AMERICAN GI FORUM OF THE UNITED STATES
A Veterans Family Organization Since 1948
"Education is our Freedom and Freedom Should Be Everybody's Business"
OFFICE OF THE NATIONAL COMMANDER
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AGIF-US National Commander
Albert Gonzales

Founder
Dr. Hector P. Garcia

Nov. 18, 2011

Dear Members of the National Board of the American GI Forum of the US,

I wish to give you a status update regarding Cause No: 2011 CI 00727 out of San Antonio, TX wherein the Dr. Hector P. Garcia American GI Forum of TX, Inc. (Plaintiffs) attempted to become recognized as a state organization. I apologize for the delay, but was waiting to determine if the Plaintiffs were going to appeal the judge's ruling. The deadline for appeal has passed and I feel more at liberty to discuss the litigation.

There have been many, I believe, misleading emails since the judgment as to what Judge Stryker stated and or found, but these are the facts. Judge Stryker found for the Defendants i.e. The American GI Forum of the United States and found against the Plaintiffs with the respect to the court having jurisdiction. I know many are going to say that the AGIF-US was not a defendant, but let me give this example; MALDEF sued the state of Texas over the redistricting boundaries but who was named as a defendant on behalf of Texas the governor and other state officials. I have attached a copy of the Judge's Order for your review. What AGIF argued and which Judge Stryker agreed is the Court has no jurisdiction involving itself in the membership matters of the AGIF. In essence, she agreed that she could not force AGIF to accept the Plaintiffs as members under a different state organization. The Plaintiffs argument of being able to be recognized as a viable state organization is **moot**. Additionally the Court maintained the Plaintiffs had not exhausted internal remedies available to them regarding this issue when they were members.

Some emails forwarded by Mr. Vallecillo have mentioned that I was intentionally denying the processing of internal complaints. No such testimony was given at trial. The only testimony at trial was that Mr. Vallecillo and at no point did Judge Stryker tell Mr. Vallecillo he should file a complaint against me, but rather asked while he was a member if he had. Judge Stryker at no time instructed Mr. Vallecillo to file complaints against me and to file a civil lawsuit once the internal process was exhausted. I believe it would have been improper for the Judge to give such legal advice from the bench. Moreover, there was never a finding that I committed any misconduct as Mr. Vallecillos's emails imply.

So the current status is as follows; the Plaintiffs had an opportunity to have this matter appealed and have the Court determine if the Courts had a right to involve itself in the AGIF's matters. The Plaintiffs chose not to. Meaning, that the current status is what the AGIF has always maintained, **one state organization for each state**. At our March 2011 Mid-year conference you the National Board by majority, voted to recognize only the American GI Forum of Texas, Inc. This vote was confirmed by the National Conference when they voted to accept the minutes of the Mid-year conference.

The Plaintiffs of their own free will left the AGIF-TX, Inc. and tried to force the Court to force AGIF-US to recognize them as a second state organization, which the Court would not do. This means that the Plaintiffs are not members of the AGIF-TX, Inc. or the AGIF-US. The Executive Board by unanimous vote decided to follow the advice of counsel to return the Plaintiffs their charter renewals and dues that the Court forced AGIF to accept during a temporary restraining order that was **dissolved** by Judge Stryker. This means that

the Plaintiffs are not recognized as a state organization and its members have no rights or privileges afforded to them.

I know some of the Plaintiffs members did in fact remove themselves from the Plaintiffs group and have already have joined the AGIF-TX, Inc. and are recognized members of the AGIF-US. This is what I recommend to all the members of the Plaintiffs group to do so they can become valued and productive members of the AGIF-US with all rights afforded to them. Several of the Plaintiff's members have filed complaints against me and the AGIF, I believe in attempt to prepare for another lawsuit. In response, the internal complaint process is only for dues paying members of the AGIF-US. Therefore only complaints filed by such members will be brought forth to the National Board for consideration.

Sincerely,

Albert Gonzales, National Commander
American GI Forum of the US

Cc: National Office

2011CI00727 -0073

CAUSE NO. 2011-CI-00727

DR. HECTOR P GARCIA AMERICAN GI FORUM (AGIF) ORGANIZATION OF TEXAS INC., DR. CUITLAHUAC P. GARCIA AGIF CHAPTER; DR CUITLAHUAC P GARCIA AGIF WOMENS CHAPTER; EDDIE LUCIO AGIF CHAPTER; JESUS "CHUY" HINOJOSA AGIF CHAPTER; SAN MARCOS WOMENS'S AGIF CHAPTER; LIC RUDY RAMOS CIVIL RIGHTS CHAPTER OF THE AGIF; BENITO PEREZ AGIF CHAPTER; GEROMINO FLORES CIVIL RIGHTS AGIF CHAPTER; DR XICO P. GARCIA AGIF CHAPTER; FRANK GARCIA AGIF CHAPTER; DR. CLEOTILDE GARCIA AGIF CHAPTER; KARNES COUNTY AGIF CHAPTER; KARNES COUNTY WOMEN'S AGIF CHAPTER; ROCKPORT MENS'S AGIF FORUM CHAPTER; ROCKPORT WOMEN AGIF CHAPTER *Plaintiffs* v. THE AMERICAN GI FORUM OF THE UNITED STATES NATIONAL COMMANDER, ALBERT GONZALEZ; AND THE AMERICAN GI FORUM OF THE UNITED STATES EXECUTIVE BOARD *Defendants*	§	IN THE DISTRICT COURT 73RD JUDICIAL DISTRICT BEXAR COUNTY, TEXAS

