the document is accepted and filed by the secretary of state.

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____

C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Tax Certificate

Attached hereto is a certificate from the comptroller of public accounts that all taxes under title 2, Tax Code, have been paid by the corporation.


In lieu of providing the tax certificate, the limited liability company as the converted entity is liable for the payment of any franchise taxes.

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: 10/9/2013

Jose Antonio Bandin - Manager
Signature and title of authorized person on behalf of the converting entity Secretary

<p>Form 205 (Revised 05/11)</p> <p>Submit in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555 FAX: 512-463-5709 Filing Fee: \$300</p>	 Certificate of Formation Limited Liability Company	<p style="font-size: small;">This space reserved for office use.</p> <p style="text-align: center;">FILED In the Office of the Secretary of State of Texas OCT 17 2013</p> <p style="text-align: center;">Corporations Section</p>
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Article 1 – Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

175 W NEW HARMONY, LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

Capitol Corporate Services, Inc.

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
-------------------	-------------	------------------	---------------

C. The business address of the registered agent and the registered office address is:

<u>800 Brazos, Ste 400</u>	<u>Austin</u>	<u>TX</u>	<u>78701</u>
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Article 3 – Governing Authority

(Select and complete either A or B and provide the name and address of each governing person.)

A. The limited liability company will have managers. The name and address of each initial manager are set forth below.

B. The limited liability company will not have managers. The company will be governed by its members, and the name and address of each initial member are set forth below.

GOVERNING PERSON 1			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
<u>JOSE</u>	<u>A.</u>	<u>BANDIN</u>	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
OR			
IF ORGANIZATION			
Organization Name			
ADDRESS			
<u>42 Spotted Lily Way</u>	<u>The Woodlands</u>	<u>TX</u>	<u>USA 77354</u>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country Zip Code</i>

GOVERNING PERSON 2			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
Monica		Babayan	
First Name	M.I.	Last Name	Suffix
OR			
IF ORGANIZATION			
Organization Name			
ADDRESS			
42 Spotted Lily Way	The Woodlands	TX	USA 77354
Street or Mailing Address	City	State	Country Zip Code

GOVERNING PERSON 3			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
First Name	M.I.	Last Name	Suffix
OR			
IF ORGANIZATION			
Organization Name			
ADDRESS			
Street or Mailing Address	City	State	Country Zip Code

Article 4 – Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

<p>This Filing entity is being formed under a Plan of Conversion.</p> <p>The name, file number, date of formation, jurisdiction of formation of the converting entity and address is:</p> <p>175 W NEW HARMONY, Inc File Number: 801559051 02/29/2012</p> <p>Domestic for Profit Corporation TEXAS</p> <p>43 Spinning Wheel Cr, The Woodlands, TX, 77382, USA</p>
--

Organizer.

The name and address of the organizer:

LAWGISTIC, LTD. CO

Name

800 TOWN & COUNTRY SUITE 300

HOUSTON

TX 77024

Street or Mailing Address

City

State Zip Code

Effectiveness of Filing. (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

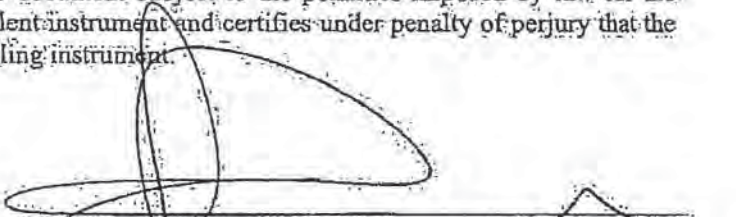
The following event or fact will cause the document to take effect in the manner described below:

[Empty rectangular box for describing the event or fact]

Execution.

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: OCTOBER 9TH, 2013



Signature of organizer

LAWGISTIC, LTD. CO

Printed or typed name of organizer

Form 401-A
(Revised 12/09)




**Acceptance of Appointment
and
Consent to Serve as Registered Agent
§5.201(b) Business Organizations Code**

The following form may be used when the person designated as registered agent in a registered agent filing is an individual.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I acknowledge, accept and consent to my designation or appointment as registered agent in Texas for		
<i>Name of represented entity</i>		
I am a resident of the state and understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if I resign.		
x:	<i>Signature of registered agent</i>	<i>Printed name of registered agent</i> <i>Date (mm/dd/yyyy)</i>

The following form may be used when the person designated as registered agent in a registered agent filing is an organization.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I am authorized to act on behalf of <u>Capitol Corporate Services, Inc.</u>		
<i>Name of organization designated as registered agent</i>		
The organization is registered or otherwise authorized to do business in Texas. The organization acknowledges, accepts and consents to its appointment or designation as registered agent in Texas for: <u>175 W NEW HARMONY, LLC</u>		
<i>Name of represented entity</i>		
The organization takes responsibility to receive any process, notice, or demand that is served on the organization as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if the organization resigns.		
x:	 <i>Signature of person authorized to act on behalf of organization</i>	Krista Ali, Asst. Secretary on behalf of Capitol Corporate Services, Inc. 10/16/2013 <i>Printed name of authorized person</i> <i>Date (mm/dd/yyyy)</i>

<p>Form 201 (Revised 05/11)</p> <p>Submit in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555 FAX: 512/463-5709 Filing Fee: \$300</p>	 <p>Certificate of Formation For-Profit Corporation</p>	<p>This space reserved for office use.</p> <p style="text-align: center;">FILED In the Office of the Secretary of State of Texas</p> <p style="text-align: center;">MAR 07 2012</p> <p style="text-align: center;">Corporations Section</p>
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Article 1 – Entity Name and Type

The filing entity being formed is a for-profit corporation. The name of the entity is:

18 Griffin Hill, Inc.

The name must contain the word "corporation," "company," "incorporated," "limited" or an abbreviation of one of these terms.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Mónica		Babayan	Ms.
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>

C. The business address of the registered agent and the registered office address is:

43 Spinning Wheel Cr.	The Woodlands	TX	77382	
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	

Article 3 – Directors

(A minimum of 1 director is required.)

The number of directors constituting the initial board of directors and the names and addresses of the person or persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and qualified are as follows:

Director:1				
Mónica		Babayan	Ms.	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
43 Spinning Wheel Cr.	The Woodlands	TX	77382	USA
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

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MAR 07 2012

Secretary of State

RECEIVED
 MAR 07 2012
 SECRETARY OF STATE
 OFFICE OF THE SECRETARY OF STATE
 1700 NORTH BRASSER AVENUE
 AUSTIN, TEXAS 78701

Director:2				
José	Antonio	Bandin		Mr.
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>		<i>Suffix</i>
43 Spinning Wheel Cr.	The Woodlands	TX	77382	USA
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Director:3				
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>		<i>Suffix</i>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Article 4 – Authorized Shares

(Provide the number of shares in the space below, then select option A or option B, do not select both.)

The total number of shares the corporation is authorized to issue is: 5,000

A. The par value of each of the authorized shares is: \$1.00

OR

B. The shares shall have no par value.

If the shares are to be divided into classes, you must set forth the designation of each class, the number of shares of each class, the par value (or statement of no par value), and the preferences, limitations, and relative rights of each class in the space provided for supplemental information on this form.

Article 5 – Purpose

The purpose for which the corporation is formed is for the transaction of any and all lawful business for which a for-profit corporation may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer:

Jorge M. Corona

Name

32222 Tamina Rd., Ste. F-2

Street or Mailing Address

Magnolia

City

TX

State

77354

Zip Code

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: March 5, 2012

/s/ Jorge M. Corona

Signature of organizer

Jorge M. Corona

Printed or typed name of organizer

Form 632
(Revised 05/11)

Return in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512 463-5709

Filing Fee: See instructions



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In the Office of the
Secretary of State of Texas
OCT 17 2013
Corporations Section

Certificate of Conversion
of a
Corporation Converting
to a
Limited Liability Company

Converting Entity Information

The name of the converting corporation is:
18 GRIFFIN HILL INC

The jurisdiction of formation of the corporation is: TEXAS

The date of formation of the corporation is: MARCH 7TH, 2012

The file number, if any, issued to the corporation by the secretary of state, is: 801562760

Plan of Conversion - Alternative Statements

The corporation named above is converting to a limited liability company. The name of the limited liability company is:
18 GRIFFIN HILL, LLC

The limited liability company will be formed under the laws of: TEXAS

The plan of conversion is attached.

If the plan of conversion is not attached, the following statements must be completed.

Instead of attaching the plan of conversion, the corporation certifies to the following statements:

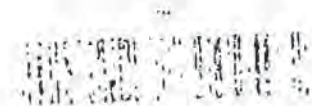
A signed plan of conversion is on file at the principal place of business of the corporation, the converting entity. The address of the principal place of business of the corporation is:

8350 ASHLANE WAY SUITE 104 THE WOODLANDS TX USA 77382
Street or Mailing Address *City* *State* *Country* *Zip Code*

A signed plan of conversion will be on file after the conversion at the principal place of business of the limited liability company, the converted entity. The address of the principal place of business of the limited liability company is:

8350 ASHLANE WAY SUITE 104 THE WOODLANDS TX USA 77382
Street or Mailing Address *City* *State* *Country* *Zip Code*

A copy of the plan of conversion will be furnished on written request without cost by the converting entity before the conversion or by the converted entity after the conversion to any owner or member of the converting or converted entity.



Certificate of Formation for the Converted Entity

The converted entity is a Texas limited liability company. The certificate of formation of the Texas limited liability company is attached to this certificate either as an attachment or exhibit to the plan of conversion, or as an attachment or exhibit to this certificate of conversion if the plan has not been attached to the certificate of conversion.

Approval of the Plan of Conversion

The plan of conversion has been approved as required by the laws of the jurisdiction of formation and the governing documents of the converting entity.

Effectiveness of Filing (Select either A, B, or C)

- A. This document becomes effective when the document is accepted and filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Tax Certificate

- Attached hereto is a certificate from the comptroller of public accounts that all taxes under title 2, Tax Code, have been paid by the corporation.
- In lieu of providing the tax certificate, the limited liability company as the converted entity is liable for the payment of any franchise taxes.

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: 10/9/2013

Jose Antonio Bandini - Manager
Signature and title of authorized person on behalf of the
converting entity Secretary

Form 205
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512-463-5709
Filing Fee: \$300



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Certificate of Formation
Limited Liability Company

FILED
In the Office of the
Secretary of State of Texas
OCT 17 2013
Corporations Section

Article 1 – Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

18 GRIFFIN HILL, LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

Capitol Corporate Services, Inc.

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
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C. The business address of the registered agent and the registered office address is:

<u>800 Brazos, Ste 400</u>	<u>Austin</u>	<u>TX</u>	<u>78701</u>
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Article 3 – Governing Authority

(Select and complete either A or B and provide the name and address of each governing person.)

A. The limited liability company will have managers. The name and address of each initial manager are set forth below.

B. The limited liability company will not have managers. The company will be governed by its members, and the name and address of each initial member are set forth below.

GOVERNING PERSON 1			
NAME: (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
<u>JOSE</u>	<u>A</u>	<u>BANDIN</u>	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
OR			
IF ORGANIZATION			
<i>Organization Name</i>			
ADDRESS			
<u>42 Spotted Lily Way</u>	<u>The Woodlands</u>	<u>TX</u>	<u>USA 77354</u>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country, Zip Code</i>

GOVERNING PERSON 2			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
MONICA		BABAYAN	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
OR			
IF ORGANIZATION:			
<i>Organization Name</i>			
ADDRESS			
42 SPOTTED LILY WAY	THE WOODLANDS	TX USA	77354
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country Zip Code</i>

GOVERNING PERSON 3			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
OR			
IF ORGANIZATION:			
<i>Organization Name</i>			
ADDRESS			
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country Zip Code</i>

Article 4 - Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

<p>This filing entity is being formed under a plan of conversion.</p> <p>The name, file number, date of formation, prior form of organization, jurisdiction of formation on the converting entity, and address is:</p> <p>18 Griffin Hill Inc. File Number: 801582760 03/07/2012 Domestic for Profit Corporation TEXAS</p> <p>43 Spinning Wheel Cr., The Woodlands, TX 77382 USA</p>

Organizer

The name and address of the organizer:

LAWGISTIC, LTD CO

Name

800 TOWN & COUNTRY SUITE 300

HOUSTON

TX 77024

Street or Mailing Address

City

State Zip Code

Effectiveness of Filing (Select either A, B, or C)

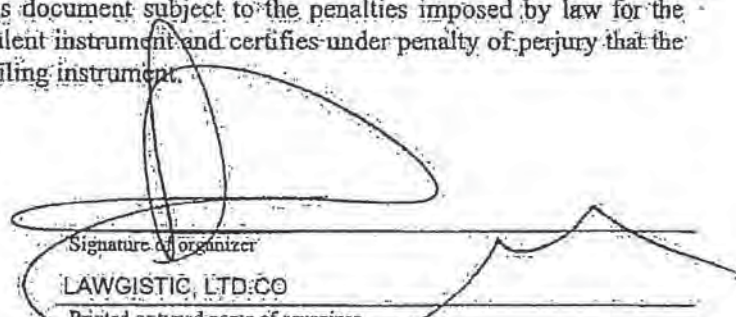
- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: OCTOBER 9TH, 2013



Signature of organizer

LAWGISTIC, LTD CO

Printed or typed name of organizer

Form 401-A
(Revised 12/09)



Acceptance of Appointment
and
Consent to Serve as Registered Agent
§5.201(b) Business Organizations Code

The following form may be used when the person designated as registered agent in a registered agent filing is an individual.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I acknowledge, accept and consent to my designation or appointment as registered agent in Texas for		
<i>Name of represented entity</i>		
I am a resident of the state and understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if I resign.		
X: _____		
<i>Signature of registered agent</i>	<i>Printed name of registered agent</i>	<i>Date (mm/dd/yyyy)</i>

The following form may be used when the person designated as registered agent in a registered agent filing is an organization.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I am authorized to act on behalf of <u>Capitol Corporate Services, Inc.</u>		
<i>Name of organization designated as registered agent</i>		
The organization is registered or otherwise authorized to do business in Texas. The organization acknowledges, accepts and consents to its appointment or designation as registered agent in Texas for: 18 GRIFFIN HILL, LLC		
<i>Name of represented entity</i>		
The organization takes responsibility to receive any process, notice, or demand that is served on the organization as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if the organization resigns.		
X: <u>Krista Ali</u> Krista Ali, Asst. Secretary on behalf of Capitol Corporate Services, Inc. 10/16/2013		
<i>Signature of person authorized to act on behalf of organization</i>	<i>Printed name of authorized person</i>	<i>Date (mm/dd/yyyy)</i>

Form 201
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512/463-5709
Filing Fee: \$300



Certificate of Formation
For-Profit Corporation

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas
MAR 07 2012
Corporations Section

Article 1 – Entity Name and Type

The filing entity being formed is a for-profit corporation. The name of the entity is:

138 Bryce Branch, Inc.

The name must contain the word "corporation," "company," "incorporated," "limited" or an abbreviation of one of these terms.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Mónica		Babayan		Ms.
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>		<i>Suffix</i>

C. The business address of the registered agent and the registered office address is:

43 Spinning Wheel Cr.	The Woodlands	TX	77382
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Article 3 – Directors

(A minimum of 1 director is required.)

The number of directors constituting the initial board of directors and the names and addresses of the person or persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and qualified are as follows:

Director 1				
Mónica		Babayan		Ms.
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>		<i>Suffix</i>
43 Spinning Wheel Cr.	The Woodlands	TX	77382	USA
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

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MAR 07 2012
Secretary of State

Director 2				
José	Antonio	Bandin	Mr.	
<i>First Name</i>	<i>MI.</i>	<i>Last Name</i>	<i>Suffix</i>	
43 Spinning Wheel Cr.	The Woodlands	TX	77382	USA
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Director 3				
<i>First Name</i>	<i>MI.</i>	<i>Last Name</i>	<i>Suffix</i>	
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Article 4 – Authorized Shares

(Provide the number of shares in the space below, then select option A or option B, do not select both.)

The total number of shares the corporation is authorized to issue is: 5,000

A. The par value of each of the authorized shares is: \$1.00
OR

B. The shares shall have no par value.

If the shares are to be divided into classes, you must set forth the designation of each class, the number of shares of each class, the par value (or statement of no par value), and the preferences, limitations, and relative rights of each class in the space provided for supplemental information on this form.

Article 5 – Purpose

The purpose for which the corporation is formed is for the transaction of any and all lawful business for which a for-profit corporation may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer:

Jorge M. Corona

Name

32222 Tamina Rd., Ste. F-2

Street or Mailing Address

Magnolia

City

TX

State

77354

Zip Code

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: March 5, 2012

/s/ Jorge M. Corona

Signature of organizer

Jorge M. Corona

Printed or typed name of organizer

Form 632
 (Revised 05/11)

Return in duplicate to:
 Secretary of State
 P.O. Box 13697
 Austin, TX 78711-3697
 512 463-5555
 FAX: 512 463-5709

Filing Fee: See instructions



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FILED
 In the Office of the
 Secretary of State of Texas

OCT 17 2013

Corporations Section

**Certificate of Conversion
 of a
 Corporation Converting
 to a
 Limited Liability Company**

Converting Entity Information

The name of the converting corporation is:
138 BRYCE BRANCH INC

The jurisdiction of formation of the corporation is: TEXAS

The date of formation of the corporation is: MARCH 7TH, 2012

The file number, if any, issued to the corporation by the secretary of state, is: 8015626692

Plan of Conversion—Alternative Statements

The corporation named above is converting to a limited liability company. The name of the limited liability company is:
138 BRYCE BRANCH LLC

The limited liability company will be formed under the laws of: TEXAS

The plan of conversion is attached.

If the plan of conversion is not attached, the following statements must be completed.

Instead of attaching the plan of conversion, the corporation certifies to the following statements:

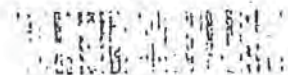
A signed plan of conversion is on file at the principal place of business of the corporation, the converting entity. The address of the principal place of business of the corporation is:

8350 ASHLANE WAY SUITE 104 THE WOODLANDS TX USA 77382
Street or Mailing Address City State Country Zip Code

A signed plan of conversion will be on file after the conversion at the principal place of business of the limited liability company, the converted entity. The address of the principal place of business of the limited liability company is:

8350 ASHLANE WAY SUITE 104 THE WOODLANDS TX USA 77382
Street or Mailing Address City State Country Zip Code

A copy of the plan of conversion will be furnished on written request without cost by the converting entity before the conversion or by the converted entity after the conversion to any owner or member of the converting or converted entity.



Certificate of Formation for the Converted Entity

The converted entity is a Texas limited liability company. The certificate of formation of the Texas limited liability company is attached to this certificate either as an attachment or exhibit to the plan of conversion, or as an attachment or exhibit to this certificate of conversion if the plan has not been attached to the certificate of conversion.

Approval of the Plan of Conversion

The plan of conversion has been approved as required by the laws of the jurisdiction of formation and the governing documents of the converting entity.

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is accepted and filed by the secretary of state.
B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is:
C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is:
The following event or fact will cause the document to take effect in the manner described below:

Tax Certificate

- Attached hereto is a certificate from the comptroller of public accounts that all taxes under title 2, Tax Code, have been paid by the corporation.
In lieu of providing the tax certificate, the limited liability company as the converted entity is liable for the payment of any franchise taxes.

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: 10/9/2013

Handwritten signature of Jose Antonio Bandin, Manager/Secretary

Form 205
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512 463-5709
Filing Fee: \$300



Certificate of Formation
Limited Liability Company

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas
OCT 17 2013
Corporations Section

Article 1 – Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

138 BRYCE BRANCH, LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 – Registered Agent and Registered Office
(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

Capitol Corporate Services, Inc.

