

CAUSE NO. 2026-70357

622 SOFI LAKES, LP,	§	IN THE DISTRICT COURT OF
GO-M REALTY LLC, and	§	
DAMAC INVESTMENTS LLC,	§	
Plaintiffs,	§	HARRIS COUNTY, TEXAS
	§	
v.	§	
	§	515TH JUDICIAL DISTRICT
JONATHAN GARCIA,	§	
Defendant.	§	

UNSWORN DECLARATION OF JOSEPH HORTON FOGARTY

My name is Joseph Horton Fogarty. I am over eighteen years of age, of sound mind, and fully competent to make this declaration. The facts stated here are within my personal knowledge and are true and correct.

1. Who I am

1. I am a licensed Texas real estate agent and the principal of a real estate development company in the Houston area. I live in Harris County, Texas. In or about 2017, Sophia Filfil was a mentee under my real estate development company and worked with me in that capacity.

2. The Yaalx Real Estate LLC filing

2. On August 8, 2017, a Certificate of Formation for Yaalx Real Estate LLC was filed with the Texas Secretary of State (Filing No. 802786611, Document No. 755024930003). Article 3 of that certificate lists "Joseph Norton Fogarty" as "Managing Member 1," with the address

Member 2." My middle name is Horton, not Norton. Ms. Filfil, who signed the certificate as its organizer, spelled my name wrong on it. Sophia Filfil is named as the organizer and registered agent, and the only signature on the document is hers. A true and correct copy is attached as Exhibit A.

3. I did not prepare, sign, authorize, or approve that Certificate of Formation. No one asked my permission to list me as a managing member, member, owner, or governing person of Yaalx Real Estate LLC, and I never gave it. I never agreed to be a member or manager of Yaalx

Real Estate LLC, never signed a company agreement for it, never contributed capital to it, never received a distribution, ownership interest, K-1, or any other document from it, and never held myself out as its member or manager.

4. I was never told, before or after August 8, 2017, that my name had been placed on a state filing as a managing member of Yaalx Real Estate LLC. The Texas Franchise Tax Public Information Report for Yaalx Real Estate LLC for report year 2018, filed in 2019, lists only Sophia Filfil as an officer, and I was never told that my name had been added to or removed from the company's records. A true and correct copy of that report is attached as Exhibit B.

3. How I found out

5. The first time I learned that my name appeared on the Yaalx Real Estate LLC Certificate of Formation was in or about September 2026, when Jonathan Garcia contacted me, told me he had found my name on the filing while reviewing Ms. Filfil's company records, and asked me about it. I told him I had no knowledge of it. That was true then and is true now.

6. I am providing this declaration because the statements in it are true. I am willing to testify to these facts in person or by video if asked.

DECLARATION

 11/27/47, and my address is 1518 ASHMEADOW 77096 HOUSTON, Texas , United States of America. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Harris County, State of Texas, on the 9th day of October, 2026.


Joseph Horton Fogarty, Declarant

INDEX OF EXHIBITS

Exhibit A — Certificate of Formation, Yaalx Real Estate LLC, filed with the Texas Secretary of State August 8, 2017 (Filing No. 802786611; Document No. 755024930003), 2 pages.

Exhibit B — Texas Franchise Tax Public Information Report, Yaalx Real Estate LLC, report year 2018 (filed January 16, 2019), 1 page.

EXHIBIT A

Certificate of Formation — Yaalx Real Estate LLC

Texas SOS Filing No. 802786611 · Document No. 755024930003 · filed Aug. 8, 2017

A handwritten checkmark is located in the bottom right corner of the page.

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709



**Certificate of Formation
Limited Liability Company**

Filing Fee: \$300

Filed in the Office of the
Secretary of State of Texas
Filing #: 802786611 08/08/2017
Document #: 755024930003
Image Generated Electronically
for Web Filing

Article 1 - Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

Yaalx Real Estate LLC

Article 2 - Registered Agent and Registered Office

☐ A. The initial registered agent is an organization (cannot be company named above) by the name of:

OR

☒ B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:

Sophia Filfil

C. The business address of the registered agent and the registered office address is:

Street Address:

Consent of Registered Agent

☐ A. A copy of the consent of registered agent is attached.

OR

☒ B. The consent of the registered agent is maintained by the entity.

Article 3 - Governing Authority

☐ A. The limited liability company is to be managed by managers.

OR

☒ B. The limited liability company will not have managers. Management of the company is reserved to the members.

The names and addresses of the governing persons are set forth below:

Managing Member 1: **Joseph Norton Fogarty**

Title: **Managing Member**

Managing Member 2: **Sophia Filfil**

Title: **Managing Member**

Address: **2323 South Voss Rd. Suite# 100 Houston TX, USA 77057-77057**

Article 4 - Purpose

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

SEE RED BOX ABOVE (Managing Member 1): middle name filed as "Norton."

Declarant's middle name is HORTON — spelled wrong on the certificate (Decl. ¶ 2).

Certificate prepared and signed only by organizer Sophia Filfil; declarant never saw, signed, or approved it (Decl. ¶¶ 2–3).

