

CAUSE NO. 219-01855-2015

ARCH RESORTS, LLC,  
*Plaintiff and Counter-Defendant,*

v.

THE CITY OF MCKINNEY, TEXAS,  
*Defendant, Counter-Plaintiff, and  
Third-Party Plaintiff,*

RICK HERZBERGER, Chief Building  
Official of the City of McKinney, Texas  
*Defendant,*

v.

COLLIN COUNTY, TEXAS,  
*Third-Party Defendant.*

IN THE 219TH

JUDICIAL DISTRICT COURT

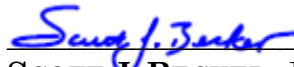
COLLIN COUNTY, TEXAS

### Rulings on Summary Judgments

1. On July 7, 2017 this Court heard arguments on several competing Motions for Summary Judgment in this matter. After reviewing all the materials provided by each party and considering the arguments the Court makes the following rulings:

Motion	Ruling
1.1. Motion for Summary Judgment of the City of McKinney and Rick Herzberger (June 19, 2017)	Denied
1.2. Collin County's Motion for Summary Judgment (June 19, 2017)	Granted
1.3. City of McKinney's Motion for Partial Summary Judgment on Platting (October 20, 2017)	Denied
1.4. Arch Resorts' Motion for Partial Summary Judgment on Vesting Issue (June 19, 2017)	Granted
1.5. Arch Resorts' Motion for Partial Summary Judgment on Permitting in the ETJ (June 19, 2017)	Granted
1.6. Arch Resorts' Motion for Partial Summary Judgment on Platting Issue (June 19, 2017)	Granted
1.7. Arch's Objections and Motion to Strike Summary Judgment Evidence (June 26, 2017)	Sustained

2. The prevailing party on each Motion shall prepare a formal written order reflecting these rulings; obtain the signatures of all other counsel evidencing their agreement as to form, then e-file the same to obtain the Court's signature. These orders shall be on file by not later than **August 4, 2017**.
3. In light of these rulings, if any of the parties feels it is necessary to conference as to the posture of the case, the remaining issues to be tried to a jury or the Court, and any other related issues; they may schedule such a conference with the Court Coordinator to be held in person or telephonically.



SCOTT J. BECKER, Judge Presiding

**Date:** July 7, 2017