

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL.	§	IN THE DISTRICT COURT
	§	
VS.	§	225 <sup>TH</sup> JUDICIAL DISTRICT
	§	
JPMORGAN CHASE BANK, N.A.	§	
INDIVIDUALLY/CORPORATELY	§	
AND AS TRUSTEE OF THE SOUTH	§	
TEXAS SYNDICATE TRUST	§	
and GARY P. AYMES	§	BEXAR COUNTY, TEXAS

**DEFENDANTS' MOTION TO QUASH AND FOR PROTECTIVE ORDER**

Defendants file this Motion to Quash and Motion for Protective Order Regarding Plaintiffs' Notice of Intention to Take Oral and Videotaped Deposition of Patricia Schultz-Ormond. Because this motion is being filed within three days from the date the Notice was served, this motion objecting to the time for the deposition stays the deposition until the motion can be determined by the Court. Tex. R. Civ. P. 199.4.

**I.**

Plaintiffs served the Notice upon Defendants by facsimile on December 21, 2011.<sup>1</sup> The Notice purports to set the deposition for January 30, 2012 at 10:00 a.m. Defendants object to the time of the deposition. Defendants' counsel, Defendants' representatives, and the witness are not available on that date and time.

**II.**

Defendants further object to this deposition taking place on the designated date and ask for entry of a protective order. Defendants previously filed a Plea in Abatement asking that this case (including all discovery) be abated because of the absence of necessary parties. Although that motion was denied by the Court, on December 22, 2011, Defendants filed a Petition for Writ

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<sup>1</sup> A copy of the Notice is attached hereto as Exhibit "1".

of Mandamus with the Fourth Court of Appeals asking that mandamus issue to this Court ordering abatement of all proceedings due to the absence of necessary parties. Defendants also filed a Motion for Temporary Relief asking the Court of Appeals to stay this case, including all discovery, until the petition for writ of mandamus is determined.

### **III.**

The witness is a former J.P. Morgan employee who was a mineral manager involved in managing minerals owned by the South Texas Syndicate trust (“STS”). Defendants expect that Ms. Schultz-Ormond will be a key witness in this case. If this deposition takes place without all necessary parties present then those absent parties will be not be able to participate and ask questions of the witness and will be prejudiced. Defendants therefore ask the Court for a protective order providing that this deposition not take place until at least such time as the Court of Appeals has determined whether this case will be stayed and/or abated.

WHEREFORE, Defendants pray that Plaintiff’s Notice of Intention to Take Oral and Videotaped Deposition of Patricia Schultz-Ormond be quashed. In addition, Defendants request the entry of a protective order preventing this deposition from taking place until the Court of Appeals has determined whether this case will be stayed and/or abated. In addition, Defendants seek all other relief to which they are entitled.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER &  
BEITER INCORPORATED**

The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, Texas 78209  
(210) 271-1700 Telephone  
(210) 271-1730 Fax

By: /s/ David Jed Williams

Patrick K. Sheehan

State Bar No. 18175500

Kevin M. Beiter

State Bar No. 02059065

David Jed Williams

State Bar No. 21518060

Mark A. Randolph

State Bar No. 00791484

**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

A copy of the foregoing document was served upon the following Plaintiff's counsel of record by electronic service or facsimile delivery on December 23, 2011.

Mr. David R. Deary  
Mr. Jim L. Flegle  
Mr. Jeven R. Sloan  
LOEWINSOHN FLEGLE DEARY, L.L.P.  
12377 Merit Drive, Suite 900  
Dallas, Texas 75251

Mr. Richard Tinsman  
TINSMAN & SCIANO, INC.  
10107 McAllister Freeway  
San Antonio, Texas 78205

Mr. James L. Drought  
DROUGHT DROUGHT & BOBBITT, LLP  
112 East Pecan, Suite 2900  
San Antonio, Texas 78205

Mr. George H. Spencer, Jr.  
CLEMENS & SPENCER  
112 East Pecan, Suite 1300  
San Antonio, Texas 78205

/s David Jed Williams  
Patrick K. Sheehan  
David Jed Williams

(Consolidated Under)  
**CAUSE NO. 2010-CI-10977**

<b>JOHN K. MEYER, ET AL.</b>	§	<b>IN THE DISTRICT COURT</b>
<b>Plaintiffs,</b>	§	
	§	
<b>vs.</b>	§	
	§	
<b>JP MORGAN CHASE BANK, N.A.</b>	§	
<b>INDIVIDUALLY/CORPORATELY</b>	§	<b>225<sup>TH</sup> JUDICIAL DISTRICT</b>
<b>AND AS TRUSTEE OF THE SOUTH</b>	§	
<b>TEXAS SYNDICATE TRUST</b>	§	
<b>and GARY P. AYMES,</b>	§	
<b>Defendants.</b>	§	<b>BEXAR COUNTY, TEXAS</b>

**NOTICE OF INTENTION TO TAKE ORAL AND VIDEOTAPED  
DEPOSITION OF PATRICIA SCHULTZ-ORMOND**

TO: Patricia Schultz-Ormond  
c/o Mr. Patrick K. Sheehan  
Hornberger Sheehan Fuller & Beiter, Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

Please take notice that on behalf of Plaintiffs, the oral and videotaped deposition of **Patricia Schultz-Ormond** will be taken upon oral examination beginning at **10:00 a.m. on January 30, 2012**, and her answers may be used as testimony in the above-numbered and entitled cause. Said deposition will be taken at the offices of Hornberger Sheehan Fuller & Beiter, Inc., The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, TX 78209, by an official court reporter from Kim Tindall & Associates.

