

EXHIBIT 2

Unofficial Copy Office of Marilyn Burgess District Clerk

Archived: Thursday, June 5, 2025 9:32:05 AM

From: [Travis Vargo](#)

Mail received time: Tue, 28 Jan 2025 21:42:20

Sent: Tue, 28 Jan 2025 21:41:56

To: [Pennetti, Alex](#), [Clark, Katharine B.](#)

Cc: 'shawn@gradycollectionlaw.com'

Subject: RE: Order

Importance: Normal

Sensitivity: None

Attachments:

[Payoff Cyberlux v 2.xlsx](#) 

RECEIVED FROM EXTERNAL SENDER - USE CAUTION

See attached.

Travis B. Vargo

Vargo Law Firm, PC

(713) 524-2441 - Office

From: Travis Vargo

Sent: Tuesday, January 28, 2025 3:41 PM

To: Pennetti, Alex <APennetti@thompsoncoburn.com>; Clark, Katharine B. <KClark@thompsoncoburn.com>

Cc: 'shawn@gradycollectionlaw.com' <shawn@gradycollectionlaw.com>

Subject: RE: Order

Alex,

Here is a pay-off that I prepared based on documents that I've seen. This does not include collection fees and costs that my client is entitled to under the settlement agreement, which I understand to be a substantial sum. Obviously, I need to investigate this number, declare it, and provide support for it. I also need to confirm this spreadsheet with my client. In the meantime, please let me know your thoughts. If your client made payments that are not shown on tab 2, please send me evidence of the payment so that I can discuss it with my client and provide proper credit, if applicable.

Yes, provide dates for the court ordered depositions please.

I don't have authority to move a court ordered deadline. My client also opposes in light of your client's continued filings that necessitate responses from my firm.

Travis B. Vargo

Vargo Law Firm, PC

(713) 524-2441 - Office

From: Pennetti, Alex <APennetti@thompsoncoburn.com>

Sent: Tuesday, January 28, 2025 3:03 PM

To: Travis Vargo <tvargo@vargolawfirm.com>; Clark, Katharine B. <KClark@thompsoncoburn.com>

Cc: 'shawn@gradycollectionlaw.com' <shawn@gradycollectionlaw.com>

Subject: RE: Order

Hi, Travis.

With the tight timeframe, we need to proceed with the depositions of the three court-ordered witnesses first. I'm working on those dates, as Katie said. For the other two, as Katie asked, let us know on Mr. Robinson because I'm not clear on whether we're trying to coordinate everyone or if you guys want to depose him twice.

Do you have any update on the payoff letter and supporting documentation that we discussed last week? Given the existing dispute over what is owed, without a payoff letter and supporting documentation, we need to depose Messrs. Welter, Peterson, and Keithly.

If we need to pursue the depositions of Messrs. Robinson, Watts, Welter, Peterson, and Keithly, perhaps we can schedule a full week to conduct these. But as you told the Court, the plaintiffs have been crediting amounts received or collected against the judgment, so I would imagine a payoff history and payoff amount is something that can be provided relatively easily, which would mean those depositions wouldn't be necessary.

Also, may we have until next Friday, 2/7, to serve discovery responses?

Best,

Alex Pennetti

apennetti@thompsoncoburn.com

P: 972 629 7168

F: 972 629 7171

Thompson Coburn LLP

2100 Ross Avenue Suite 3200

Dallas, TX 75201

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From: Taylor, Shanelle (DCO) <shanelle.taylor@hcdistrictclerk.com>

Sent: Tuesday, January 28, 2025 11:29 AM

To: 'Travis Vargo' <tvargo@vargolawfirm.com>; Clark, Katharine B. <KClark@thompsoncoburn.com>

Cc: Pennetti, Alex <APennetti@thompsoncoburn.com>; 'shawn@gradycollectionlaw.com' <shawn@gradycollectionlaw.com>;

'Robert Berleth' <rberleth@berlethlaw.com>

Subject: RE: Order

Importance: High

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Good Morning,

Can you please remove court staff from this email.

