

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

COPY

DAVE CAMPBELL and  
CATRENIA "DAWN" CAMPBELL,

Plaintiffs;

v.

) C.A. NO. 4:12-cv-00165

WOODLAND LAKES TRUSTEESHIP, INC.  
NATIONAL DEVELOPMENT COMPANY, INC.,  
CLYDE W. ENGLE, CRAIG KINMANN,  
CHERYL DAVIS, FRANCIS OSCAR DARIAN, JR.,  
ARTHUR HURLBURT, RUSSELL RICHARDS,  
DEBORAH CLUTTER, PATRICIA EDGAR,  
CRYSTAL KALLANSRUD, SIMONE HATTON,  
LARRY ANDERSON, LAWRENCE DEIS,  
LINDA WADE, and THOMAS LEON COLYOTT.

Defendants.

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**PLAINTIFFS' MOTION FOR LEAVE TO FILE  
REPLY TO DEFENDANTS' RESPONSE TO PLAINTIFFS'  
MOTION FOR LEAVE OF COURT TO AMEND PETITION**

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COMES NOW PLAINTIFFS, Dave and Dawn Campbell, pursuant to Federal Rules of Civil Procedures and motioning this Honorable Court for leave to file a reply to "*Defendants' Response To Plaintiffs' Motion For Leave Of Court To Amend Petition,*" for the reasons as follows:

1. An Order of Dismissal has not been handed down in this case.
2. This Court has been deceived by Defendants' counsel, causing this Court to error in sustaining Defendants' Motion to Dismiss.

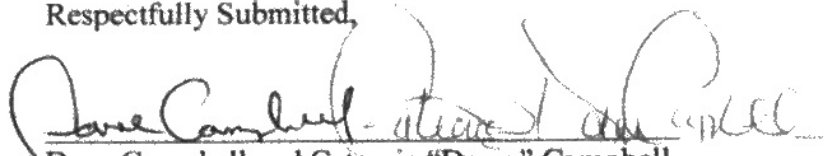
3. Defendants' counsel did fail to serve a copy of "*Defendants' Response To Plaintiffs' Motion For Leave Of Court To Amend Petition*" though did certify to have done so by Certified Mail.<sup>1</sup> If a party to a suit desires credit for mailing an accountable piece of mail, the accountable number should be included in the party's Certificate of Service.
4. Plaintiffs have been prejudiced by Defendants by Defendants' failure to serve Plaintiffs with "*Defendants' Response To Plaintiffs' Motion For Leave Of Court To Amend Petition.*"
5. Plaintiffs will be further prejudiced if Plaintiffs are denied the opportunity to reply to "*Defendants' Response To Plaintiffs' Motion For Leave Of Court To Amend Petition.*"
6. Defendants will not be prejudiced by Plaintiffs' Reply to "*Defendants' Response To Plaintiffs' Motion For Leave Of Court To Amend Petition,*" because:
  - A. Defendants did prejudice Plaintiffs by failing to serve Plaintiffs with "*Defendants' Response To Plaintiffs' Motion For Leave Of Court To Amend Petition.*"
  - B. Defendants did deny Plaintiffs of due process.
  - C. Defendants' counsel did commit fraud upon the Court in order to win a favorable Judgment.
  - D. Plaintiffs are legally entitled to file a reply to Defendants' argumentative pleading.

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<sup>1</sup> Plaintiff, who is a retired Postmaster, hereby requests strict proof of Defendants' alleged Certified Mail receipt. Counsel Wallace did congruously omit the Certified Label Number from his Certificate of Service.

E. Defendant are not being deprived of anything in this instance.

Respectfully Submitted,



Dave Campbell and Catrenia "Dawn" Campbell  
109 Rainbow Drive #921  
Livingston, TX 77399  
[Campbell@CampbellSales.com](mailto:Campbell@CampbellSales.com)  
(936) 239-7747

### CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of: **PLAINTIFFS' PRE-MOTION CONFERENCE CERTIFICATE FOR PLAINTIFFS' MOTION FOR LEAVE TO FILE REPLY TO "DEFENDANTS' REPOSE TO PLAINTIFFS' MOTION FOR LEAVE OF COURT TO AMEND PETITION,"** has been served upon the opposing party by enclosing a copy of the same in a sealed envelope and mailing via the United States Postal Service's Priority Mail, on April 28<sup>th</sup>, 2012, with Label No.: 0307 0020 0005 2495 ~~4951~~ <sup>4975</sup> <sub>DC</sub>, to be filed April 30, 2012.

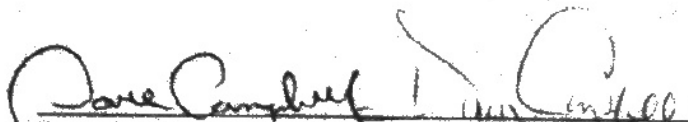
**Defendants:**

Woodland Lakes Trusteeship, Inc., National Development Company, Inc., Clyde W. Engle, Francis Oscar Darian, Jr., Lawrence Deis, Craig Kinmann, Arthur Hurlburt, Russell Richards, Deborah Clutter, Patricia Edgar, Crystal Kallansrud, Simone Hatton, Linda Wade, Larry Anderson and Thomas Leon Colyott.

**ATTORNEY OF RECORD:**

Woodland Lakes Trusteeship, Inc., et al  
ATTN: Casey T. Wallace  
% Haynes Boone, Attorneys and Counselors  
1221 McKinney Street, Suite 2100  
Houston, Texas 77010-2007

Signed and served this 28<sup>th</sup> day of April, 2012



Dave Campbell                      Dawn Campbell