

Quarterly Delinquent Tax Collection Report



Linebarger Goggan Blair & Sampson, LLP

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October – December 2014

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP ATTORNEYS AT LAW 711 NAVARRO, SUITE 300 SAN ANTONIO, TEXAS 78205 (210) 225-6763 FAX (210) 225-67410

OLIVER S. HEARD, JR. CO-FOUNDING PARTNER 1943-2000

January 13, 2015

School Board of Trustees Eagle Pass ISD 1420 Eidson Road Eagle Pass, Texas 78852

RE: October - December 2014 Quarterly Delinquent Tax Collection Report

Dear Trustees:

We are pleased to present this quarterly report for the period of October - December 2014 summarizing the delinquent tax collection services we have provided Eagle Pass ISD. Our work plan and activity reports reflect a consistent effort by the firm to maximize results. While we work to collect all eligible accounts referred to the firm, we are mindful to expedite the collection of the District's largest accounts as quickly as possible. Our technology and experienced professionals enable us to work and monitor every delinquent account. The aggressive, but fair approach we take continues to receive good response from taxpayers. Recognizing that legal enforcement is a last resort option, we encourage payment plans for those needing such arrangements to meet their obligations to the District. We want to assure you that while our program is fair and aggressive, we continue to place a high a priority on providing professional courteous taxpayer assistance to help those taxpayers that are experiencing financial hardship during these tough economic times.

Our entire staff remains focused on delivering services with the high degree of excellence that you have come to expect from our firm. If you, the school board, or other administrative personnel have any questions about this report or the services we provide Eagle Pass ISD, please contact us.

Kindest regards,

SiGX

SONIA A. GONZALEZ Partner

CFD&SG /bc

cc: Gilberto Gonzalez, Superintendent of Schools Ismael Mijares, Assistant Superintendent for Business & Finance Susana Perez, Risk Management Director Deniz Brown, Tax Assessor Collector

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CHAPTER I



EAGLE PASS ISD WORK PLAN

Notifications

- > Mail BPP notice of intent to seize when necessary
- > Mail second notification and 1st follow-up notice in September
- > Mail 3rd notice and 2nd follow-up notice in December
- > Mail special, targeted communications monthly depending on account status each month

Litigation

- > Randomly file lawsuits, with focus on high dollar, chronic accounts each month
- > Take necessary steps to move all pending cases through the court system each month
- > Conduct bi-yearly Sheriff sales
- File proof of claims in bankruptcy courts throughout the United States where taxes are due the District, and take actions necessary to secure taxes in the discharge of the bankruptcy

Research

- > Conduct skip tracing research on all accounts flagged with bad address
- > Secure an abstract of title on property before filing suit on delinquent accounts
- Conduct follow-up research on defendants where citations have not been successfully served
- Initiate any other title or ownership research necessary to expedite resolution and payment of accounts

Taxpayer Communication

- > Initiate contact with Real and business personal property accounts to expedite payment
- > Set up payment plans as authorized by the Tax Office
- > Remain available during all business hours to assist taxpayers by phone or in person
- > Respond to incoming correspondence within three business days

Other Workplan Goals

- Maintain communication with all governmental departments (ie: Tax Office, Appraisal District, District Clerks Office, Sheriffs Department, and Judiciary) involved in the collection process to ensure the collection program remains as efficient as possible and serves to maximize collections while serving the needs of taxpayers
- > Provide reports and information whenever necessary to the District

EAGLE PASS ISD October - December 2014 Activity Summary

Taxpayer Notifications:

Mass Mailing Activity			
Letter Date	Letter Type	Account	Dollar Amount
November 2014	Delinquent Tax Warning	2,568	\$3,174,989.77
T	DTAL	2,568	\$3,174,989.77

Target Mailing Activity:

Target Mailing Activity		
Time Period	Number of Letters	Dollar Amount
October – December 2014	179	\$485,969.45

Taxpayer Assistance and Payment Arrangements:

October – December 2014			
	Number of Accounts	Dollar Amount	
Outbound Collection Calls	704	\$1,659,387.99	
Taxpayer Walk Ins	375	\$679,885.13	
In Bound Phone Inquiries & Correspondence	476	\$835,444.86	
Law Firm Payment Holds	20	\$44,672.98	
Tax Office Payment Arrangements	21	\$24,296.18	