Respectfully submitted,

David R. Deary  
Jim L. Flegle  
Michael J. Donley  
LOEWINSOHN, FLEGLE, DEARY,  
L.L.P.  
12377 Merit Drive, Suite 900  
Dallas, Texas 75251  
Telephone: (214) 572-1700  
Facsimile: (214) 572-1717

Richard Tinsman  
TINSMAN & SCIANO, INC.  
10107 McAllister Fwy  
San Antonio, Texas 78216  
Telephone: (210) 225-3121  
Facsimile: (210) 225-6235

George H. Spencer, Jr.  
CLEMENS & SPENCER, P.C.  
112 East Pecan Street, Suite 1300  
San Antonio, Texas 78205  
Telephone: (210) 227-7121  
Facsimile: (210) 227-0732

DROUGHT, DROUGHT & BOBBITT,  
LLP  
2900 Weston Centre  
112 East Pecan Street  
San Antonio, Texas 78205  
(210) 225-4031 Telephone  
(210) 222-0586 Telecopier

By: 

James L. Drought  
State Bar No. 06135000

**ATTORNEYS FOR PLAINTIFFS**


**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been sent by:

\_\_\_\_ U.S. Certified Mail, Return Receipt Requested to:  
\_\_\_\_ ✓ Facsimile to:  
\_\_\_\_ First Class Mail to:  
\_\_\_\_ Hand Delivery to:

Mr. Patrick K. Sheehan  
Mr. David Jed Williams  
Mr. Mark A. Randolph  
Hornberger Sheehan Fuller & Belter, Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

on this the 21<sup>st</sup> day of December, 2011.

  
\_\_\_\_\_  
James L. Drought



## COURT OF APPEALS

FOURTH COURT OF APPEALS DISTRICT  
CADENA-REEVES JUSTICE CENTER  
300 DOLOROSA, SUITE 3200  
SAN ANTONIO, TEXAS 78205-3037  
WWW.4THCOA.COURTS.STATE.TX.US

FILED  
DISTRICT CLERK  
BEXAR CO. TEXAS

KEITH E. HOTTLE,  
CLERK

TELEPHONE  
(210) 335-2635

FACSIMILE NO.  
(210) 335-2762

2011 DEC 28 1:04

DEPUTY

December 22, 2011

BY: \_\_\_\_\_

Dinah L. Gaines  
Staff Attorney  
Bexar County Civil District  
Courts  
100 Dolorosa, Suite B-23  
San Antonio, TX 78205

George H. Spencer, Jr.  
112 East Pecan Street, Suite  
1300  
San Antonio, TX 78205-1512

Honorable Peter A. Sakai  
Judge, 225th District Court  
Bexar County Courthouse  
100 Dolorosa, 2nd Floor  
San Antonio, TX 78205

Patrick K. Sheehan  
7373 Broadway, Suite 300  
San Antonio, TX 78209

Donna Kay McKinney  
Bexar County-District Clerk  
101 W. Nueva  
San Antonio, TX 78205

Honorable David A.  
Berchelmiann, Jr.  
Judge, 37th Judicial District  
Court  
Bexar County Courthouse  
100 Dolorosa  
San Antonio, TX 78205

James L. Drought  
2900 Weston Centre  
112 East Pecan Street  
San Antonio, TX 78205


Richard Tinsman  
10107 McAllister Freeway  
San Antonio, TX 78216

RE: Court of Appeals Number: 04-11-00914-CV  
Trial Court Case Number: 2010-CI-10977

Style: In re JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South  
Texas Syndicate Trust and Gary P. Aymes, Relator

The Relator's Petition for Writ of Mandamus and Motion for Temporary Relief in the  
above styled and numbered cause has this date been filed.

Very truly yours,  
KEITH E. HOTTLE, CLERK

  
Jennifer Saenz  
Deputy Clerk, Ext. 3221



rec-index-7



From: rec-index-7  
Sent: Thursday, December 15, 2011 8:41 AM  
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**CASE NBR: 2010CI10977**  
**Date Filed: 07/02/2010 Court: 225**  
**Type of Docket: DM\_\_\_ DAMAGES**

**\*\*\* STYLE \*\*\***

**JOHN K MEYER**  
**VS JP MORGAN CHASE BANK N A ET AL**

**CRT**

**DOCKET SHEET**

**THANK YOU,**

**TONY OZUNA**  
**DEPUTY DISTRICT CLERK**  
**RESEARCH/MICROFILM**  
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*Court of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



December 23, 2011

No. 04-11-00914-CV

**IN RE JP MORGAN CHASE BANK, N.A., INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST AND GARY P. AYMES**

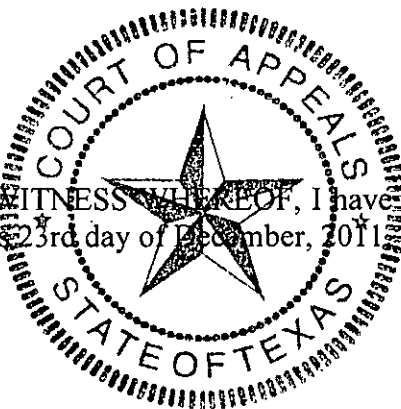
Original Mandamus Proceeding<sup>1</sup>

**ORDER**

Sitting: Catherine Stone, Chief Justice  
 Karen Angelini, Justice  
 Rebecca Simmons, Justice

On December 22, 2011, relator filed a petition for writ of mandamus and a motion for temporary relief. The court has considered relator's petition and is of the opinion that relator is not entitled to the relief sought. Accordingly, the petition for writ of mandamus and the motion for temporary relief are DENIED. See TEX. R. APP. P. 52.8(a). The court's opinion will issue at a later date.

