

**FILED**

Chris Daniel  
District Clerk

OCT 12 2016

CAUSE NO. 2015-03070

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MARIO EFRAIN ROSALES BARRALAGA	§	IN THE DISTRICT COURT
	§	
V.	§	OF HARRIS COUNTY, TEXAS
	§	
COOPER TIRE & RUBBER COMPANY	§	295 <sup>th</sup> JUDICIAL DISTRICT

**ORDER ESTABLISHING TRUST FOR THE BENEFIT OF MARIO BARRALAGA UNDER SECTION 142.005 OF THE TEXAS PROPERTY CODE**

ON THIS DAY came on to be heard the Application of CRISTINA GOMEZ (the "Applicant") requesting that the Court establish a trust (the "Trust") for MARIO BARRALAGA (the "Beneficiary") pursuant to Section 142.005 of the Texas Property Code, and due and proper notice of such application and hearing thereon having been given to all necessary and interested persons, and all persons necessary for jurisdiction having appeared in person or by attorney, and the Court having considered the evidence presented, the argument of counsel, and the terms of the Trust Agreement which is attached as Exhibit "A" to this Order and which is incorporated herein for all purposes by this reference (the "Trust Agreement"), hereby finds that such Trust is in the best interests of the Beneficiary and should be established under the authority of Section 142.005 of the Texas Property Code, and that Comerica Bank & Trust, National Association, the proposed Trustee for the Trust, is a trust company having trust powers in the State of Texas and therefore is qualified to serve as Trustee of a trust established pursuant to Section 142.005 of the Texas Property Code; it is therefore:

ORDERED, ADJUDGED AND DECREED that the funds to be distributed for the benefit of the Beneficiary pursuant to a settlement agreement in the above numbered and styled cause shall be held in trust for the benefit of the Beneficiary pursuant to Section 142.005 of the Texas Property Code, and pursuant to the terms of the Trust Agreement; and it is further:

ORDERED, ADJUDGED AND DECREED that Comerica Bank & Trust, National Association is hereby appointed as Trustee of the Trust created by the Trust Agreement; and, upon the acceptance by the Trustee of such Trust sums awarded to the Beneficiary herein shall be paid to the Trustee; and it is further:

ORDERED, ADJUDGED AND DECREED that approval is hereby granted to the Trustee to charge a reasonable fee for its trust services at the rates and in the manner provided in the Trust Agreement, provided that the court may review the Trustee's fees at any time and from time to time on the Court's own motion or upon the motion of the Trustee or any other party interested in the welfare of the Beneficiary, and upon a hearing of the matter, the Court shall take any action with respect to such fees as the Court deems appropriate.

SIGNED this the 12<sup>th</sup> day of October, 2016

Caroline Baker  
JUDGE PRESIDING

Unofficial Copy Office of Chief Panel District Clerk