Research and Litigation:

October – December 2014			
Activity	Dollar Amount		
Abstracts of Title and Ownership Research	243	N/A	
Lawsuits Filed	42	N/A	
Judgments Entered	13	\$51,161.48	
Business Personal Property Enforcement	34	\$138,821.28	

CHAPTER II

Delinquent Collection Activity

A. Mass Mailings

We mail personalized letters to all accounts on the tax roll that are not involved in litigation or have a condition that would prevent immediate legal action such as a payment arrangement, exemption, age or disability deferral, appraisal dispute, or other conditions that negate legal action. The mailings initiated since October 2014 are reflected below.

MASS MAILING ACTIVITY			
Letter Date	Letter Type	Account	Dollar Amount
November 2014	Delinquent Tax Warning	2,568	\$3,174,989.77
	TOTAL	2,568	\$3,174,989.77

Sample letters can be found on the following page.

B. Targeted Mailing

Each week the Firm mails personalized letters to groups of taxpayers based on the status of the account. The letters include Notice of Default, Trial Notice, Notice of Court Costs Due, Notice of Intent to Enforce Judgment, Notice of Seizure, Notice of Tax Foreclosure, Notice of Non-Suit Letters, and Notice of Lawsuit Dismissal.

TARGET MAILING ACTIVITY		
Time Period	Number of Accounts*	Dollar Amount
October 2014	102	\$327,379.08
November 2014	8	\$15,649.50
December 2014	69	\$142,940.87
TOTAL	179	\$485,969.45

*Targeted Letters are sent to all identified property owners and lien holders associated with the delinquent accounts and any related pending lawsuit.

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP

ATTORNEYS AT LAW 711 Navarro Street, Ste 300 San Antonio, TX 78205 PHONE: (210) 225-4422 FAX: (210) 231-0963 (800) 876-6144 November 21, 2014

DELINQUENT TAXES	:	\$327.15
PENALTY/INTEREST	:	\$131.83
TOTAL DUE	:	\$458.98

RE:

& 4, (PORTION OF LOT 3 & 4) (see attached

DELINQUENT ACCOUNT STATEMENT)

FINAL WARNING!

Dear Eagle Pass Independent School District Taxpayer:

Several notices have been mailed urging you to pay your delinquent property taxes. Since you have failed to respond, we have no choice but to refer your account for legal enforcement. You must make payment within ten (10) days from the date of this letter or face possible seizure or foreclosure proceedings designed to satisfy your tax delinquency. If legal action is taken, you will be required to pay all related costs and fees, in addition to your delinquent taxes, penalty and interest. You can stop this from happening by contacting our office immediately to make payment.

Full payment should be made payable to Eagle Pass Independent School District and mailed to:

Eagle Pass Independent School District Tax Office PO Box 1530 Eagle Pass, TX 78853 (830) 773-3826

Please disregard this notice if: (1) you have paid these taxes since November 12, 2014, (2) you are timely paying these taxes under an installment agreement with the tax collector, or (3) you are now a debtor in a pending bankruptcy. If you are in bankruptcy, please furnish to us in writing the number of your bankruptcy case and the identification of the court in which it is pending so as to enable us to code your account and avoid further mailings to you. Please mail your bankruptcy information to the address above.

TEXAS LAW REQUIRES THAT WE NOTIFY YOU THAT IF YOU ARE 65 YEARS OF AGE OR OLDER OR DISABLED, AND YOU OCCUPY THE PROPERTY DESCRIBED IN THIS DOCUMENT AS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE APPRAISAL DISTRICT REGARDING ANY ENTITLEMENT YOU MAY HAVE TO A POSTPONEMENT IN THE PAYMENT OF THESE TAXES.

