

CAUSE NO. 24-11876-442

AFG COMPANIES, INC., }
Plaintiff, } IN THE DISTRICT COURT
v. } 442nd JUDICIAL DISTRICT
MAURICE FITZPATRICK, } DENTON COUNTY, TEXAS
Defendant. }
}

**FITZPATRICK'S SPECIAL APPEARANCE TO
CHALLENGE JURISDICTION AND VENUE**

TO THE HONORABLE JUDGE OF THE COURT:

COMES NOW **Maurice Fitzpatrick** (hereinafter "Fitzpatrick"), in the above-captioned cause, filing this Special Appearance pursuant to Rule 120a of the Texas Rules of Civil Procedure to challenge this Court's jurisdiction and venue. In support of this **Special Appearance**, Fitzpatrick respectfully shows the Court and states under penalty of perjury as follows:

I. INTRODUCTION

1. This Special Appearance is filed solely to contest this Court's jurisdiction over Fitzpatrick and to object to venue in Denton County, Texas, as ongoing and related litigation exists in Tarrant County (Cause Number 017-352358-24), including Notice of Appeal.

2. By virtue of being previously served with one or more legal pleadings in an existing, related, and pending cause in Tarrant County (Cause Number 017-352358-24), Plaintiff and its counsel, Scheef and Stone, LLP, is not only fully aware of Fitzpatrick, but equally aware of the Tarrant County action where Fitzpatrick has a motion pending. Fitzpatrick's pending Tarrant County motion is attached hereto as Exhibit A. Fitzpatrick's subsequent Notice of Appeal, filed in Tarrant County, is attached hereto as Exhibit B.

3. Fitzpatrick contends that this apparent action against him in Denton County is purely an ambush by Plaintiff and their attorney(s) of record, Scheef and Stone, LLP, involving an egregious abuse of process and malicious prosecution that involves defamatory, frivolous, and overwhelmingly false and exaggerated oral and written *ex parte* communications in Denton County that Fitzpatrick was not noticed, was not present for, privy to, nor has Fitzpatrick been properly served in accordance with Texas Rules of Civil Procedure.

4. Upon information and belief, this recent *ex parte* and forum-shopping strategy of Plaintiff and their attorney(s) of record, Scheef and Stone, LLP, outside of Tarrant County where related litigation is ongoing, is intended to gain a seemingly favorable outcome against Fitzpatrick to not only silence his free speech in matters of public importance, but to intimidate Fitzpatrick, retaliate against him, and dissuade him from bringing facts and evidence of Plaintiff's corrupt and illegal business practices to the Court in Tarrant County where litigation is ongoing and related. Furthermore, upon information and belief, the foregoing is additionally intended to

prevent and/or impair Fitzpatrick's ability from bringing his own claims for relief seeking damages resultant of Plaintiff's conduct, their corrupt and illegal business practices which are presently and have been at issue in the Tarrant County case.

5. This Court (Denton County) lacks jurisdiction over Fitzpatrick and should dismiss this case, with prejudice, for want of jurisdiction.

6. The Plaintiff's service of process is improper, defective, and in violation of Texas state law and federal law.

7. The Plaintiff's extra-curricular activities, that include misrepresentations in *ex parte* communications, by and through counsel of record, for and on behalf of Plaintiff, constitutes a fraud being perpetrated upon the court and there is no substantial connection between Fitzpatrick and Denton County, Texas, either residentially, through the conduct of business, or otherwise. Fitzpatrick's only connection to Denton County is this present ambush and forum shopping activities of Plaintiff (and their attorneys of Scheef and Stone, LLP).

II. OBJECTION TO JURISDICTION AND VENUE

No Substantial Connection to Denton County

8. During Fitzpatrick's employment with Plaintiff in Tarrant County, until shortly following his wrongful and retaliatory termination in October 2024, Fitzpatrick resided in Tarrant County, Texas, and Fitzpatrick has no business operations, contracts, contacts, or any substantial connections to Denton County, Texas.

9. The alleged events and/or occurrences giving rise to Plaintiff's dispute occurred in Tarrant County, Texas, where related and ongoing litigation is pending in the 17th District Court

of Tarrant County of which Plaintiff and its counsel at Scheef and Stone, LLP are and have been fully aware since Fitzpatrick's (Movant's) Motion to Intervene filed in that Court on November 12, 2024.

Improper Service of Process

10. Plaintiff failed to properly serve Fitzpatrick with process in this matter as required by Texas Rule of Civil Procedure 106. The only notice Fitzpatrick received was via email from Plaintiff's counsel, without any prior notice, which does not satisfy procedural requirements. Fitzpatrick does not agree that Plaintiff has met procedural requirements to confer jurisdiction and venue upon this Court or sustain this action further, and the questionable methods Plaintiff and their counsel employed to obtain seemingly favorable decision is done outside the Court's jurisdiction and this matter (and/or its attempt) should be referred to the State Bar of Texas for investigation.

Forum Shopping

11. Plaintiff's initiation of this case in Denton County is a clear attempt at forum shopping to gain a tactical advantage and avoid or circumvent the Tarrant County court where related issues are already pending. Furthermore, this case in Denton County is a blatant attempt by Plaintiff and its counsel at Scheef and Stone, LLP to interfere with and obstruct the substantial Constitutional and legal rights and interests of Fitzpatrick and to isolate Fitzpatrick's related claims, facts, evidence, and information from the Tarrant County case where it is pending and proper, without his consent, because Fitzpatrick's claims, facts, evidence, and information strike

at the heart of the breach of contracts, business issues and other claims in the Tarrant County case having related parties.

Continued Intimidation and Harassment

12. The instant action is an attempt on the part of Plaintiff and its counsel Scheef and Stone, LLP, who are well aware of the ongoing litigation in the 17th District Court of Tarrant County, to intimidate Fitzpatrick into silence about a matter of public concern and a matter in which Fitzpatrick has suffered immeasurable damages up to and including homelessness as a direct and proximate cause of Plaintiff's fraudulent and illegal conduct, in violation of Texas' Anti-SLAPP Laws among other state and federal laws.

III. RELATED LITIGATION IN TARRANT COUNTY

13. On November 11, 2024, Fitzpatrick filed a **Motion to Intervene** in related litigation pending in Tarrant County, Texas, styled *AFG Companies, Inc. v. Genuine Lifetime, LLC and Tyler Luck*, Cause No. 017-352358-24.

