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Cause No. 23DCCV0514

JENNIFER ROGERS, INDIVIDUALLY, AND ON BEHALF OF MINOR S.R., AND AS REPRESENTATIVE OF THE ESTATE OF BRANDON ROGERS, DECEASED; TRACE ROGERS; ISABEL ROGERS; SHIANNE GALUSKA; LOTTIE "SUZAN" ODOM; ROGER ALEXANDER MOYA-VARELA; and ANGELINA GOODEN	§	**IN THE DISTRICT COURT OF**
Plaintiffs	§	
	§	
MARIO RUBIO; KARLYNE RUBIO, GRACIE RUBIO, EMILY USCANGA, AND ROSIE RUBIO; QUINTON ROBERSON; AND EDGAR ALMENDAREZ PALAFOX	§	
Intervenors	§	
	§	
vs.	§	**JEFFERSON COUNTY, TEXAS**
	§	
DMG CONSULTING & DEVELOPMENT INC., D/B/A GOLDCOAST LOGISTICS GROUP; GOLD COAST FINANCIAL, LLC; RYDER TRUCK RENTAL, INC.; ANHEUSER-BUSCH, LLC; BEYOND BEER; GOLDCOAST CARRIERS, INC.; LEANDRE SIME; and ARCHERHUB, LLC	§	
Defendants	§	**60TH JUDICIAL DISTRICT**

ORDER DENYING DEFENDANT ANHEUSER-BUSCH, LLC'S COMBINED MOTION FOR SUMMARY JUDGMENT

On this day the Court considered Defendant Anheuser-Busch, LLC's Combined Traditional and No-Evidence Motion for Summary Judgment, filed August 7, 2026; Plaintiffs Lottie "Suzan" Odom and Roger Alexander Moya-Varela's Objections and Response thereto; Plaintiffs' Opposed Motion to Strike Anheuser-Busch, LLC's and Archerhub, LLC's Summary Judgment Evidence, filed April 2, 2026; the summary-judgment evidence on file; and the

arguments of counsel. Having considered the same, the Court finds that the Motion is not well taken and should be DENIED.

I. PLAINTIFFS' OBJECTIONS TO ANHEUSER-BUSCH'S SUMMARY-JUDGMENT EVIDENCE

The Court rules on Plaintiffs' objections to Anheuser-Busch, LLC's summary-judgment evidence as follows:

1. Plaintiffs' objection that the challenged affidavit and corporate-representative testimony is conclusory — including the assertions that Anheuser-Busch was a "shipper," that Archerhub was a "broker," and that Anheuser-Busch was not "operating as a carrier" — is SUSTAINED. That testimony is stricken and will not be considered.

2. Plaintiffs' objections to the Affidavit of Derrick Schneble are SUSTAINED on each ground asserted: that it states legal conclusions reserved to the Court; that it offers expert opinion without the showing of competence required by Texas Rule of Civil Procedure 166a(j)(4); that its factual assertions are conclusory; and that it is the testimony of an interested witness that is neither free from contradiction nor readily controvertible. The affidavit is stricken and will not be considered.

3. Plaintiffs' objection to testimony offered to prove the contents and legal effect of the Transportation and Broker Agreement between Anheuser-Busch and Archerhub, which Anheuser-Busch has not produced, is SUSTAINED under Texas Rules of Evidence 1002 and 1004. That testimony is stricken and will not be considered.

4. Plaintiffs' objection to Anheuser-Busch's Exhibit K, the pleadings filed by Plaintiffs and Intervenors, is SUSTAINED. Pleadings are not competent summary-judgment evidence, and Exhibit K will not be considered as such.

5. Plaintiffs' Opposed Motion to Strike Anheuser-Busch, LLC's and Archerhub, LLC's Summary Judgment Evidence, filed April 2, 2026, is GRANTED as to the Anheuser-Busch summary-judgment evidence challenged therein.

II. ANHEUSER-BUSCH'S COMBINED MOTION FOR SUMMARY JUDGMENT

The Court finds that Anheuser-Busch, LLC has not established its entitlement to judgment as a matter of law on any ground asserted, and that Plaintiffs have produced more than a scintilla of probative evidence raising genuine issues of material fact on each challenged element.

IT IS THEREFORE ORDERED that Defendant Anheuser-Busch, LLC's Combined Traditional and No-Evidence Motion for Summary Judgment is DENIED in its entirety, as to each ground asserted and as to each of Plaintiffs' claims, including motor-carrier status, statutory employment, respondeat superior, the borrowed-servant doctrine, agency and apparent authority, joint enterprise, negligent selection and retention, negligent undertaking, negligent exercise of retained control, negligent entrustment, gross negligence, and proximate cause.

IT IS FURTHER ORDERED that all relief requested in the Motion and not expressly granted herein is DENIED.

SIGNED this 22 day of Sept., 2026.

JUDGE PRESIDING