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
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C. The business address of the registered agent and the registered office address is:

<u>800 Brazos, Ste 400</u>	<u>Austin</u>	<u>TX</u>	<u>78701</u>
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Article 3 – Governing Authority

(Select and complete either A or B and provide the name and address of each governing person.)

A. The limited liability company will have managers. The name and address of each initial manager are set forth below.

B. The limited liability company will not have managers. The company will be governed by its members, and the name and address of each initial member are set forth below.

GOVERNING PERSON 1

NAME (Enter the name of either an individual or an organization, but not both.)

IF INDIVIDUAL

<u>JOSE</u>	<u>A</u>	<u>BANDIN</u>	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>

OR
IF ORGANIZATION

Organization Name

<u>42 Spotted Lily Way</u>	<u>The Woodlands</u>	<u>TX</u>	<u>USA</u>	<u>77354</u>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

GOVERNING PERSON 2					
NAME (Enter the name of either an individual or an organization, but not both.)					
IF INDIVIDUAL					
Monica		Babayan			
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>		
OR					
IF ORGANIZATION					
<i>Organization Name</i>					
ADDRESS					
42 Spotted Lily Way		The Woodlands		TX	USA 77354
<i>Street or Mailing Address</i>		<i>City</i>		<i>State</i>	<i>Country Zip Code</i>

GOVERNING PERSON 3					
NAME (Enter the name of either an individual or an organization, but not both.)					
IF INDIVIDUAL					
<i>First Name</i>		<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
OR					
IF ORGANIZATION					
<i>Organization Name</i>					
ADDRESS					
<i>Street or Mailing Address</i>		<i>City</i>		<i>State</i>	<i>Country Zip Code</i>

Article 4 – Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

<p>This Filing entity is being formed under a Plan of Conversion.</p> <p>The name, file number, date of formation, jurisdiction of formation of the converting entity, and address, is:</p> <p>138 Bryce Branch, Inc File Number: 801562692 03/07/2012</p> <p>Domestic for Profit Corporation TEXAS</p> <p>43 Spinning Wheel Cr. The Woodlands, TX, 77382, USA</p>

Organizer

The name and address of the organizer:

LAWGISTIC, LTD CO

Name

800 TOWN & COUNTRY SUITE 300

HOUSTON

TX 77024

Street or Mailing Address

City

State

Zip Code

Effectiveness of Filing (Select either A, B, or C.)

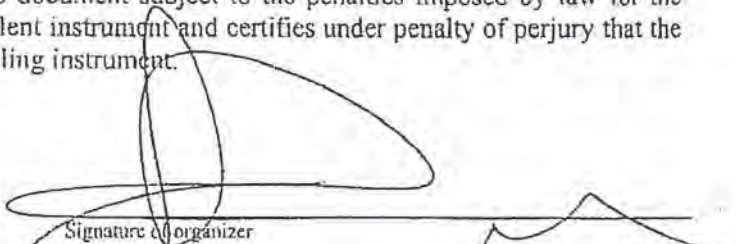
- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: OCTOBER 9TH, 2013



Signature of organizer

LAWGISTIC, LTD.CO

Printed or typed name of organizer

Form 401-A
(Revised 12/09)




Acceptance of Appointment
and
Consent to Serve as Registered Agent
§5.201(b) Business Organizations Code

The following form may be used when the person designated as registered agent in a registered agent filing is an individual.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I acknowledge, accept and consent to my designation or appointment as registered agent in Texas for		
<i>Name of represented entity</i>		
I am a resident of the state and understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if I resign.		
x:		
<i>Signature of registered agent</i>	<i>Printed name of registered agent</i>	<i>Date (mm/dd/yyyy)</i>

The following form may be used when the person designated as registered agent in a registered agent filing is an organization.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I am authorized to act on behalf of <u>Capitol Corporate Services, Inc.</u>		
<i>Name of organization designated as registered agent</i>		
The organization is registered or otherwise authorized to do business in Texas. The organization acknowledges, accepts and consents to its appointment or designation as registered agent in Texas for: 138 BRYCE BRANCH, LLC		
<i>Name of represented entity</i>		
The organization takes responsibility to receive any process, notice, or demand that is served on the organization as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if the organization resigns.		
x:		
<i>Signature of person authorized to act on behalf of organization</i>	Krista Ali, Asst. Secretary on behalf of Capitol Corporate Services, Inc.	10/16/2013
<i>Signature of person authorized to act on behalf of organization</i>	<i>Printed name of authorized person</i>	<i>Date (mm/dd/yyyy)</i>

<p>Form 205 (Revised 05/11)</p> <p>Submit in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555 FAX: 512 463-5709 Filing Fee: \$300</p>	 <p>Certificate of Formation Limited Liability Company</p>	<p style="text-align: right;">This space reserved for office use.</p> <p style="text-align: center;">FILED In the Office of the Secretary of State of Texas</p> <p style="text-align: center;">JAN 29 2014</p> <p style="text-align: right;">Corporations Section</p>
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Article 1 – Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

43 SPINNING WHEEL, LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

Capitol Corporate Services, Inc.

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
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C. The business address of the registered agent and the registered office address is:

800 Brazos, Ste 400	Austin	TX	78701
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Article 3—Governing Authority

(Select and complete either A or B and provide the name and address of each governing person.)

A. The limited liability company will have managers. The name and address of each initial manager are set forth below.

B. The limited liability company will not have managers. The company will be governed by its members, and the name and address of each initial member are set forth below.

GOVERNING PERSON 1				
NAME (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
JOSE	A	BANDIN		
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
OR				
IF ORGANIZATION				
<i>Organization Name</i>				
ADDRESS				
8350 ASHLANE WAY SUITE 104	THE WOODLANDS	TX	USA	77382
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

RECEIVED
JAN 29 2014
Secretary of State

GOVERNING PERSON 2				
NAME (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
MONICA		BABAYAN		
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
OR				
IF ORGANIZATION				
<i>Organization Name</i>				
ADDRESS				
8350 ASHLANE WAY SUITE 104		THE WOODLANDS	TX	USA 77382
<i>Street or Mailing Address</i>	<i>City</i>		<i>State</i>	<i>Country Zip Code</i>

GOVERNING PERSON 3				
NAME (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
OR				
IF ORGANIZATION				
<i>Organization Name</i>				
ADDRESS				
<i>Street or Mailing Address</i>	<i>City</i>		<i>State</i>	<i>Country Zip Code</i>

Article 4 – Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer:

LAWGISTIC, LTD CO

Name

800 TOWN & COUNTRY SUITE 300

HOUSTON

TX 77024

Street or Mailing Address

City

State Zip Code

Effectiveness of Filing (Select either A, B, or C.)

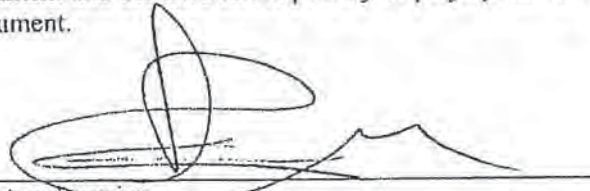
- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: JANUARY 29TH, 2014



Signature of organizer

LAWGISTIC, LTD.CO . JUAN C LUNA. MANAGER

Printed or typed name of organizer

Form 401-A
(Revised 12/09)




**Acceptance of Appointment
and
Consent to Serve as Registered Agent
§5.201(b) Business Organizations Code**

The following form may be used when the person designated as registered agent in a registered agent filing is an individual.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I acknowledge, accept and consent to my designation or appointment as registered agent in Texas for		
<i>Name of represented entity</i>		
I am a resident of the state and understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if I resign.		
X:		
<i>Signature of registered agent</i>	<i>Printed name of registered agent</i>	<i>Date (mm/dd/yyyy)</i>

The following form may be used when the person designated as registered agent in a registered agent filing is an organization.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I am authorized to act on behalf of Capitol Corporate Services, Inc.		
<i>Name of organization designated as registered agent</i>		
The organization is registered or otherwise authorized to do business in Texas. The organization acknowledges, accepts and consents to its appointment or designation as registered agent in Texas for: 43 SPINNING WHEEL, LLC		
<i>Name of represented entity</i>		
The organization takes responsibility to receive any process, notice, or demand that is served on the organization as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if the organization resigns.		
X:		
<i>Signature of person authorized to act on behalf of organization</i>	<i>Printed name of authorized person</i>	<i>Date (mm/dd/yyyy)</i>
	Krista Ali, Asst. Secretary on behalf of Capitol Corporate Services, Inc.	01/29/2014

<p>Form 205 (Revised 05/11)</p> <p>Submit in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555 FAX: 512 463-5709 Filing Fee: \$300</p>	 <p>Certificate of Formation Limited Liability Company</p>	<p style="text-align: right;">This space reserved for office use.</p> <p style="text-align: center;">FILED In the Office of the Secretary of State of Texas</p> <p style="text-align: center;">JAN 29 2014</p> <p style="text-align: right;">Corporations Section</p>
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Article 1 – Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

43 SPINNING WHEEL, LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

Capitol Corporate Services, Inc.

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
-------------------	-------------	------------------	---------------

C. The business address of the registered agent and the registered office address is:

<u>800 Brazos, Ste 400</u>	<u>Austin</u>	<u>TX</u>	<u>78701</u>
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Article 3—Governing Authority

(Select and complete either A or B and provide the name and address of each governing person.)

A. The limited liability company will have managers. The name and address of each initial manager are set forth below.

B. The limited liability company will not have managers. The company will be governed by its members, and the name and address of each initial member are set forth below.

GOVERNING PERSON 1				
NAME (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
<u>JOSE</u>	<u>A</u>	<u>BANDIN</u>		
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
OR				
IF ORGANIZATION				
<i>Organization Name</i>				
ADDRESS				
<u>8350 ASHLANE WAY SUITE 104</u>	<u>THE WOODLANDS</u>	<u>TX</u>	<u>USA</u>	<u>77382</u>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

RECEIVED
JAN 29 2014
Secretary of State

GOVERNING PERSON 2					
NAME (Enter the name of either an individual or an organization, but not both.)					
IF INDIVIDUAL					
MONICA		BABAYAN			
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>		
OR					
IF ORGANIZATION					
<i>Organization Name</i>					
ADDRESS					
8350 ASHLANE WAY SUITE 104		THE WOODLANDS		TX	USA 77382
<i>Street or Mailing Address</i>		<i>City</i>		<i>State</i>	<i>Country Zip Code</i>

GOVERNING PERSON 3					
NAME (Enter the name of either an individual or an organization, but not both.)					
IF INDIVIDUAL					
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>		
OR					
IF ORGANIZATION					
<i>Organization Name</i>					
ADDRESS					
<i>Street or Mailing Address</i>		<i>City</i>		<i>State</i>	<i>Country Zip Code</i>

Article 4 – Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer:

LAWGISTIC, LTD CO

Name

800 TOWN & COUNTRY SUITE 300

HOUSTON

TX 77024

Street or Mailing Address

City

State Zip Code

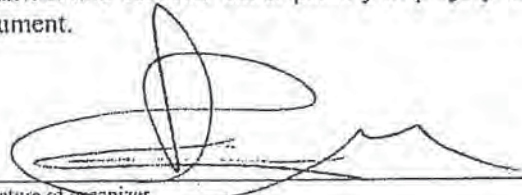
Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
 - B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
 - C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____
- The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: JANUARY 29TH, 2014



Signature of organizer

LAWGISTIC, LTD.CO . JUAN C LUNA. MANAGER

Printed or typed name of organizer

Form 401-A
(Revised 12/09)



**Acceptance of Appointment
and
Consent to Serve as Registered Agent
§5.201(b) Business Organizations Code**

The following form may be used when the person designated as registered agent in a registered agent filing is an individual.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I acknowledge, accept and consent to my designation or appointment as registered agent in Texas for		
<i>Name of represented entity</i>		
I am a resident of the state and understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if I resign.		
x: _____		
<i>Signature of registered agent</i>	<i>Printed name of registered agent</i>	<i>Date (mm/dd/yyyy)</i>

The following form may be used when the person designated as registered agent in a registered agent filing is an organization.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I am authorized to act on behalf of <u>Capitol Corporate Services, Inc.</u>		
<i>Name of organization designated as registered agent</i>		
The organization is registered or otherwise authorized to do business in Texas. The organization acknowledges, accepts and consents to its appointment or designation as registered agent in Texas for: 43 SPINNING WHEEL, LLC		
<i>Name of represented entity</i>		
The organization takes responsibility to receive any process, notice, or demand that is served on the organization as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if the organization resigns.		
x: <u>Krista Ali</u> Krista Ali, Asst. Secretary on behalf		
<i>Signature of person authorized to act on behalf of organization</i> <i>Printed name of authorized person</i>		
		of Capitol Corporate Services, Inc. 01/29/2014
		<i>Date (mm/dd/yyyy)</i>

<p>Form 632 (Revised 05/11)</p> <p>Return in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555 FAX: 512 463-5709</p> <p>Filing Fee: See instructions</p>	<p style="font-size: small;">This space reserved for office use.</p>  <p>Certificate of Conversion of a Corporation Converting to a Limited Liability Company</p>
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FILED
In the Office of the
Secretary of State of Texas
OCT 17 2013
Corporations Section

Converting Entity Information

The name of the converting corporation is: 42 SPOTTED LILY WAY, INC

The jurisdiction of formation of the corporation is: TEXAS

The date of formation of the corporation is: AUGUST 17TH, 2012

The file number, if any, issued to the corporation by the secretary of state, is: 801642000

Plan of Conversion—Alternative Statements

The corporation named above is converting to a limited liability company. The name of the limited liability company is:
BANBA OFFICES, . LLC

The limited liability company will be formed under the laws of: TEXAS

- The plan of conversion is attached.
- If the plan of conversion is not attached, the following statements must be completed.*
Instead of attaching the plan of conversion, the corporation certifies to the following statements:

A signed plan of conversion is on file at the principal place of business of the corporation, the converting entity. The address of the principal place of business of the corporation is:

<u>8350 ASHLANE WAY SUITE 104</u>	<u>THE WOODLANDS</u>	<u>TX</u>	<u>USA</u>	<u>77382</u>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

A signed plan of conversion will be on file after the conversion at the principal place of business of the limited liability company, the converted entity. The address of the principal place of business of the limited liability company is:

<u>8350 ASHLANE WAY SUITE 104</u>	<u>THE WOODLANDS</u>	<u>TX</u>	<u>USA</u>	<u>77382</u>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

A copy of the plan of conversion will be furnished on written request without cost by the converting entity before the conversion or by the converted entity after the conversion to any owner or member of the converting or converted entity.



Certificate of Formation for the Converted Entity

The converted entity is a Texas limited liability company. The certificate of formation of the Texas limited liability company is attached to this certificate either as an attachment or exhibit to the plan of conversion, or as an attachment or exhibit to this certificate of conversion if the plan has not been attached to the certificate of conversion.

Approval of the Plan of Conversion

The plan of conversion has been approved as required by the laws of the jurisdiction of formation and the governing documents of the converting entity.

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is accepted and filed by the secretary of state.
B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is:
C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is:

The following event or fact will cause the document to take effect in the manner described below:

Tax Certificate

- Attached hereto is a certificate from the comptroller of public accounts that all taxes under title 2, Tax Code, have been paid by the corporation.
In lieu of providing the tax certificate, the limited liability company as the converted entity is liable for the payment of any franchise taxes.

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: 10/9/2013

Handwritten signature of Jose Antonio Bandin

Jose Antonio Bandin - Manager/Secretary
Signature and title of authorized person on behalf of the converting entity

<p>Form 205 (Revised 05/11)</p> <p>Submit in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512-463-5555 FAX: 512-463-5709 Filing Fee: \$300</p>	 Certificate of Formation Limited Liability Company	<p>This space reserved for office use.</p> <p style="text-align: center;">FILED In the Office of the Secretary of State of Texas OCT 17 2013</p> <p style="text-align: center;">Corporations Section</p>
--	--	---

Article 1 – Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

BANBA OFFICES, LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

Capitol Corporate Services, Inc.

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

First Name	M.I.	Last Name	Suffix
------------	------	-----------	--------

C. The business address of the registered agent and the registered office address is:

800 Brazos, Ste 400	Austin	TX	78701
Street Address	City	State	Zip Code

Article 3 – Governing Authority

(Select and complete either A or B and provide the name and address of each governing person.)

A. The limited liability company will have managers. The name and address of each initial manager are set forth below:

B. The limited liability company will not have managers. The company will be governed by its members, and the name and address of each initial member are set forth below:

GOVERNING PERSONS			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
JOSE	A.	BANDIN	
First Name	M.I.	Last Name	Suffix
OR			
IF ORGANIZATION			
Organization Name			
ADDRESS			
42 Spotted Lily Way	The Woodlands	TX	USA 77354
Street or Mailing Address	City	State	Country Zip Code

GOVERNING PERSON 2				
NAME (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
Monica		Babayan		
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
OR				
IF ORGANIZATION				
<i>Organization Name</i>				
ADDRESS				
42 Spotted Lily Way	The Woodlands	TX	USA	77354
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

GOVERNING PERSON 3				
NAME (Enter the name of either an individual or an organization, but not both.)				
IF INDIVIDUAL				
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>	
OR				
IF ORGANIZATION				
<i>Organization Name</i>				
ADDRESS				
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country</i>	<i>Zip Code</i>

Article 4 – Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

<p>This Filing entity is being formed under a Plan of Conversion.</p> <p>The name, file number, date of formation, jurisdiction of formation of the converting entity, and address, is:</p> <p>42 SPOTTED LILY WAY, Inc File Number: 801642000 08/17/2012</p> <p>Domestic for Profit Corporation TEXAS</p> <p>43 Spinning Wheel Cr. The Woodlands, TX, 77382, USA</p>
--

Organizer

The name and address of the organizer:

LAWGISTIC, LTD CO

Name

800 TOWN & COUNTRY SUITE 300

Street or Mailing Address

HOUSTON

City

TX 77024

State Zip Code

Effectiveness of Filing (Select either A, B, or C.)

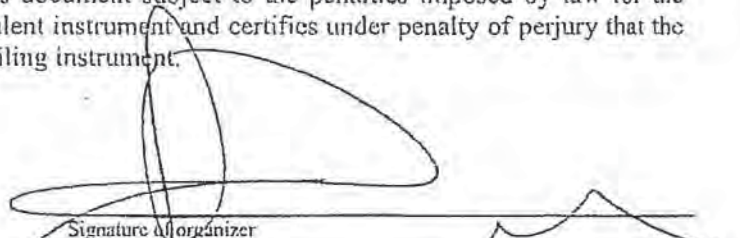
- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: OCTOBER 9TH, 2013



Signature of organizer

LAWGISTIC, LTD.CO

Printed or typed name of organizer

Form 401-A
(Revised 12/09)



**Acceptance of Appointment
and
Consent to Serve as Registered Agent
§5.201(b) Business Organizations Code**

The following form may be used when the person designated as registered agent in a registered agent filing is an individual.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I acknowledge, accept and consent to my designation or appointment as registered agent in Texas for		
<i>Name of represented entity</i>		
I am a resident of the state and understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if I resign.		
x:	<i>Signature of registered agent</i>	<i>Printed name of registered agent</i>
		<i>Date (mm/dd/yyyy)</i>

The following form may be used when the person designated as registered agent in a registered agent filing is an organization.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I am authorized to act on behalf of <u>Capitol Corporate Services, Inc.</u>		
<i>Name of organization designated as registered agent</i>		
The organization is registered or otherwise authorized to do business in Texas. The organization acknowledges, accepts and consents to its appointment or designation as registered agent in Texas for:		
BANBA OFFICES, LLC		
<i>Name of represented entity</i>		
The organization takes responsibility to receive any process, notice, or demand that is served on the organization as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if the organization resigns.		
x:	 <i>Signature of person authorized to act on behalf of organization</i>	Krista Ali, Asst. Secretary on behalf of Capitol Corporate Services, Inc. <i>Printed name of authorized person</i>
		10/16/2013 <i>Date (mm/dd/yyyy)</i>

Exhibit "A"

The following described Condominium Unit, limited common elements appurtenant thereto, together with an undivided interest in the general common elements located in and being part of Bayou Woods Townhome Condominiums, a condominium project in the City of Houston, Harris County, Texas, as fully described in and as located, delineated and as defined in the condominium declaration for Bayou Woods Townhome Condominiums, together with the survey plat, by law; and exhibits attached thereto, recorded in Volume 56, Page 1, et seq., of the Condominium Records of Harris County, Texas:

That part of Bayou Woods Townhome Condominiums being the Condominium Unit Number 8976-J, in Building Lettered "N", and the space encompassed by the boundaries thereof;

That part of the limited common elements of Bayou Woods Townhome Condominiums, being Carport Space(s) No(s). 76-P, together with the space encompassed by the boundaries thereof; and

That part of the limited common elements of Bayou Woods Townhome Condominiums, being Storage Locker Spec(s) No(s). 76-S, together with the space encompassed by the boundaries thereof; and

An undivided 2.9360 percent ownership interest in and to the general common elements of the condominium project known as Bayou Woods Townhome Condominiums, together with the limited common elements appurtenant thereto.

