

CAUSE NO. 2024-DCL-05445

CARDS AGAINST HUMANITY, LLC,

Plaintiff

VS.

SPACE EXPLORATION
TECHNOLOGIES CORP.

Defendant.

§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

CAMERON COUNTY, TEXAS

404th JUDICIAL DISTRICT

PLAINTIFF HOLE HOLDING, LLC'S FIRST AMENDED PETITION

TO THE HONORABLE JUDGE OF THIS COURT:

Plaintiff Hole Holding, LLC file this First Amended Petition (the "Petition") against Defendant Space Exploration Technologies Corp. ("SpaceX"), and in support thereof would respectfully show the Court as follows:

I. DISCOVERY CONTROL PLAN

1. Plaintiff intends to conduct discovery under Level 2 of Texas Rule of Civil Procedure 190.4 and pursuant to the Docket Control Order governing this suit.

2. Pursuant to Rule 194.1 of the Texas Rules of Civil Procedure, because this Petition is filed after January 1, 2022, each party is subject to the duty to disclose all information, and materials described in Rule 194.2 within thirty (30) days after the filing of the first answer or general appearance.

II. CLAIM FOR RELIEF

3. In accordance with Texas Rule of Civil Procedure 47, Plaintiff seeks monetary

relief from Defendant of an amount up to \$250,000 as well as the other relief requested in this Petition. Plaintiff reserves the right to amend this Section II of the Petition based on information learned during discovery and/or as this case progresses.

III. PARTIES

4. Plaintiff Hole Holding LLC is a Delaware limited liability company with its principal place of business in Chicago, Illinois.

5. Defendant Space Exploration Technologies Corp. is a Texas corporation¹ that has appeared in this proceeding for all purposes.

IV. JURISDICTION

6. The Court has subject-matter jurisdiction over this lawsuit because the amount in controversy exceeds the minimum jurisdictional requirements of this Court. As further set forth in this Petition, Defendant SpaceX is subject to personal jurisdiction in the State of Texas because SpaceX has been and is conducting business in the State of Texas and said business gave rise to the claims set forth in this lawsuit.

V. VENUE

7. Venue is proper in Cameron County, Texas under Texas Civil Practice & Remedies Code section 15.002(a)(1), (2) and (4) because it is the county in which all or a substantial part of the events or omissions giving rise to the claims occurred.

¹Formerly a Delaware corporation, effective as of February 14, 2024, SpaceX has filed a Certificate of Conversion to convert that entity to a Texas Corporation. Its principal place of business remains at 1 Rocket Road, Hawthorne, California 90250.

8. Venue is also proper in Cameron County, Texas under the mandatory venue provision of the Texas Civil Practice and Remedies Code. TEX. CIV. PRAC. & REM. CODE § 15.0115. This lawsuit concerns real property located within Cameron County, Texas.

VI. FACTUAL BACKGROUND

A. Hole Holding's Acquisition of the Property

9. Cards Against Humanity, LLC (“CAH”) is the developer and owner of an adult party game called “Cards Against Humanity” created in 2008 and first funded by supporters on Kickstarter in 2010. The game is based upon a set of humorous and irreverent answers provided by its players in response to current topics suggested by a series of cards.

10. CAH is truly unique in many ways, but most notably because of the company's relationship with its supporters. This relationship has been present from the start: even the initial financing of the company came from crowdfunding campaigns. Almost immediately, the game and the company were overwhelmingly embraced by its new constituency. A month after the game's official release, it became the number one game on Amazon. Thus, the principal motivation of CAH's founders was and is to be faithful to the trust that its supporters place in them on an ongoing basis. The game is topical by its very nature. To keep the game current and relevant CAH continually revises its content, creating new cards and new topics to incorporate into gameplay for its supporters. This effort results in CAH game content addressing the most controversial and important social issues of the day—as well as silly topics thrown in to maintain the humorous experience its players have come to expect. As a result, CAH supporters have developed unprecedented loyalty, as well as expectations that the company will live up to its persona as politically-active—especially regarding abusive tactics by government and wealthy

businesses against regular people around the country and the world.

11. Part of CAH's method to maintain this supporter relationship—and ongoing trust that they will continue to stand up against injustice—is the use of humorous “pranks” or “stunts” that draw attention to particular issues or people who ignore the rights and problems of regular people for their own personal enrichment or aggrandizement. Two recurring targets of these stunts have been billionaires Donald Trump and Elon Musk.