It is so **ORDERED** on December 23, 2011.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 23rd day of December, 2011.

*Rebecca Simmons*  
 Rebecca Simmons, Justice

*Kelth E. Hottle*  
 Kelth E. Hottle, Clerk

<sup>1</sup> This proceeding arises out of Cause No. 2010-CI-10977, styled *John K. Meyer, et al. v. JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*, pending in the 225th Judicial District Court, Bexar County, Texas, the Honorable Peter Sakai presiding. However, the order complained of was signed by the Honorable David A. Berchemmann, presiding judge of the 37th Judicial District Court, Bexar County, Texas.



## COURT OF APPEALS

FOURTH COURT OF APPEALS DISTRICT  
CADENA-REEVES JUSTICE CENTER  
300 DOLOROSA, SUITE 3200  
SAN ANTONIO, TEXAS 78205-3037  
WWW.4THCOA.COURTS.STATE.TX.US

CATHERINE STONE  
CHIEF JUSTICE  
KAREN ANGELINI  
SANDEE BRYAN MARION  
PHYLIS J. SPEEDLIN  
REBECCA SIMMONS  
STEVEN C. HILBIG  
MARIALYN BARNARD  
JUSTICES

KEITH E. HOTTLE,  
CLERK

TELEPHONE  
(210) 335-2635

FACSIMILE NO.  
(210) 335-2762

December 23, 2011

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Honorable Peter A. Sakai  
Judge, 225th District Court  
Bexar County Courthouse  
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Patrick K. Sheehan  
Hornberger Sheehan Fuller & Beiter Incorporated  
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Donna Kay McKinney  
Bexar County-District Clerk  
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Judge, 37th Judicial District Court  
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James L. Drought  
Drought, Drought & Bobbitt, L.L.P.  
2900 Weston Centre  
112 East Pecan Street  
San Antonio, TX 78205


Richard Tinsman  
Tinsman & Sciano, Inc.  
10107 McAllister Freeway  
San Antonio, TX 78216

RE: Court of Appeals Number: 04-11-00914-CV  
Trial Court Case Number: 2010-CI-10977  
Style: In re JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South  
Texas Syndicate Trust and Gary P. Aymes, Relator

Enclosed please find the order which the Honorable Court of Appeals has issued in reference to  
the above styled and numbered cause.

If you should have any questions, please do not hesitate to contact me.

Very truly yours,  
KEITH E. HOTTLE, CLERK

  
Jennifer Saenz  
Deputy Clerk, Ext. 3221

**COURT OF APPEALS**

**FOURTH COURT OF APPEALS DISTRICT  
CADERNA-REEVES JUSTICE CENTER  
300 DOLOROSA, SUITE 3200  
SAN ANTONIO, TEXAS 78205-3037**

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San Antonio TX 78205**



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SUBJECT: Order copy of petition in 2010 CI 10977  
MATTER NAME:  
FILE NUMBER: 1-900-0080

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TO:	COMPANY	PHONE	FAX
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**SPECIAL INSTRUCTIONS:**

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*[Signature]*

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e-mail jlongits@zelle.com

**DOCUMENT INFORMATION**

Please check: ☒ Civil ☐ Criminal Cause No. 2010 CI 10977

Style: John K. Meyer VS JP Morgan Chase Bank

Decree/Judgment/Sentence Date of Decree/Judgment/Sentence

Probation Conditions Order (Describe)

☒ Other (Describe) original consolidated second amended petition

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2010CI10977 -P00074

# COURT OF APPEALS

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SAN ANTONIO, TEXAS 78205-3037  
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2011 DEC 29 A 10:28

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BY: *[Signature]*

KEITH E. HOTTLE,  
CLERK

TELEPHONE  
(210) 335-2635

FACSIMILE NO.  
(210) 335-2762

December 23, 2011

CATHERINE STONE  
CHIEF JUSTICE  
KAREN ANGELINI  
SANDEE BRYAN MARION  
PHYLIS J. SPEEDLIN  
REBECCA SIMMONS  
STEVEN C. HILBIG  
MARIALYN BARNARD  
JUSTICES

Dinah L. Gaines  
Staff Attorney  
Bexar County Civil District Courts  
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San Antonio, TX 78205

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Clemens & Spencer, P.C.  
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San Antonio, TX 78205-1512

Honorable Peter A. Sakai  
Judge, 225th District Court  
Bexar County Courthouse  
100 Dolorosa, 2nd Floor  
San Antonio, TX 78205

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101 W. Nueva  
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RE: Court of Appeals Number: 04-11-00914-CV  
Trial Court Case Number: 2010-CI-10977  
Style: In re JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South  
Texas Syndicate Trust and Gary P. Aymes, Relator

Enclosed please find the order which the Honorable Court of Appeals has issued in reference to the above styled and numbered cause.

If you should have any questions, please do not hesitate to contact me.