RP-2016-105627

RP-2016-105627

RP-2016-105627
Pages 5
03/15/2016 08:51 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$28.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS

HARRIS COUNTY APPRAISAL DISTRICT
 REAL PROPERTY ACCOUNT INFORMATION
1336710010018

Tax Year: 2018



Owner and Property Information							
Owner Name & Mailing Address: CANAL MONICA B RUIZ JOSE A 38 SHALLOWFORD PL TOMBALL TX 77375-4982			Legal Description: LT 18 BLK 1 THE WOODLANDS CREEKSIDE PARK WEST SEC 11				
			Property Address: 38 SHALLOWFORD PL TOMBALL TX 77375				
State Class Code	Land Use Code	Land Area	Total Living Area	Neighborhood	Neighborhood Group	Map Facet	Key Map®
A1 -- Real, Residential, Single-Family	1001 -- Residential Improved	21,647 SF	4,634 SF	2604.39	26033	4973A	250J

Value Status Information			
Value Status	Notice Date	Hearing Status	Shared CAD
Noticed	4/13/2018	Informal : 6/23/2018 8:00:00 AM	No

Exemptions and Jurisdictions						
Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2017 Rate	2018 Rate
Residential Homestead	026	TOMBALL ISD	25,000	Not Certified	1.340000	
	040	HARRIS COUNTY	120,746	Not Certified	0.418010	
	041	HARRIS CO FLOOD CNTRL	120,746	Not Certified	0.028310	
	042	PORT OF HOUSTON AUTHY	120,746	Not Certified	0.012560	
	043	HARRIS CO HOSP DIST	120,746	Not Certified	0.171100	
	044	HARRIS CO EDUC DEPT	120,746	Not Certified	0.005195	
	045	LONE STAR COLLEGE SYS	6,037	Not Certified	0.107800	
	125	THE WOODLANDS TOWNSHIP	0	Not Certified	0.230000	
	395	HARRIS-MONTGOMERY CO MUD 386	0	Not Certified	0.465000	
	666	HC EMERG SERV DIST 11	0	Not Certified	0.039040	

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at **HCAD's information center at 13013 NW Freeway.**

Valuations					
Value as of January 1, 2017			Value as of January 1, 2018		
	Market	Appraised		Market	Appraised
Land	103,725		Land	103,725	
Improvement	466,361		Improvement	500,007	
Total	570,086	570,086	Total	603,732	603,732

Land												
Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	1001 -- Res Improved Table Value	SF1	SF	9,600	1.00	1.00	1.00	--	1.00	9.60	9.60	92,160.00
2	1001 -- Res Improved Table Value	SF3	SF	12,047	1.00	0.10	1.00	--	0.10	9.60	0.96	11,565.00

Building						
Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
1	2014	Residential Single Family	Residential 1 Family	Excellent	4,634 *	Displayed

* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. Living area above *attached* garages is included in the square footage living area of the dwelling. Living area above *detached* garages is not included in the square footage living area of the dwelling but is valued separately. This method is used on all residential properties in Harris County to ensure the uniformity of square footage of living area measurements district-wide. There can be a reasonable variance between the HCAD square footage and your square footage

measurement, especially if your square footage measurement was an interior measurement or an exterior measurement to the inch.

Building Details (1)

Building Data	
Element	Detail
Foundation Type	Slab
Exterior Wall	Brick / Veneer
Heating / AC	Central Heat/AC
Grade Adjustment	A
Physical Condition	Average
Cond / Desir / Util	Average
Exterior Wall	Stone
Exterior Wall	Frame / Concrete Blk
Element	Units
Fireplace: Metal Prefab	1
Room: Rec	2
Room: Half Bath	1
Room: Bedroom	5
Room: Total	10
Room: Full Bath	4

Building Areas	
Description	Area
BASE AREA PRI	2,628
BASE AREA UPR	2,006
OPEN MAS PORCH PRI	118
OPEN MAS PORCH PRI	330
CARPORT PRI	84
MAS/BRK GARAGE PRI	420

Extra Features

Line	Description	Quality	Condition	Units	Year Bult
1	Gunite Pool	Average	Average	480.00	2014
2	Pool SPA with Heater	Average	Average	1.00	2014



Ownership History: 1336710010018

**38 SHALLOWFORD PL
TOMBALL TX 77375**

Owner

CANAL MONICA B

RUIZ JOSE A

J PATRICK HOMES LTD

Effective Date

10/3/2014

10/3/2014

1/1/2013

[end of record]

-close window-

HARRIS COUNTY APPRAISAL DISTRICT
 REAL PROPERTY ACCOUNT INFORMATION
1336710010023

Tax Year: 2018



Owner and Property Information							
Owner Name & Mailing Address: 18 SHALLOWFORD LLC 8350 ASHLANE WAY STE 104 SPRING TX 77382-2341				Legal Description: LT 23 BLK 1 THE WOODLANDS CREEKSIDE PARK WEST SEC 11			
				Property Address: 18 SHALLOWFORD PL TOMBALL TX 77375			
State Class Code	Land Use Code	Land Area	Total Living Area	Neighborhood	Neighborhood Group	Map Facet	Key Map®
A1 -- Real, Residential, Single-Family	1001 -- Residential Improved	9,754 SF	3,834 SF	2604.39	26033	4973A	250N

Value Status Information		
Value Status	Notice Date	Shared CAD
Noticed	04/13/2018	No

Exemptions and Jurisdictions						
Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2017 Rate	2018 Rate
None	026	TOMBALL ISD		Not Certified	1.340000	
	040	HARRIS COUNTY		Not Certified	0.418010	
	041	HARRIS CO FLOOD CNTRL		Not Certified	0.028310	
	042	PORT OF HOUSTON AUTHY		Not Certified	0.012560	
	043	HARRIS CO HOSP DIST		Not Certified	0.171100	
	044	HARRIS CO EDUC DEPT		Not Certified	0.005195	
	045	LONE STAR COLLEGE SYS		Not Certified	0.107800	
	125	THE WOODLANDS TOWNSHIP		Not Certified	0.230000	
	395	HARRIS-MONTGOMERY CO MUD 386		Not Certified	0.465000	
666	HC EMERG SERV DIST 11		Not Certified	0.039040		

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Valuations					
Value as of January 1, 2017			Value as of January 1, 2018		
	Market	Appraised		Market	Appraised
Land	92,308		Land	92,308	
Improvement	444,992		Improvement	444,992	
Total	537,300	537,300	Total	537,300	537,300

Land												
Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	1001 -- Res Improved Table Value	SF1	SF	9,600	1.00	1.00	1.00	--	1.00	9.60	9.60	92,160.00
2	1001 -- Res Improved Table Value	SF3	SF	154	1.00	0.10	1.00	--	0.10	9.60	0.96	148.00

Building						
Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
1	2013	Residential Single Family	Residential 1 Family	Excellent	3,834 *	Displayed

* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. Living area above *attached* garages is included in the square footage living area of the dwelling. Living area above *detached* garages is not included in the square footage living area of the dwelling but is valued separately. This method is used on all residential properties in Harris County to ensure the uniformity of square footage of living area measurements district-wide. There can be a reasonable variance between the HCAD square footage and your square footage measurement, especially if your square footage measurement was an interior measurement or an exterior measurement to the inch.

Building Details (1)

Building Data	
Element	Detail
Foundation Type	Slab
Exterior Wall	Brick / Veneer
Heating / AC	Central Heat/AC
Grade Adjustment	A+
Physical Condition	Average
Cond / Desir / Util	Average
Exterior Wall	Frame / Concrete Blk
Exterior Wall	Stone
Element	Units
Room: Rec	2
Room: Half Bath	1
Fireplace: Metal Prefab	2
Room: Bedroom	4
Room: Total	9
Room: Full Bath	3

Building Areas	
Description	Area
BASE AREA UPR	1,620
BASE AREA PRI	2,214
MAS/BRK GARAGE PRI	437
CANOPY PRI	95
OPEN MAS PORCH PRI	216
OPEN MAS PORCH PRI	47



Ownership History: 1336710010023

**18 SHALLOWFORD PL
TOMBALL TX 77375**

Owner

18 SHALLOWFORD LLC
HONG JAMIE JM & LILIA M

Effective Date

3/7/2015
7/23/2013

[end of record]

-close window-

Property Owner Property Address 2018 Assessed Value
 R437314 18 SHALLOWFORD PL LLC 8350 ASHLANE WAY, STE #8, THE WOODLANDS, TX 77382 \$266,900

2018 GENERAL INFORMATION

Property Status **Active**
 Property Type **Real**
 Legal Description **S219800 - Ashlane Way Professional Building, UNIT 8, FLOOR 2**
 Neighborhood **SCO CWT VILLAGES - W OF I45**
 Account **2198-00-00800**
 Related Properties **P436053, P447447, P02975**
 Map Number **215Z**

2018 VALUE INFORMATION

Improvement Homesite Value **\$0**
 Improvement Non-Homesite Value **\$215,700**
 Total Improvement Market Value **\$215,700**
 Land Homesite Value **\$0**
 Land Non-Homesite Value **\$51,200**
 Land Agricultural Market Value **\$0**
 Total Land Market Value **\$51,200**
 Total Market Value **\$266,900**
 Agricultural Use **\$0**
 Total Appraised Value **\$266,900**
 Homestead Cap Loss **-\$0**
 Total Assessed Value **\$266,900**

2018 OWNER INFORMATION

Owner Name **18 SHALLOWFORD PL LLC**
 Owner ID **00491762**
 Exemptions
 Percent Ownership **100%**
 Mailing Address **8350 ASHLANE WAY #STE 104-23 SPRING, TX 77382**

2018 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
CAD- Appraisal District			\$0	\$266,900	0
CWT- The Woodlands Township			\$0	\$266,900	0.23
GMO- Montgomery Cnty			\$0	\$266,900	0.4667
HM1- Mont Co Hospital			\$0	\$266,900	0.0664
JNH- Lone Star College			\$0	\$266,900	0.1078
M46- Mont Co Mud 46			\$0	\$266,900	0.2125
SCO- Conroe ISD			\$0	\$266,900	1.28

TOTALS

2.3634

2018 IMPROVEMENTS

⌵ Expand/Collapse All

Improvement #1 State Code Homesite Total Main Area Market Value
 - F1 - Commercial (real) No - \$328,510

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Office Building	2013	2,456	\$328,510	⌵ Details

Improvement #2 State Code Homesite Total Main Area Market Value
 - F1 - Commercial (real) No - \$7,970

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Paving - Concrete Average	2013	2,623	\$7,970	⌵ Details

2018 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE LOSS	LAND SIZE
1 - Primary Site	F1 - Commercial (real)	No	\$51,200	\$0	8,533 Sq. ft

TOTALS

8,533 Sq. ft / 0.195891 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
2017	\$215,700	\$51,200	\$266,900	\$0	\$0	\$266,900	\$0	\$266,900
2016	\$226,620	\$51,200	\$277,820	\$0	\$0	\$277,820	\$0	\$277,820

2015	\$226,620	\$51,200	\$277,820	\$0	\$0	\$277,820	\$0	\$277,820
2014	\$226,620	\$51,200	\$277,820	\$0	\$0	\$277,820	\$0	\$277,820

SALES HISTORY

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
10/27/2015	MABEPA LLC	18 SHALLOWFORD PL LLC	2015106189	
4/21/2014	AVENTURA DEVELOPMENTS LLC	MABEPA LLC	2014035713	

DISCLAIMER

Every effort has been made to offer the most current and correct information possible on these pages. The information included on these pages has been compiled by County staff from a variety of sources, and is subject to change without notice. The Montgomery Central Appraisal District makes no warranties or representations whatsoever regarding the quality, content, completeness, accuracy or adequacy of such information and data. The Montgomery Central Appraisal District reserves the right to make changes at any time without notice. Original records may differ from the information on these pages. Verification of information on source documents is recommended. By using this application, you assume all risks arising out of or associated with access to these pages, including but not limited to risks of damage to your computer, peripherals, software and data from any virus, software, file or other cause associated with access to this application. The Montgomery Central Appraisal District shall not be liable for any damages whatsoever arising out of any cause relating to use of this application, including but not limited to mistakes, omissions, deletions, errors, or defects in any information contained in these pages, or any failure to receive or delay in receiving information.

Property Owner Property Address 2018 Assessed Value
 R437310 BANBA OFFICES LLC 8350 ASHLANE WAY, STE #4, THE WOODLANDS, TX 77382 \$267,140

2018 GENERAL INFORMATION

Property Status **Active**
 Property Type **Real**
 Legal Description **S219800 - Ashlane Way Professional Building, UNIT 4, FLOOR 1**
 Neighborhood **SCO CWT VILLAGES - W OF I45**
 Account **2198-00-00400**
 Map Number **215Z**

2018 VALUE INFORMATION

Improvement Homesite Value **\$0**
 Improvement Non-Homesite Value **\$215,910**
 Total Improvement Market Value **\$215,910**
 Land Homesite Value **\$0**
 Land Non-Homesite Value **\$51,230**
 Land Agricultural Market Value **\$0**
 Total Land Market Value **\$51,230**
 Total Market Value **\$267,140**
 Agricultural Use **\$0**
 Total Appraised Value **\$267,140**
 Homestead Cap Loss **-\$0**
 Total Assessed Value **\$267,140**

2018 OWNER INFORMATION

Owner Name **BANBA OFFICES LLC**
 Owner ID **O0458956**
 Exemptions
 Percent Ownership **100%**
 Mailing Address **8000 MCBETH WAY #STE 165 SPRING, TX 77382-1726**

2018 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
CAD- Appraisal District		\$0	\$267,140	0	0
CWT- The Woodlands Township		\$0	\$267,140	0.23	0
GMO- Montgomery Cnty		\$0	\$267,140	0.4667	0
HM1- Mont Co Hospital		\$0	\$267,140	0.0664	0
JNH- Lone Star College		\$0	\$267,140	0.1078	0
M46- Mont Co Mud 46		\$0	\$267,140	0.2125	0
SCO- Conroe ISD		\$0	\$267,140	1.28	0

TOTALS 2.3634

2018 IMPROVEMENTS

⌵ Expand/Collapse All

Improvement #1 State Code Homesite Total Main Area Market Value
 - F1 - Commercial (real) No - \$328,920

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Office Building	2013	2,459	\$328,920	⌵ Details

Improvement #2 State Code Homesite Total Main Area Market Value
 - F1 - Commercial (real) No - \$7,970

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Paving - Concrete Average	2013	2,625	\$7,970	⌵ Details

2018 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE LOSS	LAND SIZE
1 - Primary Site	F1 - Commercial (real)	No	\$51,230	\$0	8,538 Sq. ft

TOTALS 8,538 Sq. ft / 0.196006 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
2017	\$215,910	\$51,230	\$267,140	\$0	\$0	\$267,140	\$0	\$267,140

2016	\$226,830	\$51,230	\$278,060	\$0	\$0	\$278,060	\$0	\$278,060
2015	\$226,830	\$51,230	\$278,060	\$0	\$0	\$278,060	\$0	\$278,060
2014	\$226,830	\$51,230	\$278,060	\$0	\$0	\$278,060	\$0	\$278,060

SALES HISTORY

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
11/19/2013	AVENTURA DEVELOPMENTS LLC	BANBA OFFICES LLC	2013124934	

DISCLAIMER

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Property Owner Property Address 2018 Assessed Value
 R437309 BANBA OFFICES LLC 8350 ASHLANE WAY, STE #3, THE WOODLANDS, TX 77382 \$177,560

2018 GENERAL INFORMATION

Property Status **Active**
 Property Type **Real**
 Legal Description **S219800 - Ashlane Way Professional Building, UNIT 3, FLOOR 1**
 Neighborhood **SCO CWT VILLAGES - W OF I45**
 Account **2198-00-00300**
 Map Number **215Z**

2018 VALUE INFORMATION

Improvement Homesite Value **\$0**
 Improvement Non-Homesite Value **\$143,490**
 Total Improvement Market Value **\$143,490**
 Land Homesite Value **\$0**
 Land Non-Homesite Value **\$34,070**
 Land Agricultural Market Value **\$0**
 Total Land Market Value **\$34,070**
 Total Market Value **\$177,560**
 Agricultural Use **\$0**
 Total Appraised Value **\$177,560**
 Homestead Cap Loss **-\$0**
 Total Assessed Value **\$177,560**

2018 OWNER INFORMATION

Owner Name **BANBA OFFICES LLC**
 Owner ID **00458956**
 Exemptions
 Percent Ownership **100%**
 Mailing Address **8000 MCBETH WAY #STE 165 SPRING, TX 77382-1726**

2018 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
CAD- Appraisal District			\$0	\$177,560	0
CWT- The Woodlands Township			\$0	\$177,560	0.23
GMO- Montgomery Cnty			\$0	\$177,560	0.4667
HM1- Mont Co Hospital			\$0	\$177,560	0.0664
JNH- Lone Star College			\$0	\$177,560	0.1078
M46- Mont Co Mud 46			\$0	\$177,560	0.2125
SCO- Conroe ISD			\$0	\$177,560	1.28

TOTALS 2.3634

2018 IMPROVEMENTS

Improvement #1 State Code Homesite Total Main Area Market Value
 - F1 - Commercial (real) No - \$218,700 ≡ Expand/Collapse All

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Office Building	2013	1,635	\$218,700	≡ Details

Improvement #2 State Code Homesite Total Main Area Market Value
 - F1 - Commercial (real) No - \$5,300

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Paving - Concrete Average	2013	1,746	\$5,300	≡ Details

2018 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE LOSS	LAND SIZE
1 - Primary Site	F1 - Commercial (real)	No	\$34,070	\$0	5,679 Sq. ft

TOTALS 5,679 Sq. ft / 0.130372 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
2017	\$143,490	\$34,070	\$177,560	\$0	\$0	\$177,560	\$0	\$177,560

2016	\$150,750	\$34,070	\$184,820	\$0	\$0	\$184,820	\$0	\$184,820
2015	\$150,750	\$34,070	\$184,820	\$0	\$0	\$184,820	\$0	\$184,820
2014	\$150,750	\$34,070	\$184,820	\$0	\$0	\$184,820	\$0	\$184,820

SALES HISTORY

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
4/1/2014	AVENTURA DEVELOPMENTS LLC	BANBA OFFICES LLC	2014028872	

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Property Owner Property Address 2018 Assessed Value
 R339892 43 SPINNING WHEEL, LLC 43 N SPINNING WHEEL CIR, THE WOODLANDS, TX 77382 \$262,000

