

NO. 2018-CI-05727

| WILLIAM W. OCHSE IV | § | IN THE DISTRICT COURT |
|-----------------------------|------------|------------------------------------|
| And CHLOE OCHSE SEILER | § | |
| · | § | -TH |
| v. | § . | 37 TH JUDICIAL DISTRICT |
| | § . | |
| WILLIAM W. OCHSE III, | § | |
| INDIVIDUALLY AND AS TRUSTEE | § | |
| OF THE WILLIAM W. OCHSE III | § | |
| FAMILY 2008 TRUST | § | BEXAR COUNTY, TEXAS |

ORDER GRANTING CYNTHIA CADWALLADER OCHSE'S MOTION FOR PARTIAL SUMMARY JUDGMENT

On August 21, 2019 the Court heard Cynthia Cadwallader Ochse's Motion for Partial Summary Judgment. The parties appeared by their attorneys. After considering and ruling upon the objections to the summary judgment evidence and thereafter reviewing the motion, the pleadings on file and the admissible summary judgment evidence and hearing arguments of counsel, the Court finds that the terms "spouse," "primary beneficiary's spouse," and "son's spouse" referenced in the Trust Agreement Establishing the William W. Ochse III Family 2008 Trust are unambiguous and specifically mean Cynthia Cadwallader Ochse.

IT IS ORDERED, ADJUDGED AND DECREED that in the Trust Agreement Establishing the William W. Ochse III Family 2008 Trust, the terms "spouse," "primary beneficiary's spouse," and "son's spouse" are unambiguous and specifically mean Cynthia Cadwallader Ochse, to whom William W. Ochse, III, was married at the time the trust instrument was established and does not mean any subsequent spouse of William W. Ochse, III, including but not limited to Carol Dicker Ochse.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cynthia Cadwallader Ochse's Motion for Partial Summary Judgment be and hereby is GRANTED.

| SIGNED this day of SEP 1 1 2019 |
|---------------------------------|
|---------------------------------|

GOYLMYNOHO YOU SHYM DG MMNG

HONORABLE CATHY STRYKER

AGREED AS TO FORM:

CAVARETTA, KATONA & LEIGHNER PLLC

One Riverwalk Place

700 N. St. Mary's St., Suite 1500

San Antonio, TX 78205

Telephone: (210) 588-2901

Facsimile: (210) 588-2908

By. Merk Cannon

MARK J. CANNAN

State Bar No. 03743800 cannanm@ckl-lawyers.com

Attorneys for Cross-Defendant/Counter-Plaintiff
Carol Ochse

CHAMBERLAIN, HRDLICKA, WHITE, WILLIAMS & AUGHTRY

112 East Pecan, Suite 1450

San Antonio, Texas 78205

Telephone: (210) 253-8383 Facsimile: (240) 253-8384

D.,,

JAMES IVAN ERICK MCNEEL State Bar No. 24035491

james.mcneel@chamberlainlaw.com

JAIME YASQUEZ

State Bar No. 24066235

jaime.vasquez@chamberlainlaw.com

STUART H. CLEMENTS

State Bar No. 24087315

stuart_clements@chamberlainlaw.com

F. MATTHEW FLORES

State Bar No. 24080688

matt flores@chamberlainlaw.com

Attorneys for Cynthia Cadwallader Ochse

CAVARETTA, KATONA & LEIGHNER PLLC

One Riverwalk Place

700 N. St. Mary's St., Suite 1500

San Antonio, TX 78205

Telephone: (210) 588-2901

Facsimile: (210) 588-2908

By: Malla

LAURA A. CAVARETTA State Bar No. 04022820

cavarettal@ckl-lawyers.com

LES KATONA, JR.

State Bar No. 11106680

katonal@ckl-lawyers.com

WILLIAM E. LEIGHNER

State Bar No. 24027441

leighnerw@ckl-lawyers.com

Attorneys for Defendant William W. Ochse III, Individually and as Trustee of the William W. Ochse III Family 2008 Trust

CURL STABL GEIS, P.C.

700 N. St. Mary's St., Suite 1800

San Antonio, TX 78205

Telephone: (210) 226-2182

Facsimile: (210) 226-1691

By: HAVE UM

BENNETT L. STAPIL
State Bar No. 19006500

blstahl@csg-law.com

and

JOHN T. KLUG

State Bar No. 11578630

4616 Laurel Street

Bellaire, TX 77401

Telephone: (713) 882-1273

itklug@earthlink.net

Attorney for Plaintiffs William W. Ochse, IV and Chloe Ochse Seiler