Very truly yours,  
KEITH E. HOTTLE, CLERK

*[Signature: Jennifer Saenz]*  
Jennifer Saenz  
Deputy Clerk, Ext. 3221

*Court of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



December 23, 2011

No. 04-11-00914-CV

**IN RE JP MORGAN CHASE BANK, N.A., INDIVIDUALLY/CORPORATELY AND AS  
TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST AND GARY P. AYMES**

Original Mandamus Proceeding<sup>1</sup>

**ORDER**


Sitting: Catherine Stone, Chief Justice  
Karen Angelini, Justice  
Rebecca Simmons, Justice

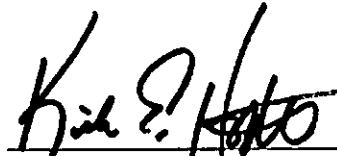
On December 22, 2011, relator filed a petition for writ of mandamus and a motion for temporary relief. The court has considered relator's petition and is of the opinion that relator is not entitled to the relief sought. Accordingly, the petition for writ of mandamus and the motion for temporary relief are DENIED. See TEX. R. APP. P. 52.8(a). The court's opinion will issue at a later date.

It is so **ORDERED** on December 23, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 23rd day of December, 2011.



  
Rebecca Simmons, Justice

  
Keith E. Hottle, Clerk

<sup>1</sup> This proceeding arises out of Cause No. 2010-CI-10977, styled *John K. Meyer, et al. v. JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*, pending in the 225th Judicial District Court, Bexar County, Texas, the Honorable Peter Sakai presiding. However, the order complained of was signed by the Honorable David A. Berchermann, presiding judge of the 37th Judicial District Court, Bexar County, Texas.





From: rec-index-7  
Sent: Thursday, December 15, 2011 9:05 AM  
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CASE NBR: 2010CI10977  
Date Filed: 07/02/2010 Court: 225  
Type of Docket: DM \_\_\_ DAMAGES

CRT  
①  
8

\*\*\* STYLE \*\*\*

JOHN K MEYER  
VS JP MORGAN CHASE BANK N A ET AL

00048 11/15/2011

DESC: ORIGINAL

CONSOLIDATED SECOND AMENDED PETITION OF  
JOHN K MEYER JR, THEODORE MEYER AND  
EMILIE BLAZE

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BEXAR CO. TEXAS  
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THANK YOU,

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DEPUTY DISTRICT CLERK  
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(210) 335-2674  
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# COURT OF APPEALS

FOURTH COURT OF APPEALS DISTRICT  
CADENA-REEVES JUSTICE CENTER  
300 DOLOROSA, SUITE 3200  
SAN ANTONIO, TEXAS 78205-3037  
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CATHERINE STONE  
CHIEF JUSTICE  
KAREN ANGELINI  
SANDEE BRYAN MARION  
PHYLIS J. SPEEDLIN  
REBECCA SIMMONS  
STEVEN C. HILBIG  
MARIALYN BARNARD  
JUSTICES



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KEITH E. HOTTLE, CLERK  
TELEPHONE (210) 335-2635  
FACSIMILE NO. (210) 335-2762

December 22, 2011

Dinah L. Gaines  
Staff Attorney  
Bexar County Civil District  
Courts  
100 Dolorosa, Suite B-23  
San Antonio, TX 78205

George H. Spencer, Jr.  
112 East Pecan Street, Suite  
1300  
San Antonio, TX 78205-1512

Honorable Peter A. Sakai  
Judge, 225th District Court  
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San Antonio, TX 78205

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James L. Drought  
2900 Weston Centre  
112 East Pecan Street  
San Antonio, TX 78205

Richard Tinsman  
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San Antonio, TX 78216

RE: Court of Appeals Number: 04-11-00914-CV  
Trial Court Case Number: 2010-CI-10977

Style: In re JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South  
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The Relator's Petition for Writ of Mandamus and Motion for Temporary Relief in the  
above styled and numbered cause has this date been filed.

Very truly yours,  
KEITH E. HOTTLE, CLERK

*[Signature: Jennifer Saenz]*  
Jennifer Saenz  
Deputy Clerk, Ext. 3221



CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL.

VS.

JPMORGAN CHASE BANK, N.A.  
INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH  
TEXAS SYNDICATE TRUST  
and GARY P. AYMES

§  
§  
§  
§  
§  
§  
§

IN THE DISTRICT COURT

225<sup>TH</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

FILED  
DISTRICT CLERK  
BEXAR CO. TEXAS  
11 DEC 16 PM 3:28  
BY *Viggo Rasmussen*

**DEFENDANT'S MOTION TO SET OBJECTIONS TO REQUEST FOR PRODUCTION  
NO. 92 AND MOTION FOR PROTECTIVE ORDER**

Now comes Defendant JP Morgan Chase Bank, N.A. ("J.P. Morgan") and files this its Motion to Set Objections to Request for Production No. 92 and Motion for Protective Order and, in support thereof, respectfully shows the Court the following:

**I.**

On November 8, 2011, the Court heard Plaintiffs' Motion to Compel the Production of documents filed against Defendant J.P. Morgan (the "Motion to Compel"). The Motion to Compel set for hearing J.P. Morgan's objections to multiple sets of requests for production including Plaintiff, Emile Blaze's First and Second Set of Requests for Production.

**II.**

At the hearing, Blaze chose only to present J.P. Morgan's objections to Request Nos. 74, 76, 78, 79, 81, 83 and 84 from Blaze's First Set of Requests for Production for hearing by the Court. The Court heard the argument of counsel on these requests and ruled on them.