2018 GENERAL INFORMATION

Property Status **Active**
 Property Type **Real**
 Legal Description **S969956 - WdInds VII Sterling Ridge 56, BLOCK 1, Lot 11**
 Neighborhood **VOSR 56**
 Account **9699-56-01100**
 Map Number **GIS0821-D**

2018 VALUE INFORMATION

Improvement Homesite Value **\$210,240**
 Improvement Non-Homesite Value **\$0**
 Total Improvement Market Value **\$210,240**
 Land Homesite Value **\$51,760**
 Land Non-Homesite Value **\$0**
 Land Agricultural Market Value **\$0**
 Total Land Market Value **\$51,760**
 Total Market Value **\$262,000**
 Agricultural Use **\$0**
 Total Appraised Value **\$262,000**
 Homestead Cap Loss **-\$0**
 Total Assessed Value **\$262,000**

2018 OWNER INFORMATION

Owner Name **43 SPINNING WHEEL, LLC**
 Owner ID **O0475090**
 Exemptions
 Percent Ownership **100%**
 Mailing Address **43 N SPINNING WHEEL CIR SPRING, TX 77382-1445**

2018 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
CAD- Appraisal District			\$0	\$262,000	0
CWT- The Woodlands Township			\$0	\$262,000	0.23
GMO- Montgomery Cnty			\$0	\$262,000	0.4667
HM1- Mont Co Hospital			\$0	\$262,000	0.0664
JNH- Lone Star College			\$0	\$262,000	0.1078
M46- Mont Co Mud 46			\$0	\$262,000	0.2125
SCO- Conroe ISD			\$0	\$262,000	1.28

TOTALS

2.3634

2018 IMPROVEMENTS

Expand/Collapse All

Improvement #1 State Code Homesite Total Main Area Market Value
 - A1 - Residential Single Family Yes 2,335 Sq. Ft \$215,580

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Main Area	2006	937	\$80,610	Details
2	Main Area 2nd Flr	2006	1,398	\$115,590	Details
3	Open Masonry Porch	2006	30	\$820	Details
4	Attached Brick Garage	2006	440	\$18,560	Details

2018 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE LOSS	LAND SIZE
1 - Primary Site	A1 - Residential Single Family	Yes	\$51,760	\$0	5,249 Sq. ft

TOTALS

5,249 Sq. ft / 0.120500 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
2017	\$210,240	\$51,760	\$262,000	\$0	\$0	\$262,000	\$0	\$262,000

2016	\$215,580	\$51,760	\$267,340	\$0	\$0	\$267,340	\$0	\$267,340
2015	\$194,320	\$51,760	\$246,080	\$0	\$0	\$246,080	\$0	\$246,080
2014	\$197,320	\$51,760	\$249,080	\$0	\$0	\$249,080	\$0	\$249,080
2013	\$173,780	\$51,760	\$225,540	\$0	\$0	\$225,540	\$0	\$225,540

SALES HISTORY

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
11/10/2014	RUIZ, JOSE & MONICA CANAL	43 SPINNING WHEEL, LLC	2014109036	
1/19/2012	RODRIGO, MARIA JESUS GOMEZ	RUIZ, JOSE & MONICA CANAL	2012004979	
8/31/2006	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	LENNAR HOMES OF TEXAS SALES & MARKETING LTD	-	165.11/1814
8/31/2006	LENNAR HOMES OF TEXAS SALES & MARKETING LTD	RODRIGO, MARIA JESUS GOMEZ	-	165.11/1816
2/22/2006	WOODLANDS LAND DEV LP	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	-	019.11/0285

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Property Owner Property Address 2018 Assessed Value
R333635 138 BRYCE BRANCH LLC 138 BRYCE BRANCH CIR, THE WOODLANDS, TX 77382 \$265,000

2018 GENERAL INFORMATION

Property Status **Active**
 Property Type **Real**
 Legal Description **S969934 - Wdlns VII Sterling Ridge 34, BLOCK 3, Lot 4**
 Neighborhood **VOSR 34**
 Account **9699-34-07800**
 Map Number **-**

2018 VALUE INFORMATION

Improvement Homesite Value **\$220,930**
 Improvement Non-Homesite Value **\$0**
 Total Improvement Market Value **\$220,930**
 Land Homesite Value **\$44,070**
 Land Non-Homesite Value **\$0**
 Land Agricultural Market Value **\$0**
 Total Land Market Value **\$44,070**
 Total Market Value **\$265,000**
 Agricultural Use **\$0**
 Total Appraised Value **\$265,000**
 Homestead Cap Loss **-\$0**
 Total Assessed Value **\$265,000**

2018 OWNER INFORMATION

Owner Name **138 BRYCE BRANCH LLC**
 Owner ID **O0457458**
 Exemptions
 Percent Ownership **100%**
 Mailing Address **8000 MCBETH WAY #STE 165 SPRING, TX 77382-1726**

2018 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
CAD- Appraisal District		\$0	\$265,000	0	0
CWT- The Woodlands Township		\$0	\$265,000	0.23	0
GMO- Montgomery Cnty		\$0	\$265,000	0.4667	0
HM1- Mont Co Hospital		\$0	\$265,000	0.0664	0
JNH- Lone Star College		\$0	\$265,000	0.1078	0
M46- Mont Co Mud 46		\$0	\$265,000	0.2125	0
SCO- Conroe ISD		\$0	\$265,000	1.28	0

TOTALS 2.3634

2018 IMPROVEMENTS

Improvement #1 State Code Homesite Total Main Area Market Value
 - A1 - Residential Single Family Yes 2,175 Sq. Ft \$226,960 ⌵ Expand/Collapse All

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Main Area	2006	2,175	\$201,860	⌵ Details
2	Open Masonry Porch	2006	143	\$3,940	⌵ Details
3	Open Masonry Porch	2006	112	\$3,090	⌵ Details
4	Attached Brick Garage	2006	420	\$18,070	⌵ Details

2018 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE LOSS	LAND SIZE
1 - Primary Site	A1 - Residential Single Family	Yes	\$44,000	\$0	6,875 Sq. ft
2 - Residual Land	A1 - Residential Single Family	Yes	\$70	\$0	110 Sq. ft

TOTALS 6,985 Sq. ft / 0.160354 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
------	-------------	------	--------	-----------	---------	-----------	-------------	----------

2017	\$220,930	\$44,070	\$265,000	\$0	\$0	\$265,000	\$0	\$265,000
2016	\$225,590	\$44,070	\$269,660	\$0	\$0	\$269,660	\$0	\$269,660
2015	\$226,960	\$44,070	\$271,030	\$0	\$0	\$271,030	\$0	\$271,030
2014	\$203,930	\$44,070	\$248,000	\$0	\$0	\$248,000	\$0	\$248,000
2013	\$187,350	\$44,070	\$231,420	\$0	\$0	\$231,420	\$0	\$231,420

SALES HISTORY

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
11/18/2013	138 BRYCE BRANCH INC	138 BRYCE BRANCH LLC	2013124377	
4/19/2012	DISTRIBUTION & ALLOCATION OF ASSETS LP	138 BRYCE BRANCH INC	2012035358	
9/29/2008	COUNTRYWIDE HOME LOAN SERVICES	VIEWPOINT BANK	2008095608	646.11/1077
9/29/2008	VIEWPOINT BANK	DISTRIBUTION & ALLOCATION OF ASSETS LP	2008095709	646.11/1079
6/9/2008	BALLON, CHRISTIAN MARTIN & ANNEL	COUNTRYWIDE HOME LOAN SERVICES	-	588.11/1690
8/18/2006	D R HORTON TEXAS LTD	BALLON, CHRISTIAN MARTIN & ANNEL	-	154.11/2866
12/19/2005	WOODLANDS LAND DEVELOPMENT LP	D R HORTON TEXAS LTD	-	979.10/1683

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Property Owner Property Address 2018 Assessed Value
 R344239 18 GRIFFIN HILL LLC 18 GRIFFIN HILL CT, THE WOODLANDS, TX 77382 \$250,000

2018 GENERAL INFORMATION

Property Status **Active**
 Property Type **Real**
 Legal Description **S969941 - Wdlns VII Sterling Ridge 41, BLOCK 1, Lot 25**
 Neighborhood **VOSR 34**
 Account **9699-41-02500**
 Map Number **-**

2018 VALUE INFORMATION

Improvement Homesite Value **\$205,180**
 Improvement Non-Homesite Value **\$0**
 Total Improvement Market Value **\$205,180**
 Land Homesite Value **\$44,820**
 Land Non-Homesite Value **\$0**
 Land Agricultural Market Value **\$0**
 Total Land Market Value **\$44,820**
 Total Market Value **\$250,000**
 Agricultural Use **\$0**
 Total Appraised Value **\$250,000**
 Homestead Cap Loss **-\$0**
 Total Assessed Value **\$250,000**

2018 OWNER INFORMATION

Owner Name **18 GRIFFIN HILL LLC**
 Owner ID **00457456**
 Exemptions
 Percent Ownership **100%**
 Mailing Address **8000 MCBETH WAY #STE 165 SPRING, TX 77382-1726**

2018 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
CAD- Appraisal District		\$0	\$250,000	0	0
CWT- The Woodlands Township		\$0	\$250,000	0.23	0
GMO- Montgomery Cnty		\$0	\$250,000	0.4667	0
HM1- Mont Co Hospital		\$0	\$250,000	0.0664	0
JNH- Lone Star College		\$0	\$250,000	0.1078	0
M46- Mont Co Mud 46		\$0	\$250,000	0.2125	0
SCO- Conroe ISD		\$0	\$250,000	1.28	0

TOTALS 2.3634

2018 IMPROVEMENTS

Improvement #1 State Code Homesite Total Main Area Market Value
 - A1 - Residential Single Family Yes 2,043 Sq. Ft \$210,040 ⌵ Expand/Collapse All

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Main Area	2006	2,043	\$191,420	⌵ Details
2	Open Masonry Porch	2006	20	\$550	⌵ Details
3	Attached Brick Garage	2006	420	\$18,070	⌵ Details

2018 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE LOSS	LAND SIZE
1 - Primary Site	A1 - Residential Single Family	Yes	\$44,350	\$0	6,930 Sq. ft
2 - Residual Land	A1 - Residential Single Family	Yes	\$470	\$0	731 Sq. ft

TOTALS 7,661 Sq. ft / 0.175872 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
2017	\$205,180	\$44,820	\$250,000	\$0	\$0	\$250,000	\$0	\$250,000

2016	\$208,180	\$44,820	\$253,000	\$0	\$0	\$253,000	\$0	\$253,000
2015	\$206,550	\$44,820	\$251,370	\$0	\$0	\$251,370	\$0	\$251,370
2014	\$188,670	\$44,820	\$233,490	\$0	\$0	\$233,490	\$0	\$233,490
2013	\$170,860	\$44,820	\$215,680	\$0	\$0	\$215,680	\$0	\$215,680

SALES HISTORY

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
11/18/2013	18 GRIFFIN HILL INC	18 GRIFFIN HILL LLC	2013124375	
4/19/2012	DISTRIBUTION & ALLOCATION OF ASSETS LP	18 GRIFFIN HILL INC	2012035356	
7/7/2008	HUGULEY, GODFREY & TRACEY L	DISTRIBUTION & ALLOCATION OF ASSETS LP	2008068009	606.11/0715
6/7/2006	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	LENNAR HOMES OF TEXAS SALES & MARKETING LTD	-	097.11/1089
6/7/2006	LENNAR HOMES OF TEXAS SALES & MARKETING LTD	HUGULEY, GODFREY & TRACEY L	-	097.11/1091
1/9/2006	WOODLANDS LAND DEV LP	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	-	998.10/2471

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HARRIS COUNTY APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
1324260020008

Tax Year: 2018



Owner and Property Information							
Owner Name & Mailing Address: 175 WEST NEW HARMONY LLC 8000 MCBETH WAY STE 165 SPRING TX 77382-1257				Legal Description: LT 8 BLK 2 THE WOODLANDS VLG OF CREEKSIDE PARK 21			
				Property Address: 175 W NEW HARMONY TRL SPRING TX 77389			
State Class Code	Land Use Code	Land Area	Total Living Area	Neighborhood	Neighborhood Group	Map Facet	Key Map®
A1 -- Real, Residential, Single-Family	1000 -- Residential Vacant	7,185 SF	2,237 SF	2604.13	26032	4973C	250P

Value Status Information			
Value Status	Notice Date	Hearing Status	Shared CAD
Noticed	4/13/2018	Informal : 6/4/2018 8:00:00 AM Formal : 6/30/2018 8:00:00 AM	No

Exemptions and Jurisdictions						
Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2017 Rate	2018 Rate
None	026	TOMBALL ISD		Not Certified	1.340000	
	040	HARRIS COUNTY		Not Certified	0.418010	
	041	HARRIS CO FLOOD CNTRL		Not Certified	0.028310	
	042	PORT OF HOUSTON AUTHY		Not Certified	0.012560	
	043	HARRIS CO HOSP DIST		Not Certified	0.171100	
	044	HARRIS CO EDUC DEPT		Not Certified	0.005195	
	045	LONE STAR COLLEGE SYS		Not Certified	0.107800	
	125	THE WOODLANDS TOWNSHIP		Not Certified	0.230000	
	395	HARRIS-MONTGOMERY CO MUD 386		Not Certified	0.465000	
	666	HC EMERG SERV DIST 11		Not Certified	0.039040	

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at **HCAD's information center at 13013 NW Freeway.**

Valuations					
Value as of January 1, 2017			Value as of January 1, 2018		
	Market	Appraised		Market	Appraised
Land	80,055		Land	80,055	
Improvement	173,945		Improvement	173,945	
Total	254,000	254,000	Total	254,000	254,000

Land												
Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	1000 -- Res Vacant Table Value	SF1	SF	6,500	1.00	1.00	1.00	--	1.00	12.00	12.00	78,000.00
2	1000 -- Res Vacant Table Value	SF3	SF	685	1.00	0.25	1.00	--	0.25	12.00	3.00	2,055.00

Building						
Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
1	2012	Residential Single Family	Residential 1 Family	Good	2,237 *	Displayed

* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. Living area above *attached* garages is included in the square footage living area of the dwelling. Living area above *detached* garages is not included in the square footage living area of the dwelling but is valued separately. This method is used on all residential properties in Harris County to ensure the uniformity of square footage of living area measurements district-wide. There can be a reasonable variance between the HCAD square footage and your square footage

measurement, especially if your square footage measurement was an interior measurement or an exterior measurement to the inch.

Building Details (1)

Building Data	
Element	Detail
Foundation Type	Slab
Exterior Wall	Brick / Veneer
Heating / AC	Central Heat/AC
Grade Adjustment	B-
Physical Condition	Average
Cond / Desir / Util	Average
Exterior Wall	Stone
Element	Units
Fireplace: Direct Vent	1
Room: Bedroom	4
Room: Total	6
Room: Full Bath	3

Building Areas	
Description	Area
OPEN MAS PORCH PRI	25
MAS/BRK GARAGE PRI	453
BASE AREA PRI	2,237
OPEN MAS PORCH PRI	60



Ownership History: 1324260020008

**175 W NEW HARMONY TRL
SPRING TX 77389**

Owner

175 WEST NEW HARMONY LLC

175 W NEW HARMONY INC

CONSTRUCTION LTD

LENNAR HOMES OF TEXAS LAND AND

Effective Date

11/18/2013

5/25/2012

10/4/2011

10/4/2011

[end of record]

-close window-

HARRIS COUNTY APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
1312650080005

Tax Year: 2018

 Print

Owner and Property Information							
Owner Name & Mailing Address: 83 WEST JAGGED RIDGE LLC 8000 MCBETH WAY STE 165 SPRING TX 77382-1257				Legal Description: LT 5 BLK 8 THE WOODLANDS VLG OF CREEKSIDE PARK 14			
				Property Address: 83 W JAGGED RIDGE CIR SPRING TX 77389			
State Class Code	Land Use Code	Land Area	Total Living Area	Neighborhood	Neighborhood Group	Map Facet	Key Map®
A1 -- Real, Residential, Single-Family	1001 -- Residential Improved	7,965 SF	3,163 SF	2604.13	26032	4973D	250P

Value Status Information		
Value Status	Notice Date	Shared CAD
Noticed	04/13/2018	No

Exemptions and Jurisdictions						
Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2017 Rate	2018 Rate
None	026	TOMBALL ISD		Not Certified	1.340000	
	040	HARRIS COUNTY		Not Certified	0.418010	
	041	HARRIS CO FLOOD CNTRL		Not Certified	0.028310	
	042	PORT OF HOUSTON AUTHY		Not Certified	0.012560	
	043	HARRIS CO HOSP DIST		Not Certified	0.171100	
	044	HARRIS CO EDUC DEPT		Not Certified	0.005195	
	045	LONE STAR COLLEGE SYS		Not Certified	0.107800	
	125	THE WOODLANDS TOWNSHIP		Not Certified	0.230000	
	395	HARRIS-MONTGOMERY CO MUD 386		Not Certified	0.465000	
666	HC EMERG SERV DIST 11		Not Certified	0.039040		

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Valuations					
Value as of January 1, 2017			Value as of January 1, 2018		
	Market	Appraised		Market	Appraised
Land	82,395		Land	82,395	
Improvement	260,605		Improvement	239,763	
Total	343,000	343,000	Total	322,158	322,158

Land												
Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	1001 -- Res Improved Table Value	SF1	SF	6,500	1.00	1.00	1.00	--	1.00	12.00	12.00	78,000.00
2	1001 -- Res Improved Table Value	SF3	SF	1,465	1.00	0.25	1.00	--	0.25	12.00	3.00	4,395.00

Building						
Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
1	2012	Residential Single Family	Residential 1 Family	Good	3,163 *	Displayed

* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. Living area above *attached* garages is included in the square footage living area of the dwelling. Living area above *detached* garages is not included in the square footage living area of the dwelling but is valued separately. This method is used on all residential properties in Harris County to ensure the uniformity of square footage of living area measurements district-wide. There can be a reasonable variance between the HCAD square footage and your square footage measurement, especially if your square footage measurement was an interior measurement or an exterior measurement to the inch.

