

CAUSE NO. _____

BRENT HAGENBUCH
Plaintiff,

V.

**MATT ARMSTRONG and
GRASSROOTS PUBLIC
RELATIONS**
Defendants.

§ IN THE DISTRICT COURT

Spiral binding

JUDICIAL DISTRICT

DENTON COUNTY, TEXAS

**PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR TEMPORARY
RESTRANDING ORDER AND TEMPORARY INJUNCTION**

Plaintiff, Brent Hagenbuch (“Plaintiff” or “Hagenbuch”), files this Plaintiff’s Original Petition and Application for Temporary Restraining Order and Temporary Injunction (the “Petition”) against Defendants, Matt Armstrong (“Armstrong”) and GrassRoutes Public Relations (“GrassRoutes”) (sometimes collectively referred to herein as “Defendants”) and would show the Court as follows:

I. DISCOVERY CONTROL PLAN

1.1 Plaintiff affirmatively pleads that discovery should be conducted in accordance with discovery control plan, Level 3, under Rule 190.4 of the Texas Rules of Civil Procedure.

II. PARTIES AND SERVICE

2.1 Plaintiff Brent Hagenbuch (last three digits of SSN: 084; last three digits of TX DL: 785) is an individual residing in Denton County, Texas.

2.2 Defendant Armstrong is an individual residing in the State of Texas. Mr. Armstrong can be served at his last known place of business located at 1011 Surrey Lane, Building 200, Flower Mound, Texas 75022 or wherever he may be found.

2.3 Defendant, GrassRoutes, on suspicion and belief, is engaged in business in the State of Texas, who may be served at their last known principal office located at 1011 Surrey Lane, Building 200, Flower Mound, Texas 75022.

III. JURISDICTION AND VENUE

3.1 This Court has subject matter jurisdiction over this action because all or a substantial portion of the events or omissions giving rise to the claims complained of herein occurred in the State of Texas and the amount in controversy is within this Court's jurisdictional limits.

3.2 Venue is proper in Denton County pursuant to § 15.002 of the Texas Civil Practice & Remedies Code because all or a substantial portion of the events or omissions giving rise to the claims asserted herein occurred in Denton County.

3.3 The parties entered into an agreement for services to be performed in Denton County.

3.4 Defendants committed the tort of fraud in Denton County.

3.5 Pursuant to Rule 47 of the Texas Rules of Civil Procedure, Plaintiff states that at this time they seek monetary relief over \$250,000 but not more than \$1,000,000.

IV. FACTUAL BACKGROUND

4.1 On or about August 3, 2021, Plaintiff entered into an agreement with Armstrong and GrassRoutes to have Armstrong join Plaintiff's campaign team (the "Agreement"). The parties' goal was to get Plaintiff elected to become the Chair of the Denton County Republican Party.

4.2 Armstrong was excited to be a part of the team and made representations to Plaintiff of his desire to help Plaintiff get elected. In the process of his work on the campaign, Armstrong

was entrusted with confidential information regarding Plaintiff and his campaign, for the purpose of boosting Plaintiff's campaign chances.

4.3 After receiving the confidential information compensation, Armstrong began working with Plaintiff's competitor. Armstrong then used the confidential information he was entrusted with as a means to boost Plaintiff's competitor's campaign and harm Plaintiff's campaign.

4.4 As a direct and proximate result of the acts and omissions of Defendants, Plaintiff has been damaged in an amount within the jurisdictional limits of this Court, for which he now sues.

V. CAUSES OF ACTION

5.1 *Alternative pleadings.* To the extent necessary, each of the claims set forth below is pleaded in the alternative.

5.2 *Fraud.* All paragraphs above and below are adopted by reference as if fully stated herein.

5.3 The acts and omissions of the Defendants complained of herein constitutes fraud. More particularly, the Defendants intentionally made false representations of material fact to Plaintiff to induce Plaintiff to pay Defendants for consulting services associated with the parties' Agreement. As a direct and proximate result of such fraud by the Defendants, Plaintiff has been damaged in an amount in excess of the minimum jurisdictional limits of this Court, for which Plaintiff now sues.

5.4 *Breach of Contract.* Defendants breached the Agreement with Plaintiff, to Plaintiff's harm, for which Plaintiff now sues.

VI. RELIEF REQUESTED

6.1 ***Actual Damages.*** As a result of the wrongful acts of Defendants, Plaintiff has suffered injuries and actual damages in a sum which is within the minimal jurisdictional limits of this Court, and Plaintiff seeks to recover any and all actual damages from Defendants.

