

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

**UDO BIRNBAUM, and  
GOD'S PROPERTY MINISTRIES,**  
Plaintiffs,

v.

Civil Action No. \_\_\_\_\_  
JURY TRIAL DEMAND

**LISA GIROT,**  
Defendant.

**COMPLAINT FOR EQUITABLE RELIEF, DECLARATORY  
RELIEF, DAMAGES, AND INJUNCTIVE RELIEF**

**I. NATURE OF THE ACTION**

This is an action for equitable *in-personam* relief, declaratory relief, and damages arising from Defendant's misuse of a Louisiana probate order to effect purported conveyances of real property in Harris and Van Zandt County, Texas. Plaintiffs seek a declaration that Defendant's use of the Louisiana probate order was unauthorized and fraudulent, and an order compelling Defendant, under this Court's *in-personam* equitable jurisdiction, to execute and deliver a corrective instrument suitable for recording in Texas, consistent with *Fall v. Eastin*, 215 U.S. 1 (1909).

**II. PARTIES**

Plaintiff Udo Birnbaum is an individual and citizen of Texas. He currently resides at 119 AN County Road 2501, Tennessee Colony, TX 75861.

Plaintiff Barney Donalson dba God's Property Ministries is a sole proprietorship business providing facility maintenance and support services to churches affiliated with the Texas Mennonite Conference. His current mailing address is c/o Houston Mennonite Fellowship Church, 7135 Fulton Street, Houston, TX 77022.

Defendant Lisa Girot is an individual and citizen of Louisiana residing in Sulphur, Jefferson Davis Parish, and is subject to the jurisdiction of this Court. She may be served at 623 Ginger Street, Sulphur, LA 70663.

### **III. JURISDICTION AND VENUE**

This Court has jurisdiction under 28 U.S.C. §1332 because the parties are citizens of different states and the amount in controversy exceeds \$75,000. Venue is proper in the Western District of Louisiana, Lake Charles Division, as Defendant is domiciled in Louisiana and acts complained of occurred in this District. The Court has personal jurisdiction to compel Defendant to act under its equitable powers, consistent with *Fall v. Eastin* and *In re Bradley*, 588 F.3d 254 (5th Cir. 2009).

### **IV. CHOICE OF LAW**

The wrongful procurement and misuse of the Louisiana probate order are governed by Louisiana substantive law under *La. Civ. Code art.*

2315, while the recording and conveyance of the Texas property are governed by Texas substantive law. *See Gutierrez v. Collins*, 583 S.W.2d 312 (Tex. 1979).

## **V. FACTS**

Lisa Girot is a resident of Sulphur, Louisiana. She previously worked as a paralegal and notary for a law firm in Lake Charles. She is also part owner of a business entity known as “*Two Sisters Enterprises*,” which their website identifies as a property management company based in Sulphur.

In 2017, Louis Thibodeaux was a resident at Southwestern Louisiana Veterans Home in Jennings, Louisiana. Lisa Girot was a volunteer at the facility. In a validly executed and delivered warranty deed witnessed and sealed by Lisa Girot in her capacity as a Notary Public in and for the State of Louisiana, Louis Thibodeaux conveyed fee title to three tracts of real property located in Van Zandt County, Texas, to Udo Birnbaum. **See Exhibit A.**

By 2020, Louis Thibodeaux’s health had deteriorated. Despite substantial doubts as to his competency, Lisa Girot prepared and convinced Louis Thibodeaux to execute a Last Will and Testament. Donna Brown, Lisa Girot’s business partner in Two Sisters Enterprises, witnessed and notarized the Will.

Louis Thibodeaux died in 2019, domiciled in Louisiana. In 2020, Lisa Girot filed a case styled *Succession of Louis Thibodeaux*, Case No. P-11-20 (31<sup>st</sup> Judicial District Court, Jefferson Davis Parish, Louisiana). On the date of filing, Lisa Girot obtained a limited order admitting the will. **See Exhibit B.** However, Lisa Girot took no further action in the succession case to obtain appointment as an executor, to notify claimants and creditors, to publish the required public notice, or to obtain a judgment of possession allowing Lisa Girot to possess and/or transfer assets. At this time, the succession remains pending and incomplete, with no notice to creditors or descriptive list filed under *La. C.C.P. arts. 3136 and 3191–3194*.

Despite Lisa Girot's failure to finish the succession process as required by Louisiana law, she recorded the initial order in Harris County, Texas, and fraudulently sold Louis Thibodeaux's interest in wetlands property to a third-party. Lisa Girot also recorded the initial Louisiana order in Van Zandt County, Texas, and fraudulently notified the appraisal district that this order granted her ownership to the three tracts of real property that Louis Thibodeaux had previously deeded to Udo Birnbaum. Lisa Girot has since fraudulently claimed title, ownership, and authority to convey under the initial order, and has purported to sell and convey one of the three Van Zandt County tracts to real estate investor Robert Dow.

In 2025, Udo Birnbaum conveyed an undivided 10% interest to God's Property Ministries and retained the remainder interest until his death. **See Exhibit C.** As a direct result of Lisa Girot's fraudulent conduct, title and marketable rights in Udo Birnbaum and God's Property Ministries' property were clouded; Plaintiffs have suffered damages, including costs to clear title, loss of value, and other economic injury.