Sincerly. LINEBARGER GOGGAN BLAIR & SAMPSON. LLP

Sonia A. Gonzalez Attorney at Law

C-102K

ESTA CORRESPONDENCIA SE TRATA DE SUS IMPUESTOS Y LA POSIBILIDAD DE UNA DEMANDA ACERCA DE SU PROPIEDAD. SI USTED DESEA ASISTENCIA POR UNA PERSONA QUE HABLA ESPANOL, LLAME USTED A (800)876-6144 Y UNA PERSONA LE AYUDARA

C. Telephone/Personal Contact

The Firm maintains a collections department staffed with professionals who are dedicated to making personal contact to collect taxes due. The volume of calls initiated each month is shown below. A list of accounts who have been contacted can be made available to the District upon request.

OUTBO	OUTBOUND COLLECTION CALLS		
Time Period	Number of Accounts	Dollar Amount	
October 2014	346	\$977,939.44	
November 2014	248	\$454,902.74	
December 2014	110	\$226,545.81	
TOTAL	704	\$1,659,387.99	

CHAPTER III

Taxpayer Assistance

A. Taxpayer Inquiries

Taxpayers are encouraged to contact the firm to resolve their delinquent accounts. We have experienced bilingual personnel available Monday – Friday from 9:00 am to 5:30 pm to assist taxpayers. Each communication represents an opportunity to resolve problems and facilitate the payment of taxes. In addition, taxpayers may tender payments at our local office located on Monroe Street. Our employees will hand deliver those payments to the respective tax offices that same day. We provide taxpayers with receipts to confirm that payment was tendered. This chapter of the report summarizes our taxpayer assistance efforts based on the origin of the inquiry (phone or correspondence).

TAXPAYER WALK IN INQUIRIES		
Time Period	Number of Accounts	Dollar Amount
October 2014	106	\$165,180.38
November 2014	114	\$190,109.41
December 2014	155	\$324,595.34
TOTAL	375	\$679,885.13

IN BOUND CORRESPONDENCE AND PHONE INQUIRIES			
Time Period	Number of Accounts	Dollar Amount	
October 2014	91	\$166,323.85	
November 2014	123	\$211,375.64	
December 2014	262	\$457,745.37	
TOTAL	476	\$835,444.86	

B. Payment Arrangements

Taxpayers who are unable to pay their delinquent taxes in full are provided payment plan options based on the criteria set forth by the District. We encourage taxpayers who need assistance to utilize this payment opportunity to resolve their delinquent accounts.

Payment plans help to expedite payment in full by allowing financially challenged taxpayers partial payment options. The Tax Office provides formal payment contracts with specified time periods to pay off the delinquent balance. During the payoff period the account is placed on hold to prevent collection enforcement through legal action. Payment resolutions negotiated by the Firm usually involve business and larger real estate accounts because of the direct contact we initiate to collect the taxes. If partial payments are the only feasible way to resolve the account, we agree to process their partial payments and extend a 30 day hold to make their next payment.

When a payment hold is placed on the account, the Firm will not take legal action to collect the taxes due. All payment holds have a drop date so that collection enforcement can resume as necessary. If an account is already involved in litigation when a payment agreement is made, the litigation process is allowed to continue until a judgment is entered. Efforts to enforce the judgment will not be taken as long as the taxpayer complies with the payment plan.

LAW FIRM PAYMENT HOLDS			
Time Period	Number of Accounts	Amount Remaining Due	
October 2014	9	\$23,602.10	
November 2014	5	\$12,538.86	
December 2014	6	\$8,532.02	
TOTAL	20	\$44,672.98	

TAX OFFICE PAYMENT ARRANGEMENTS				
Time Period	Number of Accounts	Amount Remaining Due		
October 2014	12	\$13,163.63		
November 2014	3	\$4,506.42		
December 2014	6	\$6,626.13		
TOTAL	21	\$24,296.18		

CHAPTER IV

Research

A. Returned Mail

Every letter produced through the Firm's mass mailing efforts has a bar code so it can be tracked upon return and updated in our database. The return mail statistics below reflect the number of letters that have been returned undeliverable for each respective mass mailing.

LETTERS RETURNED FROM MASS MAILINGS				
Letter Date Letter Type Returned Mail				
July 2014	First Notice	73		
November 2014	Delinquent Tax Warning	74		

B. Address and Ownership Research

The Firm's research personnel have access to national search engines to update address information on return mail or accounts on the tax roll that have an insufficient address. Our in-house research specialists are also trained to resolve complex ownership errors in the deed records. In some cases the research must go back to the original plats from the 1800's. When a new address or new ownership record is found, we share our findings with the Maverick County Appraisal District so that they may verify the data and update their records.