Building Details (1)

Building Data	
Element	Detail
Foundation Type	Slab
Exterior Wall	Stone
Exterior Wall	Frame / Concrete Blk
Heating / AC	Central Heat/AC
Grade Adjustment	B-
Physical Condition	Average
Cond / Desir / Util	Average
Element	Units
Room: Half Bath	1
Room: Bedroom	4
Room: Total	7
Room: Full Bath	3
Fireplace: Metal Prefab	1

Building Areas	
Description	Area
BASE AREA UPR	1,291
BASE AREA PRI	1,872
OPEN MAS PORCH PRI	129
OPEN FRAME PORCH PRI	80
MAS/BRK GARAGE PRI	441



Ownership History: 1312650080005

**83 W JAGGED RIDGE CIR
SPRING TX 77389**

Owner	Effective Date
83 WEST JAGGED RIDGE LLC	11/18/2013
83 WEST JAGGED RIDGE INC CONSTRUCTION LTD	10/26/2012
LENNAR HOMES TEXAS LAND DEVELOPMENT CO	3/26/2010
THE WOODLANDS LAND	3/26/2010
	1/1/2009
	1/1/2009

[end of record]

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HARRIS COUNTY APPRAISAL DISTRICT
 REAL PROPERTY ACCOUNT INFORMATION
1312650080004

Tax Year: 2018



Owner and Property Information							
Owner Name & Mailing Address: 87 WEST JAGGED RIDGE LLC 8000 MCBETH WAY STE 165 SPRING TX 77382-1257				Legal Description: LT 4 BLK 8 THE WOODLANDS VLG OF CREEKSIDE PARK 14			
				Property Address: 87 W JAGGED RIDGE CIR SPRING TX 77389			
State Class Code	Land Use Code	Land Area	Total Living Area	Neighborhood	Neighborhood Group	Map Facet	Key Map®
A1 -- Real, Residential, Single-Family	1001 -- Residential Improved	10,519 SF	2,320 SF	2604.13	26032	4973D	250P

Value Status Information			
Value Status	Notice Date	Hearing Status	Shared CAD
Noticed	4/13/2018	Informal : 5/29/2018 8:00:00 AM Formal : 6/23/2018 8:00:00 AM	No

Exemptions and Jurisdictions						
Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2017 Rate	2018 Rate
None	026	TOMBALL ISD		Not Certified	1.340000	
	040	HARRIS COUNTY		Not Certified	0.418010	
	041	HARRIS CO FLOOD CNTRL		Not Certified	0.028310	
	042	PORT OF HOUSTON AUTHY		Not Certified	0.012560	
	043	HARRIS CO HOSP DIST		Not Certified	0.171100	
	044	HARRIS CO EDUC DEPT		Not Certified	0.005195	
	045	LONE STAR COLLEGE SYS		Not Certified	0.107800	
	125	THE WOODLANDS TOWNSHIP		Not Certified	0.230000	
	395	HARRIS-MONTGOMERY CO MUD 386		Not Certified	0.465000	
	666	HC EMERG SERV DIST 11		Not Certified	0.039040	

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Valuations					
Value as of January 1, 2017			Value as of January 1, 2018		
	Market	Appraised		Market	Appraised
Land	90,057		Land	90,057	
Improvement	195,943		Improvement	195,943	
Total	286,000	286,000	Total	286,000	286,000

Land												
Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	1001 -- Res Improved Table Value	SF1	SF	6,500	1.00	1.00	1.00	--	1.00	12.00	12.00	78,000.00
2	1001 -- Res Improved Table Value	SF3	SF	4,019	1.00	0.25	1.00	--	0.25	12.00	3.00	12,057.00

Building						
Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
1	2010	Residential Single Family	Residential 1 Family	Good	2,320 *	Displayed

* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. Living area above *attached* garages is included in the square footage living area of the dwelling. Living area above *detached* garages is not included in the square footage living area of the dwelling but is valued separately. This method is used on all residential properties in Harris County to ensure the uniformity of square footage of living area measurements district-wide. There can be a reasonable variance between the HCAD square footage and your square footage

measurement, especially if your square footage measurement was an interior measurement or an exterior measurement to the inch.

Building Details (1)

Building Data	
Element	Detail
Foundation Type	Slab
Exterior Wall	Brick / Veneer
Exterior Wall	Stone
Heating / AC	Central Heat/AC
Grade Adjustment	B-
Physical Condition	Average
Cond / Desir / Util	Average
Element	Units
Room: Bedroom	4
Room: Total	8
Room: Full Bath	3
Fireplace: Metal Prefab	1

Building Areas	
Description	Area
BASE AREA PRI	2,320
OPEN MAS PORCH PRI	48
MAS/BRK GARAGE PRI	400
OPEN MAS PORCH PRI	60

Extra Features

Line	Description	Quality	Condition	Units	Year Bult
1	Solar Photovoltaic Panel	Average	Average	20.00	2011



Ownership History: 1312650080004

**87 W JAGGED RIDGE CIR
SPRING TX 77389**

Owner	Effective Date
87 WEST JAGGED RIDGE LLC	11/18/2013
87 WEST JAGGED RIDGE INC CONSTRUCTION LTD	10/26/2012
LENNAR HOMES TEXAS LAND DEVELOPMENT CO	3/26/2010
THE WOODLANDS LAND	3/26/2010
	1/1/2009
	1/1/2009

[end of record]

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Por último, dejamos por ahí las ligas para consultar los negocios de los esposos José Antonio Bandín Ruiz y Mónica Babayan Canal, donde se muestran más de 26 compañías fundadas durante la administración de Javier Duarte de Ochoa:

<https://www.corporationwiki.com/Texas/The-Woodlands/jose-antonio-bandin/103669601.aspx>, así como otra empresa propiedad de los padres de Mónica Babayan Canal, como prestanombres y beneficiados de Javier Duarte de Ochoa, con la liga <https://bizstanding.com/directory/TX/18/3/>, la cual dicta: "Business Directory of Texas. 18 RANCH COMPANY, LLC. Members: Ludivina Canal (Manager) Juan I. Babayan (Manager) Mónica Babayan (Manager). Agent: Twofficesuites, Llc 8350 Ashlane Way, Spring, TX 77382"...

Como vemos, aportamos varios datos para que la PGR y si quiere ser autónoma, la Fiscalía General de Justicia del Estado, investiguen a estos pillos como los principales prestanombres de Javier Duarte de Ochoa. Los mismos, que en el 2010 eran unos pobres diablos y sin dinero y hoy, son grandes empresarios que se codena con la realeza empresarial mexicana e internacional, gracias a que robaron, junto con Javier Duarte, el dinero de los veracruzanos...

Por lo cual señor fiscal de investigaciones ministeriales solicito a usted respetuosamente se desahoguen las investigaciones, así como el suscrito seguirá aportando elementos de prueba que acrediten los hechos denunciados.

ÚNICO.- Ciudadano Fiscal de Investigación Ministeriales, me tenga Usted presentado mediante el presente libelo de denuncia o querrela en contra de los probables responsables toda vez que mi petición se encuentra apegada a derecho y a la letra de la Ley.

Al igual una vez que se demuestre los antisociales que hayan violentado los denunciados pido a usted respetuosamente en relación a lo advertido por el numeral 16 de nuestra Carta Magna, se solicite y se libere la orden de aprehensión en contra de los denunciados, y se les sancione a la proporcionalidad de los delitos que se tipifiquen, como también reparen los daños ocasionados al Gobierno del Estado de Veracruz.

PROTESTO LO NECESARIO.

XALAPA, VER., A 21 DE JUNIO DEL 2018

**LIC. ARMANDO GARCÍA CEDAS.
DIRECTOR DEL JURIDICO SEGOB.**

DECLARATION OF JAMES K. ELLIS

1. My name is James K. Ellis. I am over the age of twenty-one, am fully competent to make this declaration pursuant to 28 U.S.C. § 1746 and under the penalty of perjury have personal knowledge of the facts and statements in this declaration, and each of the facts and statements are true and correct.
2. I am an ex-FBI agent having spent 29 years with the Bureau. As part of my work with the FBI, I investigated claims of fraud, money laundering, and financial crimes. I am also a Certified Fraud Examiner. As part of these investigations, I received over twenty awards and commendations.
3. I know based on my training and experience as an FBI Agent and Certified Fraud Examiner that individuals who commit financial crimes frequently engage in money laundering transactions to hide the true nature of the proceeds of those crimes. In order to carry out money laundering activities a combination of associates, family members, shell companies, bank accounts and real estate transactions are typically utilized.
4. Based upon my review of the available evidence, which includes meeting with the Governor of the State of Veracruz and his staff, reviewing newspaper articles in Mexico, the indictment of Jose Bandin in Mexico, the property records of known properties, the buying and selling patterns of real estate by Mr. Bandin and his wife, the timing of these purchases and sales, the creation of and use of shell companies to make purchases, it is my expert opinion that Mr. Bandin was involved in the laundering of ill-gotten gains in the United States.
5. Moreover, based upon his relationship with the ex-Governor Javier Duarte, along with Mr. Bandin's position in the last administration, it is my expert opinion that Mr. Bandin and his wife were involved in the theft of government funds from the State of Veracruz.
6. I declare under penalty of perjury that the foregoing statements are true and correct.

FURTHER DECLARANT SAYETH NAUGHT

James K. Ellis

June 26, 2018

DATE



MIÉ, 27 DE JUNIO DE 2018

¿Adquirió el Front Man for Fugitive Mexico Governor Millones en activos de los Estados Unidos?

Escrito por Patrick Corcoran -
1 DE NOVIEMBRE DE 2016

Méjico Lavado de dinero Zetas

COMPARTIR



El exgobernador de Veracruz Javier Duarte

Un presunto líder del fugitivo gobernador de Veracruz, Javier Duarte, ha adquirido una serie de propiedades en un suburbio de Houston, Texas, ofreciendo una demostración más de la importancia de los Estados Unidos en

PLAINTIFF'S
EXHIBIT

7

criminal en México.

Enfrentado a docenas de denuncias penales contra él y sus subordinados, el ex gobernador Duarte **tomó un permiso de ausencia** de su puesto a mediados de octubre, solo un par de meses antes de que lo dejaran en el cargo, y posteriormente pasó a la **clandestinidad** .

Los investigadores se han centrado principalmente en el posible robo de dinero público de Duarte. El **Wall Street Journal** informó recientemente que no se tienen en cuenta \$ 2.6 mil millones de transferencias federales a Veracruz. Animal Político ha **informado** que las autoridades han identificado a 33 compañías ficticias que recibieron cientos de millones en contratos del gobierno de Duarte sin proporcionar los bienes y servicios prometidos.

Duarte también ha sido acusado de fomentar vínculos con los cárteles de la droga, presumiblemente dándoles un reinado libre en el estado a cambio de sobornos. Un supuesto comandante de los Zetas dijo a **VICE News** a principios de este año que Duarte originalmente llegó a un acuerdo con el notorio grupo criminal, pero los traicionó a favor del Cartel de Jalisco.

En una aparición en mayo en el estado,

control de los departamentos de policía del estado en Veracruz. El 23 de octubre, la revista Zeta **informó** que dos supuestos conspiradores en los supuestos esquemas de corrupción de Duarte también tenían vínculos con el crimen organizado, lo que sugiere que la infiltración criminal de su gobierno puede desempeñar un papel creciente en la investigación en curso.

Las investigaciones en Duarte han identificado a un puñado de presuntos hombres de frente, que supuestamente han sido utilizados para ocultar activos en México y Estados Unidos sin despertar la curiosidad de los periodistas, los funcionarios bancarios o las fuerzas del orden público. Según **informó** Reforma, un abogado anónimo testificó el mes pasado ante el Departamento de Justicia de México que participó en la creación de la red de pajareros de Duarte, lo que probablemente sea una señal de que los funcionarios se están acercando a los activos ilícitos del exgobernador.

Two such figures are Veracruz businessman **José Antonio Bandín Ruiz** and his wife Mónica Bayaban. While not prominent figures, Bandín Ruiz went to high school together with a Moisés Mansur, a long-time friend of Duarte and another alleged front man. This relationship was apparently

Duarte's orbit.

Anticorruption websites in Veracruz have reported that Mexican justice officials have launched investigations into the couple's holdings, which expanded enormously under the Duarte governorship. In addition to a mansion in the state of Mexico and a five-bedroom, 4,600-square-foot home in outside of Houston, public records in Texas show that Bandín Ruiz and Babayan have founded **nearly 30 companies** inside the state.

Many of these LLCs were set up as vehicles to own houses in The Woodlands, the subdivision outside of Houston where Bandín Ruiz and wife own a home in their own name. The companies set up for real estate have names that correspond to their addresses; for instance, **83 West Jagged Ridge LLC** is the owner of a house at 83 West Jagged Ridge Circle, and **87 West Jagged Ridge LLC**, which is the owner of a house at 87 West Jagged Ridge Circle. It appears that all of these LLCs were formed during the Duarte governorship, which began in 2010.

There are approximately 17 such firms that correspond to addresses in The Woodlands. Most are moderately-sized homes worth **a few hundred thousand dollars** each. Some documents related

Bandín Ruiz.

Bandín Ruiz's other firms appear connected to various additional economic activities. He and an associate named Jaime Riverte founded two businesses apparently dedicated to building — [Reban Safety LLC](#) and [Reban Construction LLC](#). He and his wife have a similar series of businesses, including [Banba LLC](#), [Banba Offices LLC](#) and [Banba Land and Development LLC](#).

InSight Crime Analysis

Duarte's alleged front man Bandín Ruiz appears to have built a network of assets in the United States worth millions of dollars. If the suggestions that the assets comprise some portion of Duarte's allegedly ill-gotten wealth prove true, this represents one of a growing number of examples of Mexican political corruption and drug money being laundered in the United States, especially in the border region.

One of the most prominent prior cases shares many similarities with Duarte's: Prosecutors in Texas have spent much of the past several years targeting assets belonging to former Coahuila governor Humberto Moreira and his closest aides. Like Duarte, Moreira has been accused of both pilfering state money and of accepting bribes from

Moreira's mother-in-law; a [shopping center](#) and a [bank account](#) with more than \$2 million belonging to his former treasurer, Héctor Javier Villarreal Hernández; and a bank account with \$1.8 million that [belonged to Rolando González Treviño](#), a media mogul who moved money for Moreira. Villarreal Hernández and González Treviño have both also pleaded guilty to criminal charges in the United States.

American officials have also cracked down on money connected exclusively to organized crime. In 2012, for instance, federal authorities [seized](#) a ranch in Oklahoma, the home of a stable of pricey quarter-horses that had won millions in races around the border region. The horses were the property of José Treviño Morales, the brother of Zetas leader Miguel Ángel Treviño, who is currently in custody. Authorities accused the horses of being a mechanism for laundering the Zetas' profits.

SEE ALSO: [Coverage of Money Laundering](#)

These cases, and countless less prominent ones like them, demonstrate the growing popularity of the United States as an area for laundering money through physical assets. The reasons behind the appeal are obvious: It's far from Mexican officials and journalists

the assets are denominated in dollars, protecting them from a sliding peso and offering the promise of a solid rate of return. Moreover, lax US laws allow criminal groups to make use of **shell companies** that help to hide the true source of the dirty money.

Major Texas cities like Houston and San Antonio are popular locales, both because of their proximity to Mexico and because of the existence of a wealthy social elite, meaning a fast-living political front man won't necessarily draw attention from his neighbors. As a result, despite these recent high-profile takedowns and **increased US attention** on foreign in money in real estate, such laundering schemes will likely continue.

This offers another demonstration of the interconnectedness of the United States and Mexico in terms of organized crime. Not only do drugs go north as cash and guns go south, but some of the criminal proceeds become intermingled with the licit economy through laundering schemes. Greater sharing of intelligence between the two nations could reduce gangsters' success in exploiting the United States to launder ill-gotten gains, though it is unclear if this would always be a wise use of resources. As **InSight Crime** has **noted in the past**, while cracking down

not clear that it helps reduce violence, and such work can be extremely labor-intensive.

In contrast, using better tracking of illicit financial networks to expose dirty politicians is an undeniably laudable goal that could improve Mexican governance and limit organized crime's influence over the state. And in cases like that of Duarte and Bandín Ruiz, their carelessness makes illicit assets low-hanging fruit for US officials.

What are your thoughts? Click [here](#) to send InSight Crime your comments.

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COMPARTIR

WED, JUN 27, 2018

Did Front Man for Fugitive Mexico Governor Acquire Millions in US Assets?

Written by Patrick Corcoran -
NOVEMBER 1, 2016

Mexico Money Laundering Zetas

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Former Veracruz Gov. Javier Duarte

An alleged front man for fugitive Veracruz Gov. Javier Duarte has acquired a string of properties in a suburb of Houston, Texas, offering a further demonstration of the importance of the United States in laundering the proceeds of criminal activity in Mexico.

absence from his post in mid-October, just a couple of months before he was set to leave office, and subsequently went **underground**.

Investigators have focused largely on Duarte's possible theft of public money. The **Wall Street Journal** recently reported that \$2.6 billion of federal transfers to Veracruz remain unaccounted for. Animal Político has **reported** that authorities have identified 33 shell companies that received hundreds of millions in contracts from Duarte's government without providing the goods and services promised.

Duarte has also been accused of fostering ties to drug cartels, presumably giving them free reign in the state in exchange for bribes. An alleged commander of the Zetas told **VICE News** earlier this year that Duarte originally struck a deal with the notorious crime group, but betrayed them in favor of the Jalisco Cartel.

In a May appearance in the state, former President Felipe Calderón **accused** Duarte of giving the Zetas control over state police departments in Veracruz. On October 23, the magazine Zeta **reported** that two suspected co-conspirators in Duarte's alleged corruption schemes also had

investigation.

The investigations into Duarte have identified a handful of alleged front men, who have presumably been used to stash assets in Mexico and the United States without sparking the curiosity of journalists, banking officials or law enforcement. As [reported](#) by Reforma, an unnamed lawyer testified last month before Mexico's Justice Department that he was involved in the creation of Duarte's strawman network, which is likely a sign that officials are closing in on the ex-governor's illicit assets.

Two such figures are Veracruz businessman [José Antonio Bandín Ruiz](#) and his wife Mónica Bayaban. While not prominent figures, Bandín Ruiz went to high school together with a Moisés Mansur, a long-time friend of Duarte and another alleged front man. This relationship was apparently enough to bring Bandín Ruiz into Duarte's orbit.

Anticorruption websites in Veracruz have reported that Mexican justice officials have launched investigations into the couple's holdings, which expanded enormously under the Duarte governorship. In addition to a mansion in the state of Mexico and a five-bedroom, 4,600-square-foot home

companies inside the state.

Many of these LLCs were set up as vehicles to own houses in The Woodlands, the subdivision outside of Houston where Bandín Ruiz and wife own a home in their own name. The companies set up for real estate have names that correspond to their addresses; for instance, **83 West Jagged Ridge LLC** is the owner of a house at 83 West Jagged Ridge Circle, and **87 West Jagged Ridge LLC**, which is the owner of a house at 87 West Jagged Ridge Circle. It appears that all of these LLCs were formed during the Duarte governorship, which began in 2010.

There are approximately 17 such firms that correspond to addresses in The Woodlands. Most are moderately-sized homes worth a few hundred thousand dollars each. Some documents related to the homes' purchases are signed by Bandín Ruiz.

Bandín Ruiz's other firms appear connected to various additional economic activities. He and an associate named Jaime Riverte founded two businesses apparently dedicated to building — **Reban Safety LLC** and **Reban Construction LLC**. He and his wife have a similar series of businesses, including **Banba LLC**,

InSight Crime Analysis

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American officials have also cracked down on money connected exclusively to organized crime. In 2012, for instance, federal authorities **seized** a ranch in Oklahoma, the home of a stable of pricey quarter-horses that had won millions in races around the border region. The horses were the property of José Treviño Morales, the brother of Zetas leader Miguel Ángel Treviño, who is currently in custody. Authorities accused the horses of being a mechanism for laundering the Zetas' profits.

SEE ALSO: [Coverage of Money Laundering](#)

These cases, and countless less prominent ones like them, demonstrate the growing popularity of the United States as an area for laundering money through physical assets. The reasons behind the appeal are obvious: It's far from Mexican officials and journalists tasked with monitoring suspected drug traffickers and corrupt politicians, and the assets are denominated in dollars, protecting them from a sliding peso and offering the promise of a solid rate of return. Moreover, lax US laws allow criminal groups to make use of **shell companies** that help to hide the true source of the dirty money.

and because of the existence of a wealthy social elite, meaning a fast-living political front man won't necessarily draw attention from his neighbors. As a result, despite these recent high-profile takedowns and **increased US attention** on foreign in money in real estate, such laundering schemes will likely continue.

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Citará PGR a José Antonio Bandín, relacionado con empresas fantasmas

Por **Jair García** - 24 julio, 2017



La Procuraduría General de la República citará a comparecer a José Antonio Bandín Ruiz, un personaje que en menos de 10 años pasó de ser agente de bienes raíces a tener mas de 80 millones de pesos en inmuebles en Woodlands, Texas,

De acuerdo con los fiscales encargados de la carpeta de investigación contra Javier Duarte de Ochoa todavía se contemplan otra serie de testimonios, entre los cuales está este empresario veracruzanos y otros más que pudieran estar relacionados en la red des desvío de recursos de empresas fantasmas.

La participación de dichos empresarios no sólo sería como prestanombres, sino como cómplices de la banda de delincuencia organizada, así como transferencias de recursos de procedencia ilícita.