**III.**

After the hearing, Blaze sent correspondence to non-parties, Pioneer Natural Resources, Petrohawk Energy Corporation and EOG Resources, requesting that they each consent to the release of an unlimited and unspecified volume of financial information possibly maintained by

J.P. Morgan regarding each entity (the "Requests for Consent")(true and correct copies of this correspondence is attached hereto as Exhibit "A"). The Requests for Consent request that the non-parties consent to J.P. Morgan's release of information that is responsive to Request for Production No. 92 from Blaze's Second Set of Requests for Production of Documents. None of the non-parties have consented to the release of any information.

#### IV.

Request No. 92 asks that J.P. Morgan produce the following:

**REQUEST FOR PRODUCTION NO. 92:**

All documents sufficient to identify any and all business or banking relationships by and between JPMorgan Chase Bank, N.A., or any of its affiliates, subsidiaries, or divisions and any entity having a leasehold or other interest in the Trust Assets, including but not limited to, the following entities and any of their affiliates, subsidiaries, divisions, joint venture interests, partnerships, or other business relationships:

- (a) Pioneer Natural Resources;
- (b) Petrohawk Energy Corporation; and
- (c) EOG Resources.

This request is essentially without limit as to the scope of potential documentation that could be responsive. J.P. Morgan timely objected to Request No. 92 asserting, among other things, that the request is overly-broad, not relevant to any issue joined in the lawsuit and requests the disclosure of information that is confidential and proprietary to both Defendant third-parties.

#### V.

In addition, simultaneous with the serving of its objections, J.P. Morgan filed its Second Motion for Protective Order requesting the entry of a protective order protecting it from responding to the requests based on, among other things, the objections stated above.

**VI.**

Thus, because Plaintiff Blaze is now apparently seeking production of the documents requested under Request No. 92, J.P. Morgan must set its objections for ruling by the Court. The objections are well-founded and should be sustained.

WHEREFORE, Defendant, J.P. Morgan requests that the Court set for hearing and sustain its objections to Request No. 92 and enter a protective order protecting it from responding to the Request and protecting the non-consenting third-parties from the release of such information. J.P. Morgan further requests such other and further relief to which it is entitled.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER &  
BEITER INCORPORATED**

The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, Texas 78209  
(210) 271-1700 Telephone  
(210) 271-1730 Fax

By: 

Patrick K. Sheehan

State Bar No. 18175500

Kevin M. Beiter

State Bar No. 02059065

David Jed Williams

State Bar No. 21518060

Mark A. Randolph

State Bar No. 00791484

**ATTORNEYS FOR DEFENDANTS**

## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served on the following, as indicated:

Mr. David R. Deary

VIA CM-RRR

Mr. Jim L. Flegle

Mr. Jeven R. Sloan

LOEWINSOHN FLEGLE DEARY, L.L.P.

12377 Merit Drive, Suite 900

Dallas, Texas 75251

Mr. Richard Tinsman

VIA FIRST CLASS MAIL

TINSMAN & SCIANO, INC.

10107 McAllister Freeway

San Antonio, Texas 78205

Mr. James L. Drought

VIA FIRST CLASS MAIL

DROUGHT DROUGHT & BOBBITT, LLP

112 East Pecan, Suite 2900

San Antonio, Texas 78205

Mr. George H. Spencer, Jr.

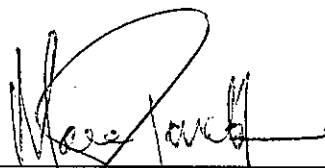
VIA FIRST CLASS MAIL

CLEMENS & SPENCER

112 East Pecan, Suite 1300

San Antonio, Texas 78205

on this 16<sup>th</sup> day of December, 2011.



Patrick K. Sheehan

David Jed Williams

Mark A. Randolph

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL.

VS.

JPMORGAN CHASE BANK, N.A.  
INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH  
TEXAS SYNDICATE TRUST  
and GARY P. AYMES

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IN THE DISTRICT COURT

225<sup>TH</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**FIAT**

A hearing on **DEFENDANT'S MOTION TO SET OBJECTIONS TO REQUEST FOR PRODUCTION NO. 92 AND MOTION FOR PROTECTIVE ORDER** is hereby set for December 29, 2011 at 10:00 a.m. in the 37<sup>th</sup> District Court of Bexar County, Texas.

DEC 16 2011

SIGNED ON this \_\_\_\_\_ day of December, 2011.

DAVID A. BERCHELMANN, JR.  
PRESIDING JUDGE  
\_\_\_\_\_  
37<sup>th</sup> DISTRICT COURT  
THE HONORABLE DAVID BERCHELMANN  
BEXAR COUNTY, TEXAS

★ ★ ★  
**LOEWINSOHN FLEGLE DEARY**  
L · L · P

November 18, 2011

Petrohawk Energy Corporation  
c/o C T Corporation System  
350 North St. Paul St., Ste. 2900  
Dallas, TX 75201

*Via Hand Delivery*

Re: Notice of Record Request Pursuant to §59.006, Texas Finance Code

To Whom It May Concern:

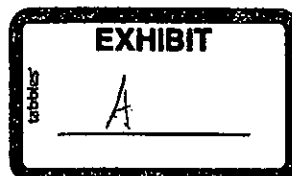
We represent Plaintiff Emilie Blaze in Cause No. 2011-CI-10977; *John K. Meyer, et al. v. JP Morgan Chase Bank N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*; in the 225th District Court, Bexar County, Texas ("Litigation"). JP Morgan Chase Bank N.A. ("JP Morgan") has been sued individually/corporately and in its capacity as Trustee of the South Texas Syndicate Trust.

In the Litigation, my client has requested discovery of records of JP Morgan relating to Petrohawk Energy Corporation as a customer of the financial institution. A copy of our Request for Production #92 is attached.

