

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

JONATHAN MATTIX, individually and as §  
independent administrator of, and on behalf of §  
the ESTATE OF GEORGIA KAY §  
BALDWIN, and GEORGIA KAY §  
BALDWIN's heir(s)-at-law; JOSHUA §  
MATTIX, individually; and JUSTIN §  
BALDWIN, individually, §

CIVIL ACTION NO. 4:23-cv-00635-Y

Plaintiffs, §

JURY DEMANDED §

v. §

TARRANT COUNTY, TEXAS, §

Defendant. §

**PLAINTIFFS' JOINT ACCEPTANCE OF DEFENDANT  
TARRANT COUNTY, TEXAS'S OFFER OF JUDGMENT**

TO THE HONORABLE DISTRICT COURT:

Defendant Tarrant County, Texas made a \$750,000.00 offer of judgment to Plaintiffs, such offer being served on Plaintiffs' counsel via email on September 24, 2024. Ex. A. Plaintiffs jointly hereby timely accept the offer of judgment, in accordance with Rule 68, and make and provide proof of service of this acceptance, through the electronic filing system, to Defendant Tarrant County, Texas. Ex. B. Plaintiffs ask that the clerk of the court enter judgment against Defendant Tarrant County, Texas.

Respectfully submitted:

By: /s/ T. Dean Malone  
T. Dean Malone

Attorney-in-Charge:

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Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that on September 24, 2024, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court, and the electronic case filing system sent a notice of electronic filing to the following attorney:

Melvin Keith Ogle  
Tarrant County Criminal District Attorney's Office  
Civil Division

Attorney for Defendant Tarrant County, Texas

/s/ T. Dean Malone

T. Dean Malone

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

JONATHAN MATTIX, individually and as §  
independent administrator of, and on behalf of §  
the ESTATE OF GEORGIA KAY §  
BALDWIN, and GEORGIA KAY §  
BALDWIN's heir(s)-at-law; JOSHUA §  
MATTIX, individually; and JUSTIN §  
BALDWIN, individually, §

Plaintiff, §

v. §

TARRANT COUNTY, TEXAS §

Defendant. §

CIVIL ACTION NO. 4:23-cv-00635-Y

**TARRANT COUNTY'S OFFER OF JUDGMENT**

To: Plaintiffs, by and through their attorney of record, Dean Malone and Jessica Bebawi, Law Offices of Dean Malone, P.C. 900 Jackson Street, Suite 730, Dallas, Texas 75202.

COMES NOW, Tarrant County, Texas, Defendant in the above entitled and numbered cause and, pursuant to Rule 68 of the Federal Rules of Civil Procedure, makes the following offer of judgment:

Plaintiffs Jonathan Mattix, individually and as independent administrator of, and on behalf of the Estate of Georgia Kay Baldwin, and Georgia Kay Baldwin's heir(s)-at-law; Joshua Mattix, individually; and Justin Baldwin, individually (collectively "Plaintiffs") filed the above-styled action against Tarrant County, Texas on or about June 22, 2023. Plaintiffs have asserted claims against Tarrant County, Texas under 42 U.S.C. § 1983 and the United States Constitution for alleged injuries and damages arising out of Georgia Baldwin's September 14, 2021 death in the Tarrant County Jail. In addition to alleged actual damages, Plaintiffs seek costs (including attorney's fees and expenses) and pre and post judgment interest.



To bring resolution to this matter and peace between the parties, Tarrant County, Texas unconditionally offers Plaintiffs \$ SEVEN HUNDRED FIFTY THOUSAND and NO/100 DOLLARS (\$750,000.00), for which judgment may be entered. This offer is intended as a lump sum offer of judgment and includes all of Plaintiffs' alleged actual damages; accrued costs, accrued attorney's fees, accrued litigation/expert expenses, and accrued interest; and any and all other recoverable costs and damages arising from or related to the allegations set forth in Plaintiffs' Amended Complaint (filed on January 29, 2024). Moreover, this offer includes all claims, damages, and costs that have been or could have been asserted against Tarrant County, Texas and its past and present officers, officials, employees, agents, representatives, contractors, and vendors.

