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October 23, 2021

NOTICE: To the Heirs of Spanish & Mexican Land Grants
RE: “The Voice of Change Network.”

Texas Spanish land grant heirs abandoned by their lawyers go public.

Thousands of land grant heirs seeking justice for mineral rights over the last 15 years have been abandoned once again, this time by both attorneys who were fighting for them. They say they have been robbed of oil & gas mineral royalties. A story you could have heard on several news networks in Texas. The Spanish and Mexican land grant heirs are used to theft, murder, oppression, and injustice.

Greg Groogan a Fox news reporter for Fox News Houston was one of the first to report on this and actually won an award for his story. He followed their cause for several years and reported updates. In his last report, he interviewed the descendants of original land grants in Texas main attorney from Corpus Christi, Eileen Fowler regarding the passage of a Texas house bill that was supposed to help them.

The heirs are among thousands of descendants of Spanish and Mexican land grantees who believe that, over the centuries, their families have been unfairly denied the mineral royalties from properties across South Texas.

Despite such optimism, there are formidable practical and political hurdles ahead.

The descendants will have to prove their claims to the royalties, a point in dispute among experts. Beyond that, new legislation might be necessary to resolve the issue. Lawyer Eileen Fowler, who organized a rally at that time said she represents 12,000 to 14,000 would-be claimants but has worked for more than a decade on their behalf with only modest results. However, we learned this claim is quite a bit exaggerated. We learned that in their last attempt, only a little over 5,000 were officially declared as heirs and active in a new federal litigation case. Many think there are more undeclared heirs that make up that number. So many obstacles in their path. There is not a lot of money waiting in Austin for anyone who can prove a claim. While hundreds of millions/billions of dollars in unclaimed royalties have been paid to the state by energy companies, the funds have vanished into the state’s general fund. If the state suddenly had to pay out huge claims, the Legislature would have to appropriate the money, a politically daunting assignment.

The state’s unclaimed property law is not applicable to claims arising from the centuries-old Spanish and Mexican land grants, says a lawyer who researched the issue several years ago while working with Fowler.

“The Spanish land grantees simply do not fit into the state’s statutory scheme,” said Donald Tomlinson of Houston, who two years ago drafted an unsuccessful bill to remedy the problem.

“Do I think that there are thousands of people out there who are deserving of this money? Yes, but I also think that in order for them to get it, the Legislature will have to act,” he said.

The imbroglio is rooted in land policies of the 18th and early 19th centuries when enormous tracts of what’s now South Texas were handed out to favored settlers, first by the Spanish Crown and later Mexico. Most of the land was lost to later generations, but some descendants believe they still are entitled to the royalties from mineral rights that never were sold or given away.

The issues of lost lands and stolen wealth resonate deeply in South Texas, surfacing two decades ago in the Balli family’s unsuccessful battle with the Kenedy Ranch trustees and more recently in the royalty struggle. There have been many others who tried on their own or in small groups and lost.

Fowler, said she has spent years researching state land records, energy production records at the Texas Railroad Commission, and records at the comptroller’s office, more than half of the 363 original grants may have unresolved mineral rights, and billions of dollars may be at stake. The stage for the current dispute was set in 1986 in the Getty Agreement with the settlement of a federal lawsuit between various oil companies and the state of Texas over the unclaimed mineral royalties.

According to that agreement, every three years each energy company must turn over to the state all unclaimed royalties, as well as whatever information it has about the possible owner. But for whatever reason, the gap between the money and Fowler’s would-be claimants has thus far been unbridgeable.

Fowler spent years establishing the legal status of the claimants in courts around South Texas, by getting them recognized as direct descendants of the original grantees. But her claims that millions are due her clients remain unproven, and some wonder if she has promised more than she can deliver, especially now that she abandoned her own clients.

This is not the only legal fight she had against her. In 2006, her motives and methods were questioned in a legal fight between Fowler and two people who’d worked for her Harris County. Fowler sued Ann Bennett, a genealogist, and Cindy Boling, a paralegal, claiming they were trying to steal her business, they countersued and also filed a grievance with the State Bar of Texas that questioned her practices.

In their countersuit, they said Fowler regularly exaggerated her accomplishments, including her claim that she had a “unique method for recovering royalty payments,” and that she “had in fact recovered substantial sums that had been paid to the heirs.” both suits were dismissed by agreement.

In the bar complaint, the two ex-employees went further, saying, among other things, that Fowler had exploited her “vulnerable Hispanic clients,” who “believe she is their only hope in recovering the net mineral estate that is rightly theirs.”

As evidence, they pointed to a statement they said had appeared on one of Fowler's websites in 2006. It asserted she'd "recovered property and/or minerals for hundreds of South Texas families."

In her rebuttal, Fowler denied taking advantage of clients or misleading them and claimed it was not true, that she had not posted anything that on her website but then later she had the post removed. However our investigation revealed she had hired ex-cons and some of her previous employees soon after termination we indicted on charges. Not to mention the fact many of her staff are family and relatives. Fowler continued on to fight for her clients and ultimately one of the heirs with the help of others were able to get a bill passed – the spring of a law that creates a state commission to sort out the unclaimed royalties issue and produce a report in January 2015.

