

NO. 15-26-00012-CV

**IN THE COURT OF APPEALS
FOR THE FIFTEENTH APPELLATE DISTRICT OF TEXAS
AUSTIN, TEXAS**

**ROBIN BALEY d/b/a H2O SERVICES,
*Appellant,***

v.

**RCH WATER SUPPLY CORPORATION,
*Appellee.***

**On Appeal from the 382nd Judicial District Court, Rockwall County, Texas
Trial Court Case Number 1-23-1750
Honorable Senior Justice Carolyn Wright, Sitting by Assignment**

**APPELLEE RCH WATER SUPPLY CORPORATION'S SECOND
UNOPPOSED MOTION FOR EXTENSION TO FILE OPENING BRIEF**

TO THE HONORABLE COURT OF APPEALS:

Under Texas Rules of Appellate Procedure 10.1, 10.5(b), and 38.6(d), Appellee RCH Water Supply Corporation (“RCH” or “Appellee”) files this second unopposed motion for extension of time and respectfully requests a 30-day extension to file its opening brief, until and including September 21, 2026.

CURRENT AND NEW DEADLINE

Appellee’s opening brief is due on August 21, 2026. This is Appellee’s second request for a 30-day extension of time to file its opening brief, which the Court has

previously granted. If the Court grants the requested extension, the new deadline for Appellee to file its opening brief will be September 21, 2026.¹

REASONS FOR EXTENSION

Appellee requests this extension because its counsel are, and have been, engaged in other matters with pressing deadlines, commitments, and ongoing work that make it difficult to meet the current deadline, including the following:

1. *JRG Reinsurance Co. Ltd. v. National Transportation Associates, Inc.*, Case No. 4:24-cv-00394-P, in the United States District Court for the Northern District of Texas. Preparing for and filing reply in support of omnibus motion for summary judgment on July 31, 2026;
2. *JRG Reinsurance Co. Ltd. v. National Transportation Associates, Inc.*, Case No. 4:24-cv-00394-P, in the United States District Court for the Northern District of Texas. Preparing for and conducting full-day mediations with court-appointed mediator, the Honorable David L. Evans, occurring on August 12, 2026; August 14, 2026; and August 18, 2026;
3. *K-W Specialty Ins. Co. v. National Transportation Associates, Inc.*, Case No. 067-341616-23, pending in the 67th District Court of Tarrant County, Texas. Preparing for and conducting hearing on motion for death penalty sanctions, occurring on August 11, 2026;
4. *Paul Leighton, Individually and d/b/a South Gate Sand & Gravel v. Richard G. Walker, Jr., Independent Executor of the Estate of Martha Sue Willis a/k/a Martha Sue Walker*, Cause No. 25-E-2181-25CV1 in the County Court at Law No. 1 of Ellis County. Prepare for and conduct trial beginning on August 11, 2026;

¹ The 30th day from the current August 21, 2026 deadline is September 20, 2026, which is a Sunday. Thus, in the interest of clarity, Appellee requests a new filing deadline of September 21, 2026, which is the next business day.

5. *Fort Apache Energy, Inc. v. SB International, Inc.*, Cause No. 22-335 in the 451st Judicial District Court, Kendall County. Preparing for and filing reply in support of motion for summary judgment on August 25, 2026; and
6. *Grass Roots Farming, LLC v. DT Livestock Inc*, Cause No. CV25-077; in the County Court at Law, Bosque County. Preparing for and filing reply in support of motion for summary judgment on August 25, 2026.

NO OPPOSITION

Appellant does not oppose this motion. This extension of time is sought so that justice may be done in the disposition of this appeal and is not sought for purposes of delay.

PRAYER

For these reasons, Appellee requests that this second unopposed motion for 30-day extension of time be granted and that the time for filing Appellee's opening brief be extended until and including September 21, 2026. Appellee further requests all such other relief to which it may be justly entitled.

Dated: August 17, 2026.

Respectfully submitted,

/s/ Colin P. Benton

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ATTORNEYS FOR APPELLEE

CERTIFICATE OF CONFERENCE

I hereby certify that on August 17, 2026, counsel for Appellee conferred via email with counsel for Appellant, who stated that Appellant do not oppose the relief sought herein.

/s/ Colin P. Benton

Colin P. Benton

CERTIFICATE OF SERVICE

I certify that on August 17, 2026, a true and correct copy of the foregoing instrument was served on the following pursuant to the Texas Rules of Appellate Procedure:

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By EFS

/s/ Colin P. Benton

Colin P. Benton

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Samantha Tandy on behalf of Colin Benton

Bar No. 24095523

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Envelope ID: 118735903

Filing Code Description: Motion

Filing Description: Appellee's Second Unopposed Motion for 30-Day

Extension to File Opening Brief (09.21.26)

Status as of 8/17/2026 5:00 PM CST

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