

CAUSE NO. 2018-42734

ABG General Construction, Plaintiff,	§	IN THE DISTRICT COURT
	§	
	§	
v.	§	OF HARRIS COUNTY, TEXAS
	§	
3S Real Estate Investments, LLC – Series 3 Defendant.	§	
	§	
	§	269th JUDICIAL DISTRICT

**DEFENDANT’S MOTION FOR RECONSIDERATION OF
DEFENDANT’S SPECIAL EXCEPTIONS**

Plaintiff, 3S Real Estate Investments, LLC – Series 3 (“3S”), asks the court to reconsider the September 4, 2018 order of the Court denying Defendant’s Special Exceptions.

A. Introduction

1. Plaintiff is ABG General Construction; Defendant is 3S Real Estate Investments, LLC – Series 3.
2. Plaintiff sued Defendant for alleged nonpayment for residential construction work and to foreclose on a lien.
3. Defendant filed its Special Exceptions to Plaintiff’s Original Petition.
4. The Court denied Defendant’s Special Exceptions due to Defendant’s failure to include the certificate of conference required by local rules.
5. Defendant files this motion for reconsideration and asks the court to grant Defendant’s Special Exceptions.

B. Argument

6. The Court should grant Defendant’s Special Exceptions for the following reasons:
 - a. Defendant has attempted to conference several times with Plaintiff but Plaintiff is unavailable or has refused to return messages.
 - b. Plaintiff’s staff has taken messages but has not been able to or has not been willing to provide feedback on behalf of Plaintiff.
 - c. Plaintiff has not filed a response with the Court to Defendant’s Special Exceptions, which were served on Plaintiff by e-file.

C. Conclusion

6. Defendant has attempted to comply with the local rules of the Court and its Special Exceptions are seemingly unopposed. For these reasons, Defendant asks the Court to grant its Special Exceptions and issue the relief sought by Defendant therein.

Respectfully submitted,

By:  _____

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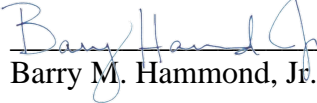
**ATTORNEY FOR
PLAINTIFF 3S REAL
ESTATE INVESTMENTS,
LLC**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served upon the following as outlined below on this 6th day of September 2018.

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Via e-file



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