12. As part of CAH's 2017 holiday campaign, while Donald Trump was President, CAH created a supporter-funded campaign to take a stand against the building of a Border Wall. The campaign highlighted the legal rights of landowners along the border, even in the face of Trump Administration tactics to prevent full and fair compensation to those local landowners. This, in its own creative way, was CAH's effort to draw attention to another example of injustice and hubris on the part of a high-profile billionaire who was more interested in his own aggrandizement than in the good of the people.

13. 150,000 people each paid \$15 toward this effort, which resulted, in part, in the purchase of a plot of vacant land in Cameron County² based upon CAH's promise to “make it as time-consuming and expensive as possible for Trump to build his wall.” CAH also retained a law firm to assist in defending their cause.

14. CAH purchased the property with a wholly owned entity, Hole Holding LLC,

² The \$15 dollar contribution from supporters related to the campaign as a whole. The campaign consisted of six different components or “days,” each with a different focus. Day 1 was the only part of the campaign related to the purchase of the Property and the promise to protect it from eminent domain claims. In exchange, each supporter was mailed a certificate stating that “...the holder of this Certificate, helped **Cards Against Humanity buy** 0.000667% of a parcel of land along the US-Mexico border (emphasis added).” Thus, it was abundantly clear to all the supporters that the money was contributed to the campaign for CAH to purchase the property and not for the supporters themselves to purchase the property. Each supporter also received a letter specifically identifying the land as “Lot Eleven (11), Block Four (4), Tarpon Haven Subdivision, a subdivision of Cameron County, Texas, according to the map or plat thereof recorded in Cabinet 1, Slot 316-B and 317-A, Map Records of Cameron County”.

created for the sole purpose of holding title to land purchased for CAH's campaigns, including to that parcel of Property (the "Property").³ Hole Holding has no employees or other assets. CAH had previously disclosed the creation and existence of Hole Holding LLC as the legal vehicle to facilitate such campaigns.⁴

15. The Property was not condemned for purposes of the Border Wall during Trump's tenure, but it has become the object of another behemoth company (SpaceX) and its founder (Elon Musk) which, for the reasons set forth below, has forced the filing of this Petition.

B. SpaceX's Egregious Disregard for Hole Holding's Rights, Exacerbated by its Founder's Offensive Public Policy Positions, and the Impact of SpaceX's Flagrantly Wrongful Acts.

16. When purchased in August 2017, the Property was a pristine vacant property untouched by development nor impacted in any way to affect its original natural condition. Below are photographs of the Property shortly after the purchase.

³The Property is more particularly described in Exhibit "A" attached to this Petition.

⁴ "Cards Against Humanity hole in Oregon raises \$100K for nothing", *Rockford Register Star*, November 30, 2016, <https://www.rrstar.com/story/entertainment/holiday/2016/12/01/cards-against-humanity-hole-in/24440483007/>





17. Since purchasing the Property, it was kept mowed and maintained in its natural

state. The edge of the lot was a fenced with a “No Trespassing” sign. But in the ensuing years, SpaceX acquired many of the vacant lots along the road⁵ on which the Property is situated, and, shortly thereafter, began constructing large modern-looking buildings, changing the entire dynamic of the area.

18. Beyond this, the actions taken by SpaceX on the Property are far more extreme. *Notwithstanding the fact that Hole Holding owns the Property and SpaceX has no interest therein⁶ nor any right to its use, SpaceX has ignored Hole Holding’s rights to the Property, essentially displacing Hole Holding and depriving Hole Holding of any use whatsoever of the Property. Below are photographs of the Property, taken before the filing of this lawsuit, which accurately depict the Property as of that date. None of the equipment, none of the materials, none of the workers depicted in these pictures are owned by or associated with Hole Holding in any way. SpaceX has never asked for permission to use the Property,⁷ much less for the egregious appropriation of the Property for its own profit-making purposes.*

⁵The Property is located just slightly more than 3 miles away from SpaceX’s launch facility (“Starbase”).

⁶See Defendant’s Responses to Requests for Admission (Exhibit “B”), No. 1.