14. Despite the passage of nearly two months, the Tarrant County court has not yet ruled on Fitzpatrick's (Movant's) Motion to Intervene, attached hereto as Exhibit A.

15. On January 6, 2025, Fitzpatrick filed a Notice of Appeal in the Tarrant County case to preserve his Constitutional, legal rights and interests due to the court's delay in ruling. A copy of that filing is attached hereto as Exhibit B.

IV. LEGAL STANDARD

16. Under Rule 120a of the Texas Rules of Civil Procedure, Fitzpatrick may (and he does so here) file this Special Appearance to object to the jurisdiction and/or venue of the court.

17. The Special Appearance must be the first filing of Fitzpatrick, and Fitzpatrick must assert that Fitzpatrick or his property is not amenable to process issued by the court.

18. Fitzpatrick hereby makes such Special Appearance by this first filing.

19. Fitzpatrick hereby makes the requisite assertion(s) by this filing that he or his property is not amenable to process issued by the Denton County court.

20. The court shall determine and sustain the Special Appearance based on the pleadings, affidavits, discovery results, and any oral testimony.

V. PRAYER FOR RELIEF

WHEREFORE, Movant respectfully requests that this Court:

1. Sustain this, Fitzpatrick's Special Appearance, and dismiss this case with prejudice for lack of jurisdiction and/or want of jurisdiction over Fitzpatrick in Denton County.
2. Alternatively, without waiver of this Special Appearance in Denton County, transfer this case in its entirety (to include all filings, documents, records, and complete written and audio recordings and transcripts of all hearings and *ex parte* communications) to Tarrant County, Texas, where related litigation (Cause No: 017-352358-24) is pending.
3. Grant Fitzpatrick such other and further relief as the Court deems just and proper.

Respectfully submitted,

/s/ Maurice Fitzpatrick

Maurice Fitzpatrick
Phone: (214) 694-1551
Email: afglawsuit@yahoo.com

VI. EXHIBITS

EXHIBIT A

Fitzpatrick's Motion to Intervene, filed in Tarrant County, November 12, 2024

CAUSE NO. 017-352358-24

AFG COMPANIES, INC., }
Plaintiff, } IN THE DISTRICT COURT
v. } 17th JUDICIAL DISTRICT
GENUINE LIFETIME, LLC, AND } TARRANT COUNTY, TEXAS
TYLER J. LUCK, }
Defendants. }

MOTION TO INTERVENE

TO THE HONORABLE JUDGE OF THE COURT:

COMES NOW, **Maurice Fitzpatrick** (hereinafter “Movant”), respectfully moves this honorable Court for leave to intervene in the above-captioned action pursuant to **Texas Rule of Civil Procedure 60**, and in support thereof states as follows:

I. INTERESTS OF THE MOVANT

1. Movant was employed by **AFG Companies, Inc. (AFG)** from **March 18, 2024**, until his abrupt and wrongful termination on **October 30, 2024**. During his employment, Movant was **fraudulently induced** to serve as **Software Engineer and Lead Integration Developer** for AFG without being informed of the **Exclusive Reseller Agreement (ERA)** between AFG and **Brand Engagement Network, Inc. (BEN)**. The ERA, which Movant now knows binds AFG to

refrain from marketing and developing competing artificial intelligence (AI) products and solutions against BEN, was breached by AFG, and Movant was unwittingly involved in these competing initiatives without his knowledge or consent. Movant's subsequent **wrongful termination** resulted from his raising questions and concerns about these unethical and fraudulent practices.

2. The claims presented in the current action are derived from the same set of agreements and transactions described in the S-4 Registration Statement¹ filed with the United States Securities and Exchange Commission (SEC) on February 5, 2024. Specifically:

- a. The Business Combination Agreement and Plan of Reorganization, dated September 7, 2023 (Annex A of the S-4 Registration)², which forms the basis of the ongoing relationship between AFG and BEN, including between AFG and Genuine Lifetime, LLC (GL) and Defendant Tyler J. Luck.
- b. The Exclusive Reseller Agreement (ERA), signed and dated August 19, 2023 (Annex F of the S-4 Registration)³, binding AFG not to market against BEN or develop competing AI solutions.
- c. The Subscription Agreements for Common Stock, dated September 7 and 29, 2023 (Annex G)⁴, and the Private Subscription Agreement, dated September 29, 2023 (Annex H)⁵, detailing the financial interests of the parties involved.

3. Movant's employment was intentionally misstated and grossly misrepresented by AFG prior to and leading up to his hiring. Movant was fraudulently induced into accepting

¹ <https://www.sec.gov/Archives/edgar/data/1838163/000119312524023535/d566788ds4a.htm>

² https://www.sec.gov/Archives/edgar/data/1838163/000119312524023535/d566788ds4a.htm#i566788_anxa

³ https://www.sec.gov/Archives/edgar/data/1838163/000119312524023535/d566788ds4a.htm#i566788_anxf

⁴ https://www.sec.gov/Archives/edgar/data/1838163/000119312524023535/d566788ds4a.htm#i566788_anxg

⁵ https://www.sec.gov/Archives/edgar/data/1838163/000119312524023535/d566788ds4a.htm#i566788_anxh

employment under false pretenses and through material misrepresentations by AFG. Movant was abruptly terminated via email in retaliation for attempting to understand and reconcile the true nature of his employment.

4. Movant suffered immediate and substantial financial harm, damage to his professional reputation, and emotional distress as a direct and/or proximate result of the conduct of AFG and other present parties. None of the existing parties represent Movant's rights, interests, or his unique position in this matter.

II. GROUNDS FOR INTERVENTION

5. Movant's employment was used by AFG to carry out activities that directly contravened the ERA , as evidenced by statements made by David Duggan (CTO of AFG) during a meeting on October 11, 2024, wherein Mr. Duggan explicitly acknowledged the ERA and AFG's efforts to circumvent it (see Exhibit A), as well as agreements described in the S-4 Registration Statement, to which Defendant Tyler J. Luck is also a party. Movant's claims arise from the same business dealings and the same set of facts, and he possesses unique evidence of fraudulent inducement, misrepresentation, and breaches of contractual obligations by AFG, which are critical to determining the true nature of the business activities in question.

6. Movant's interests will be impaired if not allowed to intervene, as the outcome of the current litigation directly affects his rights and ability to seek redress for fraudulent employment practices and wrongful termination. Furthermore, no existing party adequately represents Movant's interests, as none are positioned to present evidence of AFG's misrepresentations and fraudulent inducement of employees or its unethical conduct aimed at undermining BEN,

defrauding investors, stakeholders, the public-at-large, and manipulating publicly traded securities.