DISTRICT COURT BEXAR COUNTY, TX

FILED IN THE DISTRICT COURT 08/15/2011 3:15:00 PM

FINAL JUDGMENT

On August 15, 2011, the above styled and referenced case was called for trial. Plaintiffs, DR. HECTOR P GARCIA AMERICAN GI FORUM (AGIF) ORGANIZATION OF TEXAS

INC., DR. CUITLAHUAC P. GARCIA AGIF CHAPTER; DR CUITLAHUAC P GARCIA AGIF WOMENS CHAPTER; EDDIE LUCIO AGIF CHAPTER; JESUS "CHUY" HINOJOSA AGIF CHAPTER; SAN MARCOS WOMENS'S AGIF CHAPTER; LIC RUDY RAMOS CIVIL RIGHTS CHAPTER OF THE AGIF; BENITO PEREZ AGIF CHAPTER; GEROMINO FLORES CIVIL RIGHTS AGIF CHAPTER; DR XICO P. GARCIA AGIF CHAPTER; FRANK GARCIA AGIF CHAPTER; DR. CLEOTILDE GARCIA AGIF CHAPTER; KARNES COUNTY AGIF CHAPTER; KARNES COUNTY WOMEN'S AGIF CHAPTER; ROCKPORT MENS'S AGIF FORUM CHAPTER; ROCKPORT WOMEN AGIF CHAPTER, appeared in person through their representatives Peter Vallecillo and through their attorney Arthur Vega and announced ready for trial. Defendants, THE AMERICAN GI FORUM OF THE UNITED STATES NATIONAL COMMANDER, ALBERT GONZALES; AND THE AMERICAN GI FORUM OF THE UNITED STATES EXECUTIVE BOARD, appeared in person and through their representative Albert Gonzales and through their attorney Ricardo Rodriguez announced ready for trial.

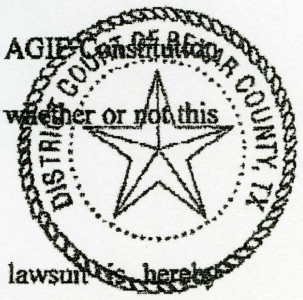
On August 16, 2011, The Honorable Judge Cathleen M. Stryker of the 224th District Court after having considered the testimony of Peter Vallecillo, exhibits admitted in evidence, pleadings on file and arguments of counsel announced her decision for Defendants and against Plaintiffs with respect to the court's lack of jurisdiction under the Uniform Declaratory Judgment Act in that a declaratory judgment will not finally resolve the dispute whether or not Plaintiffs' Chapter needs to become a member of Defendants' organization .

The Court declined to exercise jurisdiction over this private non-profit organization's internal dispute, as is the policy of the State of Texas. Additionally, the Court maintained that, the Plaintiffs have not exhausted the internal administrative remedies with regard to this

DISTRICT COURT KARNES COUNTY, TX

FILED 2011 SEP 13 P 1:54

particular issue in that a declaratory judgment will not finally resolve this dispute. Moreover, The Court declared that even if it issued an opinion as to whether or not the AGIF Constitution allows a second organization, such opinion does not resolve the dispute as to whether or not this Chapter needs to become a member.



IT IS THEREFORE ORDERED by the Court that Plaintiffs' lawsuit is hereby dismissed with prejudice and it is further ORDERED that each party is responsible for their own fees and costs associated with this matter.

IT IS FURTHER ORDERED that the Temporary Injunction Order signed on or about February 18, 2011 is hereby dissolved therefore null and void and has no legal effect;

IT IS FURTHER ORDERED that the bond Plaintiffs' posted is hereby released back to Plaintiffs.

This judgment is final and disposes of all claims and all parties, and is appealable.

The court orders execution to issue for this judgment.

SIGNED on this the _____ day of September, 2011.

SEP 15 2011

CATHLEEN M. STRYKER, Judge
224th Judicial District Court

USDC TXWD 5:11-CV-00744-OLG Document 1-3 Filed 09/23/11 Page 3 of 5

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DISTRICT COURT OF BEXAR COUNTY TX

FILED IN MY OFFICE ON 07/07/2011

CERTIFIED COPY CERTIFICATE STATE OF TEXAS
I, DONNA KAY McKINNEY, BEXAR COUNTY DISTRICT CLERK, CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS INDICATED BY THE VOLUME, PAGE AND COURT ON SAID DOCUMENT. WITNESSED MY OFFICIAL HAND AND SEAL OF OFFICE ON THIS:

October 28, 2011

DONNA KAY McKINNEY
BEXAR COUNTY, TEXAS

By: _____
GRACIELA V ROCHA, Deputy District Clerk
(NOT VALID WITHOUT THE CLERK'S ORIGINAL SIGNATURE)

DISTRICT COURT OF BEXAR COUNTY, TX