⁷See Defendant’s Responses to Requests for Admission (Exhibit “B”), Nos. 3, 4







19. SpaceX and/or its contractors entered the Property⁸ and, after erecting posts to mark the property line, proceeded to ignore any distinction based upon property ownership. The site was cleared of vegetation,⁹ and the soil was compacted with gravel¹⁰ or other substances to allow SpaceX and its contractors to run and park its vehicles all over the Property. Generators were brought in to run equipment and lights while work was being performed before and after daylight. An enormous mound of gravel was unloaded onto the Property and was stored and used for the construction of buildings by SpaceX's contractors along the road. Large pieces of construction equipment and numerous construction-related vehicles were utilized¹¹ and stored on the Property continuously.¹² And, of course, workers were present performing construction work and staging

⁸See Defendant's Responses to Requests for Admission (Exhibit "B"), No. 5.

⁹See Defendant's Responses to Requests for Admission (Exhibit "B"), No. 7(e).

¹⁰See Defendant's Responses to Requests for Admission (Exhibit "B"), No. 7(e),(f) and (g).

¹¹See Defendant's Responses to Requests for Admission (Exhibit "B"), No. 7(g) and (h)

¹²See Defendant's Responses to Requests for Admission (Exhibit "B"), No. 7(a).

materials and vehicles for work to be performed on other tracts.¹³ ***In short, SpaceX has treated the Property as its own for at least twelve (12) months, perhaps more, without regard for Hole Holding's property rights nor the safety of anyone entering what has become a worksite that is presumably governed by OSHA safety requirements.***¹⁴

20. Moreover, as discovery has developed in this proceeding, SpaceX has admitted that it began paying property taxes on the Property for the express purpose of ultimately claiming ownership of the Property through adverse possession.¹⁵

21. To reiterate, SpaceX never asked for permission to conduct these activities¹⁶ and has never reached out to Hole Holding to explain or apologize for the damage caused to the Property and Hole Holding's ownership interest therein.

22. All real property is unique as a matter of law, and that is especially true for pristine Cameron County land otherwise untouched by human development, such as the Property. Notably, Hole Holding acquired the Property for the sole purpose of ensuring that it would stay that way. SpaceX's abuse of this Property has not only destroyed its natural condition but has also caused even greater harm to Hole Holding by virtue of the damage it has caused.

¹³See Defendant's Responses to Requests for Admission (Exhibit "B"), No. 7(c).

¹⁴There are no restrictions to anyone entering the Property on which this ongoing construction activity is occurring. There are no hardhat requirements, safety training or other OSHA-mandated precautions pertinent to residential construction being enforced as to anyone entering the site, where this extensive work is being performed by SpaceX or its contractor.

¹⁵See Defendant's Responses to First Set of Interrogatories (Exhibit "C"), No. 10.

¹⁶See Defendant's Responses to Requests for Admission (Exhibit "B"), Nos. 3,4

23. *Musk, by allowing his company to wrongfully operate on Hole Holding's Property, casts the shadow of possible association between him and Hole Holding. Nothing could be more offensive to Hole Holding.*

VII. CAUSE OF ACTION--TRESPASS

24. Hole Holding incorporates by reference the preceding paragraphs in the Petition.

25. As set forth more fully above, SpaceX (and/or another person or entity that SpaceX caused to do so) has entered the Property,¹⁷ has made physical changes to the Property, has occupied the Property, and has deprived Hole Holding of the Property's full use. Despite the fact that the Property is owned by Hole Holding, such entry and use of the Property by SpaceX was done without Hole Holding's consent or authorization.¹⁸

26. SpaceX has no ownership interest in the Property nor any other right to be in possession of the Property.¹⁹

27. Such actions by SpaceX occurred daily and was constant, continuing, and recurring. These actions occur both during regular business hours as well as earlier and later than same.

28. Such actions have caused damage to Hole Holding for which Hole Holding now sues in addition to seeking an order from the Court permanently enjoining such acts. Each such action on each day constitutes a separate tort of trespass, causing separate damages for which Hole Holding now seeks redress.

VIII. DAMAGES

¹⁷A fact now admitted by SpaceX. See Defendant's Responses to Requests for Admission (Exhibit "B"), No. 5.

¹⁸A fact now admitted by SpaceX. See Defendant's Responses to Requests for Admission (Exhibit "B"), Nos. 3, 4.

¹⁹A fact now admitted by SpaceX. See Defendant's Responses to Requests for Admission (Exhibit "B"), No. 1.

29. Hole Holding incorporates by reference the preceding paragraphs in the Petition.

30. Thus, as set forth more fully above, Hole Holding seeks the award and recovery of all of that damage incurred as a result of SpaceX's wrongful acts including all actual and consequential damages.