III. LEGAL STANDARDS FOR INTERVENTION

7. Pursuant to **Texas Rule of Civil Procedure 60**, Movant may intervene as long as he has a **justiciable interest** in the subject matter of the lawsuit. The Texas Supreme Court has held that a party has a justiciable interest if they could have brought the action themselves, or if their interests will be affected by the litigation's outcome. Movant's interest in exposing the fraudulent practices by AFG and others, which include the breach of agreements central to this case, satisfies the requirements for intervention.

8. Movant's claims are **directly linked** to the contractual breaches and fraudulent conduct alleged in this case. Movant's **right to redress** will be significantly affected by the outcome of this litigation, and his unique position is essential to fully elucidate the wrongful acts committed by **AFG**.

9. Additionally, under Texas law, intervention is appropriate where the intervenor's interests are **not adequately represented** by the current parties. Movant has unique knowledge and evidence regarding AFG's actions that have not been presented by any of the existing parties. Therefore, Movant's participation is essential to ensure all relevant facts are brought before the Court.

IV. RESPONSE TO POTENTIAL MOTION TO STRIKE

10. Movant anticipates that Plaintiff or Defendants may file a **motion to strike** this intervention. Movant asserts that such a motion should be denied for the following reasons:

1. **Direct and Substantial Interest:** Movant's claims are directly connected to the agreements and actions forming the basis of this lawsuit. Specifically, the fraudulent employment practices and subsequent wrongful termination are inextricably linked to AFG's business dealings with BEN and Defendant Tyler J. Luck.
2. **No Prejudice to Existing Parties:** Movant's intervention will not unduly delay or prejudice the adjudication of the rights of the original parties. Rather, Movant's claims and evidence will contribute to a more complete understanding of the facts and will support the Court's determination of whether AFG and/or Defendants GL and Mr. Tyler Luck acted in breach of its contractual obligations and engaged in fraudulent practices.
3. **Unique Perspective:** Movant provides a unique perspective and evidence regarding the **ERA** and AFG's internal actions, which are crucial for determining the legitimacy of AFG's claims against Defendants and assessing the full extent of the misconduct at issue.

V. PRAYER FOR RELIEF

WHEREFORE, Movant respectfully requests that this Court grant this Motion to Intervene, allowing Movant to participate as an injured intervening party in this action, and for such other and further relief as the Court deems just and proper. Movant further requests that the

Court grant adequate leave to prepare and file his initial complaint against one and/or more of the present parties, supported by oath and/or affidavit where necessary, and to allow the submission of additional evidence, deposition rights, or participation in pretrial discovery as needed to fully present Movant's claims.

Respectfully submitted,

Maurice Fitzpatrick
2300 Timberline Drive, A138
Grapevine, Texas 76051
Phone: (214) 694-1551
Email: afglawsuit@yahoo.com

VI. EXHIBITS

EXHIBIT A

Transcript of conversation with Dave Duggan (CTO) and Jason De LaPorte (President) of AFG,
dated **October 11, 2024**, which includes discussions on AFG's efforts to circumvent the
Exclusive Reseller Agreement (ERA) between AFG and **Brand Engagement Network, Inc. (BEN)**.

The following is a verbatim, transcribed portion of a recent conversation I personally had with Dave Duggan (CTO) and Jason De LaPorte (President) of Automotive Financial Group, Inc. at 1900 Champagne, Grapevine, TX 76051 (AFG), October 11, 2024 @ approx. 2:30 PM CST. Yesterday morning, Wednesday, October 30, 2024, I was retaliated against and wrongfully terminated (by email) from AFG because I was asking certain questions of executive leadership about the true nature of the Software Engineering work, that without full disclosure and under false pretenses, I (and several others) was hired to do. I found out for the first time during this particular conversation on October 11, 2024 (transcribed below) of the existence of an "Exclusive Reseller Agreement" (ERA) that apparently legally binds AFG to a non-compete forbidding the direct or indirect development or engagement in competing solutions. The below words of Dave Duggan will show the existence of a wider conspiracy amongst AFG leadership and others, including Mr. Wright Brewer, to clandestinely circumvent the ERA between AFG and Brand Engagement Network, Inc. (BEN, BenAI, etc.) of which Mr. Tyler J. Luck is the Chief Product Officer.

Start of Transcription:

"Those guys ended up turning out to be crooks.

We have a meeting on Monday with the Chairman of that company and another Board Member of that company to walk them thru all the criminal activities that their primary owner and investor are involved in.

So, what happened, is, we built our team, they were supposed to build a team. They didn't build a team. They were supposed to bring AI solutions that worked. Their AI solutions didn't work. So, we had to figure out, how do we protect Wright Brewer and AFG and this investment that he's making in modernizing the automotive industry with artificial intelligence solutions when we don't know if we're going to have an AI company available. Oh, by the way, Wright Brewer has an Exclusive Reseller Agreement that is a bi-directional agreement between AFG and BenAI where BenAI is the Artificial Intelligence Company. And in that Agreement, we (AFG) cannot build, develop competing solutions against BenAI. We can't do it.

However, they also have obligations on their side which they have not fulfilled. So, we've had to create an environment where we focus on getting the data, automating the data solutions, building the framework,

the platform, laying the foundation for where we're going to take this business over the next five (5) years. Develop the five (5) year plan that takes this company to a billion dollars deploying AI solutions thru our Symphainy platform across the automotive industry. He (Jason De LaPorte) and I have been going out and meeting with OEMs, the Distributor Groups, Dealer Groups and Dealers, talking about this solution. And they're all in, they're ready to go. We're not going to deploy a solution that doesn't work. AI.

So now let's talk about AI. Uhmm. The BenAI solution didn't work because they couldn't do Oddo. Meaning, they could not go into a database, grab data, and spit out a right answer. They couldn't do that. They could not provide graphs or charts or anything. They did not have a base of technology that translated conversational AI into an answer, into data, from an automotive dealer's data. It didn't work so we had to go do research and find a Plan B. So, we did a systems engineering trade study on what other packages were available off the shelf. We can't go develop it because that would be us developing competing solutions. And go find what alternatives were available off the shelf that we can integrate with to solve that problem, creating an environment where if we solve that problem, if we need to apply, if if the relationship between AFG and Ben BenAI works out and we still we're still under the Reseller Agreement we can use their avatars we can use their automated speech recognition, we can use all this stuff.