Thank you,

****PLEASE CONFIRM ALL LAW DAY HEARINGS ARE SET WITH THE COURT BEFORE YOU FILE NOTICE****



Shanelle Taylor
Lead Clerk, 129th Civil District Court
MARILYN BURGESS, [Harris County District Clerk](#)
201 Caroline, Floor 10| Houston, TX 77002

(832) 927-2500

From: Travis Vargo <tvargo@vargolawfirm.com>
Sent: Tuesday, January 28, 2025 11:16 AM
To: Clark, Katharine B. <KClark@thompsoncoburn.com>
Cc: Pennetti, Alex <APennetti@thompsoncoburn.com>; 'shawn@gradycollectionlaw.com' <shawn@gradycollectionlaw.com>; 'Robert Berleth' <rberleth@berlethlaw.com>; Taylor, Shanelle (DCO) <shanelle.taylor@hcdistrictclerk.com>
Subject: RE: Order
Importance: High

[WARNING] This email originated outside HCDCO. **DO NOT CLICK** links or attachments unless you know the content is safe.

Alex,

Please provide availability or conflicts for the depositions. Given lawyer calendars, we should not wait any longer to schedule.

PS - The only lawyers in Texas representing the Judgment Creditors are on this email.

Travis B. Vargo
Vargo Law Firm, PC
(713) 524-2441 - Office

From: Clark, Katharine B. <KClark@thompsoncoburn.com>
Sent: Monday, January 27, 2025 10:44 PM
To: Travis Vargo <tvargo@vargolawfirm.com>
Cc: Pennetti, Alex <APennetti@thompsoncoburn.com>; 'shawn@gradycollectionlaw.com' <shawn@gradycollectionlaw.com>; 'Robert Berleth' <rberleth@berlethlaw.com>; 'shanelle.taylor@hcdistrictclerk.com' <shanelle.taylor@hcdistrictclerk.com>
Subject: Re: Order

Alex will respond, as he has been working on confirming availability of the three witnesses for the depositions that the court ordered occur within the next few weeks.

We also received word from Virginia that someone else besides you has sought Mr. Robinson's availability for the Texas action, and they have given him a different timeline for response than you do below.

From: Travis Vargo <tvargo@vargolawfirm.com>
Sent: Monday, January 27, 2025 5:20:50 PM
To: Clark, Katharine B. <KClark@thompsoncoburn.com>
Cc: Pennetti, Alex <APennetti@thompsoncoburn.com>; 'shawn@gradycollectionlaw.com' <shawn@gradycollectionlaw.com>; 'Robert Berleth' <rberleth@berlethlaw.com>; 'shanelle.taylor@hcdistrictclerk.com' <shanelle.taylor@hcdistrictclerk.com>
Subject: RE: Order

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Katharine,

Below I sought the following depositions per the attached Order:

- January 28 (all day) – Mr. Schmidt
- January 29 (morning 9am-12pm, I have a hearing at 1:30) – Mr. Watts Jr.
- January 30 (all day) – Mr. Robinson

I received no response, no alternative dates, nothing. Please respond or we are going to notice these depositions per our schedules. If you do not attend, we will seek a show cause.

Thanks.

Travis B. Vargo
Vargo Law Firm, PC
(713) 524-2441 - Office

From: Clark, Katharine B. <KClark@thompsoncoburn.com>

Sent: Monday, January 20, 2025 5:55 PM

To: Travis Vargo <tvargo@vargolawfirm.com>

Cc: Pennetti, Alex <APennetti@thompsoncoburn.com>; 'shawn@gradycollectionlaw.com' <shawn@gradycollectionlaw.com>; 'Robert Berleth' <rberleth@berlethlaw.com>; 'shanelle.taylor@hcdistrictclerk.com' <shanelle.taylor@hcdistrictclerk.com>

Subject: RE: Order

Ms. Taylor –

It was our understanding the Court requested that we present authorities to assist the Court in his review of any proposed order edits, and so attached is Defendants' letter brief submitted in support of Defendants' proposed form of Order, which I submitted via e-mail earlier today. We will also be filing this on the docket. However, because today is a holiday for our law firm, we may not have sufficient staff to do so. If we do not file today, we will do so first thing tomorrow morning.