La PGR explicó que algunos empresarios a cambio de algunos pagos o "comisiones" facturaron o prestaron sus empresas para recibir pagos de diversas dependencias del Gobierno de Veracruz y posteriormente transferir esos montos a las empresas fantasmas, dos en particular Terra Inmobiliaria y Grupo Brades.

En dichas transferencias descontaban la comisión que recibían, y de acuerdo a las investigaciones, fue el propio José Antonio Bandín Ruiz quien recomendó a Javier Duarte de

Ochoa la lista de empresarios que estarían dispuestos a cooperar, entre los cuales habría personas tanto de Xalapa como de los municipios de Veracruz y Boca del Río.

Sin embargo, tales nombres se han mantenido en secrecía como parte de la propia investigación de la PGR, pero en los próximos meses podrían ser llamados a declarar en calidad de testigos o investigados.

José Antonio Bandín will be quoted by PGR, related to ghost companies

By **Jair García** - July 24, 2017



The Attorney General's Office will summon José Antonio Bandín Ruiz, a character who in less than 10 years went from being a real estate agent to having more than 80 million pesos in real estate in Woodlands, Texas,

According to the prosecutors in charge of the investigative folder against Javier Duarte de Ochoa, another set of testimonies is still being considered, among which is this businessman from Veracruz and others who may be related in the network of deviation of resources from ghost companies.

The participation of these businessmen would not only be as prestanombres, but as accomplices of the organized crime gang, as well as transfers of resources of illicit origin.

The PGR explained that some entrepreneurs in exchange for some payments or "commissions" invoiced or loaned their companies to receive payments from various agencies of the Government of Veracruz and later transfer those amounts to ghost companies, two in particular Terra Inmobiliaria and Grupo Brades.

In these transfers they deducted the commission they received, and according to the investigations, it was José Antonio Bandín Ruiz himself who recommended to Javier Duarte de Ochoa the list of entrepreneurs who would be willing to cooperate, among whom there would be people both from Xalapa and from the municipalities of Veracruz and Boca del Río.

However, these names have been maintained in *secresía* as part of the PGR's own investigation, but in the coming months they could be called to testify as witnesses or investigated.



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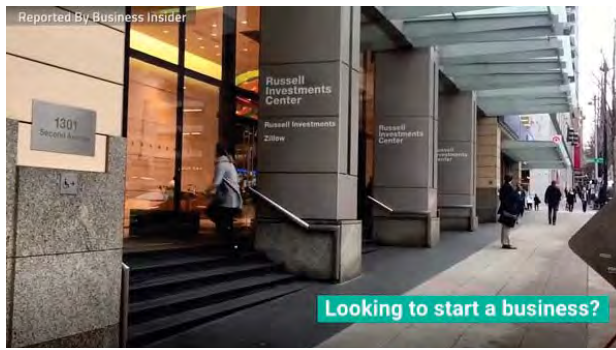
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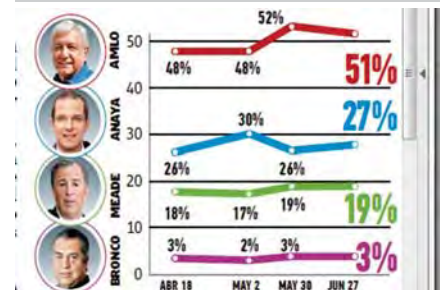
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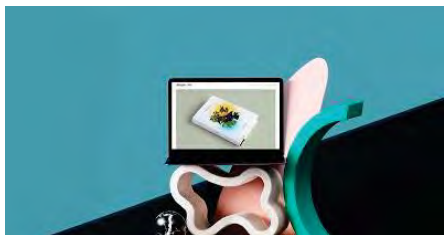
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'Presentará PGR solicitud de extradición de Duarte'

El gobernador de Veracruz, Miguel Ángel Yunes, reveló que en 2016 sostuvo reuniones con cuatro de los principales operadores de Javier Duarte y que dos de ellos le proporcionaron informes de otros cómplices de la red de corrupción.

En entrevista, el mandatario veracruzano aseguró que, producto de sus negociaciones, cabildos y hasta presiones, algunos de los presuntos cómplices devolvieron al Gobierno del Estado dos bienes inmuebles de alta plusvalía y más de 421 millones de pesos.

El gobernador dijo que sus encuentros ocurrieron en México y Canadá con José Juan Janeiro Rodríguez, Moisés Mansur Cysneiros, José Antonio Bandín Ruiz y el empresario cañero José Francisco García González, conocido como "El Franky". Con los dos primeros precisó que las reuniones fueron antes de que fueran prófugos de la justicia.

"Sí, claro que me reuní con ellos, me reuní con Janeiro, fue el primero con el que me reuní y él nos dio elementos para recuperar muchos recursos y él mismo le devolvió al Gobierno del Estado cuando menos dos bienes inmuebles muy caros, que fue el rancho El Faunito en Veracruz, que estaba a nombre de él y hoy está a nombre del Gobierno del Estado, está inscrito en el Registro Público de la Propiedad.

"Y también el propio Janeiro devolvió una tercera parte del rancho Las Mesas (en Valle de Bravo, Edomex) que estaba a nombre de él", comentó del inmueble donde las otras dos terceras partes, hoy

aseguradas por la PGR, están a nombre de Mansur y Rafael Gerardo Rosas Bocardo.

Yunes dijo que viajó hasta Canadá para encontrarse con Mansur, quien en un principio facilitó información para que en enero pasado se devolvieran al Gobierno estatal 421 millones 600 mil pesos, a través de un acuerdo entre la PGR y dos empresas receptoras de los recursos. Sin embargo, Mansur poco después renunció a seguir colaborando.

"En el caso de Mansur me entrevisté con él en Toronto, le hice ver la situación en que se encontraba, no tenía ninguna denuncia penal en ese momento procesada en Veracruz porque ya la PGR había atraído todas las denuncias que yo presenté y los elementos de prueba que presenté.

"Y logré, a base de insistir, que devolviera 420 millones de pesos que tenía invertidos en dos empresas que se llamaban Hidrosina Plus e Hidromezclas, las tenía a nombre de su papá estas empresas; yo hasta allí supe, ya no supe si la inversión llegaba más arriba, pero eran dos empresas donde aparecían el papá de Moisés Mansur (Nissim Mansur Cohen) como propietario de las mismas.

Yunes detalló que la colaboración lograda con Mansur se dio cuando él aún no era gobernador y la justicia veracruzana no estaba detrás del colaborador de Duarte.

"Colaboró devolviendo 420 millones de pesos y después ya se retrajo, ya no quiso seguir, tenía que haber devuelto bienes inmuebles y tenía que haber aportado información importante, pero yo espero que Mansur sea extraditado a México y muy probablemente pueda aportar información", agregó.

Comentó que la cita con José Antonio Bandín Ruiz tuvo lugar en un hotel de la Ciudad de México y que en ella se había comprometido a devolver las propiedades que compró en Woodlands, Texas como prestanombres de Duarte. Sin embargo, huyó del país sin concretar su promesa.

"Tengo entendido que está en Austria", dijo Yunes.

En relación a José Francisco García González "El Franky", el gobernador comentó que no sólo no colaboró con información contra Duarte, sino que rechazó estar implicado en la red de corrupción que investiga tanto la PGR como la Fiscalía de Veracruz.

"Me entrevisté también con Frankie García, que es otro de los cómplices, quien manifestó que él no tenía nada que ver, que estaba totalmente fuera del tema, aunque sabemos que está muy comprometido en el tema", señaló.

Por ahora, Bandín y García sólo son investigados y no tienen orden de aprehensión en su contra.



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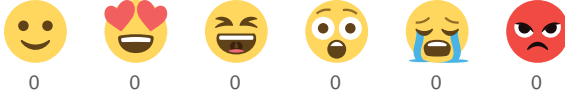
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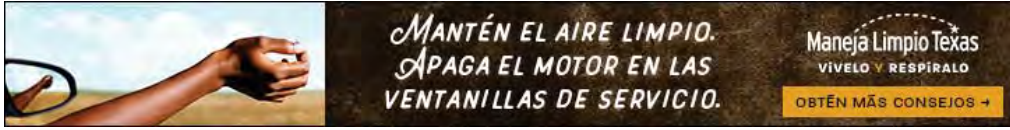
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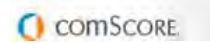
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Reveals Yunes that negotiated return of goods with accomplices of Duarte

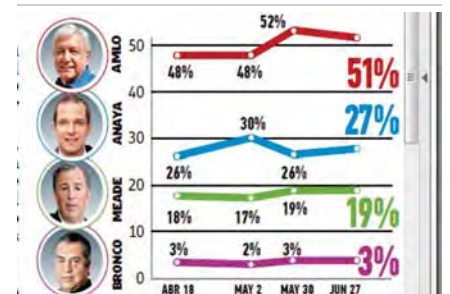
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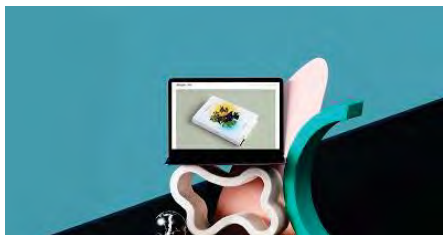
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'PGR will present extradition request from Duarte'

The governor of Veracruz, Miguel Ángel Yunes, revealed that in 2016 he held meetings with four of Javier Duarte's main operators and that two of them provided him with reports of other accomplices in the corruption network.

In an interview, the Venezuelan president said that, as a result of their negotiations, lobbying and even pressure, some of the alleged accomplices returned to the State Government two immovable properties of high added value and more than 421 million pesos.

The governor said his meetings took place in Mexico and Canada with José Juan Janeiro Rodríguez, Moisés Mansur Cysneiros, José Antonio Bandín Ruiz and sugarcane entrepreneur José Francisco García González, known as "El Franky". With the first two, he specified that the meetings were before they were fugitives from justice.

"Yes, of course I met with them, I met with Janeiro, he was the first one I met and he gave us elements to recover many resources and he himself returned to the State Government at least two very expensive real estate, which The ranch El Faunito in Veracruz, which was in his name and today is in the name of the State Government, is registered in the Public Registry of Property.

"And also the own Janeiro returned a third part of the ranch Las Mesas (in Valle de Bravo, Edomex) that was in his name," said the property where the other two thirds, now insured by the PGR, are in

the name of Mansur and Rafael Gerardo Rosas Bocardo.

Yunes said he traveled to Canada to meet with Mansur, who initially provided information so that last January 421 million 600 thousand pesos would be returned to the state government, through an agreement between the PGR and two companies receiving the resources. However, Mansur soon resigned to continue collaborating.

"In the case of Mansur I interviewed him in Toronto, I made him see the situation he was in, he had no criminal complaint at that time processed in Veracruz because the PGR had already attracted all the complaints that I presented and the elements of proof that I presented.

"And I managed, on the basis of insisting, to return 420 million pesos that I had invested in two companies called Hidrosina Plus and Hydromezclas, had them in the name of their father these companies, I even knew, I did not know if the investment He arrived at the top, but they were two companies where the father of Moisés Mansur (Nissim Mansur Cohen) was the owner of the same. "

Yunes explained that the collaboration with Mansur occurred when he was not yet governor and the Veracruz justice was not behind the collaborator of Duarte.

"He helped by returning 420 million pesos and then he retreated, he did not want to continue, he had to have returned real estate and he had to have provided important information, but I hope that Mansur will be extradited to Mexico and most likely can provide information," he added. .

He said that the appointment with José Antonio Bandín Ruiz took place in a hotel in Mexico City and that he had promised to return the properties he bought in Woodlands, Texas as Duarte's names. However, he fled the country without realizing his promise.

"I understand that he is in Austria," said Yunes.

In relation to José Francisco García González "El Franky", the governor commented that not only did he not collaborate with information against Duarte, but he refused to be implicated in the corruption network that investigates both the PGR and the Prosecutor's Office of Veracruz.

"I also interviewed Frankie García, who is another of the accomplices, who said that he had nothing to do with, that he was totally out of the question, although we know he is very committed to the issue," he said.

For now, Bandín and García are only investigated and have no arrest warrant against them.



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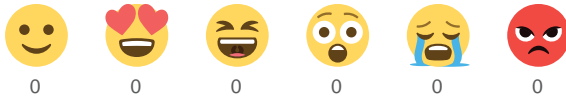
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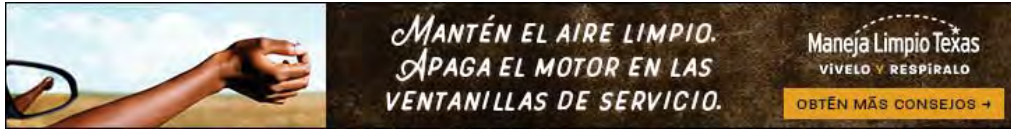
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Porres, Mansur y Bandín, el exclusivo Club de Javier Duarte



El exclusivo club de Javier Duarte / Foto: Periódico Veraz

Por Claudia Guerrero Martínez (http://libertadbajopalabra.com/author/claudia_guerrero/) - 24 julio, 2016 en Opinión (<http://libertadbajopalabra.com/category/opinion/>)

Claudia Guerrero Martínez / Conocen, inteligentes lectoras y lectores, a Jaime Porres Fernández-Cavada, José Antonio Bandín Ruiz y Moisés Mansur Cysneiros...Quizá, para la mayoría de los veracruzanos, estos nombres los han escuchado o leído en revistas de negocios, socialité o medios de comunicación afines a la administración de Javier Duarte de Ochoa...**Actualmente, estas personas son investigadas por la PGR, por ser los principales prestanombres del actual Gobernador de Veracruz, Javier Duarte de Ochoa...**

Los excesos de estos pillos empresarios y Javier Duarte se podrían contar en varias entregas, como por ejemplo, uno de estos hoy millonarios de Córdoba, como es Jaime Porres, quien hace unos años, es recordado por bajar de su coche con insultos a Javier Duarte de Ochoa y le realizaba un constante bulling... El antes considerado perdedor o "lúcer" y hoy, Gobernador de Veracruz, olvidó las agresiones en el pasado... **En un cumpleaños de Jaime Porres, quien festejaba en su exclusivo departamento de Miami, recibió de regalo un automóvil Bentley del año, con valor en el mercado por más de \$6 millones de pesos y este fue obsequiado por el ocurrente Mandatario Estatal, Javier Duarte de Ochoa...** Y pagado, no precisamente de los ahorros o bolsillos del Gobernador de Veracruz...

Y los excesos van más allá, contribuyendo a que la PGR investigue estos datos... Actualmente, Moisés Mansur es dueño de un rancho con caballos de rejoneo en Valle de Bravo y este también cuestionado empresario de Córdoba, regaló uno de sus caballos a Paulina Romero, hija del líder petrolero Carlos Romero Deschamps valuado en más de \$100 mil dólares... Mansur Cysneiros le regaló el equino a Paulina Romero, porque la conoció en Veracruz, en el primer año de gobierno de Javier Duarte. Cabe destacar, que durante los meses de enero y febrero del 2012, Carlos Romero Deschamps aún se ostentaba como "padrino" de Duarte de Ochoa y de tener buenas relaciones con Javier, hasta que un día, según fuentes cercanas a Duarte y por cuestiones de dinero, el Gobernador de Veracruz ya no le contestaba el teléfono y esa fue la razón de su distanciamiento. Debemos

puntualizar, que tanto el líder petrolero y su hija Paulina Romero acudían a montar el caballo en el rancho de Moisés Mansur, ubicado en el Estado de México, mismo, cuenta con enfermería de caballos, cuando paradójicamente, en Veracruz no hay medicinas y los servicios de salud son insuficientes...

Uno más, es José Antonio Bandín Ruiz, quien se asoció en el tema de las empresas fantasmas proveedoras del Gobierno de Javier Duarte de Ochoa, facturando a nombre de su esposa, Mónica Babayan Canal, mismas, son investigadas por la PGR... Actualmente, la familia vive en Woodlands, Texas, en los Estados Unidos, junto con sus hijos y presumen, entre otras cosas, de un automóvil de lujo Rolls Royce... Buscando sus empresas financiadas con dinero de los veracruzanos, encontramos un desplegado de varias de ellas, 26 en total, curiosamente, fundadas en los años 2012, 2013, 2014 y 2015, con la liga <https://www.corporationwiki.com/Texas/The-Woodlands/jose-antonio-bandin/103669601.aspx> (<https://www.corporationwiki.com/Texas/The-Woodlands/jose-antonio-bandin/103669601.aspx>)

También, buscando los registros en los Estados Unidos, la PGR podrá investigar todas las propiedades de estas personas, como son casas, terrenos y edificios, adquiridos principalmente en Woodlands, Texas... Además, mansiones ubicadas en Tecamachalco, en el Estado de México, una de ellas propiedad de José Antonio Bandín Ruiz, así como departamentos en Acapulco o el mencionado rancho de Moisés Mansur, con su cuadra de caballos... **Como veracruzana, nos indigna conocer que estos hoy millonarios cordobeses, no tenían dinero, ni negocios antes de la administración de Javier Duarte de Ochoa y hoy, son grandes empresarios, gracias a los desvíos de recursos de las finanzas en Veracruz y para beneficio de estos ladrones...**

Y cómo se conocieron estos pillos prestanombres de Javier Duarte de Ochoa. La historia entre Mansur y Bandín inicia en la juventud, cuando José Antonio Bandín rentaba un departamento de una sola recámara y un cuarto de servicio... Él y Moisés Mansur Cysneiros eran amigos desde la preparatoria y Bandín permite a Mansur vivir en el cuarto de servicio. Luego, Moisés Mansur entra a estudiar a la Universidad Iberoamericana y ahí, conoce a Javier Duarte de Ochoa y se hacen entrañables amigos.... **Más adelante, José Antonio Bandín se casa con Mónica Babayan Canal, quien actualmente se ha convertido en una de las principales prestanombres de Javier Duarte y de su propio esposo, sin olvidar que Mónica es hija de "Ludy" o Ludivina Canal, quien también se incluye en la lista de prestanombres de varios lucrativos e ilegales negocios...**

Si bien, se conocía la situación de insolvencia y pobredumbre de los aquí nombrados en esta entrega, cuando Javier Duarte llega de Gobernador de Veracruz, Bandín y Mansur hacen un giro impresionante con escoltas, autos de lujos, relojes costosísimos, inmuebles como el expuesto en Tecamachalco o el departamento en Acapulco, para luego, José Bandín Ruiz le dice a su esposa que en México hay mucha inseguridad y la cambia de residencia, para vivir con sus hijos en Woodlands, Texas, lugar donde compra su primera casa y ahí, siguió adquiriendo más propiedades, una de ellas a nombre de su suegra, Ludivina Canal, a quien también le pusieron a su nombre un departamento en Bosques de las Lomas... Y la familia se fue uniendo a esta injustificada fortuna, como es el caso de hermanos y familiares de José Antonio Bandín, quienes son propietarios de terrenos en Texas, en los Estados Unidos a nombre de Maricarmen y Juan Carlos Bandín Ruiz, así como de Rocío Durán...

Los excesos y excentricidades también se observan en Moisés Mansur, con la adquisición del rancho de caballos rejoneadores en Valle de Bravo, así como una mansión en Ixtapa Zihuatanejo... Moy Mansur utiliza las aeronaves del Gobierno de Veracruz para viajar a esa playa de Guerrero, así como propiedades en Texas. Existen antecedentes de que en la Ciudad de México, Moisés Mansur y Javier Duarte son socios y dueños de inversiones, como es el caso de inmuebles ubicados en la exclusiva zona de Prado Norte, en las Lomas de Chapultepec... **Moisés Mansur ha escalado tanto como nuevo millonario, que se le vincula con la sobrina de Carlos Peralta Quintero, acusado de ser uno de los beneficiados en el sexenio de Carlos Salinas de Gortari...** Y las excentricidades de "Moy" Mansur se han incrementado a tal grado, que cualquier evento donde acude este empresario cordobés, sus escoltas tienen que llevar la comida y el vino preferido de su jefe, porque se ostenta de ser fino su paladar y no come, ni toma cualquier cosa... Pero eso sí, a Bandín Ruiz y a Moy Mansur se les vincula con la propiedad de taquerías en la Colonia Condesa, de la Ciudad de México...

