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Final  
8/1/01

NO. D-880162C

IDA MARIE STARK, INDIVIDUALLY  
AND AS INDEPENDENT EXECUTRIX  
OF THE ESTATE OF  
W. H. STARK, II, DECEASED, ET AL

Plaintiffs

v.

NELDA CHILDERS STARK, ET AL

Defendants.

IN THE DISTRICT COURT OF

ORANGE COUNTY, TEXAS

260TH JUDICIAL DISTRICT

**FULL, FINAL, AND COMPLETE RELEASE**

This document is a Full, Final, and Complete Release as more particularly described herein.

1. PARTIES RELEASED

The parties being released from all causes of action as set forth in Paragraph 4 are the following: Nelda Childers Stark, individually; Nelda Childers Stark as alleged Independent Executrix of the Estate of H. J. Lutcher Stark, Deceased; to the extent it exists, if at all, the Estate of H. J. Lutcher Stark, Deceased; the Nelda C. and H. J. Lutcher Stark Foundation; all officers, directors, attorneys, and employees of either the Nelda C. and H. J. Lutcher Stark Foundation or Nelda Childers Stark; any individual, corporation, organization, foundation, or other entity alleged now or in the past or in the future to be owners or possessors of or participants in any transactions involving any property alleged to have properly belonged to but withheld from or

EXHIBIT "A"

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misappropriated in the Estate of Nita Hill Stark, Deceased. All these parties will be referred to hereinafter as the "Released Parties."

**2. PARTIES RELEASING**

The parties who are releasing all of the claims as set forth in Paragraph 4 against the Released Parties are as follow: Ida Marie Stark, individually; Ida Marie Stark, as Independent Executrix of and acting on behalf of the Estate of W. H. Stark, II, Deceased; William Henry Stark, III; Randall Hill Stark; and Linda Marie Stark Barras; each also acting for and on behalf of and intending to bind his or her heirs, beneficiaries, or assigns. All of these parties are hereinafter referred to as "Releasing Parties."

**3. CONSIDERATION**

Releasing Parties acknowledge the receipt of TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000.00) from Released Parties as full, final and complete consideration for the release of all claims set forth in Paragraph 4. Each Releasing Party acknowledges that he or she has received from or will receive from or has such an interest or expectancy in the Two Million Five Hundred Thousand Dollar (\$2,500,000.00) payment as to represent valid consideration for the release granted herein.

**4. CLAIMS RELEASED**

For and in consideration of the payment of TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000.00), Releasing Parties do hereby release, acquit, and forever discharge Released Parties of the following:

All claims, demands, and causes of action alleged in Plaintiffs' Original, First Amended, and Second Amended Original Petitions; all claims, demands, and causes of action, known or unknown, which could have been alleged in Plaintiffs' Original, First Amended, and Second Amended Original Petition; all claims, demands, and causes of action, known or unknown, arising out of or connected with any actions or omissions by H. J. Lucher Stark either as an individual or as executor of the Estate of Nita Hill Stark, Deceased, or as tutor or guardian of W. H. Stark, II and/or Homer B. H. Stark, or as any corporate officer or director of any corporation or as any officer or director of any foundation, arising at any time during his lifetime; all claims, demands, and causes of action, known or unknown, arising out of or connected with any actions or omissions by Nelda Childers Stark either as an individual or as executrix of the Estate of H. J. Lucher Stark, Deceased, or as any corporate officer or director of any corporation or as any officer or director of any foundation, arising at any time during her lifetime until the date of the execution of this release; any claims, demands, or causes of action, known or unknown, arising out of or in any way connected with the Estate of Nita Hill Stark, Deceased; any claims, demands, or causes of action, known or unknown, arising out of or connected with the Estate of H. J. Lucher Stark, Deceased; any claims, demands, or causes of action, known or unknown, arising out of heirship, forced heirship, or other inheritance relationships of Homer B. H. Stark and W. H. Stark, II, to Nita Hill Stark, H. J. Lucher Stark, or Nelda Childers Stark; any claims, demands, or causes of action, known or unknown, arising out of or connected with the operation or activities of the Nelda C. and H. J. Lucher Stark Foundation or any other foundation or charity

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principally supported by Nelda C. Stark; and any claims, demands, or causes of action, known or unknown, arising out of or in connection with the operation or activities of any corporation or partnership or business entity in which H. J. Lutcher Stark or Nelda Childers Stark has or had a controlling interest.

5. NO OTHER PROMISES

Each Releasing Party states that he or she is entering into and executing this Full, Final, and Complete Release based upon his or her own free evaluation of the facts and circumstances surrounding his or her claims, demands, and causes of action and in reliance upon the advice of his or her own attorneys. Each Releasing Party expressly states that no representations, promises, or agreement other than the payment of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) has been made by any Released Party and each Releasing Party expressly states that the entering into and execution of this Full, Final, and Complete Release is in no way conditioned upon or in reliance upon any representations, promises, or other agreements made by any of the Released Parties.