Pursuant to §59.006, Texas Finance Code, you are hereby given notice of your rights as a customer under §59.006(e). You, as a customer, bear the burden of preventing or limiting the financial institution's compliance with a record request subject to §59.006 by seeking an appropriate remedy, including filing a motion to quash the record request or a motion for a protective order. Any motion filed shall be served on the financial institution and the requesting party before the date that compliance with the request is required. If we have not received your consent form, as requested below, by December 19, 2011, we will file a motion seeking an in camera inspection of the documents. The service address for JP Morgan, the financial institution, is:

JP Morgan Chase Bank N.A.  
c/o Patrick K. Sheehan, Esq.  
Hornberger Sheehan Fuller & Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209  
Fax: 210-271-1730

12377 Merit Drive, Suite 900 Dallas, Texas 75251-3102  
p: 214.572.1700 f: 214.572.1717 www.LFDlaw.com





Petrohawk Energy Corporation  
November 18, 2011  
Page 2

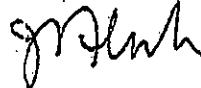
The service address for Plaintiff, the requesting party, is:

Emilie Blaze  
c/o Jim L. Flegle, Esq.  
Loewensohn Flegle Deary, LLP  
12377 Merit Drive, Suite 900  
Dallas, TX 75251  
Fax: 214-572-1717

Further, my client requests your written consent authorizing JP Morgan to comply with the request. A consent form is enclosed. If you wish to consent to the release of the records my client has requested, please execute the attached consent form and return it to the undersigned by December 19, 2011.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Jim L. Flegle  
(214) 572-1701  
Email: [jimf@LFDlaw.com](mailto:jimf@LFDlaw.com)

JLF/mlj

Petrohawk Energy Corporation  
November 18, 2011  
Page 3

**Consent for JP Morgan to Release Banking Records**

I, \_\_\_\_\_, have capacity to act on behalf of Petrohawk Energy Corporation. Petrohawk Energy Corporation consents to the release of the records requested by the Plaintiffs in Request for Production #92 and hereby authorizes JP Morgan to comply with the Request and provide any documents covered by the Request to the Plaintiffs.

**PETROHAWK ENERGY CORPORATION**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_



**REQUEST FOR PRODUCTION NO. 92:**

All documents sufficient to identify any and all business or banking relationships by and between JP Morgan Chase Bank, N.A., or any of its affiliates, subsidiaries, or divisions and any entity having a leasehold or other interest in the Trust Assets, including but not limited to, the following entities and any of their affiliates, subsidiaries, divisions, joint venture interests, partnerships, or other business relationships:

- (a) Pioneer Natural Resources;
- (b) Petrohawk Energy Corporation; and
- (c) BOG Resources.

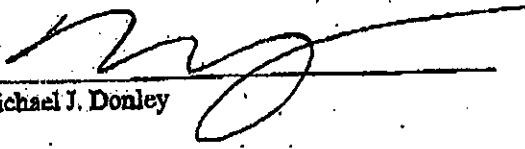
**RESPONSE:**

CERTIFICATE OF SERVICE

I certify that on June 10, 2011, this document was served on the following described parties in the manner indicated below:

Patrick K. Sheehan  
David Jed Williams  
Mark A. Randolph  
Hornberger Fuller Sheehan  
& Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

Via Fax

  
Michael J. Donley

★ ★ ★  
**LOEWINSOHN FLEGLE DEARY**  
L.L.P.

November 18, 2011

Pioneer Natural Resources USA, Inc.  
c/o C T Corporation System  
350 North St. Paul St., Ste. 2900  
Dallas, TX 75201

*Via Hand Delivery*

Re: Notice of Record Request Pursuant to §59.006, Texas Finance Code

To Whom It May Concern:

We represent Plaintiff Emilie Blaze in Cause No. 2011-CI-10977; *John K. Meyer, et al. v. JP Morgan Chase Bank N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*; in the 225th District Court, Bexar County, Texas ("Litigation"). JP Morgan Chase Bank N.A. ("JP Morgan") has been sued individually/corporately and in its capacity as Trustee of the South Texas Syndicate Trust.

In the Litigation, my client has requested discovery of records of JP Morgan relating to Pioneer Natural Resources USA, Inc. as a customer of the financial institution. A copy of our Request for Production #92 is attached.

Pursuant to §59.006, Texas Finance Code, you are hereby given notice of your rights as a customer under §59.006(e). You, as a customer, bear the burden of preventing or limiting the financial institution's compliance with a record request subject to §59.006 by seeking an appropriate remedy, including filing a motion to quash the record request or a motion for a protective order. Any motion filed shall be served on the financial institution and the requesting party before the date that compliance with the request is required. If we have not received your consent form, as requested below, by December 19, 2011, we will file a motion seeking an in camera inspection of the documents. The service address for JP Morgan, the financial institution, is:

JP Morgan Chase Bank N.A.  
c/o Patrick K. Sheehan, Esq.  
Hornberger Sheehan Fuller & Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209  
Fax: 210-271-1730

Pioneer Natural Resources USA, Inc.  
November 17, 2011  
Page 2

The service address for Plaintiff, the requesting party, is:

Emilie Blaze  
c/o Jim L. Flegle, Esq.  
Loewinsohn Flegle Deary, LLP  
12377 Merit Drive, Suite 900  
Dallas, TX 75251  
Fax: 214-572-1717

Further, my client requests your written consent authorizing JP Morgan to comply with the request. A consent form is enclosed. If you wish to consent to the release of the records my client has requested, please execute the attached consent form and return it to the undersigned by December 19, 2011.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Jim L. Flegle  
(214) 572-1701  
Email: [jimf@LFDlaw.com](mailto:jimf@LFDlaw.com)

JLF/mlj

Pioneer Natural Resources USA, Inc.