This offer of judgment is made solely for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not an admission of liability by any defendant or potential defendant, or any past or current official, officer, employee, agent, representative, contractor, or vendor of Tarrant County, Texas. Nor is this offer an admission that Plaintiffs suffered the damages and/or injuries alleged in their pleadings. If Plaintiffs jointly accept this offer of judgment, such act constitutes Plaintiffs' agreement that they forever release and discharge Tarrant County, Texas and all of its past and present officials, officers, employees, representatives, agents, contractors, and vendors from any and all claims that have been or could have been alleged by Plaintiffs in the above-referenced action. *See Stanczyk v. City of New York*, 752 F.3d 273 (2d Cir. 2014); *Cruz v. State Farm Lloyds*, No. B-10-263, 2012 WL 12894216 (E.D. Tex. July 16, 2012).

This offer is made subject to the rights and interests of third parties that may exist by virtue of any unpaid medical bills, liens, medical subrogation interest, or other claimed interest in the proceeds of this action. By accepting this offer, Plaintiffs agree within seven days of such acceptance to identify in writing any person or entity, including but not limited to bankruptcy

trustees, insurers, medical service providers, governmental units, attorneys, and all other persons and entities, who claim or may have unpaid medical bills, liens, or any other interest(s) to which these funds may be subject. Plaintiffs agree to obtain releases of and satisfy in full all such unpaid medical bills, liens, and/or subrogation interests out of the settlement proceeds. Payment will then be made consistent with the interests of Plaintiffs and any third parties' interests in the proceeds. *See id.*

Tarrant County, Texas makes this offer more than 14 days before the date this case is set for trial. Fed. R. Civ. P. 68(a). This offer of judgment will remain open and irrevocable for 14 days after service. Fed. R. Civ. P. 68(a); *Ramming v. Natural Gas Pipeline Co.*, 390 F.3d 366, 370 (5th Cir. 2004).

If Plaintiffs do not jointly respond in writing within 14 days after service of this offer of judgment, this offer of judgment is deemed withdrawn. Fed. R. Civ. P. 68(a)-(b); *see Richardson v. Nat'l R.R. Passenger Corp.*, 49 F.3d 760, 764 (D.C. Cir. 1995). If this offer of judgment is not accepted, it shall not be admissible except in a proceeding to determine costs. Fed. R. Civ. P. 68(b).

Respectfully submitted,

/s/ M. Keith Ogle

**M. KEITH OGLE**  
State Bar No. 24037207  
**KATHERINE E. OWENS**  
State Bar No. 24081683  
Assistant Criminal District Attorney

PHIL SORRELLS  
CRIMINAL DISTRICT ATTORNEY  
TARRANT COUNTY, TEXAS

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**ATTORNEY FOR DEFENDANT  
TARRANT COUNTY**

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the above and foregoing document was served upon the following parties in accordance with the provisions of Rule 5, Fed. R. Civ. P., on September 24, 2024:

T. Dean Malone  
Jessica Bebawi  
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**Attorneys for Plaintiffs**

*Via Email and Regular Mail*

*/s/ M. Keith Ogle*  
**M. Keith Ogle**

Founders Square  
900 Jackson Street, Suite 730  
Dallas, Texas 75202



Telephone: 214.670.9989  
Fax: 214.670.9904  
www.deanmalonelawfirm.com

September 24, 2024

Via Email – [mkogle@tarrantcountytexas.gov](mailto:mkogle@tarrantcountytexas.gov)

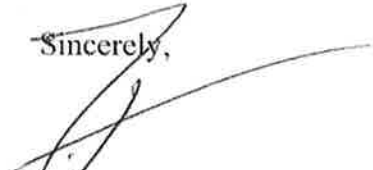
Mr. M. Keith Ogle  
Tarrant County District Attorney's Office  
Tim Curry Criminal Justice Center  
401 W. Belknap, 9<sup>th</sup> Floor  
Fort Worth, Texas 76196

RE: *Jonathan Mattix, individually and as independent administrator of, and on behalf of the Estate of Georgia Kay Baldwin, and Georgia Kay Baldwin's heir(s)-at-law; Joshua Mattix, individually; and Justin Baldwin, individually v. Tarrant County, Texas; Civil Action No. 4:23-CV-00635-Y; In the United States District Court for The Northern District of Texas, Fort Worth Division.*

Dear Keith:

Attached is a copy of Plaintiffs' Joint Acceptance of Defendant Tarrant County, Texas's Offer of Judgment for the above-described case, being filed today with the court through its electronic filing system.

Sincerely,



T. Dean Malone

TDM/mh  
Enclosure

EXHIBIT

B