6. CASE DISMISSED WITH PREJUDICE

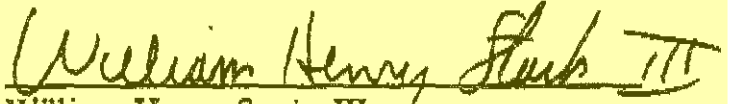
With the payment of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) and the execution of this Full, Final, and Complete Release, a motion and order for the dismissal with prejudice of this above-entitled and numbered action will be entered with the 260th Judicial District Court of Orange County, Texas.

7. ONE ORIGINAL

Because of the number of parties executing this release there will be one original executed copy of the Full, Final, and Complete Release which will be delivered to attorneys for Released Parties with copies made for all Released Parties and all Releasing Parties.



Ida Marie Stark, Individually and as  
Independent Executrix of the Estate of  
W. H. Stark, II, Deceased



William Henry Stark, III



Randall Hill Stark



Linda Marie Stark Barras



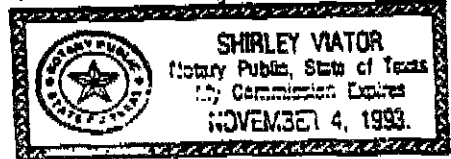
Fisher, Gallagher, Perrin & Lewis

STATE OF TEXAS §

COUNTY OF Orange §

Before me, the undersigned authority, on this day personally appeared Ida Marie Stark, Individually and as Independent Executrix of the Estate of W. H. Stark, II, Deceased, who being by me duly sworn, stated that she has read and understands this Release, and that she has executed the Release for the consideration stated therein.

Shirley Viator  
Notary Public



STATE OF TEXAS §

COUNTY OF Orange §

Before me, the undersigned authority, on this day personally appeared William Henry Stark, III, who being by me duly sworn, stated that he has read and understands this Release, and that he has executed the Release for the consideration stated therein.

Shirley Viator  
Notary Public

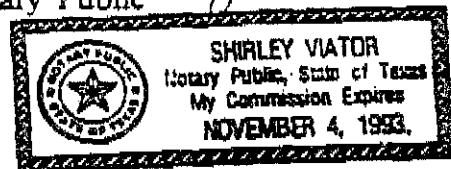


STATE OF TEXAS §

COUNTY OF Orange §

Before me, the undersigned authority, on this day personally appeared Randall Hill Stark, who being by me duly sworn, stated that he has read and understands this Release, and that he has executed the Release for the consideration stated therein.

Shirley Viator  
Notary Public

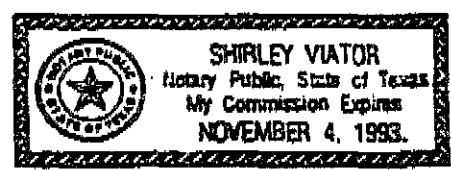


STATE OF TEXAS §

COUNTY OF Orange §

Before me, the undersigned authority, on this day personally appeared Linda Marie Stark Barras, who being by me duly sworn, stated that she has read and understands this Release, and that she has executed the Release for the consideration stated therein.

Shirley Viator  
Notary Public







Executrix of the Estate of H. J. Lutch Stark, Deceased, and the Nelda C. and H. J. Lutch Stark Foundation are hereby dismissed with prejudice against refileing.

II

All costs of court are adjudged against Nelda Childers Stark and the Nelda C. and H. J. Lutch Stark Foundation.

ENTERED this 17 day of January, 1991.

*[Handwritten Signature]*  
District Judge

APPROVED AS TO FORM  
AND AS TO SUBSTANCE:

FISHER, GALLAGHER, PERRIN &  
LEWIS

OFFICE OF ATTORNEY GENERAL

By *[Handwritten Signature]*  
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By *[Handwritten Signature]*  
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ATTORNEYS FOR PLAINTIFFS

ATTORNEY FOR STATE OF TEXAS

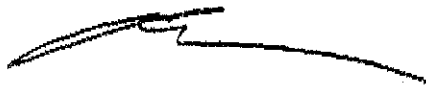
*[Handwritten Signature]*  
JUL 17 1991

BAKER & BOTTS

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ATTORNEYS FOR NELDA C. AND H. J. LUTCHER STARK FOUNDATION



and as Independent Executrix of the Estate of H. J. Lutchter Stark, Deceased, and the Nelda C. and H. J. Lutchter Stark Foundation with prejudice against refileing. All costs of court should be adjudged against defendants.

Respectfully submitted,

FISHER, GALLAGHER, PERRIN & LEWIS

By



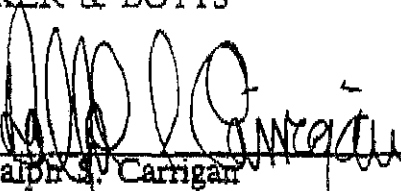
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APPROVED:

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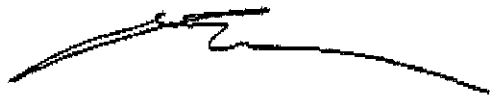


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ATTORNEYS FOR NELDA C. AND  
H. J. LUTCHER STARK FOUNDATION

OFFICE OF ATTORNEY GENERAL

By Rose Ann Reeser

Rose Ann Reeser  
Assistant Attorney General  
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Post Office Box 12548  
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ATTORNEY FOR STATE OF TEXAS

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STATE OF TEXAS  
OFFICE OF ATTORNEY GENERAL  
AUSTIN, TEXAS



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