## **VI. CLAIMS FOR RELIEF**

### **Count I — Fraud / Fraudulent Misrepresentation (Louisiana law as to misuse of probate order; Texas law as to recording and sale of Texas land)**

Birnbaum and Donalson reallege the foregoing paragraphs and claim that Lisa Girot knowingly and intentionally misrepresented to third parties — and to the public record — that she had the authority to convey the Van Zandt County property by virtue of the Louisiana probate order. Girot's misrepresentations were made to induce reliance by third parties (including title companies, county clerks, and purchasers) who justifiably relied on the accuracy of the public record and Girot's representations to their detriment. Girot's conduct constitutes actionable fraud under Louisiana law (La. Civ. Code art. 2315) and under Texas tort law to the extent the tort occurred in Texas.

**Count II — Conversion / Unjust Enrichment (Texas law governing property interests located in Texas)**

Birnbaum and Donalson reallege the foregoing paragraphs and claim that Girot, by purporting to transfer or encumber property to which she had no title or authority, wrongfully appropriated or caused the misappropriation of Birnbaum and Donalson's property rights. That unlawful misappropriation constitutes conversion and unjust enrichment under Texas law and caused compensable economic loss.

**Count III — Slander of Title / Cloud on Title (Texas law)**

Birnbaum and Donalson reallege the foregoing paragraphs and claim that Girot's filing and recording of false or misleading instruments in Texas created a cloud on their record title to the Van Zandt County property. The recording of such instruments constitutes slander of title and gives rise to injunctive and declaratory relief and damages under Texas law; Birnbaum and Donalson seek removal of the cloud, corrective instruments, and damages.

**Count IV — Abuse of Process / Fraud upon the Court (Louisiana delict law)**

Birnbaum and Donalson reallege the foregoing paragraphs and claim that Girot abused Louisiana judicial process by procuring and then misrepresenting the legal effect of the limited probate order, and that those acts constitute actionable misconduct under Louisiana delict law

(*La. C.C. art. 2315* and related jurisprudence). Birnbaum and Donalson seek appropriate declaratory and injunctive relief from this Court and damages arising from that delict.

**Count V — Equitable In-Personam Relief (Compel Execution of Corrective Instrument)**

Birnbaum and Donalson reallege the foregoing paragraphs and claim that they have no adequate remedy at law to remove the cloud on title and to correct the record promptly. Because Girot is domiciled in Louisiana and is subject to this Court’s personal jurisdiction, this Court may exercise its equitable power to compel Girot to execute a corrective disclaimer or reconveyance in recordable form for filing in Van Zandt County, Texas, or, if she refuses, to authorize the Clerk to execute such instrument on her behalf. See *Fall v. Eastin*, 215 U.S. 1 (1909); *In re Bradley*, 588 F.3d 254 (5th Cir. 2009). The relief sought operates on the person of Girot and not as an *in rem* adjudication of title to Texas land.

**VII. CHOICE OF LAW**

For conduct occurring in Louisiana (procurement and misuse of a Louisiana court order) Louisiana substantive law applies; for the injury and property consequences occurring in Texas (recording, conveyance, slander of title), Texas substantive law applies. See *Gutierrez v. Collins*, 583 S.W.2d 312 (Tex. 1979) (adopting most-significant-relationship approach for torts). To the extent restatement rules apply, *Restatement*

*(Second) Conf. of Law §§ 145–147* instruct the application of the law of the state with the most significant relationship to the occurrence and the parties.

#### **VIII. JURY DEMAND**

Birnbaum and Donalson demand a trial by jury on all claims so triable.

#### **IX. REQUEST FOR RELIEF**

WHEREFORE, Birnbaum and Donalson respectfully request that the Court enter judgment against Girot as follows:

**A.** Declaratory judgment that Girot’s recording and purported fraudulent use of the Louisiana probate order to convey the Van Zandt County, Texas property was unauthorized, fraudulent, and of no force or effect to transfer any interest in the Texas property;

**B.** A permanent injunction ordering Girot to cease representing that she has authority to act for the Succession of Louis Thibodeaux with respect to the Van Zandt County property;

**C.** An order compelling Defendant, within fourteen (14) days of entry, to execute, acknowledge, and deliver a recordable **Corrective Instrument and Disclaimer of Interest** in the form attached as a proposed instrument (**See Exhibit D**), renouncing any claim, interest in, or authority to convey the Van Zandt County property and authorizing

Birnbaum and Donalson to record the instrument in Van Zandt County, Texas; and further authorizing the Clerk to execute the instrument on Girot's behalf should she fail to comply (this relief being *in personam* and not an *in rem* adjudication);

**D.** Compensatory damages in an amount to be proven at trial;

**E.** Exemplary and punitive damages for fraud, to the extent allowed by applicable law;

**F.** Such other and further relief as the Court deems just and proper.

**X. VERIFICATION**

The undersigned parties, by placing their respective signatures below, do declare, verify, certify or state under penalty of perjury that the above and foregoing is true and correct.

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UDO BIRNBAUM  
119 AN County Road 2501  
Tennessee Colony, TX 75861  
(903) 922-5996  
brnbm@aol.com

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BARNEY DONALSON  
Houston Mennonite Fellowship  
7135 Fulton Street  
Houston, TX 77022  
(713) 261-1100  
joedonalson@gmail.com