The bill was their next hope because every other method had failed. But in the end, the commission failed. We learned that the governor at the time, corrupt himself, Rick Perry, had appointed more than half of the commission with oil attorneys and other oil and gas company interests. They illegally rewrote the bill's purpose to state they only had to gather evidence, make a report. The commission's report was flawed, but one thing it did allow was for public testimony and evidence that there were claims to the mineral rights they were fighting for and the state comptroller admitted on record that she did not know about thousands of other wells, Mrs. Fowler had presented. In the end, the state comptroller's recording keeping was not in order, as she had claimed it was.

Shortly after that failure, one of Fowler's relatives and employee Rita Lopez Tice's had a sister who worked in a prestigious law firm, Morganroth & Morganroth. It was through Tice's efforts that she was able to introduce the firm's founder Mike Morganroth to Mrs. Fowler. At a rally in Texas, we learned that Farias an heir & historian who has been actively helping the cause was able to introduce to Morganroth all the facts and evidence he would need to take the case forward. It convinced him, that they had a solid case, and shortly after he decided to make a contract with Mrs. Fowler and with over 5,000 of the declared heirs.

Fowler has made millions off the heirs she helped from the beginning. At this time Fowler recommended they start a legal fund, that was supposed to be put in a trust and used when the federal case was to be filed per the contract we have obtained copies of. She collected \$100 from each heir, every year and one year she changed the payment date from the first quarter to the last quarter of the year and was able to collect twice. We estimate she has collected between 6.5-8 million in those fees.

For years Fowler sent emails out to her heirs claiming that Morganroth was working the federal case and had discovered more things that would strengthen the case. During this time, anyone who got in Fowler's way or questioned her was dropped with a stroke of her pen from the federal case.

The final blow came to the heirs just in August of 2021 this year the Morganroth firm sent out cancellation emails to the group reps of each heir. Shortly after that email, Fowler sent her cancellation letter out. To this date, the real reason is not known why. The heirs are actively seeking an explanation. One thing is for sure for a federal case to take 7 years to prepare is quite odd. So we did our own investigation to Morganroth law has done the same in the past. They take on high profile clients but have been sued and had to settle for millions due to their gross incompetence.

The attorneys are blaming each other for the problems while the heirs are abandoned. Fowler had closed her offices during the summer before the cancellation and diminished most of her staff. Now she has blocked all emails and phones from her office. The Morganroth firm listened to several of the heirs who wrote them and responded it was all Fowler's fault for not getting all the discovery, deeds, grants, and other paperwork to them in a timely matter. This also included not filling lower claims in the state courts.

However reviewing all the documents and emails, there are a lot of discrepancies supporting each attorney's claim to who did or didn't do what they were supposed to be doing. Additionally, both law firms did not cancel the contracts with their clients legally. When a lawyer cancels a contract with their client, the lawyer must send a letter (or email with it attached) to each client dissolving the current contracts in place and offering the client access to their files. Neither lawyer has done this and probably does not have the staff or capacity to do it. We learned the power of attorney contracts are not canceled either.

Now that the heirs have been abandoned they are asking for their funds to be returned. Mrs. Fowler says the money was spent by her firm to prepare for the federal lawsuit which never happened. Morganroth says that is illegal it was never to be used by her law firm, and they never received a penny, and the money was supposed to be in a trust fund. Fowler only had a small staff of 4-6 people and volunteers, there would be no way possible she could pay them and herself 8 million. Realistically it would be around \$650,000 for the total of the 7 years she collected so where is the rest of the 7.5 million? The abandoned heirs are trying to find out. Fowler never provided regular audit reports.

At the time of the notice, a few talented heirs got together to form a coalition to help advance their cause. They call themselves the Coalition of Adjudicated Spanish & Mexican Land Grant Heirs. They have asked to remain anonymous because of realistic threats against anyone who takes up a fight against the big oil & gas companies and the corrupt government.

They are also trying to persuade the Morganroth firm to help the heirs that were in the lawsuit. They also hope to recover their documents from Fowler and Morganroth that would help them in a case moving forward. Many of the documents Fowler has are original's deeds, wills, birth certificates, legal discovery, and court documents.

We have been in correspondence with the Coalition and asked what is next. The Coalition asked for help from one of the heirs who for the past eight years had created a network called "The Voice of Change Network." The network has helped causes for the heirs over the years, helped educate and keep them informed, and worked to help push forward every battle the heirs were fighting for. The Coalition now sources all of its reports and distributed emails through the Voice of Change Network. In their last report, they said they realized it would be a momentous task to start from scratch and the Voice of Change already had everything in place included email subscribers from several of the heirs already, and social media.

It is the intention now of the Coalition to go public. They believe keeping their injustice in the shadows only hurt them. It takes going public to expose corruption at this level to gain the justice they believe is coming.

Below is the link to above article:

<https://hslnn.com/2021/10/10/texas-spanish-land-grant-heirs-abandoned-by-their-lawyers-go-public/>

Please stay safe, stay connected and let us know how *you can help*.

“Justice be our Shield and Defender”

While we would wish to see justice prevail, I am reminded of a saying ---

“We cannot always expect justice to prevail but we must never cease to seek it.”

Respectfully,
Federico B. Balli