

COMMISSIONERS'

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STATE OF TEXAS

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COUNTY OF BURNET

RESOLUTION

RESOLUTION OF THE COMMISSIONERS' COURT OF BURNET COUNTY, TEXAS AUTHORIZING BURNET COUNTY TO SETTLE ITS PENDING CLAIMS AGAINST VOLKSWAGEN

WHEREAS, Burnet County has asserted claims against Volkswagen and related entities ("Volkswagen") in the *In re Volkswagen Clean Diesel Litigation*, Cause No. D-1-GN-16-000370, currently pending in the 353rd District Court of Travis County, Texas, Honorable Tim Sulak, Judge Presiding ("Clean Diesel Litigation"); and

WHEREAS, Burnet County claims against Volkswagen have been abated pursuant to a July 28, 2017 ruling by the Third Court of Appeals in Austin and there is no realistic ability of Burnet County to lift the abatement and pursue its claims independently; and

WHEREAS, Burnet County has been given the opportunity to settle its claims against Volkswagen in the Clean Diesel Litigation for the amount of **\$50,000.00** from Harris County's potential share of the settlement proceeds in return for a full and final release of Burnet County's claims; and

WHEREAS, the Commissioners' Court of Burnet County has determined that settling the above-described claims for \$50,000 is in Burnet County's best interest; and

WHEREAS, the Commissioners' Court of Burnet County has previously entered into and approved a *Professional Services Agreement*, Signed June 27, 2017, hiring Special Counsel to represent Burnet County in the referenced litigation, agreeing to pay Special Counsel a fee of 33.33% of any amount of money it recovers as a result of the Representation.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND DECLARED BY THE COMMISSIONERS' COURT OF BURNET COUNTY, TEXAS:

1. That the Commissioners' Court hereby approves Burnet County entering into and participating in the above-described settlement and full and final release of its claims in the Clean Diesel Litigation.

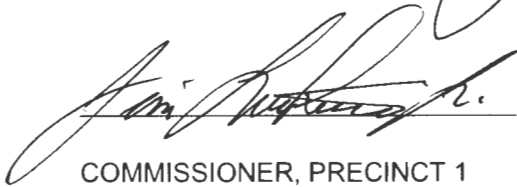
2. That the Commissioners' Court hereby authorizes the Burnet County Judge to execute any documents necessary to participate in the settlement of the Clean Diesel Litigation under such final negotiated terms as the Burnet County Judge deems appropriate.

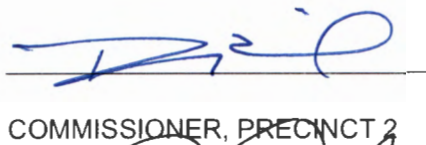
3. That the Commissioners' Court hereby authorizes the Burnet County Judge to, upon receipt of the settlement proceeds, issue payment of attorney fees totaling, \$16,665.00 to Special Counsel (by issuing a check to "The Patricia E. Garza Law Firm, PLLC, 2626 Cole Ave., Suite 300, Dallas, TX 75204 [956-832-3112], for disbursement to all participating Special Counsel). Once said funds are distributed, Special Counsel is Fully Released from all further obligations under the *Professional Services Agreement*.

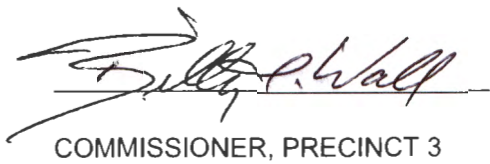
APPROVED THIS 5TH DAY OF JULY, 2023 BY THE BURNET COUNTY COMMISSIONERS' COURT.

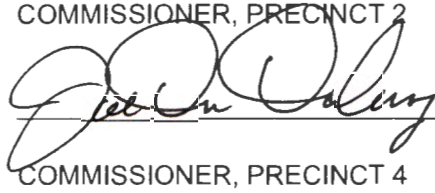
[Signature page follows]


COUNTY JUDGE

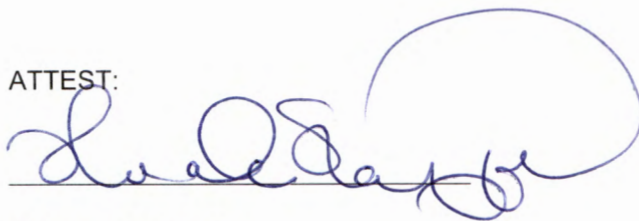

COMMISSIONER, PRECINCT 1


COMMISSIONER, PRECINCT 2


COMMISSIONER, PRECINCT 3


COMMISSIONER, PRECINCT 4

ATTEST:



COUNTY CLERK