

CAUSE NO. 017-330567-21

**TEXANS FOR VACCINE CHOICE**

**Plaintiff,**

**v.**

**MATT LANGSTON, JACKIE  
SCHLEGEL, ENGAGERIGHT, LLC, and  
TEXANS FOR VACCINE FREEDOM**

**Defendant.**

**IN THE DISTRICT COURT OF**

**TARRANT COUNTY, TEXAS**

**\_\_\_\_ JUDICIAL DISTRICT**

**PLAINTIFF'S ORIGINAL PETITION,  
APPLICATION FOR TEMPORARY RESTRAINING ORDER,  
TEMPORARY INJUNCTION, AND  
PERMANENT INJUNCTION**

Plaintiff, Texans for Vaccine Choice, files against these Defendants in their various capacities, individually and in combination, seeking, *inter alia*, the cessation of emails and digital communications on behalf of Texans for Vaccine Choice and return of digital assets belonging to Texans for Vaccine Choice.

**JURISDICTION AND VENUE**

1. The damages sought in this suit are within the jurisdictional limits of the Court. As required by Rule 47, Texas Rules of Civil Procedure, Plaintiff states that Plaintiff seeks monetary relief of \$250,000 or less and non-monetary relief. This Court has personal jurisdiction over each Defendant as each is a resident of Texas or has its principal place of business in Texas.

2. Venue is proper in Tarrant County pursuant to Tex. Civ. Prac. & Rem. Code §15.002(a) as it is the county of one of the Defendant's residences.

## **PARTIES**

3. This Petition is filed by Texans for Vaccine Choice, Plaintiff, a non-profit corporation organized in Texas as a 501(c)4 social welfare organization.

4. Defendant, Matt Langston, is an individual who may be served with process at his residence at 1400 McKinney St., Unit 1501, Houston, Texas 77010, or wherever he may be found.

5. Defendant, EngageRight, LLC, is a limited liability company. It can be served with process by serving United States Corporation Agents, Inc., its registered agent, by certified mail, return receipt requested at 9900 Spectrum Dr., Austin, Texas 78717.

6. Defendant, Texans for Vaccine Freedom, is a nonprofit corporation organized under the laws of the State of Texas and is recognized as a 501(c)3 tax-exempt organization under the Internal Revenue Code. It can be served with process by serving its registered agent, Jackie Schlegel, at 1321 W Randol Mill Rd., Suite 2006, Arlington, TX 76012.

7. Defendant, Jackie Schlegel, is an individual who may be served with process at her business address of 1321 W Randol Mill Road, Suite 2006, Arlington, TX 76012, or wherever she may be found.

## **FACTS**

8. This dispute involves the Plaintiff non-profit organization, its former executive director, and a third-party consultant for the organization who was appropriately requested by the board to halt their work for the non-profit. The third-party consultant is Defendant EngageRight, LLC acting by and through its agent and co-defendant Matt Langston. Based on information and belief, he is acting in concert with Jackie Schlegel and Texans for Vaccine *Freedom*, a different

non-profit operating with a different board than Texans for Vaccine *Choice* – the Plaintiff (hereinafter “TFVC”).

9. Previously, Defendants EngageRight and Langston had been engaged with TFVC as a communications consultant. Defendants had been retained by TFVC's then-executive director, Defendant Jackie Schlegel. On TFVC's behalf, Defendant controlled the actions of a third-party vendor, Critical Mass Media, regarding TFVC.

10. TFVC staff reported to the TFVC board concerns regarding Defendants' behavior, authority, and the direction the Defendant was taking the organization as it seemed to be against its mission. Such concerns were shared by a majority of the TFVC board. The TFVC board scheduled a meeting for the afternoon of November 19, 2021 with the acting TFVC executive director, Jackie Schlegel. Ms. Schlegel was also a member of the TFVC board.

11. On the evening of November 18, 2021, TFVC's executive director, with the agreement and encouragement of some combination of the Defendants, initiated a transfer of \$116,000 from the TFVC bank account to an entity controlled by the executive director but which was outside the control of the TFVC board. This was done without the necessary board approval.

