

SUIT NO. 2007-48036

FILED  
HERESA GILBERT  
2008 JUN 23 10:16 AM  
BY \_\_\_\_\_ DEPUTY

ALIEF INDEPENDENT SCHOOL DISTRICT

§

IN THE DISTRICT COURT

VS.

§

157TH JUDICIAL DISTRICT

§

QUALITY INFUSION CARE INC.

§

HARRIS COUNTY, TEXAS

**FIRST AMENDED INTERVENTION**

ASSESSED  
FINISHED  
VERIFIED  
816 9400

TO THE HONORABLE JUDGE OF SAID COURT:

I.

**INTERVENOR(S)**

This claim for the recovery of delinquent ad valorem taxes is filed under TEX. TAX CODE § 33.44 by the following named Intervenor(s), whether one or more, each of which is a taxing unit and is legally constituted and authorized to impose and collect taxes on property:

**HARRIS COUNTY, ON BEHALF OF ITSELF AND THE FOLLOWING COUNTY-WIDE TAXING AUTHORITIES, THE HARRIS COUNTY DEPARTMENT OF EDUCATION, THE PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, THE HARRIS COUNTY FLOOD CONTROL DISTRICT, THE HARRIS COUNTY HOSPITAL DISTRICT (HEREINAFTER HARRIS COUNTY), CITY OF HOUSTON, HOUSTON INDEPENDENT SCHOOL DISTRICT AND HOUSTON COMMUNITY COLLEGE SYSTEM**

The Intervenor(s) intends discovery to be conducted under Level 2 of Rule 190, Texas Rules of Civil Procedure.

**DEFENDANT(S)**

The following are named as Defendant(s) by the Plaintiff taxing unit who originated this suit, and all parties to this suit are charged with notice of this claim, without further citation or other notice, as provided by TEX. R. CIV. P. 117a(4) and by TEX. TAX CODE § 33.45:

**Quality Infusion Care Inc. By Serving its Registered Agent: Gregg K. Saxe, 6671 Southwest Freeway, Suite 747, Houston, TX 77074**

if living, and if any or all of the above named Defendant(s) be deceased, the unknown heirs of each or all of the said above named deceased persons; and the unknown owner or owners of the following described property; and the executors, administrators, guardians, legal representatives, devisees of the above named persons; and any and all other persons, including adverse claimants, owning or having any legal or equitable interest in or lien upon the below described property located in the county in which this suit is brought.

RECORDER'S MEMORANDUM  
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at the time of imaging

II.

Claims for all taxes becoming delinquent on said property at any time subsequent to the filing of this suit, up to the day of judgment, including all penalties, interest, attorney's fees, and costs on same, are incorporated in this suit, and Intervenor(s) is entitled to recover the same, upon proper proof, without further citation or notice. Intervenor(s) is further entitled to recover each penalty that is incurred and all interest that accrues on all delinquent taxes imposed on the property from the date of judgment to the date of sale.

III.

As to each separately described property shown below, there are delinquent taxes, penalties, interest, attorney's fees (if any) and costs justly due, owing and unpaid to Intervenor(s) for the tax years and in the amounts as follows, if paid in June, 2008

Parcel No. 1:  
ACCT. NO. 0802016; VEHICLES VHCLS

CITY OF HOUSTON

| Tax Year(s)    | Tax Amount        | Penalties and Interest | Total Due         |
|----------------|-------------------|------------------------|-------------------|
| 2000           | \$1,286.03        | \$1,686.63             | \$2,972.66        |
| 2001           | \$617.73          | \$783.28               | \$1,401.01        |
| 2002           | \$555.90          | \$624.83               | \$1,180.73        |
| 2005           | \$446.26          | \$308.82               | \$755.08          |
| 2006           | \$1,060.04        | \$580.90               | \$1,640.94        |
| <b>TOTALS:</b> | <b>\$3,965.96</b> | <b>\$3,984.46</b>      | <b>\$7,950.42</b> |

HARRIS COUNTY

| Tax Year(s)    | Tax Amount        | Penalties and Interest | Total Due         |
|----------------|-------------------|------------------------|-------------------|
| 2000           | \$1,272.32        | \$1,668.64             | \$2,940.96        |
| 2001           | \$609.49          | \$772.84               | \$1,382.33        |
| 2002           | \$548.48          | \$616.50               | \$1,164.98        |
| 2005           | \$445.42          | \$308.24               | \$753.66          |
| 2006           | \$1,062.14        | \$582.05               | \$1,644.19        |
| <b>TOTALS:</b> | <b>\$3,937.85</b> | <b>\$3,948.27</b>      | <b>\$7,886.12</b> |