November 17, 2011

Page 3

**Consent for JP Morgan to Release Banking Records**

I, \_\_\_\_\_, have capacity to act on behalf of Pioneer Natural Resources USA, Inc.. Pioneer Natural Resources USA, Inc. consents to the release of the records requested by the Plaintiffs in Request for Production #92 and hereby authorizes JP Morgan to comply with the Request and provide any documents covered by the Request to the Plaintiffs.

PIONEER NATURAL RESOURCES USA, INC.

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_



CAUSE NO. 2011-CI-04747

EMILIE BLAZE,

Plaintiff,

v.

JP MORGAN CHASE BANK, N.A.,  
INDIVIDUALLY/CORPORATELY AND AS  
TRUSTEE OF THE SOUTH TEXAS  
SYNDICATE TRUST and GARY P. AYMES,

Defendants.

IN THE DISTRICT COURT OF

225<sup>TH</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**PLAINTIFF'S SECOND SET OF REQUESTS FOR PRODUCTION TO DEFENDANT  
JP MORGAN CHASE BANK, N.A., INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST**

TO: Defendant JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust, by and through its attorney of record, Patrick K. Sheehan, Hornberger Fuller Sheehan & Beiter Inc., The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, TX 78209

Plaintiff Emilie Blaze ("Plaintiff"), hereby requests that Defendant JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust ("Defendant") produce the following described documents for inspection and copying pursuant to Tex. R. Civ. P. 196, at the offices of Loewinsohn Flegle Deary, L.L.P., 12377 Merit Drive, Suite 900, Dallas, Texas 75251-2224, within thirty (30) days of service and that Defendant serve a written response to this First Request For Production to Defendant within thirty (30) days of service in accordance with the Texas Rules of Civil Procedure.

**REQUEST FOR PRODUCTION NO. 22:**

All documents sufficient to identify any and all business or banking relationships by and between JP Morgan Chase Bank, N.A., or any of its affiliates, subsidiaries, or divisions and any entity having a leasehold or other interest in the Trust Assets, including but not limited to, the following entities and any of their affiliates, subsidiaries, divisions, joint venture interests, partnerships, or other business relationships:

- (a) Pioneer Natural Resources;
- (b) Petrohawk Energy Corporation; and
- (c) EOG Resources.

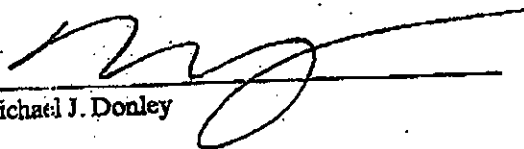
**RESPONSE:**

**CERTIFICATE OF SERVICE**

I certify that on June 10, 2011, this document was served on the following described parties in the manner indicated below:

Patrick K. Sheehan  
David Jed Williams  
Mark A. Randolph  
Hornberger Fuller Sheehan  
& Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

Via Fax

  
Michael J. Donley

\*\*\*  
**LOEWINSOHN FLEGLE DEARY**  
L.L.P.

---

November 18, 2011

EOG Resources, Inc.  
c/o C T Corporation System  
350 North St. Paul St., Ste. 2900  
Dallas, TX 75201

*Via Hand Delivery*

Re: Notice of Record Request Pursuant to §59.006, Texas Finance Code

To Whom It May Concern:

We represent Plaintiff Emilie Blaze in Cause No. 2011-CI-10977; *John K. Meyer, et al. v. JP Morgan Chase Bank N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*; in the 225th District Court, Bexar County, Texas ("Litigation"). JP Morgan Chase Bank N.A. ("JP Morgan") has been sued individually/corporately and in its capacity as Trustee of the South Texas Syndicate Trust.

In the Litigation, my client has requested discovery of records of JP Morgan relating to EOG Resources, Inc. as a customer of the financial institution. A copy of our Request for Production #92 is attached.

Pursuant to §59.006, Texas Finance Code, you are hereby given notice of your rights as a customer under §59.006(e). You, as a customer, bear the burden of preventing or limiting the financial institution's compliance with a record request subject to §59.006 by seeking an appropriate remedy, including filing a motion to quash the record request or a motion for a protective order. Any motion filed shall be served on the financial institution and the requesting party before the date that compliance with the request is required. If we have not received your consent form, as requested below, by December 19, 2011, we will file a motion seeking an in camera inspection of the documents. The service address for JP Morgan, the financial institution, is:

JP Morgan Chase Bank N.A.  
c/o Patrick K. Sheehan, Esq.  
Hornberger Sheehan Fuller & Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209  
Fax: 210-271-1730

EOG Resources, Inc.  
November 18, 2011  
Page 2

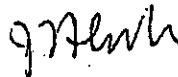
The service address for Plaintiff, the requesting party, is:

Emilie Blaze  
c/o Jim L. Flegle, Esq.  
Loewinsohn Flegle Deary, LLP  
12377 Merit Drive, Suite 900  
Dallas, TX 75251  
Fax: 214-572-1717

Further, my client requests your written consent authorizing JP Morgan to comply with the request. A consent form is enclosed. If you wish to consent to the release of the records my client has requested, please execute the attached consent form and return it to the undersigned by December 19, 2011.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Jim L. Flegle  
(214) 572-1701  
Email: [jlmf@LFDlaw.com](mailto:jlmf@LFDlaw.com)

JLF/mlj

EOG Resources, Inc.  
November 18, 2011  
Page 3

**Consent for JP Morgan to Release Banking Records**

I, \_\_\_\_\_, have capacity to act on behalf of EOG Resources, Inc. EOG Resources, Inc. consents to the release of the records requested by the Plaintiffs in Request for Production #92 and hereby authorizes JP Morgan to comply with the Request and provide any documents covered by the Request to the Plaintiffs.

