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November 27, 2001

Honorable Bobby F. McGough  
Stonewall County Judge  
Stonewall County Courthouse  
510 South Broadway  
Aspermont, Texas 79502

Re: *In the Estate of Ida Baldwin Denison, Deceased*

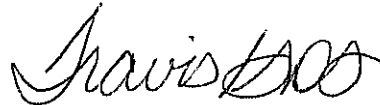
Dear Judge McGough:

I wanted to take the opportunity to bring your attention to some concerns that my client has raised with regard to the request for transfer to probate court pending in your Court. First, we feel that you have a conflict in that the Defendant in this cause is the Constable in Stonewall County, and you preside over the commissioners court which makes discretionary financial decisions with respect to his salary. It goes without saying that you have a relationship with the Defendant definitely on a professional level and our client believes also on a personal level. Second, the Baldwin Ranch has for years engaged in business with Stonewall County in the form of land transactions for cemetery space. Third, in prior cases involving this Estate and the same parties, you have been adamant about not hearing *any* contested issues, preferring to defer to a Judge with qualifications you do not possess. Fourth, the Probate Code section under which we filed our motion to transfer is not discretionary, it is mandatory, and plainly states that the Court **SHALL** sign an order transferring a contested case to a Probate Court upon a motion being filed by any party. The probate code specifically states that the Court does not have discretion, it is mandatory, and it is irreconcilable that you have a desire to conduct a hearing and issue a ruling on an issue that *does not* involve any discretion and one in which there are numerous complicated legal theories and issues being hotly contested. Our client is concerned, based on the foregoing, that your continuing to preside over this matter raises at least the appearance of a potential conflict and our client has requested that we respectfully ask you to recuse yourself from this case, as you have done in the past in cause number 1293.

Out of respect for you and your position, we thought it best to send a courtesy letter in the hopes that filing a formal motion will be rendered unnecessary. Please let us know your decision on this matter upon your review of this letter so that we will know how we need to proceed. By copy of this letter, I am notifying Isaac Castro of our request.

Should you have any questions regarding this matter, please do not hesitate to contact my office.

Very truly yours,

A handwritten signature in black ink, appearing to read "Travis S. Ware". The signature is written in a cursive style with a large initial "T" and a stylized "S".

Travis S. Ware

TSW/sds  
cc: Isaac Castro