

Cause No. 25-00067

LILIAN ROJAS

VAN ZANDT COUNTY, TEXAS,

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IN THE 294TH

Plaintiffs,

v.

JUDICIAL DISTRICT COURT

BT AMADOR STORAGE, LLC,

Defendants.

VAN ZANDT COUNTY, TEXAS

RULE 11 AGREEMENT CONCERNING TEMPORARY RESTRAINING ORDER

Plaintiff, Van Zandt County, Texas, filed a petition for temporary restraining order which the Court granted on April 10, 2025.

The temporary restraining order provides that BT Amador Storage, LLC and any other person or entity working in concert with or on behalf of it are restrained and prohibited from moving into Van Zandt County, transporting within Van Zandt County, or storing in Van Zandt County lithium ion batteries designed for or intended to be used in a battery energy storage system.

The parties have, by agreement, extended the temporary restraining order for periods of fourteen days on several occasions since April 10, 2025. The current agreed extension of the temporary restraining order will expire on July 24, 2025.

In the interests of a mutually agreeable compromise, and to avoid the time and potentially unnecessary expense of litigation, the parties agree as follows pursuant to Texas Rule of Civil Procedure 11:

- The parties agree that BT Amador Storage, LLC and any BT Amador Storage, LLC and any other person or entity working in concert with or on behalf of it will not move into Van Zandt County, transport within Van Zandt County, or store in Van Zandt County lithium ion batteries designed for or intended to be used in a battery energy storage system.

- This agreement shall remain in effect until the earlier of August 29, 2025, or the Van Zandt County Fire Marshal's determination that applicable requirements of the NFPA have been met and confirmation of such determination in writing to BT Amador Storage, LLC and its representatives.
- To the extent the Van Zandt County Fire Marshal has been unable to make such a determination by August 29, 2025, the parties agree that they shall coordinate regarding an extension of the deadlines set forth in this agreement, or, alternatively, a mutually agreeable date and time for a hearing on Van Zandt County's application for a temporary injunction, and further agree that the other terms of this agreement shall remain in effect either until an extension of this agreement has been made or a temporary injunction date has been set and hearing takes place.

This agreement may be filed with the Court as a Rule 11 agreement to the extent necessary for enforcement.

Signed this 22nd day of July, 2025.

AGREED:

BT AMADOR STORAGE, LLC:

/s/ Ben Stephens
Ben Stephens
Counsel for BT Amador Storage, LLC

VAN ZANDT COUNTY, TEXAS:


Tonda Curry
Counsel for Van Zandt County, Texas