ADDRESS & OWNERSHIP RESEARCH				
Time Period	Number of Accounts			
October 2014	77			
November 2014	111			
December 2014 28				
TOTAL 216				

C. Title Research

Prior to the filing of a lawsuit, the Firm will request an abstract of title from our abstractors to ensure that all lien holders are enjoined in the lawsuit. We randomly select accounts for litigation in addition to selecting specific accounts that we have determined require legal action. If title cannot be verified, the Firm's in-house research team will work with our abstractors and Maverick County Appraisal District to complete the title process. In addition, we are verifying all of the title work involved in the lawsuits filed by the District's previous law firm to ensure that any disposition and foreclosure efforts are in compliance with the law.

ABSTRACTS OF TITLE PROCESSED			
Time Period	Title Orders Requested	Title Orders Received	
October 2014	1	0	
November 2014	0	27	
December 2014	0	0	
TOTAL	1	27	

CHAPTER V

Litigation

The Firm will file lawsuits as necessary to collect taxes due the District. When we file lawsuits we will work closely with the Maverick County District Clerk, Sheriff's Department and Judiciary to ensure our litigation procedures help to expedite the prosecution of every lawsuit filed. Dockets will be set regularly in accordance to the Judge's calendar and sheriff sales will be held as often as necessary on the steps of the Maverick County Courthouse.

The Firm is proactive in its efforts to collect taxes involved in bankruptcy. We monitor new bankruptcy filings every week to determine if taxes are due to our clients. Claims are filed immediately and include not only delinquent taxes but also current year taxes that will be due the District.

LAWSUITS FILED			
Time Period	Number of Accounts		
October 2014	0		
November 2014	42		
December 2014	0		
TOTAL	42		

TRIAL JUDGMENTS			
Suit Number	Judgment Date	Litigation Status	Judgment Amount
12-03-04569-TXAJA	15-Oct-2014	JUDGMENT ENTERED	\$0.00
12-05-04595-TXAJA	15-Oct-2014	JUDGMENT ENTERED	\$1,789.74
13-11-04750-TX	06-Oct-2014	JUDGMENT ENTERED	\$4,838.27
13-11-04749-TXAJA	15-Oct-2014	JUDGMENT ENTERED	\$3,084.12
10-04-04238-TX	06-Oct-2014	JUDGMENT ENTERED	\$787.88
10-07-04301-TXAJA	15-Oct-2014	JUDGMENT ENTERED	\$1,786.30
11-05-04446-TX	06-Oct-2014	JUDGMENT ENTERED	\$6,304.45
12-01-04530-TX	06-Oct-2014	JUDGMENT ENTERED	\$1,193.60
13-11-04773-TXAJA	11-Dec-2014	JUDGMENT ENTERED	\$1,955.35
11-11-04509-TXAJA	11-Dec-2014	JUDGMENT ENTERED	\$10,530.13
14-01-04783-TXAJA	11-Dec-2014	NEEDS ABSTRACT OF JUDGMENT	\$3,243.89
11-07-04473-TXAJA	11-Dec-2014	JUDGMENT ENTERED	\$4,364.77
TOTAL: 13			\$39,878.50

BUSINESS PERSONAL PROPERTY ENFORCEMENT OCTOBER – DECEMBER 2014				
Activity Number of Accounts Dollar Amount				
Notice of Seizure	1	\$3,216.29		
Walk and Talk Campaign	11	\$34,608.79		
Property Inspection	22	\$100,996.20		
TOTAL	34	\$138,821.28		