IX. EXEMPLARY DAMAGES

31. Hole Holding incorporates by reference the preceding paragraphs in the Petition. As set forth more fully above, the actions of SpaceX (and/or another person or entity that SpaceX caused to do so) have been and continue to be unequivocally and unquestionably fraudulent, intentional, malicious, and willful. Such actions, therefore, entitle Hole Holding to an award of exemplary damages in an amount in excess of this Court's minimum jurisdictional limits. Thus, Hole Holding seeks exemplary damages in excess of this Court's minimum jurisdictional limits.

X. CONDITIONS PRECEDENT

32. All conditions precedent have been performed or have occurred, entitling Hole Holding to the relief requested in this Petition.

XI. JURY DEMAND

33. Hole Holding demands a trial by jury.

XII. PRAYER FOR RELIEF

34. For the preceding reasons, Plaintiff prays that Plaintiff have and recover the following:

- (a) after a trial on the merits, an order to SpaceX to remove all equipment, materials, and personnel (including those of its contractors) from the Property immediately;
- (b) Hole Holding's actual, consequential, and exemplary damages;
- (c) Hole Holding's court costs, and expenses incurred in this action;
- (d) prejudgment and post judgment interest in the maximum amount allowed by law; and
- (e) all other relief, in law or in equity, as the Court deems proper and to which Hole Holding may be justly entitled.

Respectfully submitted,

McKAY LAW OFFICES

By: 
Kenneth E. McKay
SBN: 13690835
5110 Pocahontas St.
Bellaire, TX 77401
Phone: (832) 868-1400
ken@mckaylawoffices.com

**ATTORNEYS FOR PLAINTIFF
HOLE HOLDING, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2025, the foregoing document was served in accordance with the Texas Rules of Civil Procedure.


Kenneth E. McKay

Exhibit “B”

HOLE HOLDING, LLC,

Plaintiff,

v.

SPACE EXPLORATION
TECHNOLOGIES CORP.,

Defendant.

§
§
§
§
§
§
§
§
§
§

IN THE 404TH DISTRICT COURT

OF

CAMERON COUNTY, TEXAS

**DEFENDANT SPACE EXPLORATION TECHNOLOGIES CORP.'S
OBJECTIONS AND RESPONSES TO PLAINTIFF HOLE HOLDING, LLC'S FIRST
SET OF REQUESTS FOR ADMISSION**

To: Plaintiff, Hole Holding, LLC, by serving its attorney of record, Kenneth E. McKay, McKay Law Offices, 5110 Pocahontas St., Bellaire, Texas 77401

Defendant, Space Exploration Technologies Corp. ("SpaceX") serves the following objections and responses to Plaintiff, Hole Holding, LLC's ("Hole Holding") First Set of Requests for Admission.

Date: May 19, 2025

Respectfully submitted,

AHMAD, ZAVITSANOS & MENSING, PLLC

/s/ Edward B. Goolsby

Edward B. Goolsby

Texas Bar No. 24092436

Timothy C. Shelby

Texas Bar No. 24037482

Tyler K. Adams

Texas Bar No. 24142696

1221 McKinney St., Ste. 2500

Houston, Texas 77010

Tel: (713) 655-1101

Fax: (713) 655-0062

egoolsby@azalaw.com

tshelby@azalaw.com

tadams@azalaw.com

Atlas, Hall & Rodriguez

Michael Rodriguez

Texas Bar No. 00791553

222 N. Expressway 77 Suite 203

Brownsville, Texas 78521

Tel: (956) 574-9333

Fax: (956) 574-9337

mrodriguez@atlashall.com

**ATTORNEYS FOR DEFENDANT
SPACE EXPLORATION TECHNOLOGIES
CORP.**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and foregoing document has been served electronically on all counsel of record as indicated below on May 19, 2025.

Kenneth E. McKay
McKAY LAW OFFICES
5110 Pocahontas St.
Bellaire, Texas 77401
ken@mckaylawoffices.com

**ATTORNEYS FOR PLAINTIFF,
HOLE HOLDING, LLC**

/s/ Edward B. Goolsby
Edward B. Goolsby

DEFENDANT'S RESPONSES TO REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1: Admit that you have no ownership interest in the Property.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 2: Admit that the actions taken on the Property by your employees or contractors hired or retained by you or who performed services on your behalf altered the condition of the Property.

RESPONSE: SpaceX objects to this Request as vague and ambiguous as to the term “altered the condition,” which is undefined and subject to differing interpretations. Subject to and without waiving the foregoing objections, SpaceX denies.