Por último, dejamos por ahí las ligas para consultar los negocios de los esposos José Antonio Bandín Ruiz y Mónica Babayan Canal, donde se muestran más de 26 compañías fundadas durante la administración de Javier Duarte de Ochoa: <https://www.corporationwiki.com/Texas/The-Woodlands/jose-antonio-bandin/103669601.aspx> (<https://www.corporationwiki.com/Texas/The-Woodlands/jose-antonio-bandin/103669601.aspx>), así como otra empresa propiedad de los padres de Mónica Babayan Canal, como prestanombres y beneficiados de Javier Duarte de Ochoa, con la liga <https://bizstanding.com/directory/TX/18/3/> (<https://bizstanding.com/directory/TX/18/3/>), la cual dicta: "Business Directory of Texas. 18 RANCH COMPANY, LLC. Members: Ludivina Canal (Manager) Juan I. Babayan (Manager) Mónica Babayan (Manager). Agent: Twofficesuites, Llc 8350 Ashlane Way, Spring, TX 77382"...

Como vemos, aportamos varios datos para que la PGR y si quiere ser autónoma, la Fiscalía General de Justicia del Estado, investiguen a estos pillos como los principales prestanombres de Javier Duarte de Ochoa. Los mismos, que en el 2010 eran unos pobres diablos y sin dinero y hoy, son grandes empresarios que se codena con la realeza empresarial mexicana e internacional, gracias a que robaron, junto con Javier Duarte, el dinero de los veracruzanos...

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Javier Duarte, sus amigos y socios

(<http://libertadbajopalabra.com/2017/04/02/javier-duarte-amigos-socios/>)

2 abril, 2017

En "Avenida Principal"



(<http://libertadbajopalabra.com/2016/08/22/registro-civil-pgr-los-duarte/>)

Registro Civil, PGR y los Duarte

(<http://libertadbajopalabra.com/2016/08/22/registro-civil-pgr-los-duarte/>)

22 agosto, 2016

En "Opinión"



(<http://libertadbajopalabra.com/2017/04/18/duarte-no-actuo-solo-carcel-tambien-complices-familiares/>)

Duarte no actuó solo; cárcel también a cómplices y familiares

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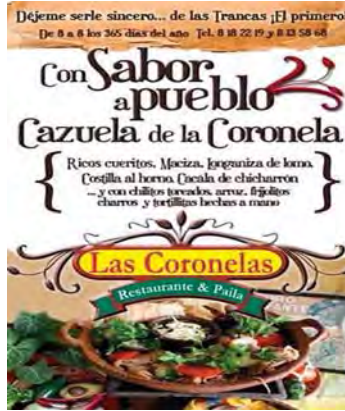
Entre lo utópico y lo verdadero

Claudia Guerrero Martínez



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Porres, Mansur and Bandín, the exclusive Club of Javier Duarte



The exclusive club of Javier Duarte / Photo: Veraz Newspaper

By *Claudia Guerrero Martínez* (http://libertadbajopalabra.com/author/claudia_guerrero/) - July 24, 2016 in *Opinion* (<http://libertadbajopalabra.com/category/opinion/>)

Claudia Guerrero Martínez / You know, smart readers and readers, Jaime Porres Fernández-Cavada, José Antonio Bandín Ruiz and Moisés Mansur Cysneiros ... Perhaps, for most of the people of Veracruz, these names have been heard or read in business magazines, socialite or media related to the administration of Javier Duarte de Ochoa ... **Currently, these people are investigated by the PGR, for being the main names of the current Governor of Veracruz, Javier Duarte de Ochoa ...**

The excesses of these pillos businessmen and Javier Duarte could be counted in several deliveries, as for example, one of these millionaires today of Cordoba, as is Jaime Porres, who a few years ago, is remembered for getting off his car with insults to Javier Duarte Ochoa and performed a constant bullying ... The formerly considered loser or "lúcer" and today, Governor of Veracruz, forgot the aggressions in the past ... **On a birthday of Jaime Porres, who was celebrating in his exclusive Miami apartment, received a gift a Bentley car of the year, with a market value of more than \$ 6 million pesos and this was presented by the State President, Javier Duarte de Ochoa ...** And paid, not exactly from the savings or pockets of the Governor of Veracruz ...

And the excesses go further, contributing to the PGR investigate these data ... Currently, Moisés Mansur owns a ranch with rejoneo horses in Valle de Bravo and this also questioned businessman from Córdoba, gave one of his horses to Paulina Romero, daughter of oil leader Carlos Romero Deschamps valued at more than \$ 100 thousand dollars ... Mansur Cysneiros gave the equine to Paulina Romero, because he met her in Veracruz, in the first year of the government of Javier Duarte. It should be noted that during the months of January and February 2012, Carlos Romero Deschamps was still showing off as "godfather" to Duarte de Ochoa and having good relations with Javier, until one day, according to sources close to Duarte and for reasons of money, the Governor of Veracruz no longer answered the phone and that was the reason for his estrangement.

One more, is José Antonio Bandín Ruiz, who was associated in the matter of ghost companies suppliers of the Government of Javier Duarte de Ochoa, billing on behalf of his wife, Monica Babayan Canal, they are investigated by the PGR ... Currently, the The family lives in Woodlands, Texas, in the United States, along with their children and boasts, among other things, of a luxury Rolls Royce car ... Looking for their companies financed with money from Veracruz, we find a

display of several of them, 26 in total, curiously, founded in the years 2012, 2013, 2014 and 2015, with the league <https://www.corporationwiki.com/Texas/The-Woodlands/jose-antonio-bandin/103669601.aspx> (<https://www.corporationwiki.com/Texas/The-Woodlands/jose-antonio-bandin/103669601.aspx>)

Also, looking for records in the United States, the PGR will be able to investigate all the properties of these people, such as houses, land and buildings, acquired mainly in Woodlands, Texas ... In addition, mansions located in Tecamachalco, in the State of Mexico, a of them owned by José Antonio Bandín Ruiz, as well as apartments in Acapulco or the aforementioned ranch of Moisés Mansur, with his stable of horses ... **As a citizen of Veracruz, we are outraged to know that these today millionaires from Cordoba had no money or business before the administration of Javier Duarte de Ochoa and today, they are great entrepreneurs, thanks to the diversion of resources from the finances in Veracruz and for the benefit of these thieves ...**

And how did they meet these predators of Javier Duarte de Ochoa. The story between Mansur and Bandin begins in youth, when José Antonio Bandín rented a one-bedroom apartment and a maid's room ... He and Moisés Mansur Cysneiros were friends from high school and Bandín allows Mansur to live in the service room. Then, Moisés Mansur enters to study at the Universidad Iberoamericana and there, he meets Javier Duarte de Ochoa and they become close friends **Later, José Antonio Bandín married Mónica Babayan Canal, who has now become one of the main names of Javier Duarte and his own husband, not forgetting that Monica is the daughter of "Ludy" or Ludivina Canal, who also included in the list of names of several lucrative and illegal businesses ...**

Although, the situation of insolvency and poverty of those named here in this installment was known, when Javier Duarte arrives as Governor of Veracruz, Bandín and Mansur make an impressive turn with escorts, luxury cars, very expensive watches, real estate as the one exhibited in Tecamachalco or the department in Acapulco, then, José Bandín Ruiz tells his wife that in Mexico there is a lot of insecurity and he changes his residence, to live with his children in Woodlands, Texas, where he buys his first house and there, he continued Acquiring more properties, one of them in the name of his mother-in-law, Ludivina Canal, who was also given a department in his name in Bosques de las Lomas ... And the family was joining this unjustified fortune, as is the case of brothers and sisters. relatives of José Antonio Bandín, who own land in Texas, in the United States, in the name of Maricarmen and Juan Carlos Bandín Ruiz, as well as Rocío Durán ...

The excesses and eccentricities are also observed in Moisés Mansur, with the acquisition of the ranch of rejoneadores horses in Valle de Bravo, as well as a mansion in Ixtapa Zihuatanejo ... Moy Mansur uses the aircraft of the Government of Veracruz to travel to that beach in Guerrero, as well like properties in Texas. There is a history that in Mexico City, Moisés Mansur and Javier Duarte are partners and owners of investments, as is the case of real estate located in the exclusive area of Prado Norte, in Lomas de Chapultepec ... **Moisés Mansur has climbed as much as new millionaire, who is linked to the niece of Carlos Peralta Quintero, accused of being one of the beneficiaries in the presidency of Carlos Salinas de Gortari ...** And the eccentricities of "Moy" Mansur have increased to such an extent that any event where this businessman from Cordoba comes, his escorts have to bring the food and wine preferred by his boss, because he flaunts his palate and does not eat , or take anything ... But yes, Bandín Ruiz and Moy Mansur are linked to the ownership of taquerias in Colonia Condesa, Mexico City ...

Finally, we leave the leagues out there to consult the businesses of the spouses José Antonio Bandín Ruiz and Mónica Babayan Canal, where more than 26 companies founded during the administration of Javier Duarte de Ochoa are shown:

<https://www.corporationwiki.com/Texas/The-Woodlands/jose-antonio-bandin/103669601.aspx> (<https://www.corporationwiki.com/Texas/The-Woodlands/jose-antonio-bandin/103669601.aspx>) , as well as another company owned by the parents of Mónica Babayan Canal, as prestanombres and beneficiaries of Javier Duarte de Ochoa, with the league <https://bizstanding.com/directory/TX/18/3/> (<https://bizstanding.com/directory/TX/18/3/>) , which dictates: "Business Directory of Texas. 18 RANCH COMPANY, LLC. Members: Ludivina Canal (Manager) Juan I. Babayan (Manager) Mónica Babayan (Manager). Agent: Twofficesuites, Llc 8350 Ashlane Way, Spring, TX 77382 "...

As we can see, we provide various information so that the PGR and if it wants to be autonomous, the Attorney General of the State, investigate these pillos as the main names of Javier Duarte de Ochoa. The same, who in 2010 were poor devils and without money and today, are big businessmen that coexists with the Mexican and international business royalty, thanks to the fact that they stole, together with Javier Duarte, the money of the Veracruzans ...

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(http://libertadbajopalabra.com/2016/08/22/registro-civil-pgr-los-duarte/) Civil Registry, PGR and the Duarte (http://libertadbajopalabra.com/2016/08/22/registro-civil-pgr-los-duarte/) August 22, 2016 In "Opinion"



(http://libertadbajopalabra.com/2017/04/18/registro-no-actuo-solo-carcel-tambien-complices-familiares/) Duarte did not act alone; jail also to accomplices and relatives (http://libertadbajopalabra.com/2017/04/18/registro-no-actuo-solo-carcel-tambien-complices-familiares/) April 18, 2017 In "Main Avenue"



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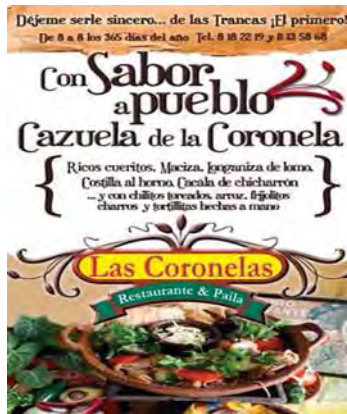
Between utopia and true

Claudia Guerrero Martínez



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In the El Chapo series it is revealed who is Conrado Sol; it has to do with the moon (<http://libertadbajopalabra.com/2017/12/22/la-serie-chapo-se-revela-quien-conrado-sol-ver-la-luna/>)



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Silent revolt against Yunes Linares (<http://libertadbajopalabra.com/2018/05/30/revuelta-silenciosa-yunes-linares/>)



Brunette, in the face of failure to blame the one together; «They cry like women what they could not defend as men» (<http://libertadbajopalabra.com/2018/06/24/morena-ante-fracaso-culpar-al-junto-lloran-mujeres-lo-no-pudieron-defender-hombres/>)



And who came up with a campaign closure on the day and time of the national team game? it is proven that Cuitláhuac is not AMLO (<http://libertadbajopalabra.com/2018/06/23/quien-se-le-ocurrio-cierre-campana-dia-la-hora-del-juego-la-seleccion-esta-comprobado-cuitlahuac-no-amlo/>)



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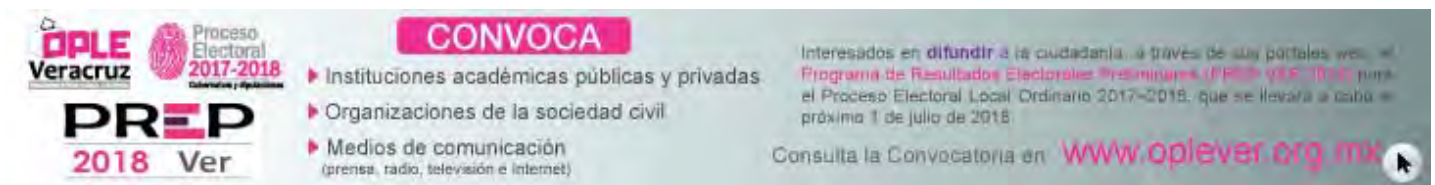
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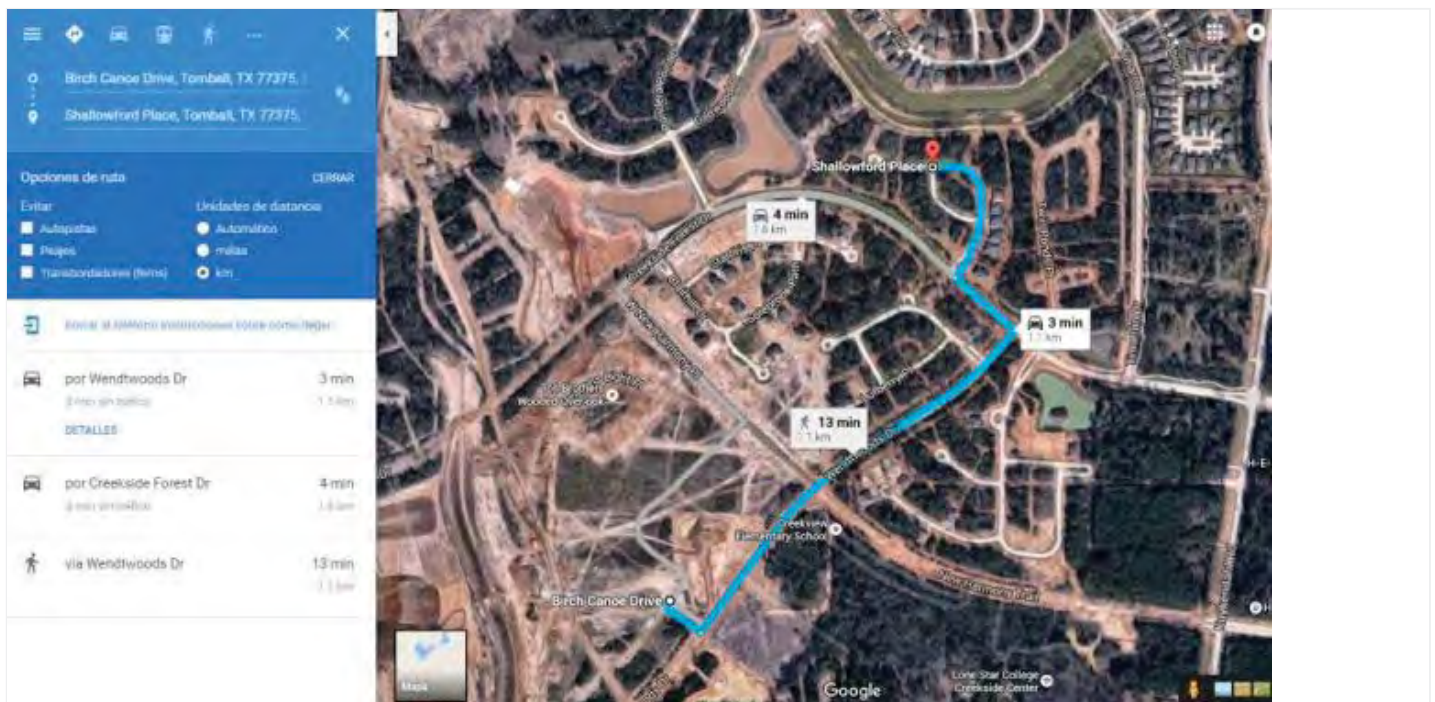
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Otro prestanombres de Duarte compró otra residencia y opera más de 8 empresas en Texas



En esta residencial y exclusiva zona de Texas, José Antonio Bandín Ruíz ubicado como prestanombres de Javier Duarte, compró otra residencia

Por periodistasdigitales (<http://plumaslibres.com.mx/autor/periodistasdigitales/>) - 21 Jul 16 en Transparencia y corrupción (<http://plumaslibres.com.mx/category/transparencia-y-corrupcion/>)

Compartir con WhatsApp (whatsapp://send?text=Otro prestanombres de Duarte compró otra residencia y opera más de 8 empresas en Texas - http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/?utm_source=WhatsApp%26utm_medium=IM%26amp;utm_campaign=share%20button)

Xalapa, Ver.- Jose Antonio Bandin Ruiz y su esposa Monica Babayan, presuntos prestanombres de Javier Duarte de Ochoa, gobernador de Veracruz, aparecen como nuevos propietarios de otra residencia ubicada en la dirección 38 Shallowford Place, de Texas, ubicada a solo 1 kilómetro de la casa en 83 Birch Canoe Drive donde su cuñada Mónica Ghihan Macías Tubilla, aparece según publicación de El Financiero, como nueva dueña de otra residencia.

