

NO. 9284

IN THE MATTER OF	§	IN THE DISTRICT COURT
THE MARRIAGE OF	§	
	§	
AVIAN ANN BIEDERMANN	§	
AND	§	
KENNETH KYLE BIDERMANN	§	GILLESPIE COUNTY, TEXAS
	§	
AND IN THE INTERESTS OF	§	
KYLA RAE BIEDERMANN,	§	
EMILY LAINE BIEDERMANN,	§	
LOREN NOEL BIEDERMANN, AND	§	
DANA TRUE BIDERMANN, MINOR	§	
CHILDREN	§	216 <sup>TH</sup> JUDICIAL DISTRICT

**ORDER ON TELEPHONIC EMERGENCY HEARING**

On May 31, 2001, between the time of 11:04 a.m. and 11:22 a.m., a telephonic hearing on an emergency basis was held arising from an alleged outcry of sexually inappropriate behavior between the father and one of the children as presented to the Court through the Affidavit of Lourdes Aguilar-Landin. The hearing was at the request of Avian Anne Biedermann, through and by agreement of the father, Kenneth Kyle Biedermann and respective counsel.

The Court considered the Affidavit of Lourdes Aguilar-Landin, the testimony of Dr. Jack G. Ferrell, and argument of counsel.

Avian Anne Biedermann was not present, but was represented by her attorneys, Pam Bergman and John Nichols via telephone from their Houston office.

Kenneth Kyle Biedermann was present at the Office of Jack G. Ferrell, and was represented by his attorney, Allen J. Halm.

**FILED**  
At 11:27 o'clock A.M.

JUL 18 2001

BARBARA MEYER  
DISTRICT CLERK  
GILLESPIE COUNTY, TEXAS  
*[Signature]*  
Deputy


A record of the testimony was made by Cindy E. Snider, 216<sup>th</sup> Judicial District  
Official Court Reporter.

The Court has continuing jurisdiction of this case.

This Court, after hearing the testimony of Dr. Jack Ferrel Jr., argument of counsel,  
and reviewing the evidence before it, and finding that the alleged sexually inappropriate  
behavior could not be validated enters the following orders:

- 1) IT IS ORDERED that KENNETH KYLE BIEDERMANN be permitted to  
take the children on the previously scheduled extended vacation to Florida  
with the following provision: At no time is the father to allow the children to  
sleep with him in the same bed.
- 2) IT IS ORDERED that Kurtis S. Rudkin, 1414 East Blanco Road, Boerne,  
Texas 78006 shall be and is appointed Attorney Ad Litem to represent the  
interests of the children, Kyla Rae Biedermann, Emily Laine Biedermann,  
Loren Noel Biedermann, and Dana True Biedermann.

SIGNED this 13<sup>th</sup> day of July, 2001.

  
Judge Presiding

Approved as to Substance:

\_\_\_\_\_  
Avian Anne Biedermann *CCV*  
*7-18-01*  
*m.m.*

\_\_\_\_\_  
Kenneth Kyle Biedermann *C.C. ✓ 7-18-01*  
*m.m.*

Approved as to Form:

\_\_\_\_\_  
John Nichols *copy ✓*  
*7-18-01*  
*m.m.*

\_\_\_\_\_  
Allen J. Halm *copy ✓ 7-18-01*  
*m.m.*

\_\_\_\_\_  
Pamela K. Bergman