HOUSTON COMMUNITY COLLEGE SYSTEM

| Tax Year(s) | Tax Amount | Penalties and Interest | Total Due |
|-------------|------------|------------------------|-----------|
| 2000        | \$161.65   | \$212.01               | \$373.66  |
| 2001        | \$76.71    | \$97.27                | \$173.98  |

|                |      |                 |                 |                 |
|----------------|------|-----------------|-----------------|-----------------|
|                | 2002 | \$69.03         | \$77.59         | \$146.62        |
| <b>TOTALS:</b> |      | <b>\$307.39</b> | <b>\$386.87</b> | <b>\$694.26</b> |

**HOUSTON INDEPENDENT SCHOOL DISTRICT**

|                | Tax Year(s) | Tax Amount        | Penalties and Interest | Total Due          |
|----------------|-------------|-------------------|------------------------|--------------------|
|                | 2000        | \$2,982.40        | \$3,911.41             | \$6,893.81         |
|                | 2001        | \$1,490.10        | \$1,889.43             | \$3,379.55         |
|                | 2002        | \$1,340.95        | \$1,507.23             | \$2,848.18         |
| <b>TOTALS:</b> |             | <b>\$5,813.45</b> | <b>\$7,308.09</b>      | <b>\$13,121.54</b> |

**RENDITION PENALTY**

|                | Tax Year(s) | Tax Amount      | Penalties and Interest | Total Due       |
|----------------|-------------|-----------------|------------------------|-----------------|
|                | 2006        | \$212.22        | \$116.29               | \$328.51        |
| <b>TOTALS:</b> |             | <b>\$212.22</b> | <b>\$116.29</b>        | <b>\$328.51</b> |

**GRAND TOTAL FOR PROPERTY NO. 1: \$29,980.85**

**Parcel No. 2:**

**ACCT. NO. 0717523; BUSINESS PERSONAL PROPERTY CMP F&F INV M&E SUP**

**CITY OF HOUSTON**

|                | Tax Year(s) | Tax Amount        | Penalties and Interest | Total Due          |
|----------------|-------------|-------------------|------------------------|--------------------|
|                | 2001        | \$288.20          | \$365.44               | \$653.64           |
|                | 2002        | \$290.10          | \$326.08               | \$616.18           |
|                | 2003        | \$419.00          | \$410.62               | \$829.62           |
|                | 2004        | \$1,219.79        | \$1,019.75             | \$2,239.54         |
|                | 2005        | \$2,299.08        | \$1,590.96             | \$3,890.04         |
|                | 2006        | \$2,311.29        | \$1,266.58             | \$3,577.87         |
|                | 2007        | \$2,310.23        | \$745.04               | \$3,055.27         |
| <b>TOTALS:</b> |             | <b>\$9,137.69</b> | <b>\$5,724.47</b>      | <b>\$14,862.16</b> |

**HARRIS COUNTY**

|  | Tax Year(s) | Tax Amount | Penalties and Interest | Total Due  |
|--|-------------|------------|------------------------|------------|
|  | 2001        | \$284.36   | \$360.59               | \$644.95   |
|  | 2002        | \$286.24   | \$321.74               | \$607.98   |
|  | 2003        | \$413.41   | \$405.13               | \$818.54   |
|  | 2004        | \$1,212.80 | \$1,013.89             | \$2,226.69 |
|  | 2005        | \$2,294.70 | \$1,587.94             | \$3,882.64 |

|                |      |            |            |             |
|----------------|------|------------|------------|-------------|
|                | 2006 | \$2,315.85 | \$1,269.10 | \$3,584.95  |
|                | 2007 | \$2,281.81 | \$735.90   | \$3,017.71  |
| <b>TOTALS:</b> |      | \$9,089.17 | \$5,694.29 | \$14,783.46 |

**HOUSTON COMMUNITY COLLEGE SYSTEM**

|                | Tax Year(s) | Tax Amount | Penalties and Interest | Total Due |
|----------------|-------------|------------|------------------------|-----------|
|                | 2001        | \$35.79    | \$45.38                | \$81.17   |
|                | 2002        | \$36.02    | \$40.49                | \$76.51   |
| <b>TOTALS:</b> |             | \$71.81    | \$85.87                | \$157.68  |

