

# Re: 304 North Washington Street, Paige Yohn

Josh Maness <josh@joshmaness.com>

Fri 3/8/2024 10:22 AM

To: Casey Slone <caseysloneconstruction@gmail.com>;

Cc: Terrell Smith <Smith.Terrell@marshalltexas.net>; Scott Rectenwald <scott@westfannin.com>; Eric Powell <Powell.Eric@marshalltexas.net>;

You are permitted to install the boards immediately. Do not set foot on the property after that or we will take appropriate action.

Regards, jbm

Sent from my iPhone  
713-320-4140

On Mar 8, 2024, at 10:12 AM, Casey Slone <caseysloneconstruction@gmail.com> wrote:

Josh - I told your client yesterday that would be done after the threatening remarks. I have spoken with Mr. Smith and we agreed I would reinstall such. I will do that but without liability as this is still an "ongoing construction site". Also, your client expressed she owned from the door to the street and you both said we are not allowed on that portion of property. That said, please retract that statement please. If I receive this retracted statement, we will reinstall before the close of business today due to the current rain event. Thank you.

On Fri, Mar 8, 2024 at 9:41 AM Josh Maness <josh@joshmaness.com> wrote:

Mr. Smith:

Your contractor, Mr. Slone, has now removed the wallboards across the mud to the entrance to 304 N. Washington. We will be taking that up with the Court in due time. Nonetheless, this is not only a safety hazard but an impediment to business. We ask that the City remedy this immediately. This is clearly a danger, the City is on notice, and a liability you should strongly consider.

Sincerely, jbm

Sent from my iPhone  
713-320-4140

On Mar 7, 2024, at 4:08 PM, Josh Maness <josh@joshmaness.com> wrote:

Mr. Smith & Mr. Slone:

I represent Paige Yohn regarding damage sustained to the brick façade of her building that occurred during the City's recent sidewalk improvement project. It is my understanding that the City nor Mr. Slone will take any corrective action for damage to the footer and brick corner. Despite her best efforts to resolve it amicably, it appears it would be futile to continue that process.

To that end, we have retained a professional engineer and are in the process of obtaining a contractor to determine the extent of the damage. Please note that no City employee or Slone Construction employee or contractor is to set foot on any of the property of 304 N. Washington until we have finalized our inspections necessary for litigation. Additionally, both parties are demanded not to pour any concrete in front of 304 N. Washington until further notice from this office. If you do not intend on complying, let me know as soon as possible so that my client may attempt to obtain a Court order to restrain you.

We plan on filing suit against Slone Construction as soon as possible. We have reviewed the applicable Texas immunity provisions for municipalities and it appears the City would have immunity regardless of whether they directed the work of Slone. Its unfortunate and ironic that the City and Slone cannot find a reasonable solution to fix what they broke for a project intended to improve the downtown area, but that is where we are. Once suit is filed, we will circulate a courtesy copy.

Sincerely, jbm

A handwritten signature in black ink that reads "Josh B. Maness". Below the signature, the words "TRIAL LAWYER" are printed in a small, sans-serif font.

Josh B. Maness

Attorney at Law

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4/19/24, 9:50 AM

Mail - Powell.Eric@marshalltexas.net

Casey Slone

Casey Slone Construction LLC.

P.O. Box 1614

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