The amount of crap that we have been dealing with behind the scenes would make you eyeballs fall out. The reason you don't see me in there. The reason you rarely see him (Jason De LaPorte) in there is because we are dealing with all of that for Wright Brewer. We're trying to help Wright Brewer not lose \$32 Million Dollars. We're just trying to help Wright Brewer not lose the ten and a half (\$10.5) Million Dollars he's already invested in all these technologies in dealing with these criminals, right. Uhh, and we're trying to help Wright Brewer have a technology company that can go start delivering AI solutions to the AI market when all this shit gets worked-out. Okay."

End of Transcription:

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Filing Description: Movant's Motion to Intervene

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Case Contacts

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McCathern Receptionist		receptionist@mccathernlaw.com	11/12/2024 12:09:48 PM	SENT
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Mark Hill		mark.hill@solidcounsel.com	11/12/2024 12:09:48 PM	SENT
Maurice Fitzpatrick		afglawsuit@yahoo.com	11/12/2024 12:09:48 PM	SENT

CAUSE NO. 017-352358-24

AFG COMPANIES, INC.,

Plaintiff,

v.

GENUINE LIFETIME, LLC, AND
TYLER J. LUCK,

Defendants.

} IN THE DISTRICT COURT

} 17th JUDICIAL DISTRICT

} TARRANT COUNTY, TEXAS

ORDER GRANTING MOTION TO INTERVENE

On this day, the Court considered the **Motion to Intervene** filed by **Maurice Fitzpatrick** (“**Intervenor**” or “**Movant**”) in the above-referenced cause. The Court, having considered the motion, any responses thereto, and the applicable law, finds that the motion is well-taken and should be **GRANTED**.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the **Motion to Intervene** filed by **Maurice Fitzpatrick** is hereby **GRANTED**.

IT IS FURTHER ORDERED that:

1. Maurice Fitzpatrick is permitted to intervene in this action as a party under Texas Rule of Civil Procedure 60, having demonstrated a direct, substantial, and legally protectable interest in the outcome of this case. Alternatively, Movant is permitted to intervene under Texas Rule of Civil Procedure 60 as his claims share common questions of law and fact with those of the existing parties.
2. Maurice Fitzpatrick shall be designated as Intervenor in this action and is granted leave to file his Initial Complaint against one or more of the current parties.

ORDER GRANTING MOTION TO INTERVENE
MAURICE FITZPATRICK

3. Maurice Fitzpatrick shall be permitted to participate fully in all phases of this litigation, including but not limited to, discovery, depositions, motions, hearings, and trial.
4. Maurice Fitzpatrick shall adhere to all previously scheduled deadlines and dates, set forth in the **Order Setting Trial**, dated June 14, 2024, unless otherwise ordered by the Court.

SIGNED on this the ____ day of _____, 2024.

Melody Wilkinson, Judge Presiding

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Mark Hill		mark.hill@solidcounsel.com	11/12/2024 12:09:48 PM	SENT
Maurice Fitzpatrick		afglawsuit@yahoo.com	11/12/2024 12:09:48 PM	SENT

CAUSE NO. 017-352358-24

AFG COMPANIES, INC.,

Plaintiff,

v.

GENUINE LIFETIME, LLC, AND
TYLER J. LUCK,

Defendants.

IN THE DISTRICT COURT

17th JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

CERTIFICATE OF SERVICE

TO THE HONORABLE JUDGE OF THE COURT:

I, Maurice Fitzpatrick (“Movant”), hereby certify that on the 12th day of November 2024, a true and correct copy of the *Movant’s Motion to Intervene and Exhibit A* was served via email upon on all counsel of record, for and on behalf of all present parties of record in this cause, in accordance with the Texas Rules of Civil Procedure. All attorneys listed have previously agreed to electronic service via email in accordance with Rule 21a of the Texas Rules of Civil Procedure via the following methods:

Associated Case Party (Defendant): GENUINE LIFETIME, LLC

Name	Bar No.	Email	Submitted Timestamp	Status
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Elizabeth Criswell		ecriswell@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
Celeste Salas		csalas@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
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Crystal Dabdub		cdabdub@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT

Associated Case Party (Defendant): TYLER J. LUCK

Name	Bar No.	Email	Submitted Timestamp	Status
Levi McCathern	00787990	lmccathern@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
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Crystal Dabdub		cdabdub@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT

Associated Case Party (Plaintiff): AUTOMOTIVE FINANCE GROUP, INC.

Name	Bar No.	Email	Submitted Timestamp	Status
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Case Contact (Movant - Intervenor): MAURICE FITZPATRICK

Name	Bar No.	Email	Submitted Timestamp	Status
Maurice Fitzpatrick	--	afglawsuit@yahoo.com	11/12/2024 12:15:00 PM	SENT

Respectfully submitted,

/s/ Maurice Fitzpatrick

Mr. Maurice Fitzpatrick

Intervenor

Phone: (214) 694-1551

Email: afglawsuit@yahoo.com

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Steven Ovando		steven.ovando@solidcounsel.com	11/12/2024 12:09:48 PM	SENT
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Crystal Dabdub		cdabdub@mccathernlaw.com	11/12/2024 12:09:48 PM	SENT
Mark Hill		mark.hill@solidcounsel.com	11/12/2024 12:09:48 PM	SENT
Maurice Fitzpatrick		afglawsuit@yahoo.com	11/12/2024 12:09:48 PM	SENT

EXHIBIT B

Fitzpatrick's Notice of Appeal, filed in Tarrant County, January 6, 2025

CAUSE NO. 017-352358-24

AFG COMPANIES, INC., }
Plaintiff, } IN THE DISTRICT COURT
v. } 17th JUDICIAL DISTRICT
GENUINE LIFETIME, LLC, AND } TARRANT COUNTY, TEXAS
TYLER J. LUCK, }
Defendants. }

NOTICE OF APPEAL

TO THE HONORABLE JUDGE OF THE COURT:

COMES NOW, Maurice Fitzpatrick, (hereinafter “Movant”), files this **Notice of Appeal** pursuant to the Texas Rules of Appellate Procedure. Movant appeals this Court’s failure to rule on his **Motion to Intervene**, filed on November 11, 2024 (attached hereto as Exhibit A). Movant asserts that at this juncture and following related questions to Court staff since filing of the motion, the Court’s failure to set a hearing and/or issue a ruling on his Motion to Intervene constitutes a de facto denial of the motion and since, has significantly and severely prejudiced Movant’s rights and interests, has subjected Movant to a continuation of retaliatory conducts on the part of AFG and it’s counsel Scheef and Stone, LLP, exacerbating Movant’s financial and other damages.