Esta casa fue adquirida a un costo de medio millón de dólares

AFFIDAVIT OF PROPERTY SALE Unofficial Document

1. ASSessor's PARCEL NUMBER(S) (primary parcel number): Primary Parcel: 175-35-030-2

2. SELLER(S) NAME AND ADDRESS: Listing: Houston; 4001 K. CLIFF AVENUE; SCOTTSDALE, AZ 85253

3. BUYER(S) NAME AND ADDRESS: Karime Macías; 38 SHALLOWFORD PLACE; SCOTTSDALE, AZ 85253

11. SALE PRICE: \$750,000.00

12. DATE OF SALE (Month/Day/Year): March 28, 2014

13. DOWN PAYMENT: \$175,000.00

14. METHOD OF FINANCING: Cash (100% of Sale Price)

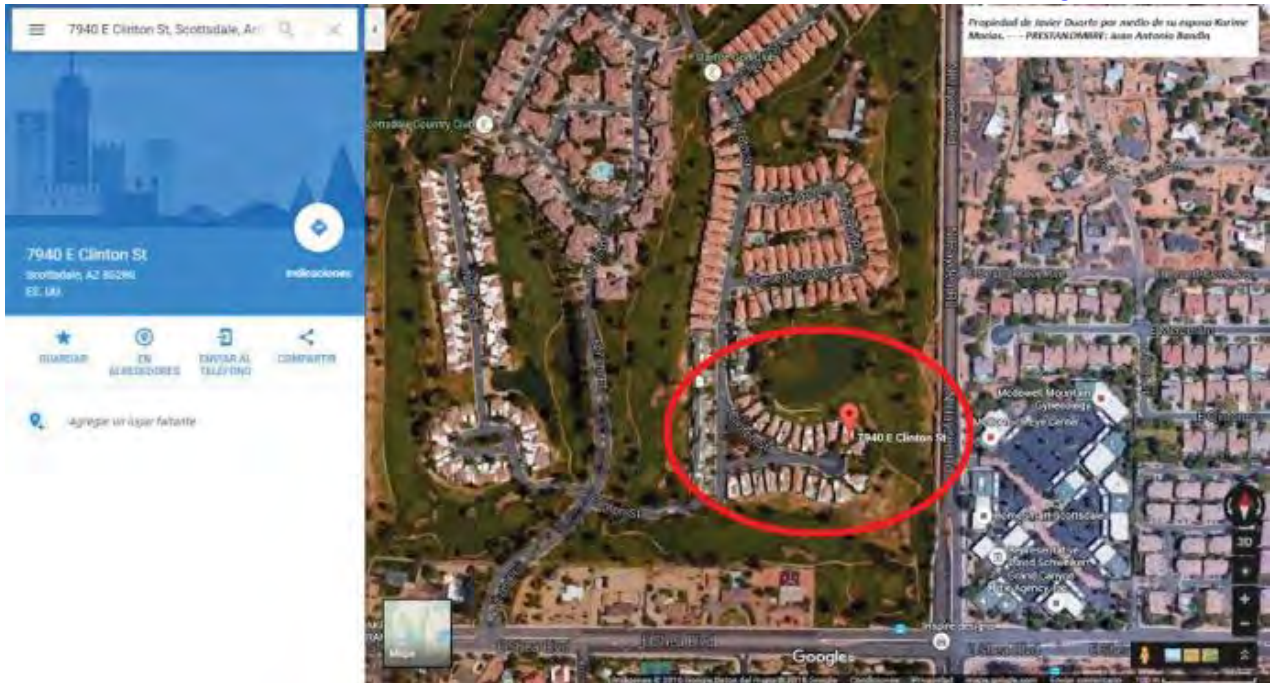
15. PERSONAL PROPERTY (value received for purchase): \$0.00

17. AFFIDAVIT COMPLETING AFFIDAVIT (Name, Address, Phone): Mónica E. Ghihan Macías Tubilla; 1723 North Scottsdale Road, Suite 112; Scottsdale, AZ 85253; Phone: (480) 991-5432

Notary Public: *[Signature]* Notary Expiration: 11-6-2016

Uno de los documentos de compraventa de la residencia en Texas

Documentos en poder de Plumas Libres revelan que la firma de esta compra se realizó el 19 de Diciembre del año de 2014, solo un par de meses después de que Mónica Macías Tubillas, hermana de Karime Macías, esposa de Javier Duarte, compró otra residencia, en la misma zona. ¿Casualidad o causalidad?.



Gracias a Google Maps, se ubica la zona donde los presuntos prestanombres tienen sus residencias en Texas..

Otra casualidad, el notario que firmo ambas compras de las dos residencias en Texas se llama **Jessica Yolanda Taylor**.

Jose Antonio Bandín es la persona que le vendió la casa en Arizona a Karime Macias.

Este personaje junto con su esposa, crearon en Estados Unidos las siguientes empresas:

- Banba construction LLC
- Banba LLC
- Banba Office LLC
- Bull Storage LLC
- Bandin Real State LLC
- Banba Land & Development LLC
- Twofficesuites LLC
- Reban Safety LLC



Red de empresas que opera José Antonio Bandín Ruíz

DIRECCIONES EN LAS QUE OPERAN LAS EMPRESAS DEL PRESTANOMBRES EN TEXAS.

- 83 West jagged Ridge
- 87 West jagged Ridge
- 18 Griffin Hill
- 43 Spinning Wheel

Vincula también 13 propiedades más en Woodlands en Houston, Texas, adquiridas por el delegado de la secretaría de Economía, José Antonio Manzur Beltrán, a quien califica como prestanombres del gobernador.

Como Yunes lo anunció, seguirá con las investigaciones para encontrar cómo se compone la red de prestanombres y las empresas y bienes inmuebles que tienen, no sólo Javier Duarte, sino también los funcionarios del primer nivel de su gobierno.

Lo más sorprendente es que la **PGR a cargo de Arely Gómez tiene en el archivo todas y cada una de las denuncias que la misma Auditoría Superior de la Federación (ASF), ha presentado contra Javier Duarte por desvíos millonarios de recursos. Tantas pruebas y rastros de dónde se ha invertido mucho de ese dinero que no se invirtió en beneficio de los veracruzanos, y las más altas autoridades de justicia del país se encuentran cruzados de brazos.**

:

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Relacionado



(http://plumaslibres.com.mx/2016/10/22/la-cunada-duarte-solo-fue-sometida-interrogatorio-la-policia-federal-pgr/) Que la cuñada de Duarte sólo fue sometida a interrogatorio por la Policia Federal: PGR (http://plumaslibres.com.mx/2016/10/22/la-cunada-duarte-solo-fue-sometida-interrogatorio-la-policia-federal-pgr/) 22 Oct 16 En "Sucesos"



(http://plumaslibres.com.mx/2016/04/05/157480/) Revela Reforma que Duarte adquirió 25 inmuebles a través de 36 prestanombres, con valor de 3 mil mdp (http://plumaslibres.com.mx/2016/04/05/157480/) 5 Abr 16



(http://plumaslibres.com.mx/2016/08/05/ah-exhiben-propiedad-duarte-2-5-millones-dolares-texas/) Ahora exhiben propiedad de Duarte de 2.5 millones de dólares en Texas (http://plumaslibres.com.mx/2016/08/05/ah-exhiben-propiedad-duarte-2-5-millones-dolares-texas/) 5 Ago 16 En "Nota secundaria"

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Comentarios



Marcelo dice:

21 Jul 16 a las 11:37 AM (http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/#comment-256685)

DE QUE SIRVEN LAS PUBLICACIONES SI NO SE HACE JUSTICIA NO ES POSIBLE QUE SE LE ROBEN AL ERARIO PÚBLICO Y CONTINÚEN QUE HACEN LAS AUTORIDADES COMPETENTES DENUNCIEN Y QUE PROCEDAN CONFORME A DERECHO LAS CUENTAS BANCARIAS DICEN TODO EL ORIGEN Y DESTINO DE RECURSOS

Responder (<http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/?replytocom=256685#respond>)



Jeremías C dice:

21 Jul 16 a las 5:09 PM (<http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/#comment-256693>)

Ya hay bastantes pruebas para detener a este malnacido Duarte y a su familia. ¿QUE ESPERAN PARA METER A LA CÁRCEL A ESTA MARRANA DESINFLADA???

Responder (<http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/?replytocom=256693#respond>)



CESAR DEL DIABLO dice:

20 Feb 17 a las 10:50 PM (<http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/#comment-262035>)

SEGURAMENTE LOS 400 PUEBLOS Y EL HIJO CAGON DE CESAR DEL DIABLO IRAN A PROTESTAR PORQUE NO SE CONSIGNA A JAVIER DUARTE, DIGO CON ESO DE QUE LUCHAN POR CAUSAS NOBLES SEGURAMENTE IRAN A ENSEÑAR LAS TECLAS Y TRUZAS VIEJAS, PONIENDOSE DE TAPA RABO LA FOTO DE FIDEL HERRERA. IRAN SEGURAMENTE A HACER PRESION AL D.F. A LA PGR Y A CUALQUIER LUGAR QUE LES PAREZCA DIGNO DE ENCUERARSE.

Responder (<http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/?replytocom=262035#respond>)

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- Abandona Fernando Yunes al parque Reino Mágico y quiere cerrar el único zoológico de Veracruz (<http://plumaslibres.com.mx/2018/06/27/abandona-fernando-yunes-al-parquete-reino-magico-quiere-cerrar-unico-zoologico-veracruz/>)
- Xalapeños sufren el pase a octavos de México del mundial de Rusia (<http://plumaslibres.com.mx/2018/06/27/xalapenos-sufren-pase-octavos-mexico-del-mundial-rusia/>)
- Mala situación económica provoca cierre de negocios en zona centro de Veracruz, denuncia Canacintra (<http://plumaslibres.com.mx/2018/06/27/mala-situacion-economica-provoca-cierre-negocios-zona-centro-veracruz-denuncia-canacintra/>)
- Angy #LaXalapita es mi candidata (<http://plumaslibres.com.mx/2018/06/27/angy-laxalapita-candidata/>)
- Colonias de Veracruz abandonadas por Fernando Yunes Márquez denuncian ciudadanos (<http://plumaslibres.com.mx/2018/06/27/colonias-veracruz-abandonadas-fernando-yunes-marquez-denuncian-ciudadanos/>)

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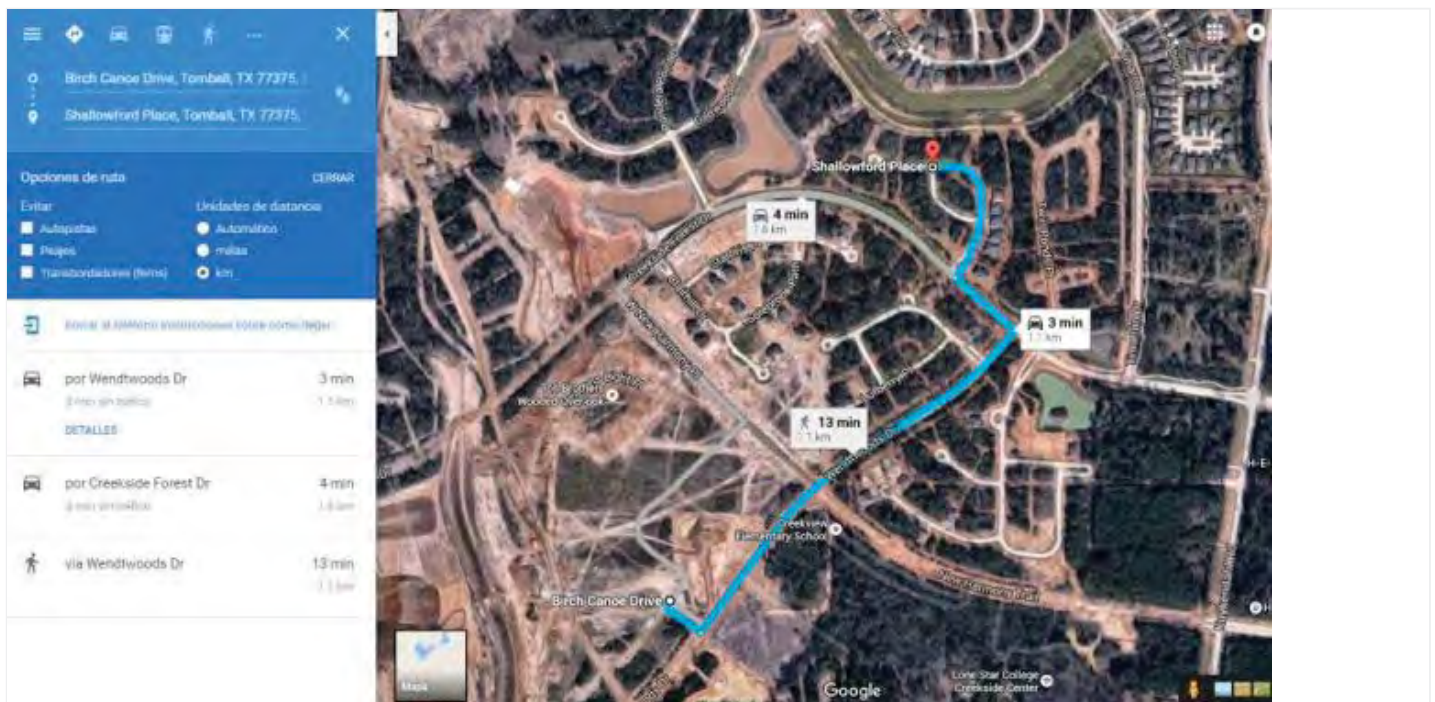
CONVOCA

Interesados en difundir a la ciudadanía a través de sus portales web el Programa de Resultados Electorales Preliminares (PREP) y el PREP para el Proceso Electoral Local Ordinario 2017-2018, que se llevará a cabo el próximo 1 de julio de 2018.

Consulta la Convocatoria en www.oplever.org.mx

(http://www.oplever.org.mx/)

Another foreman of Duarte bought another residence and operates more than 8 companies in Texas



In this exclusive residential area of Texas, José Antonio Bandín Ruíz, located as a foreman of Javier Duarte, bought another residence

By digital journalists (<http://plumaslibres.com.mx/author/periodistasdigitales/>) - 21 Jul 16 in Transparency and corruption (<http://plumaslibres.com.mx/category/transparencia-y-corrupcion/>)

Share with WhatsApp (whatsapp://send?text=Otro prestanombres de Duarte compró otra residencia y opera más de 8 empresas en Texas - http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/?utm_source=WhatsApp%26utm_medium=IM%26amp;utm_campaign=share%20button)

Xalapa, Ver.- Jose Antonio Bandin Ruiz and his wife Monica Babayan, presumed presidents of Javier Duarte de Ochoa, governor of Veracruz, appear as new owners of another residence located at 38 Shallowford Place, Texas, located just 1 kilometer of the house at 83 Birch Canoe Drive where his sister-in-law Monica Ghihan Macias Tubil la, appears as El Financiero's publication, as the new owner of another residence.

This house was acquired at a cost of half a million dollars

AFFIDAVIT OF PROPERTY SALE Unofficial Document

1. ACCESSION'S PARCEL NUMBER(S) (primary parcel number): Primary Parcel: 175-20-000-2

2. SELLER'S NAME AND ADDRESS: Lundy J. Hixson, 4001 N. GULF AVENUE, SUITE 100, DALLAS, TEXAS 75246

3. BUYER'S NAME AND ADDRESS: Karime Macias, 7940 E. CLAYTON ST, SCOTTSDALE, AZ 85260

4. ADDRESS OF PROPERTY: 7601 East Clonay Street, Scottsdale, AZ 85260

5. REAL TAX INFO: Address: 7601 East Clonay Street, Scottsdale, AZ 85260

6. PROPERTY TYPE (for Primary Parcel): Single Family Residence

7. RESIDENTIAL BUYER'S USE: Family member

8. NUMBER OF UNITS: 1

9. SALE PRICE: \$75,000.00

10. DATE OF SALE: March 25, 2005

11. DOWN PAYMENT: \$5,000.00

12. METHOD OF FINANCING: Cash (100% of Sale Price)

13. PERSONAL PROPERTY: No

14. INITIAL INTEREST: None

15. AFFIDAVIT COMPLETE (AFFIDAVIT): Yes

Signature of Buyer: Karime Macias, State of AZ, County of MARICOPA

Signature of Seller: Lundy J. Hixson, State of TX, County of DALLAS

Notary Public: [Signature], Notary Expiration: 11-6-2016

One of the documents of sale of the residence in Texas

Documents in the possession of Free Pens reveal that the signing of this purchase was made on December 19 of the year of 2014, only a couple of months after Mónica Macias Tubillas, sister of Karime Macías, wife of Javier Duarte, bought another residence, in the same area. Chance or causality ?.

As announced by Yunes, he will continue with the investigations to find out how the network of prestanombres and the companies and real estate that Javier Duarte has, is composed, as well as the officials of the first level of his government.

The most surprising thing is that the **PGR in charge of Arely Gómez has in the file each and every one of the denunciations that the same Superior Audit of the Federation (ASF), has filed against Javier Duarte for millionaire detours of resources. So many proofs and traces of where** much of that money has been invested that was not invested in the benefit of the Veracruzans, and the highest justice authorities of the country are crossed arms.

:

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(http://plumaslibres.com.mx/2016/10/22/la-cunada-duarte-solo-fue-sometida-interrogatorio-la-policia-federal-pgr/) That Duarte's sister-in-law was only questioned by the Federal Police: PGR (http://plumaslibres.com.mx/2016/10/22/la-cunada-duarte-solo-fue-sometida-interrogatorio-la-policia-federal-pgr/) Oct 22 In "Events"



(http://plumaslibres.com.mx/2016/04/05/157480/) Reveal Reforma that Duarte acquired 25 properties through 36 prestanombres, with a value of 3 thousand mp 5 Apr 16 In "Transparency and corruption"



(http://plumaslibres.com.mx/2016/08/05/ahc-exhiben-propiedad-duarte-2-5-millones-dolares-texas/) Now they exhibit Duarte's property of 2.5 million dollars in Texas (http://plumaslibres.com.mx/2016/08/05/ahc-exhiben-propiedad-duarte-2-5-millones-dolares-texas/) 5 Aug 16 In "Secondary note"

Compartir con WhatsApp (whatsapp://send?text=Otro prestanombres de Duarte compró otra residencia y opera más de 8 empresas en Texas - http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/?utm_source=WhatsApp%26utm_medium=IM%26amp;utm_campaign=share%20button)

Comments



Marcelo says:

21 Jul 16 at 11:37 AM (http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/#comment-256685)

WHAT PUBLICATIONS SERVE IF JUSTICE IS NOT MADE IT IS NOT POSSIBLE THAT THE PUBLIC WRITTEN IS KILLED AND THE COMPETENT AUTHORITIES CONTINUE TO DENOUNCE AND THAT THEY PROCEED ACCORDING TO THE RIGHT THE BANK ACCOUNTS SAY ALL THE ORIGIN AND DESTINY OF RESOURCES

Answer (http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/?replytocom=256685#respond)



Jeremiah C says:

21 Jul 16 at 5:09 PM (<http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/#comment-256693>)

There is already enough evidence to stop this bastard Duarte and his family. WHAT ARE YOU EXPECTING TO PUT THE JAIL TO THIS DEFLATED MARRIA ???

Answer (<http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/?replytocom=256693#respond>)



CESAR DEL DIABLO says:

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Answer (<http://plumaslibres.com.mx/2016/07/21/prestanombres-duarte-compro-otra-residencia-opera-mas-8-empresas-texas/?replytocom=262035#respond>)

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- Xalapeños suffer the pass to the second round of the World Cup in Mexico (<http://plumaslibres.com.mx/2018/06/27/xalapenos-sufren-pase-octavos-mexico-del-mundial-rusia/>)
- Bad economic situation causes closure of business in downtown Veracruz, denounces Canacintra (<http://plumaslibres.com.mx/2018/06/27/mala-situacion-economica-provoca-cierre-negocios-zona-centro-veracruz-denuncia-canacintra/>)
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AFFIDAVIT OF CHRISTOPHER J. LEAVITT

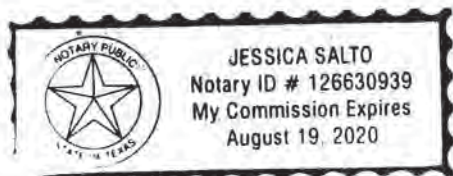
1. My name is Christopher J. Leavitt. I am over the age of twenty-one, am fully competent to make this affidavit, have personal knowledge of the facts and statements in this affidavit, and each of the facts and statements are true and correct.
2. I am counsel for the State of Veracruz.
3. Attached hereto as Exhibit 2 is true and correct copy of the statement of investigation from the State of Veracruz.
4. Attached hereto as Exhibit 3 is a true and correct copy of the 'indictment' of Mr. Bandin from the State of Veracruz.
5. Attached hereto as Exhibit 4 are true and correct copies of property records printed from the Harris County Appraisal District website.
6. Attached hereto as Exhibit 5 are true and correct copies of corporate formation documents and other records printed from the Texas Secretary of State website.
7. Attached hereto as Exhibit 7 are true and correct copies of various articles published in the Mexican press, and translated copies.

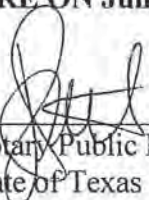
FURTHER AFFIANT SAYETH NAUGHT



Christopher J. Leavitt
DATE 6/27/18

SUBSCRIBED AND SWORN TO ME BEFORE ON June 27, 2018.





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