**HOUSTON INDEPENDENT SCHOOL DISTRICT**

|                | Tax Year(s) | Tax Amount | Penalties and Interest | Total Due  |
|----------------|-------------|------------|------------------------|------------|
|                | 2001        | \$695.20   | \$881.52               | \$1,576.72 |
|                | 2002        | \$699.78   | \$786.55               | \$1,486.33 |
| <b>TOTALS:</b> |             | \$1,394.98 | \$1,668.07             | \$3,063.05 |

**RENDITION PENALTY**

|                | Tax Year(s) | Tax Amount | Penalties and Interest | Total Due  |
|----------------|-------------|------------|------------------------|------------|
|                | 2006        | \$462.71   | \$253.57               | \$716.28   |
|                | 2007        | \$459.20   | \$148.09               | \$607.29   |
| <b>TOTALS:</b> |             | \$921.91   | \$401.66               | \$1,323.57 |

**GRAND TOTAL FOR PROPERTY NO. 2: \$34,189.92**

The total aggregate amount of taxes, penalties, interest, and attorney's fees (if any) for which Intervenor(s) sues is \$63,814.83 subject to additional taxes, penalties, interest, and attorney's fees that accrue subsequent to the filing of this claim.

**IV.**

All of the taxes were authorized by law and legally imposed in the county in which this suit is brought. The taxes were imposed in the amount(s) stated above on each separately described property for each year specified and on each person named, if known, who owned the property on January 1 of the year for which the tax was imposed. Intervenor(s) now has and asserts a lien on each tract of real property and each item of personal property described herein to secure the payment of all taxes, penalties, interest and costs due. Pursuant to Rule 54 of the Texas Rules of Civil Procedure, Intervenor(s) affirmatively avers that all things required by law to be done have been done properly by the appropriate officials and all conditions precedent have been met.

V.

All of the property described above was, at the time the taxes were assessed, located within the territorial boundaries of each taxing unit in whose behalf this claim is filed. All Defendants named in this suit either owned the property that is the subject of this suit on January 1 of the year in which taxes were imposed on said property, or owned or claimed an interest in or lien upon said property at the time of the filing of this claim. The value of any personal property that may be described above, and against which the tax lien is sought to be enforced, is in excess of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00).

VI.

The Law Firm represented by the attorney whose name is signed hereto is legally authorized and empowered to institute and prosecute this action on behalf of Intervenor(s). Intervenor(s) should recover attorney's fees as provided by law for the prosecution of this case, and such attorney's fees should be taxed as costs.

VII.

Intervenor(s) may have incurred certain expenses in the form of abstractor's costs in procuring data and information as to the name, identity and location of necessary parties, and in procuring necessary legal descriptions of the property that is the subject of this suit. Said expenses, if incurred, are reasonable and are in the following amount: NONE. The abstractor's costs, if any be shown, should be taxed as costs herein.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Intervenor(s) prays, upon final hearing in this cause, for foreclosure of its liens against the above-described property securing the total amount of all delinquent taxes, penalties and interest, including taxes, penalties and interest becoming delinquent during the pendency of this suit, costs of court, attorney's fees, abstract fees, and expenses of foreclosure sale. Intervenor(s) further prays for personal judgment against Defendant(s) who owned the property on January 1 of the year for which the taxes were imposed for all taxes, penalties, interest, and costs that are due or will become due on the property, together with attorney's fees and abstractor's fees. Intervenor(s) further prays for: (1) the appropriate order of sale requiring the foreclosed property to be sold, free and clear of any right, title or interest owned or held by any of the named Defendants, at public auction in the manner prescribed by law, and (2) writs of execution, directing the sheriffs and constables for the State of Texas, to search out, seize, and sell sufficient property of the Defendant(s) against whom personal judgment may be awarded to satisfy the lawful judgment sought herein. Finally, Intervenor(s) prays for such other and further relief, at law or in equity, to which it may show itself justly entitled.

Respectfully submitted,

LINEBARGER GOGGAN BLAIR  
& SAMPSON, LLP  
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(713) 844-3580, (713) 844-3502 - Fax

*Pankaj Parmar*

Pankaj R. Parmar  
State Bar No. 00792098  
Attorney for Intervenor(s)

**CERTIFICATE OF SERVICE**

I hereby certify that on the date shown below, a true and correct copy of the foregoing instrument was served, in the manner required by TEX. R. CIV. P. 21 and 21a, upon all counsel of record and on all other parties who have made an appearance in this suit on the \_\_\_\_\_ day of JUN 20 2008, 20\_\_\_\_.

Quality Infusion Care Inc.  
By Serving its Registered Agent: Gregg K. Saxe  
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