		Trial Settings October 2014
Trial Date	Trial Activity	
October 6, 2014 (293rd)	6 Lawsuits Set fo	or Trial:
	4	Judgment Entered Totaling \$13,124.20
	10-04-04238-TX	Maverick County, et al vs. Edmond Harrison \$787.88 judgment entered
	11-05-04446-TX	Maverick County, et al vs. Jose Alvarado, et al \$6,304.45 judgment entered
	12-01-04530-TX	Maverick County, et al vs. Emilio Rodriguez \$1,193.60 judgment entered
	13-11-04750-TX	Maverick County, et al vs. Quality Comfort Homes, Inc. \$4,838.27 judgment entered
	1	Judgment Nunc Pro Tunc
	06-05-03426-TX	City of Eagle Pass, Eagle Pass ISD, Maverick County vs. Narcisco Placencia, et al \$5,816.80 judgment nunc pro tunc entered
	1	Lawsuit passed (O65 exemption)
	09-10-04092-TX	Maverick County, et al vs. Juan R. Ruiz, et al \$1,841.86 Over 65 exemption

Trial Settings October 2014				
Trial Date	Trial Activity			
October 15, 2014 (365th)	A Lawshits Set for Trial			
	3	Judgment Entered Totaling \$6,660.16		
	10-07-04301-TXAJA Maverick County, et al vs. Antonio Moreno \$1,786.30 judgment entered			
	12-05-04595-TXAJA	Eagle Pass Independent School District vs. Raul Chacon \$1,789.74 judgment entered		
	13-11-04749-TXAJA	Maverick County, et al vs. Beauty and the Best, Inc. DBA Armstrong McCall Company of Eagle Pass \$3,084.12 judgment entered		
	1	Lawsuit passed (paid in full)		
	12-03-04569-TXAJA	Maverick County, et al vs. Christopher Beattie, et al \$0.00 paid in full		

Trial Settings December 2014			
Trial Date	Trial Activity		
December 11, 2014 (365 th)	5 Lawsuits Set for Trial:		
	4	Judgments Entered Totaling \$20,094.14	
	11-07-04473-TXAJA	Maverick County, et al vs. Ma. De Jesus Morales Balderas, aka Maria de Jesus Morales, et al \$1,433.38 Tract #1; \$1,463.19 Tract #2 and \$1,468.20 Tract #3 judgment entered	
	11-11-04509-TXAJA	Maverick County, et al vs. Santos V. Munoz \$10,530.13 judgment entered	
	13-11-04773-TXAJA	Maverick County, et al vs. Miguel A. Cristerna, aka Miguel Angel Cristerna, et al \$1,955.35 judgment entered	
	14-01-04783-TXAJA	Maverick County, et al vs. Carlos Bonilla, Doing Business as CB Transport \$3,243.89 judgment entered	
	1	Lawsuit passed (payment agreement)	
	14-01-04791-TXAJA	Maverick County, et al vs. Yolanda Perales Ramon, aka Yolanda P. Ramon \$2,644.99 payment agreement	

Sheriff Sale Eagle Pass ISD			
Date of Sale	Sale Activity	Amount Due	
December 2, 2014	Twenty-eight (28) Properties Reviewed for Sale		
	Twenty-one (21) approved by Tax Office for Sheriff Sale		
	Twelve (12) properties Set for Sale		
	Six (6) properties were pulled – Payment Arrangements		
	Two (2) properties were pulled – Paid in Full		
	One (1) property was pulled – Title and location issue		
	Three (3) properties went to Sale for Minimum Bids	\$37,625.51	
	Two (2) properties sold	\$13,250.00	
	One (1) property Struck off to taxing entities	\$30,575.51	

Note: 1^{st} letter dated October 3, 2014: EPISD = 21 coded CRO + 27 extra letters

Note: 2^{nd} letter dated October 29, 2014: EPISD = 12 coded CRO + 13 extra letters

	BANKRUPTCY RELATED ACTIVITY REPORT FOR EAGLE PASS ISD Notable Bankruptcy Related Collections - Year 2010				
Year Collected	Debtor Bankruptcy Chapter Amount				
Year 2010					
	TXCO RESOURCES, INC.	09-51807	11	\$747,596.45	
Total Year 2010				\$747,596.45	
		Grand Total f	for Year 2010	\$747,596.45	

BANKRUPTCY FILINGS							
CLAIMS FILED INVOLVING EAGLE PASS ISD TAX DEBT							
OCTOBER – DECEMBER 2014							
Bankruptcy Account Number Number		Debtor Name	CLAIM AMOUNT				
No Claims were filed involving Eagle Pass ISD From October – December 2014							
AS OF JANUARY 2015 THERE ARE 23 EAGLE PASS ISD ACCOUNTS INVOLVED IN ACTIVE BANKRUPTCY PROCEEDINGS WITH DELINQUENT PROPERTY TAXES TOTALING \$76,541.24							



Bankruptcy Flow Chart



Collection Results

Linebarger Goggan reports collections based on information provided to the Firm from the Tax Office. The table below reflects delinquent tax collection results based on monthly reports from The Eagle Pass ISD Tax Assessor Collector.