Supplemental Provisions / Information

[The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer are set forth below.

Sophia Filfil **2323 South Voss Rd, Ste100, Houston, TX 77057**

Effectiveness of Filing

☒ A. This document becomes effective when the document is filed by the secretary of state.

OR

☐ B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Sophia Filfil

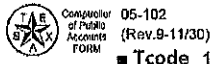
Signature of Organizer

FILING OFFICE COPY

EXHIBIT B

Texas Franchise Tax Public Information Report — Yaalx Real Estate LLC
Report year 2018 · filed Jan. 16, 2019

Filing Number: 802786611



Texas Franchise Tax Public Information Report
 To be filed by Corporations, Limited Liability Companies (LLC) and Financial Institutions
 This report MUST be signed and filed to satisfy franchise tax requirements
 Tcode 13198 Franchise

■ Taxpayer number **3 2 0 6 4 5 3 1 8 6 9** ■ Report year **2 0 1 8** *You have certain rights under Chapter 552 and 559, Government Code, to review, request, and correct information we have on file about you.*

Taxpayer name **YAALX REAL ESTATE LLC**
 Mailing address **2323 S VOSS RD STE 100** Secretary of State (SOS) file number or Comptroller file number
 City **HOUSTON** State **TX** ZIP Code **77057** Plus 4 **0802786611**

☐ Blacken circle if there are currently no changes from previous year; if no information is displayed, complete the applicable information in Sections A, B and C.

Principal office **2323 S Voss Rd Ste 100**
 Principal place of business **2323 S Voss Rd Ste 100**

Please sign below! Officer, director and manager information is reported as of the date a Public Information Report is completed. The information is updated annually as part of the franchise tax report. There is no requirement or procedure for supplementing the information as officers, directors, or managers change throughout the year.

SECTION A Name, title and mailing address of each officer, director or manager.

Name	Title	Director	Term expiration
Sophia Filfil	PRESIDENT	☒ YES	3206453186918
Mailing address 2323 SOUTH VOSS RD. SUITE# 100	City HOUSTON	State TX	ZIP Code 77057
Name	Title	Director	Term expiration
		☐ YES	
Mailing address	City	State	ZIP Code
Name	Title	Director	Term expiration
		☐ YES	
Mailing address	City	State	ZIP Code

SECTION B Enter the information required for each corporation or LLC, if any, in which this entity owns an interest of 10 percent or more.

Name of owned (subsidiary) corporation or limited liability company	State of formation	Texas SOS file number, if any	Percentage of ownership

SECTION C Enter the information required for each corporation or LLC, if any, that owns an interest of 10 percent or more in this entity or limited liability company.

Name of owned (parent) corporation or limited liability company	State of formation	Texas SOS file number, if any	Percentage of ownership

Registered agent and registered office currently on file. (see instructions if you need to make changes)
 Agent: **SOPHIA FILFIL** ☐ Blacken circle if you need forms to change the registered agent or registered office information.
 Office: **2323 SOUTH VOSS RD. SUITE# 100** City **HOUSTON** State **TX** ZIP Code **77057**

The above information is required by Section 171.203 of the Tax Code for each corporation or limited liability company that files a Texas Franchise Tax Report. Use additional sheets for Sections A, B, and C, if necessary. The information will be available for public inspection.

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief, as of the date below, and that a copy of this report has been mailed to each person named in this report who is an officer, director or manager and who is not currently employed by this, or a related, corporation or limited liability company.

sign here **Sam Hayes** Title **Electronic** Date **01-16-2019** Area code and phone number ()

Texas Comptroller Official Use Only

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EXHIBIT C

Certificate of Amendment (Form 424) — Yaalx Real Estate LLC

Texas SOS Document No. 921252400001 · filed Oct. 17, 2019 · adds “Joe Forgarty” as 10% Managing Member

Form 424
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
[REDACTED]

FAX: 512/463-5709

Filing Fee: See instructions



Certificate of Amendment

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas
OCT 17 2019
Corporations Section

Entity Information

The name of the filing entity is:

YAALX REAL ESTATE LLC

State the name of the entity as currently shown in the records of the secretary of state. If the amendment changes the name of the entity, state the old name and not the new name.

The filing entity is a: (Select the appropriate entity type below.)

☐ For-profit Corporation

☐ Professional Corporation

☐ Nonprofit Corporation

☐ Professional Limited Liability Company

☐ Cooperative Association

☐ Professional Association

☒ Limited Liability Company

☐ Limited Partnership

The file number issued to the filing entity by the secretary of state is: 0802786611

The date of formation of the entity is: AUGUST 8, 2017

Amendments

1. Amended Name

(If the purpose of the certificate of amendment is to change the name of the entity, use the following statement)

The amendment changes the certificate of formation to change the article or provision that names the filing entity. The article or provision is amended to read as follows:

The name of the filing entity is: (state the new name of the entity below)

The name of the entity must contain an organizational designation or accepted abbreviation of such term, as applicable.