REQUEST FOR ADMISSION NO. 3: Admit that you did not receive permission from Plaintiff to use the Property.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 4: Admit that you did not ask for permission from Plaintiff to use the Property.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 5: Admit that you allowed your employees and contractors hired or retained by you or who performed services on your behalf to use, occupy or work on the Property even though you were aware that you did not own the Property.

RESPONSE: SpaceX admits that its contractors used the Property for limited purposes. Except as otherwise admitted, SpaceX denies.

REQUEST FOR ADMISSION NO. 6: Admit that, prior to the time that your employees or contractors entered the Property, a “No Trespassing” sign had been erected on the Property.

RESPONSE: Denied.

REQUEST FOR ADMISSION NO. 7: Admit that your employees or contractors hired or retained by you or who performed services on your behalf committed the following acts:

- a. Stored equipment on the Property;

RESPONSE to 7(a): Admitted as to contractors. Except as expressly admitted, SpaceX denies.

- b. Stored materials, such as gravel, on the Property;

RESPONSE to 7(b): Admitted as to contractors. Except as expressly admitted, SpaceX denies.

- c. Staged equipment for use on other of your properties on the Property;

RESPONSE to 7(c): Admitted as to contractors. Except as expressly admitted, SpaceX denies.

- d. Erected posts on the Property to mark the property lines;

RESPONSE to 7(d): Admitted that contractors marked property lines, but denied as to entering the Property, because the marked property lines apply to the adjacent properties owned by SpaceX. Except as expressly admitted, SpaceX denies.

- e. Cleared vegetation on the Property;

RESPONSE to 7(e): SpaceX objects to “vegetation” as vague and ambiguous. Subject to and without waiving the objection, SpaceX admits its contractors cleared the lot and put down gravel. Except as expressly admitted, SpaceX denies.

- f. Compacted soil on the Property;

RESPONSE to 7(f): SpaceX admits its contractors put down gravel on the Property. Except as expressly admitted, SpaceX denies.

- g. Applied gravel or other substances to make the ground more suitable to store heavy equipment on the Property;

RESPONSE to 7(g): SpaceX admits its contractors put down gravel on the Property and stored construction materials on the Property. Except as expressly admitted, SpaceX denies.

- h. Parked heavy equipment on the Property;

RESPONSE to 7(h): SpaceX admits its contractors parked vehicles on the Property. Except as expressly admitted, SpaceX denies.

- i. Brought in generators that were used to run equipment and lights on the Property;

RESPONSE to 7(i): Denied.

- j. Workers staged and prepared to perform work on other properties on the Property.

RESPONSE to 7(j): SpaceX objects to “staged and prepared to perform work on other properties” as vague and ambiguous. Subject to and without waiving the objection, SpaceX admits its contractors parked vehicles and stored construction materials on the Property. Except as expressly admitted, SpaceX denies.

REQUEST FOR ADMISSION NO. 8: Admit that you did not pay Plaintiff any money or other consideration for your use of the Property.

RESPONSE: Denied.

Exhibit “C”

HOLE HOLDING, LLC,

Plaintiff,

v.

SPACE EXPLORATION
TECHNOLOGIES CORP.,

Defendant.

§
§
§
§
§
§
§
§
§
§

IN THE 404TH DISTRICT COURT

OF

CAMERON COUNTY, TEXAS

**DEFENDANT SPACE EXPLORATION TECHNOLOGIES CORP.'S
OBJECTIONS AND RESPONSES TO PLAINTIFF HOLE HOLDING, LLC'S FIRST
SET OF INTERROGATORIES**

To: Plaintiff, Hole Holding, LLC, by serving its attorney of record, Kenneth E. McKay, McKay Law Offices, 5110 Pocahontas St., Bellaire, Texas 77401

Defendant, Space Exploration Technologies Corp. ("SpaceX") serves the following objections and responses to Plaintiff, Hole Holding, LLC's ("Hole Holding") First Set of Interrogatories.