I. BASIS FOR APPEAL

1. Movant filed a Motion to Intervene in this action on November 11, 2024, seeking leave of the Court to protect his rights and substantial interest in the claims and defenses at issue and to bring additional related claims to breach of contract and other claims already at issue.

2. Despite the passage of nearly two months, this Court has not issued a ruling on Movant's Motion to Intervene. This inaction has effectively denied Movant's right to participate in the litigation, exacerbating his damages, and depriving him of due process and the opportunity to assert his claims and defenses.

3. Under Texas law, a denial of a Motion to Intervene is a final and appealable order. Movant contends that the lack of a ruling is equivalent to a denial, justifying appellate review.

4. Movant intends to seek appellate review of this Court's failure to rule on his Motion to Intervene and he reserves all rights, particularly the right to amend this appeal if and when the Court schedules a hearing and/or issues a ruling on his Motion to Intervene.

II. PROTECTIVE FILING

5. This Notice of Appeal is filed protectively to preserve Movant's rights and to ensure that any appealable issues are not waived by inaction.

6. Movant acknowledges that the appellate process may remain pending until the resolution of the underlying case involving the existing parties, and Movant agrees to comply with all procedural requirements to facilitate appellate review.

III. PRAYER FOR RELIEF

WHEREFORE, Movant respectfully provides notice of his intent to appeal to the appropriate appellate court. Movant seeks appellate review of this Court's failure to rule on his Motion to Intervene and any related matters, and requests all relief to which he may be entitled:

Respectfully submitted,

Maurice Fitzpatrick
Phone: (214) 694-1551
Email: afglawsuit@yahoo.com

IV. EXHIBITS

EXHIBIT A

A Copy of Movant's **Motion to Intervene** filed in Tarrant County on November 11, 2024.

CAUSE NO. 017-352358-24

AFG COMPANIES, INC., }
Plaintiff, } IN THE DISTRICT COURT
v. } 17th JUDICIAL DISTRICT
GENUINE LIFETIME, LLC, AND } TARRANT COUNTY, TEXAS
TYLER J. LUCK, }
Defendants. }

MOTION TO INTERVENE

TO THE HONORABLE JUDGE OF THE COURT:

COMES NOW, **Maurice Fitzpatrick** (hereinafter “Movant”), respectfully moves this honorable Court for leave to intervene in the above-captioned action pursuant to **Texas Rule of Civil Procedure 60**, and in support thereof states as follows:

I. INTERESTS OF THE MOVANT

1. Movant was employed by **AFG Companies, Inc. (AFG)** from **March 18, 2024**, until his abrupt and wrongful termination on **October 30, 2024**. During his employment, Movant was **fraudulently induced** to serve as **Software Engineer and Lead Integration Developer** for AFG without being informed of the **Exclusive Reseller Agreement (ERA)** between AFG and **Brand Engagement Network, Inc. (BEN)**. The ERA, which Movant now knows binds AFG to

refrain from marketing and developing competing artificial intelligence (AI) products and solutions against BEN, was breached by AFG, and Movant was unwittingly involved in these competing initiatives without his knowledge or consent. Movant's subsequent **wrongful termination** resulted from his raising questions and concerns about these unethical and fraudulent practices.

2. The claims presented in the current action are derived from the same set of agreements and transactions described in the S-4 Registration Statement¹ filed with the United States Securities and Exchange Commission (SEC) on February 5, 2024. Specifically:

- a. The Business Combination Agreement and Plan of Reorganization, dated September 7, 2023 (Annex A of the S-4 Registration)², which forms the basis of the ongoing relationship between AFG and BEN, including between AFG and Genuine Lifetime, LLC (GL) and Defendant Tyler J. Luck.
- b. The Exclusive Reseller Agreement (ERA), signed and dated August 19, 2023 (Annex F of the S-4 Registration)³, binding AFG not to market against BEN or develop competing AI solutions.
- c. The Subscription Agreements for Common Stock, dated September 7 and 29, 2023 (Annex G)⁴, and the Private Subscription Agreement, dated September 29, 2023 (Annex H)⁵, detailing the financial interests of the parties involved.

3. Movant's employment was intentionally misstated and grossly misrepresented by AFG prior to and leading up to his hiring. Movant was fraudulently induced into accepting

¹ <https://www.sec.gov/Archives/edgar/data/1838163/000119312524023535/d566788ds4a.htm>

² https://www.sec.gov/Archives/edgar/data/1838163/000119312524023535/d566788ds4a.htm#i566788_anxa

³ https://www.sec.gov/Archives/edgar/data/1838163/000119312524023535/d566788ds4a.htm#i566788_anxf

⁴ https://www.sec.gov/Archives/edgar/data/1838163/000119312524023535/d566788ds4a.htm#i566788_anxg

⁵ https://www.sec.gov/Archives/edgar/data/1838163/000119312524023535/d566788ds4a.htm#i566788_anxh

employment under false pretenses and through material misrepresentations by AFG. Movant was abruptly terminated via email in retaliation for attempting to understand and reconcile the true nature of his employment.

4. Movant suffered immediate and substantial financial harm, damage to his professional reputation, and emotional distress as a direct and/or proximate result of the conduct of AFG and other present parties. None of the existing parties represent Movant's rights, interests, or his unique position in this matter.

II. GROUNDS FOR INTERVENTION

5. Movant's employment was used by AFG to carry out activities that directly contravened the ERA , as evidenced by statements made by David Duggan (CTO of AFG) during a meeting on October 11, 2024, wherein Mr. Duggan explicitly acknowledged the ERA and AFG's efforts to circumvent it (see Exhibit A), as well as agreements described in the S-4 Registration Statement, to which Defendant Tyler J. Luck is also a party. Movant's claims arise from the same business dealings and the same set of facts, and he possesses unique evidence of fraudulent inducement, misrepresentation, and breaches of contractual obligations by AFG, which are critical to determining the true nature of the business activities in question.

6. Movant's interests will be impaired if not allowed to intervene, as the outcome of the current litigation directly affects his rights and ability to seek redress for fraudulent employment practices and wrongful termination. Furthermore, no existing party adequately represents Movant's interests, as none are positioned to present evidence of AFG's misrepresentations and fraudulent inducement of employees or its unethical conduct aimed at undermining BEN,

defrauding investors, stakeholders, the public-at-large, and manipulating publicly traded securities.

III. LEGAL STANDARDS FOR INTERVENTION

7. Pursuant to **Texas Rule of Civil Procedure 60**, Movant may intervene as long as he has a **justiciable interest** in the subject matter of the lawsuit. The Texas Supreme Court has held that a party has a justiciable interest if they could have brought the action themselves, or if their interests will be affected by the litigation's outcome. Movant's interest in exposing the fraudulent practices by AFG and others, which include the breach of agreements central to this case, satisfies the requirements for intervention.

8. Movant's claims are **directly linked** to the contractual breaches and fraudulent conduct alleged in this case. Movant's **right to redress** will be significantly affected by the outcome of this litigation, and his unique position is essential to fully elucidate the wrongful acts committed by **AFG**.

9. Additionally, under Texas law, intervention is appropriate where the intervenor's interests are **not adequately represented** by the current parties. Movant has unique knowledge and evidence regarding AFG's actions that have not been presented by any of the existing parties. Therefore, Movant's participation is essential to ensure all relevant facts are brought before the Court.

IV. RESPONSE TO POTENTIAL MOTION TO STRIKE

10. Movant anticipates that Plaintiff or Defendants may file a **motion to strike** this intervention. Movant asserts that such a motion should be denied for the following reasons:

1. **Direct and Substantial Interest:** Movant's claims are directly connected to the agreements and actions forming the basis of this lawsuit. Specifically, the fraudulent employment practices and subsequent wrongful termination are inextricably linked to AFG's business dealings with BEN and Defendant Tyler J. Luck.
2. **No Prejudice to Existing Parties:** Movant's intervention will not unduly delay or prejudice the adjudication of the rights of the original parties. Rather, Movant's claims and evidence will contribute to a more complete understanding of the facts and will support the Court's determination of whether AFG and/or Defendants GL and Mr. Tyler Luck acted in breach of its contractual obligations and engaged in fraudulent practices.
3. **Unique Perspective:** Movant provides a unique perspective and evidence regarding the **ERA** and AFG's internal actions, which are crucial for determining the legitimacy of AFG's claims against Defendants and assessing the full extent of the misconduct at issue.

V. PRAYER FOR RELIEF

WHEREFORE, Movant respectfully requests that this Court grant this Motion to Intervene, allowing Movant to participate as an injured intervening party in this action, and for such other and further relief as the Court deems just and proper. Movant further requests that the

Court grant adequate leave to prepare and file his initial complaint against one and/or more of the present parties, supported by oath and/or affidavit where necessary, and to allow the submission of additional evidence, deposition rights, or participation in pretrial discovery as needed to fully present Movant's claims.

Respectfully submitted,

Maurice Fitzpatrick
2300 Timberline Drive, A138
Grapevine, Texas 76051
Phone: (214) 694-1551
Email: afglawsuit@yahoo.com

VI. EXHIBITS

EXHIBIT A

Transcript of conversation with Dave Duggan (CTO) and Jason De LaPorte (President) of AFG,
dated **October 11, 2024**, which includes discussions on AFG's efforts to circumvent the
Exclusive Reseller Agreement (ERA) between AFG and **Brand Engagement Network, Inc. (BEN)**.

The following is a verbatim, transcribed portion of a recent conversation I personally had with Dave Duggan (CTO) and Jason De LaPorte (President) of Automotive Financial Group, Inc. at 1900 Champagne, Grapevine, TX 76051 (AFG), October 11, 2024 @ approx. 2:30 PM CST. Yesterday morning, Wednesday, October 30, 2024, I was retaliated against and wrongfully terminated (by email) from AFG because I was asking certain questions of executive leadership about the true nature of the Software Engineering work, that without full disclosure and under false pretenses, I (and several others) was hired to do. I found out for the first time during this particular conversation on October 11, 2024 (transcribed below) of the existence of an "Exclusive Reseller Agreement" (ERA) that apparently legally binds AFG to a non-compete forbidding the direct or indirect development or engagement in competing solutions. The below words of Dave Duggan will show the existence of a wider conspiracy amongst AFG leadership and others, including Mr. Wright Brewer, to clandestinely circumvent the ERA between AFG and Brand Engagement Network, Inc. (BEN, BenAI, etc.) of which Mr. Tyler J. Luck is the Chief Product Officer.

Start of Transcription:

"Those guys ended up turning out to be crooks.

We have a meeting on Monday with the Chairman of that company and another Board Member of that company to walk them thru all the criminal activities that their primary owner and investor are involved in.

So, what happened, is, we built our team, they were supposed to build a team. They didn't build a team. They were supposed to bring AI solutions that worked. Their AI solutions didn't work. So, we had to figure out, how do we protect Wright Brewer and AFG and this investment that he's making in modernizing the automotive industry with artificial intelligence solutions when we don't know if we're going to have an AI company available. Oh, by the way, Wright Brewer has an Exclusive Reseller Agreement that is a bi-directional agreement between AFG and BenAI where BenAI is the Artificial Intelligence Company. And in that Agreement, we (AFG) cannot build, develop competing solutions against BenAI. We can't do it.

However, they also have obligations on their side which they have not fulfilled. So, we've had to create an environment where we focus on getting the data, automating the data solutions, building the framework,

the platform, laying the foundation for where we're going to take this business over the next five (5) years. Develop the five (5) year plan that takes this company to a billion dollars deploying AI solutions thru our Symphainy platform across the automotive industry. He (Jason De LaPorte) and I have been going out and meeting with OEMs, the Distributor Groups, Dealer Groups and Dealers, talking about this solution. And they're all in, they're ready to go. We're not going to deploy a solution that doesn't work. AI.

So now let's talk about AI. Uhmm. The BenAI solution didn't work because they couldn't do Oddo. Meaning, they could not go into a database, grab data, and spit out a right answer. They couldn't do that. They could not provide graphs or charts or anything. They did not have a base of technology that translated conversational AI into an answer, into data, from an automotive dealer's data. It didn't work so we had to go do research and find a Plan B. So, we did a systems engineering trade study on what other packages were available off the shelf. We can't go develop it because that would be us developing competing solutions. And go find what alternatives were available off the shelf that we can integrate with to solve that problem, creating an environment where if we solve that problem, if we need to apply, if if the relationship between AFG and Ben BenAI works out and we still we're still under the Reseller Agreement we can use their avatars we can use their automated speech recognition, we can use all this stuff.

The amount of crap that we have been dealing with behind the scenes would make you eyeballs fall out. The reason you don't see me in there. The reason you rarely see him (Jason De LaPorte) in there is because we are dealing with all of that for Wright Brewer. We're trying to help Wright Brewer not lose \$32 Million Dollars. We're just trying to help Wright Brewer not lose the ten and a half (\$10.5) Million Dollars he's already invested in all these technologies in dealing with these criminals, right. Uhh, and we're trying to help Wright Brewer have a technology company that can go start delivering AI solutions to the AI market when all this shit gets worked-out. Okay."

End of Transcription:

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Envelope ID: 94187183

Filing Code Description: Motion (No Fee)

Filing Description: Movant's Motion to Intervene

Status as of 11/12/2024 1:04 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
McCathern Receptionist		receptionist@mccathernlaw.com	11/12/2024 12:09:48 PM	SENT
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Mark Hill		mark.hill@solidcounsel.com	11/12/2024 12:09:48 PM	SENT
Maurice Fitzpatrick		afglawsuit@yahoo.com	11/12/2024 12:09:48 PM	SENT

CAUSE NO. 017-352358-24

AFG COMPANIES, INC.,

Plaintiff,

v.

GENUINE LIFETIME, LLC, AND
TYLER J. LUCK,

Defendants.

} IN THE DISTRICT COURT

} 17th JUDICIAL DISTRICT

} TARRANT COUNTY, TEXAS

ORDER GRANTING MOTION TO INTERVENE

On this day, the Court considered the **Motion to Intervene** filed by **Maurice Fitzpatrick** (“**Intervenor**” or “**Movant**”) in the above-referenced cause. The Court, having considered the motion, any responses thereto, and the applicable law, finds that the motion is well-taken and should be **GRANTED**.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the **Motion to Intervene** filed by **Maurice Fitzpatrick** is hereby **GRANTED**.

IT IS FURTHER ORDERED that:

1. Maurice Fitzpatrick is permitted to intervene in this action as a party under Texas Rule of Civil Procedure 60, having demonstrated a direct, substantial, and legally protectable interest in the outcome of this case. Alternatively, Movant is permitted to intervene under Texas Rule of Civil Procedure 60 as his claims share common questions of law and fact with those of the existing parties.
2. Maurice Fitzpatrick shall be designated as Intervenor in this action and is granted leave to file his Initial Complaint against one or more of the current parties.

ORDER GRANTING MOTION TO INTERVENE
MAURICE FITZPATRICK

3. Maurice Fitzpatrick shall be permitted to participate fully in all phases of this litigation, including but not limited to, discovery, depositions, motions, hearings, and trial.
4. Maurice Fitzpatrick shall adhere to all previously scheduled deadlines and dates, set forth in the **Order Setting Trial**, dated June 14, 2024, unless otherwise ordered by the Court.

SIGNED on this the ____ day of _____, 2024.

Melody Wilkinson, Judge Presiding

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Levi McCathern		lmcathern@mccathernlaw.com	11/12/2024 12:09:48 PM	SENT
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Mark Hill		mark.hill@solidcounsel.com	11/12/2024 12:09:48 PM	SENT
Maurice Fitzpatrick		afglawsuit@yahoo.com	11/12/2024 12:09:48 PM	SENT

CAUSE NO. 017-352358-24

AFG COMPANIES, INC.,

Plaintiff,

v.

GENUINE LIFETIME, LLC, AND
 TYLER J. LUCK,

Defendants.

} IN THE DISTRICT COURT

} 17th JUDICIAL DISTRICT

} TARRANT COUNTY, TEXAS

CERTIFICATE OF SERVICE

TO THE HONORABLE JUDGE OF THE COURT:

I, Maurice Fitzpatrick (“Movant”), hereby certify that on the 12th day of November 2024, a true and correct copy of the *Movant’s Motion to Intervene and Exhibit A* was served via email upon on all counsel of record, for and on behalf of all present parties of record in this cause, in accordance with the Texas Rules of Civil Procedure. All attorneys listed have previously agreed to electronic service via email in accordance with Rule 21a of the Texas Rules of Civil Procedure via the following methods:

Associated Case Party (Defendant): GENUINE LIFETIME, LLC

Name	Bar No.	Email	Submitted Timestamp	Status
Levi McCathern		lmccathern@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
Shahin Eghbal		seghbal@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
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Celeste Salas		csalas@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
Asher K. Miller		amiller@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
McCathern Receptionist		receptionist@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
Tiffany Gonzalez		tgonzalez@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
Crystal Dabdub		cdabdub@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT

Associated Case Party (Defendant): TYLER J. LUCK

Name	Bar No.	Email	Submitted Timestamp	Status
Levi McCathern	00787990	lmccathern@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
Shahin Eghbal	24101723	seghbal@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
Elizabeth Criswell		ecriswell@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
Celeste Salas		csalas@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
Asher K. Miller	24131512	amiller@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
McCathern Receptionist		receptionist@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT
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Crystal Dabdub		cdabdub@mccathernlaw.com	11/12/2024 12:15:00 PM	SENT

Associated Case Party (Plaintiff): AUTOMOTIVE FINANCE GROUP, INC.

Name	Bar No.	Email	Submitted Timestamp	Status
Mark Hill	24034868	mark.hill@solidcounsel.com	11/12/2024 12:15:00 PM	SENT
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Barbara Blaylock		barbara.blaylock@solidcounsel.com	11/12/2024 12:15:00 PM	SENT
Melissa Diaz		melissa.diaz@solidcounsel.com	11/12/2024 12:15:00 PM	SENT

Case Contact (Movant - Intervenor): MAURICE FITZPATRICK

Name	Bar No.	Email	Submitted Timestamp	Status
Maurice Fitzpatrick	--	afglawsuit@yahoo.com	11/12/2024 12:15:00 PM	SENT

Respectfully submitted,

/s/ Maurice Fitzpatrick

Mr. Maurice Fitzpatrick

Intervenor

Phone: (214) 694-1551

Email: afglawsuit@yahoo.com

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Filing Description: Movant's Notice of Appeal
Status as of 1/6/2025 11:05 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
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Mark Hill		mark.hill@solidcounsel.com	1/6/2025 10:03:10 AM	SENT

CAUSE NO. 017-352358-24

AFG COMPANIES, INC.,

Plaintiff,

v.