2. Amended Registered Agent/Registered Office

The amendment changes the certificate of formation to change the article or provision stating the name of the registered agent and the registered office address of the filing entity. The article or provision is amended to read as follows:

RECEIVED

OCT 17 2019

Secretary of State

Registered Agent
(Complete either A or B, but not both. Also complete C.)

☒ A. The registered agent is an organization (cannot be entity named above) by the name of:

YAALX REAL ESTATE LLC

OR

☐ B. The registered agent is an individual resident of the state whose name is:

First Name	M.I.	Last Name	Suffix
The person executing this instrument affirms that the person designated as the new registered agent has consented to serve as registered agent.			

C. The business address of the registered agent and the registered office address is:

[REDACTED]	[REDACTED]	77532
Street Address (No P.O. Box)	City	State Zip Code

3. Other Added, Altered, or Deleted Provisions

Other changes or additions to the certificate of formation may be made in the space provided below. If the space provided is insufficient, incorporate the additional text by providing an attachment to this form. Please read the instructions to this form for further information on format.

Text Area (The attached addendum, if any, is incorporated herein by reference.)

☒ **Add** each of the following provisions to the certificate of formation. The identification or reference of the added provision and the full text are as follows:

JOHN PAUL COTES - 10% 1446 9TH ST WINNIE, TX 77665 - MANAGING MEMBER
WILIAM R JACKSON - 10% 9812 FM 2354, [REDACTED] 77532 - MANAGING MEMBER
~~STEPHANIE M GARCIA - 5% 29522 USON [REDACTED] NG, TX 7738 - MANAGING MEMBER~~
JOE FORGARTY 10% 2323 SOUTH VOSS ROAD SUITE 100B, HOUSTON, TX 77057- MANAGING MEMBER
YARA LIFE TRUST C/O SOPHIA FILFIL- 65% 9018 TRI CITY BEACH ROAD, BAYTOWN, TX 77532 - MANAGING MEMBER

☒ **Alter** each of the following provisions of the certificate of formation. The identification or reference of the altered provision and the full text of the provision as amended are as follows:

SOPHIA FILFIL CHANGED TO YARA LIFE TRUST C/O SOPHIA FILFIL - [REDACTED]
77532

☐ **Delete** each of the provisions identified below from the certificate of formation.

Statement of Approval

The amendments to the certificate of formation have been approved in the manner required by the Texas Business Organizations Code and by the governing documents of the entity.

Effectiveness of Filing (Select either A, B, or C.)

- A. ☒ This document becomes effective when the document is filed by the secretary of state.
- B. ☐ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. ☐ This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: 10/9/2019

By: _____



Signature of authorized person

YARA LIFE TRUST C/O SOPHIA FILFIL

Printed or typed name of authorized person (see instructions)

EXHIBIT D

Certificate of Amendment (Form 424) — Yaalx Real Estate LLC

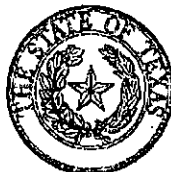
Texas SOS Document No. 932517180002 · filed Dec. 16, 2019 · deletes “Joe Forgarty” as Managing Member

**Form 424
(Revised 05/11)**

Submit in duplicate to:
Secretary of State
P.O. Box 13697
[REDACTED]

FAX: 512/463-5709

Filing Fee: See instructions

**Certificate of Amendment**

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas

DEC 16 2019**Corporations Section****Entity Information**

The name of the filing entity is:

YAALX REAL ESTATE

State the name of the entity as currently shown in the records of the secretary of state. If the amendment changes the name of the entity, state the old name and not the new name.

The filing entity is a: (Select the appropriate entity type below.)

- | | |
|---|---|
| ☐ For-profit Corporation | ☐ Professional Corporation |
| ☐ Nonprofit Corporation | ☐ Professional Limited Liability Company |
| ☐ Cooperative Association | ☐ Professional Association |
| ☒ Limited Liability Company | ☐ Limited Partnership |

The file number issued to the filing entity by the secretary of state is: 080278661The date of formation of the entity is: AUGUST 8, 2017**Amendments****1. Amended Name**

(If the purpose of the certificate of amendment is to change the name of the entity, use the following statement)

The amendment changes the certificate of formation to change the article or provision that names the filing entity. The article or provision is amended to read as follows:

The name of the filing entity is: (state the new name of the entity below)

The name of the entity must contain an organizational designation or accepted abbreviation of such term, as applicable.

2. Amended Registered Agent/Registered Office

The amendment changes the certificate of formation to change the article or provision stating the name of the registered agent and the registered office address of the filing entity. The article or provision is amended to read as follows:

11/16/2019 11:11:11 AM
11/16/2019 11:11:11 AM
11/16/2019 11:11:11 AM

Effectiveness of Filing (Select either A, B, or C.)

- A. ☒ This document becomes effective when the document is filed by the secretary of state.
- B. ☐ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. ☐ This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date:

12/16/19

By:



Signature of authorized person

YARA Life Trust c/o Sophia Fila

Printed or typed name of authorized person (see instructions)