Sincerely,

Katharine Battaia Clark

kclark@thompsoncoburn.com

P: 972 629 7114

F: 972 629 7171

Thompson Coburn LLP

2100 Ross Avenue

Suite 3200

Dallas, TX 75201

www.thompsoncoburn.com

From: Clark, Katharine B.

Sent: Monday, January 20, 2025 3:00 PM

To: Travis Vargo <tvargo@vargolawfirm.com>

Cc: Pennetti, Alex <APennetti@thompsoncoburn.com>; shawn@gradycollectionlaw.com; Robert Berleth <rberleth@berlethlaw.com>; shanelle.taylor@hcdistrictclerk.com

Subject: RE: Order

Ms. Taylor –

We had noted that our objects were due today, Monday. Attached is the proposed form of order by Defendants, marked with track changes. We will be filing a letter brief, as well, in support of these proposed changes.

Sincerely,

Katharine Battaia Clark

kclark@thompsoncoburn.com

P: 972 629 7114

F: 972 629 7171

Thompson Coburn LLP

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Suite 3200

Dallas, TX 75201

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From: Travis Vargo <tvargo@vargolawfirm.com>

Sent: Monday, January 20, 2025 2:55 PM

To: shanelle.taylor@hcdistrictclerk.com

Cc: Clark, Katharine B. <KClark@thompsoncoburn.com>; Pennetti, Alex <APennetti@thompsoncoburn.com>; shawn@gradycollectionlaw.com; Robert Berleth <rberleth@berlethlaw.com>

Subject: FW: Order

RECEIVED FROM EXTERNAL SENDER - USE CAUTION

Shanelle,

Please see attached MS word version of the order of turnover and appointment of receiver that Judge Gomez requested last Thursday. It is also being filed today per the Judge's request.

It was sent to the Judgment Debtor's counsel Friday as ordered by the Judge. No objections or changes were received.

Travis B. Vargo

Vargo Law Firm, PC

(713) 524-2441 - Office

From: Travis Vargo

Sent: Friday, January 17, 2025 2:16 PM

To: kclark@thompsoncoburn.com; apennetti@thompsoncoburn.com

Cc: Robert Berleth <rberleth@berlethlaw.com>; shawn@gradycollectionlaw.com

Subject: Order

Counsel,

Please see attached. I trimmed this order down to the bear minimum. I hope we can agree to a form. Please respond by 11am Monday if you have track changes so that we can try to work it out or otherwise advise the court concerning our disagreement and file the versions.

I also propose the following deposition schedule in accordance with the Judge's orders last night:

- January 28 (all day) – Mr. Schmidt
- January 29 (morning 9am-12pm, I have a hearing at 1:30) – Mr. Watts Jr.
- January 30 (all day) – Mr. Robinson

Have a nice weekend.

Travis B. Vargo
Vargo Law Firm, PC
12012 Wickchester, Suite 670
Houston, TX 77079
(713) 524-2441 - Office
(832) 779-8838 - Fax

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Unofficial Copy Office of Marilyn Burgess District Clerk

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Frankie Huff on behalf of Alex Pennetti

Bar No. 24110208

fhuff@thompsoncoburn.com

Envelope ID: 101664202

Filing Code Description: Motion (No Fee)

Filing Description: Defendants Objection to Court s Order Appointing

Receiver Dated May 22 2025

Status as of 6/5/2025 3:44 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
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Sandra Meiners		smeiners@thompsoncoburn.com	6/5/2025 12:13:55 PM	SENT
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Bernadette Martin		bernadette@gradycollectionlaw.com	6/5/2025 12:13:55 PM	SENT

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Frankie Huff on behalf of Alex Pennetti

Bar No. 24110208

fhuff@thompsoncoburn.com

Envelope ID: 101664202

Filing Code Description: Motion (No Fee)

Filing Description: Defendants Objection to Court s Order Appointing

Receiver Dated May 22 2025

Status as of 6/5/2025 3:44 PM CST

Case Contacts

Bernadette Martin		bernadette@gradycollectionlaw.com	6/5/2025 12:13:55 PM	SENT
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