6.2 ***Exemplary/Punitive Damages.*** The acts and omissions of Defendants complained of herein by Plaintiff were, in whole or in part, committed intentionally, willfully, and/or with malice by Defendants. Accordingly, in addition to any other relief, Plaintiff seeks the recovery of exemplary damages in an amount in excess of this Court's jurisdictional limits as to be determined by the trier of fact in accordance with the applicable provisions of Chapter 41 of the Texas Civil Practice and Remedies Code.

6.3 ***Attorneys' Fees and Interest.*** Plaintiff has retained the law firm of Hill Gilstrap, P.C. to represent it in this action and have agreed to pay the firm's reasonable and necessary attorneys' fees. Plaintiff seeks the recovery of their reasonable attorneys' fees incurred in bringing this suit and in all appeals of this suit as provided by law, in equity, and/or pursuant to § 38.001 of the Texas Civil Practice and Remedies Code. Additionally, Plaintiff seeks to recover pre-judgment and post-judgment interest as allowed by law.

VII. APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND TEMPORARY INJUNCTION

7.1 Unless restrained, Defendants will continue to use Plaintiff's confidential information to competitors as a means of harming Plaintiff's political aspirations. As such, unless restrained, Defendants will continue to cause irreparable harm to Plaintiff for which there is no adequate remedy at law, including, without limitation, loss of political opportunities, goodwill, and political reputation. Money damages cannot adequately compensate Plaintiff.

7.2 As a result, Plaintiff seeks a temporary restraining order not to exceed fourteen days and, after notice and a hearing, a temporary injunction preventing Defendants from further use and possession of Plaintiff's confidential information until a trial on the merits. A temporary restraining order and temporary injunction are necessary to preserve Plaintiff's rights pending a trial on the merits and are warranted by the requirements of the controlling law.

7.3 There is a substantial likelihood that Plaintiff will prevail on the merits of his fraud claim against Defendants, as Defendants have intentionally made false representations of material fact to Plaintiff as a means to receive monetary compensation, as well as confidential information to use against Plaintiff and to Plaintiff's detriment.

7.4 The threatened injury to Plaintiff outweighs any possible damage to Defendants because an injunction would simply prevent Defendants from using Plaintiff's confidential information to their gain. It also prevents Defendants from capitalizing on their ill-gotten opportunities and returns the parties to the last peaceable state before Defendants' fraudulent plan to harm Plaintiff went into effect.

7.5 The public interest is served by an injunction as it protects Plaintiff's confidential information, reputation, political aspirations and opportunities, and goodwill.

7.6 Accordingly, Plaintiff is entitled to a temporary restraining order, temporary injunction, and permanent injunction:

- (a) Restricting Defendants, and any company, executive, employee, associate, or representative of Defendants, from possessing, using, or exploiting any of Plaintiff's confidential information;

VIII. CONDITIONS PRECEDENT

8.1 All conditions precedent to Plaintiff's claims for relief have been performed or have occurred or were otherwise met, waived, or excused.

IX. JURY DEMAND

9.1 Pursuant to Rule 216 of the Texas Rules of Civil Procedure, Plaintiff demands a trial by jury as to all claims that may be tried to a jury.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Brent Hagenbuch respectfully prays that Defendants be cited to appear and answer herein and that on final trial, Plaintiff have:

1. Judgment against Defendants for a sum within the jurisdictional limits of the Court;
2. Plaintiff's actual damages to the extent permitted by law;
3. Exemplary and/or punitive damages to the extent permitted by law and/or equity;
4. Plaintiff's reasonable and necessary attorneys' fees, for both the trial and appeal of this action, in a sum to be determined by the trier of fact;
5. Pre-judgment and post-judgment interest as provided by law;
6. Costs of Court;
7. Issue a temporary restraining order enjoining Defendants, as set forth above;
8. Such other and further relief, at law or in equity, to which Plaintiff may be justly entitled.

Respectfully submitted,

/s/ Frank Hill
Frank Hill 09632000
fhill@hillgilstrap.com
Adam Holden 24101922
aholden@hillgilstrap.com

HILL GILSTRAP, P.C.
1400 West Abram Street
Arlington, Texas 76013
(817) 261-2222
(817) 861-4685 (fax)

ATTORNEYS FOR PLAINTIFF

STATE OF TEXAS
COUNTY OF _____

§
§
VERIFICATION
§

BEFORE ME, the undersigned notary public, on this day personally appeared BRENT HAGENBUCH, who, being by me duly sworn, on his oath deposed and said that he has read the above and foregoing Plaintiff's Original Petition and Application for Temporary Restraining Order and Temporary Injunction and that the statements contained herein are within his personal knowledge and are true and correct.

Brent Hagenbuch

SUBSCRIBED AND SWORN TO before me on this _____ day of January 2022.

Notary Public in and for the
State of Texas

My Commission Expires:
