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IN THE MATTER OF
THE MARRIAGE OF

ELIZABETH THORNHILL,

AND

VIRGIL LIPTAK,

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IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

255TH JUDICIAL DISTRICT

ORDER

On the 29th day of March, 2001, came on to be heard the motion of Plaintiff Elizabeth Thornhill and Third-party Defendants Kerry Thornhill and Richard E. Colgin Co. for an Order determining Virgil Liptak to be a Vexatious Litigant and requiring Mr. Liptak to furnish security. Mr. Liptak and counsel for movants appeared.

The Court, having considered the motion, the response, the evidence presented and the argument of the parties, finds that movants Elizabeth Thornhill, Kerry Thornhill and Richard E. Colgin Co. have demonstrated that there is not a reasonable probability that Defendant Virgil Liptak will prevail on his claims against them and that Defendant Liptak, after a litigation has been finally determined against him, has repeatedly litigated or attempted to relitigate, in propria persona, (i) the validity of the determination against the movants as to whom the litigation was finally determined; or (ii) the cause of action, claim, controversy or any of the issues of fact or law determined or concluded by the final determination against the movants as to whom the prior litigation was finally determined, and, based on these findings, the Court has determined that Virgil Liptak is a vexatious litigants pursuant to Texas Civil Practice & Remedies Code §11.051, et seq. The Court further finds that a "prefiling order" should be entered pursuant to Tex. Civ.

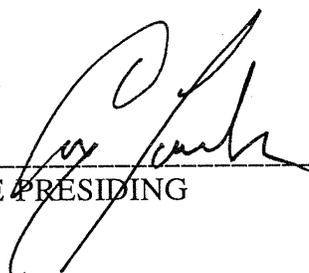
Prac. & Rem. Code §11.101 prohibiting Liptak from filing any new litigation in any court of this state against Elizabeth Thornhill, Kerry Thornhill or Richard E. Colgin Co. Pursuant to Tex. Civ. Prac. & Rem. Code §11.104(b), the "prefiling order" shall be delivered by the clerk of the court to the Office of Court Administration of the Texas Judicial System for Liptak's name to be placed on a list of vexatious litigants subject to prefiling orders, which is annually sent to the clerks of court of this state. As a result of being adjudicated a vexatious litigant, Liptak cannot file any lawsuits in any court of this state against Elizabeth Thornhill, Kerry Thornhill or Richard E. Colgin Co. without being granted specific permission from the local administrative judge of the court in which Liptak intends to file a lawsuit. If Liptak violates this prefiling order, he will be subject to contempt of court. It is therefore

ORDERED that the motion of Plaintiff Elizabeth Thornhill and Third-party Defendants Kerry Thornhill and Richard E. Colgin Co. for an Order determining Virgil Liptak to be a Vexatious Litigant is granted. It is further

ORDERED that Virgil Liptak is hereby adjudged to be a "vexatious litigant" under Chapter 11 of the Texas Civil Practice and Remedies Code, and that his name shall be delivered by the clerk of the court to the Office of Court Administration of the Texas Judicial System so that it will be placed on a list of vexatious litigants subject to prefiling orders, which is annually sent to the clerks of court of this state, and that Liptak cannot file any lawsuits against Elizabeth Thornhill, Kerry Thornhill or Richard E. Colgin Co. in any court of this state without first being granted specific permission from the local administrative judge of the court in which he intends

to file a lawsuit. Liptak is hereby notified that any violation of this prefiling order will subject him to contempt proceedings. It is further

SIGNED this 26th day of June, 2001.



JUDGE PRESIDING