EAGLE PASS ISD Delinguent Tax Collections								
	Tax Year 2014-2015	Tax Year 2013-2014	Tax Year 2012-2013	Tax Year 2011-2012	Tax Year 2010-2011	Tax Year 2009-2010		
September	\$193,855.12	\$145,947.96	\$164,451.89	\$180,904.98	\$178,485.18	\$160,639.28		
October	\$211,315.28	\$145,887.36	\$177,362.65	\$184,123.27	\$180,424.61	\$239,095.72		
November	\$112,645.02	\$132,149.31	\$191,811.25	\$111,649.02	\$108,583.52	\$131,902.00		
December	Unavailable*	\$119,078.04	\$174,795.75	\$138,720.26	\$131,818.54	\$191,510.59		
January		\$131,426.94	\$90,690.80	\$138,436.12	\$159,029.88	\$184,218.47		
February		\$163,508.41	\$123,990.39	\$160,445.05	\$130,899.11	\$484,181.97		
March		\$123,217.22	\$98,169.47	\$154,352.22	\$216,510.19	\$186,875.89		
April		\$75,694.88	\$104,298.58	\$105,957.24	\$92,352.71	\$126,426.31		
May		\$97,028.53	\$73,283.93	\$176,993.05	\$83,453.98	\$75,084.53		
June		\$100,312.59	\$101,793.29	\$114,638.94	\$103,338.34	\$89,688.61		
July		\$322,081.86	\$270,169.69	\$203,433.86	\$215,762.41	\$216,422.58		
August		\$288,126.34	\$158,512.88	\$219,242.76	\$208,371.91	\$208,543.11		
TOTAL	\$517,815.42	\$1,844,459.44	\$1,729,330.57	\$1,888,896.77	\$1,809,030.38	\$2,294,589.06		

*Check not yet received by LGB&S

CHAPTER VII

Management and Support Team



Clif Douglass, III Managing Partner/San Antonio Joined in 1986



David Aelvoet Managing Partner/Bankruptcy Joined in 1993



Lilia Ledesma Partner Joined in 2003



Ronald Rocha Partner Joined in 1994



Sonia Gonzalez Partner Joined in 2007



Carri Baker Wells Director of Operations Joined in 1985



Don Stecker Partner Joined in 2008



Brad Balderrama Attorney Joined in 2009



Darbey Wehrle Financial Reporting Manager Joined in 1988



Elaine Mika Operations Manager Joined in 1987



Nadine Quintanilla Assistant Operations Manager/Regional Supervisor Joined in 1994



Ana Cantu Collections Manager Joined in 2009 Eagle Pass Office



Sara Garza Bankruptcy Manager Joined in 1983



Lorena De Hoyos Office & IT Administrator Joined in 2000



Baudi Cepeda Client Reporting Manager Joined in 2006



John Fry Collection Manager Joined in 2004



Rosa Cruz Litigation Assistant Joined in 2011 Eagle Pass Office



Zane Goodspeed Collector Joined in 2011



Leticia Crespin Litigation Assistant Joined in 2002



Irene Castillo Lawsuit Production Joined in 1998



Cecilia Villarreal Litigation Assistant Joined in 2009



Paul Hardy Litigation Assistant/ Research Analyst Joined in 2011



Barbara Aguilar Litigation Assistant Joined in 2000



Maria Hunter Litigation Assistant Joined in 2013



Lindsay Moy Assistant Operations Manager Joined in 2002



Veronica Gomez Bankruptcy Assistant Joined in 2001



Yvette Balderas Bankruptcy Assistant Joined in 2010



Crystal Davis Bankruptcy Assistant Joined in 2004