GENUINE LIFETIME, LLC, AND
TYLER J. LUCK,

Defendants.

IN THE DISTRICT COURT

17th JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

CERTIFICATE OF SERVICE

TO THE HONORABLE JUDGE OF THE COURT:

I, Maurice Fitzpatrick (“Movant”), hereby certify that on the 6th day of January 2025, a true and correct copy of the *Movant’s Notice of Appeal* was served via email upon on all counsel of record, for and on behalf of all present parties of record in this cause, in accordance with the Texas Rules of Civil Procedure. All attorneys listed have previously agreed to electronic service via email in accordance with Rule 21a of the Texas Rules of Civil Procedure via the following methods:

Associated Case Party (Defendant): GENUINE LIFETIME, LLC

Name	Bar No.	Email	Submitted Timestamp	Status
Levi McCathern		lmccathern@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Shahin Eghbal		seghbal@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Elizabeth Criswell		ecriswell@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Celeste Salas		csalas@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Asher K. Miller		amiller@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
McCathern Receptionist		receptionist@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Tiffany Gonzalez		tgonzalez@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Crystal Dabdub		cdabdub@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT

Associated Case Party (Defendant): TYLER J. LUCK

Name	Bar No.	Email	Submitted Timestamp	Status
Levi McCathern	00787990	lmccathern@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Shahin Eghbal	24101723	seghbal@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Elizabeth Criswell		ecriswell@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Celeste Salas		csalas@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Asher K. Miller	24131512	amiller@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
McCathern Receptionist		receptionist@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Tiffany Gonzalez		tgonzalez@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT
Crystal Dabdub		cdabdub@mccathernlaw.com	01/06/2025 10:15:00 AM	SENT

Associated Case Party (Plaintiff): AUTOMOTIVE FINANCE GROUP, INC.

Name	Bar No.	Email	Submitted Timestamp	Status
Mark Hill	24034868	mark.hill@solidcounsel.com	01/06/2025 10:15:00 AM	SENT
Steven Ovando		steven.ovando@solidcounsel.com	01/06/2025 10:15:00 AM	SENT
Barbara Blaylock		barbara.blaylock@solidcounsel.com	01/06/2025 10:15:00 AM	SENT
Melissa Diaz		melissa.diaz@solidcounsel.com	01/06/2025 10:15:00 AM	SENT

Case Contact (Movant - Intervenor): MAURICE FITZPATRICK

Name	Bar No.	Email	Submitted Timestamp	Status
Maurice Fitzpatrick	--	afglawsuit@yahoo.com	01/06/2025 10:15:00 AM	SENT

Respectfully submitted,

/s/ Maurice Fitzpatrick

Mr. Maurice Fitzpatrick

Intervenor

Phone: (214) 694-1551

Email: afglawsuit@yahoo.com

Automated Certificate of eService

This automated certificate of service was created by the efilng system. The filer served this document via email generated by the efilng 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.

Envelope ID: 95870923

Filing Code Description: Notice of Appeal
Filing Description: Movant's Notice of Appeal
Status as of 1/6/2025 11:05 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
McCathern Receptionist		receptionist@mccathernlaw.com	1/6/2025 10:03:10 AM	SENT
Levi McCathern		lmcathern@mccathernlaw.com	1/6/2025 10:03:10 AM	SENT
Shahin Eghbal		seghbal@mccathernlaw.com	1/6/2025 10:03:10 AM	SENT
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Maurice Fitzpatrick		afglawsuit@yahoo.com	1/6/2025 10:03:10 AM	SENT
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Crystal Dabdub		cdabdub@mccathernlaw.com	1/6/2025 10:03:10 AM	SENT
Mark Hill		mark.hill@solidcounsel.com	1/6/2025 10:03:10 AM	SENT

CAUSE NO. 017-352358-24

AFG COMPANIES, INC.,

Plaintiff,

v.

GENUINE LIFETIME, LLC, AND
TYLER J. LUCK,

Defendants.

IN THE DISTRICT COURT

17th JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

CERTIFICATE OF SERVICE

TO THE HONORABLE JUDGE OF THE COURT:

I, Maurice Fitzpatrick (“Movant”), hereby certify that on the 6th day of January 2025, a true and correct copy of the *Movant’s Notice of Appeal* was served via email upon on all counsel of record, for and on behalf of all present parties of record in this cause, in accordance with the Texas Rules of Civil Procedure. All attorneys listed have previously agreed to electronic service via email in accordance with Rule 21a of the Texas Rules of Civil Procedure via the following methods:

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Associated Case Party (Plaintiff): AUTOMOTIVE FINANCE GROUP, INC.

Name	Bar No.	Email	Submitted Timestamp	Status
Mark Hill	24034868	mark.hill@solidcounsel.com	01/06/2025 10:15:00 AM	SENT
Steven Ovando		steven.ovando@solidcounsel.com	01/06/2025 10:15:00 AM	SENT
Barbara Blaylock		barbara.blaylock@solidcounsel.com	01/06/2025 10:15:00 AM	SENT
Melissa Diaz		melissa.diaz@solidcounsel.com	01/06/2025 10:15:00 AM	SENT

Case Contact (Movant - Intervenor): MAURICE FITZPATRICK

Name	Bar No.	Email	Submitted Timestamp	Status
Maurice Fitzpatrick	--	afglawsuit@yahoo.com	01/06/2025 10:15:00 AM	SENT

Respectfully submitted,

/s/ Maurice Fitzpatrick

Mr. Maurice Fitzpatrick

Intervenor

Phone: (214) 694-1551

Email: afglawsuit@yahoo.com

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Levi McCathern		lmcathern@mccathernlaw.com	1/6/2025 10:03:10 AM	SENT
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Mark Hill		mark.hill@solidcounsel.com	1/6/2025 10:03:10 AM	SENT

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Envelope ID: 95894196

Filing Code Description: Special Appearance

Filing Description: to Challenging Jurisdiction and Venue (Fitzpatrick's)

Status as of 1/7/2025 8:29 AM CST

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Barbara Blaylock		barbara.blaylock@solidcounsel.com	1/6/2025 2:49:40 PM	SENT
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leslie sanderson		leslie.sanderson@solidcounsel.com	1/6/2025 2:49:40 PM	SENT
Mark L.Hill		mark.hill@solidcounsel.com	1/6/2025 2:49:40 PM	SENT
Jennifer Owens		jennifer.owens@solidcounsel.com	1/6/2025 2:49:40 PM	SENT