Date: May 19, 2025

Respectfully submitted,

AHMAD, ZAVITSANOS & MENSING, PLLC

/s/ Edward B. Goolsby

Edward B. Goolsby

Texas Bar No. 24092436

Timothy C. Shelby

Texas Bar No. 24037482

Tyler K. Adams

Texas Bar No. 24142696

1221 McKinney St., Ste. 2500

Houston, Texas 77010

Tel: (713) 655-1101

Fax: (713) 655-0062

egoolsby@azalaw.com

tselby@azalaw.com

tadams@azalaw.com

Atlas, Hall & Rodriguez

Michael Rodriguez

Texas Bar No. 00791553

222 N. Expressway 77 Suite 203

Brownsville, Texas 78521

Tel: (956) 574-9333

Fax: (956) 574-9337

mrodriguez@atlashall.com

**ATTORNEYS FOR DEFENDANT
SPACE EXPLORATION TECHNOLOGIES,
CORP.**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and foregoing document has been served electronically on all counsel of record as indicated below on May 19, 2025.

Kenneth E. McKay
MCKAY LAW OFFICES
5110 Pocahontas St.
Bellaire, Texas 77401
ken@mckaylawoffices.com

**ATTORNEYS FOR PLAINTIFF,
HOLE HOLDING, LLC**

/s/ Edward B. Goolsby
Edward B. Goolsby

DEFENDANT'S RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1: Please identify the natural person answering or assisting to answer these Interrogatories, Requests for Admission and Requests for Production by stating the person's full name, business affiliation and title and the person's business phone number, business and home addresses and e-mail address.

ANSWER:

SpaceX objects to this request as vague and ambiguous as to "assisting to answer." SpaceX further objects to the extent the request seeks information protected by the attorney-client privilege.

Subject to and without waiving the foregoing objections, these interrogatories are verified by Hollie Takacs. SpaceX also relied upon documents prepared by and/or information provided by the following people:

Name	Contact Information	Relevant Knowledge
Hollie Takacs	c/o Edward Goolsby 1221 McKinney Street, Suite 2500 Houston, Texas 77010 Telephone: (713) 655-1101 Facsimile: (713) 655-0062 egoolsby@azalaw.com	Hollie Takacs is a Real Estate Analyst with SpaceX and has knowledge of the property at issue.
Denise Marrufo	c/o Edward Goolsby 1221 McKinney Street, Suite 2500 Houston, Texas 77010 Telephone: (713) 655-1101 Facsimile: (713) 655-0062 egoolsby@azalaw.com	Denise Marrufo is a Senior Real Estate Analyst with SpaceX and has knowledge of the property at issue.
Elizabeth Dodge	c/o Edward Goolsby 1221 McKinney Street, Suite 2500 Houston, Texas 77010 Telephone: (713) 655-1101 Facsimile: (713) 655-0062 egoolsby@azalaw.com	Elizabeth Dodge is a Senior Manager, Real Estate & Facilities at SpaceX and has knowledge of the property at issue.

Chris Durkin	Durkin Inc. 1055 Ashbury Street San Francisco, California 94117 chris@durkinincorporated.com	Chris Durkin is a contractor working with SpaceX and has knowledge of the property at issue.
--------------	--	--

SpaceX reserves the right to supplement this response.

INTERROGATORY NO. 2: Please identify each person who has any knowledge of the following subjects by stating each person's name, business affiliation and title and the person's business phone number, business and home addresses and e-mail address:

- a. Any fact that supports Defendant's allegation that Plaintiff has failed to mitigate its damages related to the claims in this lawsuit.
- b. The fair market value of the Property.
- c. Any offsets or credits to Plaintiff's damages related to the claims asserted in this lawsuit.
- d. The identities of any contractor or employee who performed services on your behalf or to your benefit on the Property.
- e. The dates on which you or any contractor or employee who performed services on your behalf or to your benefit on the Property.
- f. Any communication between you and Plaintiff regarding the Property.
- g. Other acquisitions of real property by you in the last five (5) years within 1 mile of the Property.
- h. Any offers by you to purchase the Property.
- i. Any fact that supports any allegation that you had or have the right to use the Property or occupy the Property for any reason.
- j. The decision to pay property taxes pertaining to the Property by you.

ANSWER: SpaceX objects to this Interrogatory as compound, overly broad, and unduly burdensome in that it seeks information on multiple distinct topics within a single interrogatory. SpaceX further objects that the topics seek information that are not relevant or not reasonably calculated to lead to the discovery of admissible evidence. SpaceX further objects to the extent it seeks information not within SpaceX's knowledge, possession, custody, or control.

Subject to and without waiving these objections, SpaceX identifies the following individuals:

Name	Contact Information	Relevant Knowledge
Hollie Takacs	c/o Edward Goolsby 1221 McKinney Street, Suite 2500 Houston, Texas 77010 Telephone: (713) 655-1101 Facsimile: (713) 655-0062 egoolsby@azalaw.com	Hollie Takacs is a Real Estate Analyst with SpaceX and has knowledge of the property at issue.