12. After the executive director contacted staff for the bank credentials and once the staff realized the amount of money being transferred, the staff alerted the TFVC board of the pending transfer. The TFVC board instructed the staff to call the bank and halt the transfer. The TFVC board then held an emergency meeting, whereby they removed the executive director from employment at TFVC and removed her from the board of directors.

13. On November 19, 2021, the Board of Directors notified Defendants EngageRight and Langston that their services for Texans for Vaccine Choice were terminated. (*Exhibit 1, email*

from R. Hardy to Defendant). TFVC demanded Defendants EngageRight and Langston return any digital assets belonging to TFVC. That same day, TFVC counsel notified Critical Mass Media that no emails or communications on behalf of TFVC were to be sent out until further notice from the board. (*Exhibit 2, email from E. Cook*).

14. In spite of the demand to halt all communications on behalf of TFVC, on the evening of November 23, an email went out under the name of Defendant Schlegel as executive director and under the banner of TFVC. (*Exhibit 3*). This, in spite of the fact that she had been terminated as executive director a few days earlier.

15. TFVC's Facebook page is currently under the control of some combination of the Defendants, who have refused to return access to the site to TFVC. And now, some combination of the Defendants have taken over the TFVC app by resetting passwords. That access has been regained, but it reflects the actions taken by some combination of the Defendants to interfere with the mission of the Plaintiff.

16. On the morning of November 24, TFVC's counsel reached out to Critical Mass Media to reiterate the hold and inquire how the email had been sent out. Critical Mass Media responded the incident might have been an automated email when someone signs up to become a member or receive updates, but that he would check further. (*Exhibit 4, email from A. Rennaker*). Critical Mass Media inquired of Defendants EngageRight and Langston if those Defendants had any knowledge of how the email had happened and to advise on next steps. Those Defendants responded *via* email, "...Ignore Emily [counsel for TFVC]. Leave everything the same. I also want a Thanksgiving post from Jackie as ED." (*Exhibit 4, email from M. Langston*). Defendants EngageRight and Langston emailed, apparently on accident, the former executive director's

business email, which was under the control of TFVC. So, it was clear some combination of the Defendants had gone rogue and the matter was spiraling out of control.

17. In response, TFVC sent a cease-and-desist letter to Defendants EngageRight and Langston and Schlegel, threatening legal action if he continued to use TFVC assets, email lists, and fraudulently misrepresenting TFVC. (*Exhibit 5*). TFVC's counsel reminded those Defendants that their services and/or positions had been terminated and he had no authority to act on TFVC's behalf, let alone use TFVC's name or assets.

18. The Defendants EngageRight and Langston's services were terminated on November 19, 2021. Ms. Schlegel's employment as executive director was terminated on November 18, 2021. Yet, those Defendants continues to send unauthorized communications to TFVC's members, misrepresent Defendant Schlegel as the current executive director and unlawfully utilize TFVC's trademark. Despite warnings, Defendants' actions prove that they have no intention of stopping this behavior.

19. Plaintiff has been publicly using and actively promoting the word mark "TEXANS FOR VACCINE CHOICE" in connection with its efforts since at least March of 2015.

20. Plaintiff has been using and actively promoting the "TEXANS FOR VACCINE CHOICE" logo in connection with its efforts since at least March of 2015.

21. Plaintiff has spent sizeable sums to promote the "TEXANS FOR VACCINE CHOICE" word mark and "TEXANS FOR VACCINE CHOICE" logo, including substantial expenditures at the 2016 and 2018 conventions of the Republican and Democrat party conventions, sponsorship of the Texas Home School Coalition over several years, Facebook advertising campaigns and other promotional endeavors.

## CAUSES OF ACTION

### **INFRINGEMENT OF PLAINTIFF'S TRADEMARK: "TEXANS FOR VACCINE CHOICE"**

22. The word mark "TEXANS FOR VACCINE CHOICE" is a valid, protectable trademark.

23. Plaintiff owns the word mark "TEXANS FOR VACCINE CHOICE" and uses it as a trademark to identify its services.

24. Defendants have been using, and if not enjoined by this Court, will continue to use, Plaintiff's word mark "TEXANS FOR VACCINE CHOICE" without the consent of the Plaintiff in a manner that is likely to cause confusion among ordinary consumers as to the source, sponsorship, affiliation, or approval of the services.

25. Defendants' use of Plaintiff's word mark "TEXANS FOR VACCINE CHOICE" without consent of the Plaintiff in a manner likely to cause confusion constitutes common law trademark infringement by Defendant.

26. Plaintiff has suffered damages owing to the unauthorized use by Defendant of its word mark "TEXANS FOR VACCINE CHOICE".

### **INFRINGEMENT OF PLAINTIFF'S "TEXANS FOR VACCINE CHOICE" LOGO**

27. The "TEXANS FOR VACCINE CHOICE" logo is a valid, protectable trademark.

28. Plaintiff owns the "TEXANS FOR VACCINE CHOICE" logo and uses it as a trademark to identify its services.

29. Defendants have been using, and if not enjoined by this Court, will continue to use, Plaintiff's "TEXANS FOR VACCINE CHOICE" logo without the consent of the Plaintiff in a

manner that is likely to cause confusion among ordinary consumers as to the source, sponsorship, affiliation, or approval of the services.

30. Defendants' use of Plaintiff's "TEXANS FOR VACCINE CHOICE" logo without consent of the Plaintiff in a manner likely to cause confusion constitutes common law trademark infringement by Defendants.

31. Plaintiff has suffered damages owing to the unauthorized use by Defendants of its "TEXANS FOR VACCINE CHOICE" logo.

#### **MISAPPROPRIATION OF TRADE SECRETS**

32. Defendants have been communicating with the public and representing some combination of themselves to the public as "TEXANS FOR VACCINE CHOICE."

33. Defendants have been communicating using proprietary mailing lists acquired from Plaintiff.

34. Plaintiff's proprietary mailing lists constitute compilations of information which are used in Plaintiff's business.

35. Plaintiff's proprietary mailing lists confer advantages to Plaintiff.

36. Defendants acquired Plaintiff's proprietary mailing lists in the context of a confidential relationship.

37. Defendants have been using Plaintiff's proprietary mailing lists for its own purposes against the will and express instructions of Plaintiff.

38. Defendants continued use of Plaintiff's proprietary mailing lists for its own purposes after being informed by Plaintiff that such usage is unauthorized constitutes a breach of the confidential relationship.

39. Plaintiff has suffered damages owing to the misuse of its proprietary mailing lists by Defendants.

#### **COMMON LAW MISAPPROPRIATION**

40. Plaintiff has created its proprietary mailing lists through the investment of extensive time, labor, skill and money.

41. Defendants have been free-riding off the Plaintiff's investment in Plaintiff's proprietary mailing lists by using the lists to engage in direct competition with Plaintiff.

42. Plaintiff has suffered commercial damage as a result of Defendants' use of Plaintiff's proprietary mailing lists.

#### **UNLAWFUL INTERFERENCE WITH PROSPECTIVE BUSINESS RELATIONS**

43. Defendants have interfered with existing and prospective business relations and continuing actions will cause irreparable damage to the Plaintiff. It is impossible to move forward with the purpose of the Plaintiff's organization when third parties no longer employed by or contracting with the organization continue to blast communications using the organizations platform, logo, name, and mission. The confusion caused by this will injure the integrity of the organization and most likely cause it to lose credibility and donors. In short, such actions on the part of the Defendants will likely lead to a collapse of the organization and its mission.

#### **APPLICATION FOR TEMPORARY RESTRAINING ORDER**

44. Plaintiff asks the Court for specific injunctive relief of preventing Defendants from issuing communications in the name of Texans for Vaccine Choice, or in the name of Jackie



Schlegel *as executive director of Texans for Vaccine Choice*, to cease emailing members of Texans for Vaccine Choice using email lists belonging to Texans for Vaccine Choice, to halt the use of and control of the TFVC app, not attempt to access any bank account or other funding, and to halt any other use, duplication, or modifications of any data used or compiled by TFVC.

45. Plaintiff is likely to recover from Defendants after a trial on the merits because Defendants' services were indisputably terminated, yet they continue to wrongfully and illegally interfere in the business relations of Texans for Vaccine Choice, using the organization's logo, email list and other assets. It is indisputable that Defendants' relationship with the Plaintiff was rightfully terminated and any further action, which is public and easily proven, is clearly damaging. Recovery is all but guaranteed and the only issue will be the amount of damages.

46. If this Court does not grant this request to restrain the Defendants, the Plaintiff will suffer imminent and irreparable harm in that Defendant is utilizing member lists belonging to TFVC to engage in fundraising efforts for other entities, and will likely continue speaking on TFVC's behalf, which he lacks authorization to do. Or the Defendants will simply attempt to use the email lists and donor data for the use and benefit of Texans for Vaccine Freedom, an entity that has no right to such data. Plaintiff has no physical control over Defendants' communications or the content thereof, as they refuse to disable the digital platforms associated with TFVC's previous account and continues to use and speak under TFVC's banner through a name of a terminated employee. All of this will ultimately lead to the certain demise of the organization and its mission.

47. Plaintiff has no adequate remedy at law because allowing such conduct unchecked to continue while Plaintiff conducts discovery and proceeds to trial on the underlying causes of

action will cause irreparable harm. The conduct must be halted immediately before more damage is done and cannot be undone.

48. There is insufficient time to serve notice on Defendants and to hold a hearing on this petition and application because Defendant has been notified twice within the last week with cease-and-desist letters from TFVC's counsel. Nonetheless, the Defendants continue to wrongfully and illegally use Plaintiffs intellectual property and assets.

49. Based on the above, the Plaintiff requests this Honorable Court to order the following:

- a. Defendants, MATT LANGSTON, JACKIE SCHLEGEL, ENGAGERIGHT, LLC and TEXANS FOR VACCINE FREEDOM, individually and in any combination, cease all communications in the name of Texans for Vaccine Choice and reference to Jackie Schlegel as Executive Director of Texans for Vaccine Choice;
- b. Defendants, MATT LANGSTON, JACKIE SCHLEGEL, ENGAGERIGHT, LLC and TEXANS FOR VACCINE FREEDOM, individually and in any combination, not use, access, modify, change, alter, share, disseminate, or copy the email list or any data owned by Texans for Vaccine Choice for any reason;
- c. Defendants, MATT LANGSTON, JACKIE SCHLEGEL, ENGAGERIGHT, LLC and TEXANS FOR VACCINE FREEDOM, individually and in any combination, return all digital and tangible property of the Plaintiffs including all data;

- d. Defendants, MATT LANGSTON, JACKIE SCHLEGEL, ENGAGERIGHT, LLC and TEXANS FOR VACCINE FREEDOM, individually and in any combination, not disclose any data or digital information to any other person or entity;
- e. Defendants, MATT LANGSTON, JACKIE SCHLEGEL, ENGAGERIGHT, LLC and TEXANS FOR VACCINE FREEDOM, individually and in any combination, restore the passwords in effect for all social media accounts of Texans for Vaccine Choice in which the Defendants access or otherwise changed login credentials. If restoration of the prior passwords is not possible, then change the passwords and inform Plaintiff of those passwords and any other login credentials necessary to regain the status quo on those social media accounts;
- f. Defendants, MATT LANGSTON, JACKIE SCHLEGEL, ENGAGERIGHT, LLC and TEXANS FOR VACCINE FREEDOM, individually and in any combination, not access or attempt to access any bank account or funds in any account controlled by Texans for Vaccine Choice and/or its board;
- g. Defendants, MATT LANGSTON, JACKIE SCHLEGEL, ENGAGERIGHT, LLC and TEXANS FOR VACCINE FREEDOM, individually and in any combination, not contact in any way any donor or volunteer associated with Texans for Vaccine Choice.

## **BOND**

50. Plaintiff is willing to post a reasonable bond for the temporary restraining order and requests the Court to set the reasonable bond.

## **REQUEST FOR TEMPORARY INJUNCTION**

51. Plaintiff asks the Court to set this application for temporary injunction for hearing and to issue a temporary injunction against Defendants after hearing.

## **REQUEST FOR PERMANENT INJUNCTION**

52. Plaintiff asks the Court to set this request for permanent injunction for a full trial on the merits and to issue a permanent injunction against Defendants after the trial.

## **CONDITIONS PRECEDENT**

53. Plaintiff confirms that all conditions precedent to Plaintiff's claim for relief have been performed or have occurred.

## **DISCOVERY CONTROL PLAN**

54. Under Texas Rule of Civil Procedure 190.3, Plaintiff plans to conduct discovery under Level 2 and affirmatively pleads this suit is not governed by the expedited actions process Rule 169 of the Texas Rules of Civil Procedure because Plaintiff seeks injunctive relief.

**PRAYER**

Plaintiff prays that the Court will cite Defendants to appear and answer and that Plaintiff be awarded a judgment against Defendants, on final trial, including actual damages, consequential damages, injunctive relief as set out above, attorney's fees, pre-judgment interest, and costs. Plaintiff further prays that the Court will grant all other relief to which Plaintiff is entitled both in equity and law.

Respectfully submitted,

/s/ J. Christopher Diamond

J. Christopher Diamond  
Texas State Bar No. 00792459  
Jillian L. Schumacher  
Texas State Bar No. 24090375  
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6363 Woodway Dr., Suite 700  
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COUNSEL FOR  
TEXANS FOR VACCINE CHOICE

CAUSE NO. \_\_\_\_\_

**TEXANS FOR VACCINE CHOICE**

**Plaintiff,**

v.

**MATT LANGSTON, JACKIE  
SCHLEGEL, ENGAGERIGHT, LLC, and  
TEXANS FOR VACCINE FREEDOM**

**Defendant.**

**IN THE DISTRICT COURT OF**

**TARRANT COUNTY, TEXAS**

\_\_\_\_ **JUDICIAL DISTRICT**

**DECLARATION OF CHRISTINE WELBORN**

I, Christine Welborn, hereby declare:

1. I am over 18 years of age, of sound mind, and in all ways capable of making this Affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct. I am a board member of Texans for Vaccine Choice, and the following affidavit is based on personal knowledge I gained performing my board functions.
2. On November 18, 2021, at or near close of business, the office for Texans for Vaccine Choice received notice of an attempted wire transfer from its account to an account not under the control of Texans for Vaccine Choice. The amount of that attempted transfer was \$116,000. That attempted transfer was reported to the board, and it was stopped.
3. After the interception of the attempted transfer, the board of Texans for Vaccine Choice had an emergency meeting and terminated the executive director, Jackie Schlegel. She was given notice of her termination the following morning.
4. The following day, November 19, 2021, the relationship with EngageRight, LLC and Matt Langston was also terminated.
5. On November 23, 2021, an email was sent out in the name of Texans for Vaccine Choice under the name of Jackie Schlegel listing her as executive director, although her position had been terminated 4 days prior. These communications in the past were controlled by EngageRight, LLC and Matt Langston.
6. Texans for Vaccine Choice has lost control of its Facebook page and of its smartphone app.

7. Aside from the facts set out above, the facts set out in the Plaintiff's Original Petition, Application for Temporary Restraining Order, Request for Temporary Injunction and Permanent Injunction are true and correct to the best of my knowledge. The documents attached as exhibits are business records and communications of Texans for Vaccine Choice and are true and correct copies kept in the ordinary course of business.
8. I declare under penalty of perjury that the foregoing is true and correct.

FURTHER DECLARANT SAYETH NOT

  
\_\_\_\_\_  
CHRISTINE WELBORN

# Exhibit 1



## Contract Termination

Rebecca Hardy <rebecca.hardy@omegacreations.com>

Fri 11/19/2021 4:31 PM

To: mlangston@engageright.com <mlangston@engageright.com>

Cc: christinewelborn@reagan.com <Christinewelborn@reagan.com>; emily@emilycooklaw.com <emily@emilycooklaw.com>

Matt-

The board of Texans for Vaccine Choice has decided to terminate your work with TFVC. Please send us a copy of the contract/Letter of Engagement that you executed with TFVC so we can know what obligations we have to you under the contract, if any.

Please return all access passwords and logins attributable to TFVC and any other assets belonging to TFVC.

Sincerely,  
The 501c4 Board  
Rebecca Hardy  
Christine Welborn

# Exhibit 2

## Texans for Vaccine Choice

Emily Cook <emily@emilycooklaw.com>

Fri 11/19/2021 11:47 AM

To: aaron@criticalmass.media <aaron@criticalmass.media>

Cc: Rebecca Hardy <rebecca.hardy@omegacreations.com>; christinewellborn@reagan.com <christinewellborn@reagan.com>

Aaron,

I have been retained to represent Texans for Vaccine Choice. The current Board of Directors has directed that no emails on behalf of Texans for Vaccine Choice be sent out until further notice.

My cell is 281-622-7268 if you have immediate questions.

Thank you,

**Emily Cook**

THE LAW OFFICE OF EMILY COOK  
1203 Trinity St Liberty, TX 77575  
PO Box 367 Liberty, TX 77575  
Telephone: 281-622-7268

# Exhibit 3

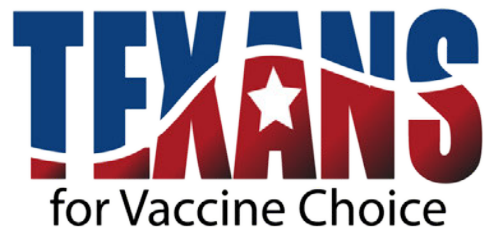
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## COVID-19 vaccine rollout

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Jackie Schlegel, Executive Director <info@texansforvaccinechoice.com>

Tue, Nov 23, 2021 at 9:27 PM



2021 will be remembered as the year the COVID-19 vaccine was rolled out to the public. One of the most common questions has been, ***"the COVID-19 vaccination rollout seemed rushed. Are we sure it's safe?"***

According to the History of Vaccines, an award-winning informational, educational website created by [The College of Physicians of Philadelphia](#), ***"vaccine development is a long, complex process, often lasting 10-15 years"***.

***Ten to fifteen years!***

The COVID-19 vaccine was developed, tested, and released within the span of just a few short months with NO established safety record.

**This means YOU are the test subject for the vaccine.**

The clinical trials involve thousands to tens of thousands of people who will be observed for the elicitation of the desired immune response.

*'I think that these vaccines will be safe in the sense that they won't cause a serious or permanent adverse event when tested in 10,000, 15,000, 20,000 people'... 'HOPEFULLY, that will also be true in post-approval when it's tested and seen in 20 million, 30 million people.'*

- Dr. Paul A. Offit with the Children's Hospital of Philadelphia.

Folks, "post-approval" testing means you and me!

**Are we going to let the State force this unproven vaccine on us, our children, our families, and our friends?**

***No! We refuse to be guinea pigs and lab rats of the giant manufacturing companies.***

At Texans for Vaccine Choice, we are focused on advocating for all Texans' right to forego this untested vaccine by fighting against medical discrimination by public and private entities towards those whose vaccination choices don't mirror the CDC's recommendations. Through community outreach and education, we hold these entities accountable for accurately representing vaccine laws and exemption rights.

**WE ARE A COUNTRY OF FREE PEOPLE! It is time to stand for our rights!**

The State does not own our children! In Texas, PARENTS CALL THE SHOT!

This is the message we need our community and elected officials to hear. Now is the time to unite as Texans and protect the vaccine choice in our great state.

Help spread the word, [share this petition](#) with your friends and family now!

You can also help us reach more Texans with this message by making a financial contribution. [Here's the link to learn more and make a donation.](#)

Thanks for all you do.

With Love and Gratitude,

Jackie Schlegel  
Executive Director  
Texans for Vaccine Choice

CONTRIBUTE



[www.texansforvaccinechoice.com](http://www.texansforvaccinechoice.com)

# Exhibit 4



Jackie Schlegel <jackie@texansforvaccinechoice.com>

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**Re: TFVC email**

1 message

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**Matt Langston** <mlangston@engageright.com>

Wed, Nov 24, 2021 at 8:28 AM

To: Aaron Rennaker <aaron@criticalmass.media>

Cc: Jackie Schlegel <jackie@texansforvaccinechoice.com>, Jacqueline Wronko <jwronko@engageright.com>

Don't respond and ignore Emily. Leave everything exactly the same. Let's jump on the phone later to discuss and update.

I want a short thanksgiving message from Jackie as the ED as well as a Facebook post.

On Nov 24, 2021, at 8:21 AM, Aaron Rennaker <aaron@criticalmass.media> wrote:

Do you guys know about an email going out from Jackie? I didn't send anything. Oh you know what, there are automations active on petitions. Should I turn those off?

Do I need to just rename the ActiveCampaign account to TFVF at YT his point or hold?

Sent from my iPhone

Begin forwarded message:

**From:** Emily Cook <[emily@emilycooklaw.com](mailto:emily@emilycooklaw.com)>

**Date:** November 24, 2021 at 7:16:28 AM MST

**To:** aaron@criticalmass.media

**Cc:** Rebecca Hardy <[rebecca.hardy@omegacreations.com](mailto:rebecca.hardy@omegacreations.com)>, [christinewelborn@reagan.com](mailto:christinewelborn@reagan.com)

**Subject:** TFVC email

Good morning, Aaron.

I hope you are having a nice Thanksgiving week. Last night, an email went out on behalf of Texans for Vaccine Choice and "from" Jackie as exec. dir. Per my email on Friday, the board directed no emails be sent from TFVC at this time. No emails from that entity are authorized until further notice. We would appreciate you letting us know how the email last night happened. Please let me know if you have any questions.

Thank you,

**Emily Cook**

THE LAW OFFICE OF EMILY COOK

[1203 Trinity St Liberty, TX 77575](#)

PO Box 367 Liberty, TX 77575

Telephone: 281-622-7268



# Exhibit 5

**EMILY COOK**  
ATTORNEY AT LAW

To: Matt Langston, Engage Right  
From: Texans for Vaccine Choice  
Re: Texans for Vaccine Choice and Texans for Vaccine Freedom  
Date: November 24, 2021

Matt:

You are prohibited from using the name Texans for Vaccine Choice, email list, platform or any other digital assets related to Texans for Vaccine Choice. The Board of Texans for Vaccine Choice have terminated your vendor contract, an action you were notified of on Friday, November 19, 2021.

You simply cannot ignore the fact you are no longer authorized to render services for TFVC. Any use of TFVC's name, logo or other digital assets is an infringement of TFVC's intellectual property and trademark rights at best, and at worst, theft.

Additionally on Friday, November 19, TFVC, Jackie and Joel all acknowledged and understood TFVC's intention to cease external activities until Monday, November 29, except for one possible Thanksgiving post. Regardless, Engage Right would not be the person to make such a post as *your services were terminated*.

You also are aware that Jackie is no longer the executive director for Texans for Vaccine Choice. Not only do you have zero authority to send out or approve communications under the TFVC banner, you are fraudulently misrepresenting the voice of TFVC.

Based on the recent email sent to Critical Mass Media, you are clearly intending to continue violating my client's rights. Due to your actions earlier this morning, an outside law firm has been retained and should you continue with your plan, *a civil lawsuit will be filed against you and Engage Right*.

On a practical note, your actions are negatively impacting the ultimate resolution regarding Jackie. Your actions are harming her and all entities involved and are inexcusable. If legal ramifications are not enough of a deterrent for your willful misconduct, then maybe a realization of the harm you are doing to Jackie is sufficient.

- Emily Cook