Denise Marrufo	c/o Edward Goolsby 1221 McKinney Street, Suite 2500 Houston, Texas 77010 Telephone: (713) 655-1101 Facsimile: (713) 655-0062 egoolsby@azalaw.com	Denise Marrufo is a Senior Real Estate Analyst with SpaceX and has knowledge of the property at issue.
Devon Dreyer	c/o Edward Goolsby 1221 McKinney Street, Suite 2500 Houston, Texas 77010 Telephone: (713) 655-1101 Facsimile: (713) 655-0062 egoolsby@azalaw.com	Devon Dreyer is a Director, Construction & Facilities with SpaceX and has knowledge of the property at issue.
Elizabeth Dodge	c/o Edward Goolsby 1221 McKinney Street, Suite 2500 Houston, Texas 77010 Telephone: (713) 655-1101 Facsimile: (713) 655-0062 egoolsby@azalaw.com	Elizabeth Dodge is a Senior Manager, Real Estate & Facilities at SpaceX and has knowledge of the property at issue.
Chris Durkin	Durkin Inc. 1055 Ashbury Street San Francisco, California 94117 chris@durkinincorporated.com	Chris Durkin is a contractor working with SpaceX and has knowledge of the property at issue.
Nicholas Markos	c/o Kenneth E. McKay 5110 Pochontas St. Bellaire, Texas 77401 Phone: (832) 868-1400 ken@mckaylawoffices.com	Nicholas Markos is the Chief Operating Officer for Cards Against Humanity, LLC and has knowledge of the property at issue.

SpaceX reserves the right to supplement this response.

INTERROGATORY NO. 3: Please identify with particularity any facts concerning or relating to your contention that Plaintiff failed to mitigate its damages related to the claims asserted in this lawsuit.

ANSWER:

SpaceX objects to this Interrogatory as overbroad, unduly burdensome, and improperly requires SpaceX to marshal its evidence.

Subject to and without waiving these objections, SpaceX responds as follows:

Hole Holding claims it is owed up to \$15 million in damages for land it says (1) it bought for \$40,000 and (2) it failed to pay property taxes for at least two years. Despite SpaceX's repeated attempts to get Hole Holding to disclose the basis for its \$15 million damage model (or any damage model), Hole Holding has so far refused.

SpaceX reserves the right to supplement this response with more information once Hole Holding has supplemented its damages.

INTERROGATORY NO. 4: What do you contend is the fair market value of the Property?

ANSWER:

SpaceX objects to this Interrogatory as seeking expert opinion before the deadline for expert designation, which the Parties mutually agreed to extend. Subject to and without waiving this objection, SpaceX will respond in accordance with the Texas Rules of Civil Procedure and the Parties' agreement to extend expert deadlines.

INTERROGATORY NO. 5: Identify any alternative sites or locations considered for the activities and uses of the Property instead of the Property.

ANSWER:

SpaceX objects to this Interrogatory as vague, overly broad, and not limited in time. The phrase "any alternative sites or locations" is vague and not defined.

INTERROGATORY NO. 6: Identify any offsets or credits to Plaintiff's damages suffered by Plaintiff related to the claims asserted in this lawsuit.

ANSWER:

SpaceX objects that this Interrogatory improperly requires it to marshal its evidence.

Subject to and without waiving the foregoing objections, SpaceX responds as follows:

SpaceX paid property taxes and late fees on the Property for two years (\$798.10 in 2021 and \$677.06 in 2022) that Hole Holding failed to pay and otherwise is required to pay.

In addition, SpaceX should receive an offset for any appreciation in value that it brought the Property, whether directly or indirectly.

INTERROGATORY NO. 7: Identify all contractors or employees hired or retained by you or who performed services on your behalf who occupied, worked, staged or otherwise used the Property by providing the name, address, phone number and your principal contact of that entity or person.

ANSWER:

Defendant objects to this Interrogatory as compound and vague.

Subject to and without waiving these objections, SpaceX responds as follows:

To the best of SpaceX's knowledge, no SpaceX employee occupied, worked, staged, or otherwise used the property. Durkin Inc. (and potentially subcontractors) stored construction equipment and parked vehicles on the Property. Chris Durkin's information is identified in response to Interrogatory No. 1.

INTERROGATORY NO. 8: Identify all dates on which you, your employee or any contractor hired or retained by you or who performed services on your behalf occupied, worked, staged or otherwise used the Property, listing all known dates by each contractor or employee.

ANSWER:

Defendant objects to this Interrogatory as compound and vague.

Subject to and without waiving these objections, SpaceX responds as follows:

Durkin Inc. (and potentially subcontractors) stored construction equipment and parked vehicles on the Property from approximately August 2023 to July 2024.

INTERROGATORY NO. 9: Identify all efforts undertaken by you or any contractor performing services on your behalf to restore the Property to its condition prior to your use of the Property.

ANSWER:

SpaceX objects to this Interrogatory as vague and ambiguous.

Subject to these objections, SpaceX responds as follows:

Durkin Inc. removed its equipment and vehicles in July 2024. Grass and vegetation has been regrowing on the property.

INTERROGATORY NO. 10: Identify the reason(s) why you paid the property taxes on the Property.

ANSWER:

Hole Holding had failed to pay property taxes for at least two years and the property was apparently abandoned. Because SpaceX sought to possess the property, it paid property taxes to ensure the property was not subject to liens and penalties and to begin the process of adverse possession if necessary.

INTERROGATORY NO. 11: Identify any efforts by you to procure the Property or any other property within 1 mile of the Property through any means other than purchase, including acquisition by a governmental entity through its power of eminent domain.

ANSWER:

Defendant objects to this Interrogatory as overly broad, vague, and not limited in time. Defendant further objects to the extent it seeks information regarding properties unrelated to the claims in this lawsuit. SpaceX also objects to the extent the request seeks proprietary or confidential business information. SpaceX also objects to the extent this request seeks information protected by Texas Rule of Evidence 408.

Subject to and without waiving these objections, SpaceX responds as follows:

SpaceX made an offer to purchase the Property from Hole Holding in June 2024 and renewed its offer in July 2024. See Exhibit A (marked Confidential under the Protective Order) for additional details.

SpaceX is willing to produce, as Attorneys Eyes Only, non-privileged, responsive documents sufficient to show the purchase of real property acquired on Tarpon Haven Drive (the same residential neighborhood as the Property) by SpaceX, to the extent any such documents exist and can be located after a reasonable search.

INTERROGATORY NO. 12: Identify all permits or other governmental authorizations allowing you or contractors retained by you or who performed services on your behalf to perform any work or service on the Property.

ANSWER:

SpaceX objects to this Interrogatory as vague as to which permits and “government authorizations” are the subject of the Interrogatory. In particular, Plaintiff has not identified in its petition any specific permit or authorization that is at issue.

Subject to and without waiving these objections, SpaceX's position is that Durkin Inc. was responsible for securing any government authorization to perform work or service on the Property. SpaceX understands that what the contractors did on the Property did not require permits or government authorizations.

CAUSE NO. 2024-DCL-05445

HOLE HOLDING, LLC,

Plaintiff,

v.

SPACE EXPLORATION TECHNOLOGIES,
CORP.,

Defendant.

§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

CAMERON COUNTY, TEXAS

404TH JUDICIAL DISTRICT

AFFIDAVIT OF HOLLIE TAKACS

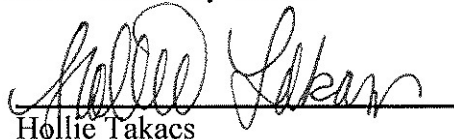
STATE OF TEXAS §
COUNTY OF CAMERON §

Before me, the undersigned, a Notary Public authorized to administer oaths, on this day personally appeared Hollie Takacs who, being personally known to me to be the person whose name is subscribed to this Affidavit, after being duly sworn, stated as follows:

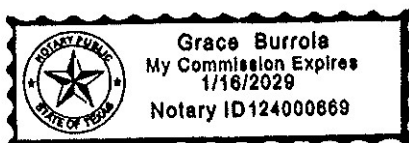
1. My name is Hollie Takacs. I am over the age of eighteen. I am of sound mind and am competent to make this verification.
2. I have reviewed Interrogatory Answer Nos. 1-12 of Defendant Space Exploration Technologies Corporation's Objections and Answers to Plaintiff's First Set of Interrogatories. The facts contained in these answers are true and correct.
3. I declare under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge.

FURTHER AFFIANT SAYETH NOT.

Executed this 19th day of May, 2025, in Cameron County Texas.


Hollie Takacs

Subscribed, sworn to and given under my hand and seal of office this 19th day of May 2025.




Notary Public State of Texas