EOG RESOURCES, INC.

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

## CAUSE NO. 2011-CI-04747

EMILIE BLAZE,

Plaintiff,

v.

JP MORGAN CHASE BANK, N.A.,  
INDIVIDUALLY/CORPORATELY AND AS  
TRUSTEE OF THE SOUTH TEXAS  
SYNDICATE TRUST and GARY P. AYMES,

Defendants.

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IN THE DISTRICT COURT OF

225<sup>TH</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**PLAINTIFF'S SECOND SET OF REQUESTS FOR PRODUCTION TO DEFENDANT  
JP MORGAN CHASE BANK, N.A., INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST**

TO: Defendant JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust, by and through its attorney of record, Patrick K. Sheehan, Hornberger Fuller Sheehan & Belter Inc., The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, TX 78209

Plaintiff Emilie Blaze ("Plaintiff"), hereby requests that Defendant JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust ("Defendant") produce the following described documents for inspection and copying pursuant to Tex. R. Civ. P. 196, at the offices of Loewinsohn Flegle Deary, L.L.P., 12377 Merit Drive, Suite 900, Dallas, Texas 75251-2224, within thirty (30) days of service and that Defendant serve a written response to this First Request For Production to Defendant within thirty (30) days of service in accordance with the Texas Rules of Civil Procedure.

**REQUEST FOR PRODUCTION NO. 92:**

All documents sufficient to identify any and all business or banking relationships by and between JP Morgan Chase Bank, N.A., or any of its affiliates, subsidiaries, or divisions and any entity having a leasehold or other interest in the Trust Assets, including but not limited to, the following entities and any of their affiliates, subsidiaries, divisions, joint venture interests, partnerships, or other business relationships:

- (a) Pioneer Natural Resources;
- (b) Petrohawk Energy Corporation; and
- (c) EOG Resources.

**RESPONSE:**



**CERTIFICATE OF SERVICE**

I certify that on June 10, 2011, this document was served on the following described parties in the manner indicated below:

Patrick K. Sheehan  
David Jed Williams  
Mark A. Randolph  
Hornberger Fuller Sheehan  
& Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

Via Fax

  
Michael J. Donley



## COURT OF APPEALS

FOURTH COURT OF APPEALS DISTRICT  
 CADENA-REEVES JUSTICE CENTER  
 300 DOLOROSA, SUITE 3200  
 SAN ANTONIO, TEXAS 78205-3037  
 WWW.4THCOA.COURTS.STATE.TX.US

FILED  
 DISTRICT CLERK  
 BEXAR CO. TEXAS

DEC 29 A 10:29

DEPUTY

BY: *[Signature]*



2010CI10977 -P00076

KEITH E. HOTTLE,  
 CLERK

TELEPHONE  
 (210) 335-2635

FACSIMILE NO.  
 (210) 335-2762

CATHERINE STONE  
 CHIEF JUSTICE  
 KAREN ANGELINI  
 SANDEE BRYAN MARION  
 PHYLLIS J. SPEEDLIN  
 REBECCA SIMMONS  
 STEVEN C. HILBIG  
 MARIALYN BARNARD  
 JUSTICES

December 23, 2011

Dinah L. Gaines  
 Staff Attorney  
 Bexar County Civil District Courts  
 100 Dolorosa, Suite B-23  
 San Antonio, TX 78205

George H. Spencer, Jr.  
 Clemens & Spencer, P.C.  
 112 East Pecan Street, Suite 1300  
 San Antonio, TX 78205-1512

Honorable Peter A. Sakai  
 Judge, 225th District Court  
 Bexar County Courthouse  
 100 Dolorosa, 2nd Floor  
 San Antonio, TX 78205

Patrick K. Sheehan  
 Hornberger Sheehan Fuller & Beiter Incorporated  
 7373 Broadway, Suite 300  
 San Antonio, TX 78209

Donna Kay McKinney  
 Bexar County-District Clerk  
 101 W. Nueva  
 San Antonio, TX 78205

Honorable David A. Berchermann, Jr.  
 Judge, 37th Judicial District Court  
 Bexar County Courthouse  
 100 Dolorosa  
 San Antonio, TX 78205

James L. Drought  
 Drought, Drought & Bobbitt, L.L.P.  
 2900 Weston Centre  
 112 East Pecan Street  
 San Antonio, TX 78205

Richard Tinsman  
 Tinsman & Sciano, Inc.  
 10107 McAllister Freeway  
 San Antonio, TX 78216

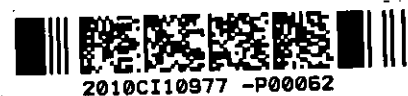
RE: Court of Appeals Number: 04-11-00914-CV  
 Trial Court Case Number: 2010-CI-10977  
 Style: In re JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South  
 Texas Syndicate Trust and Gary P. Aymes, Relator

Enclosed please find the order which the Honorable Court of Appeals has issued in reference to  
 the above styled and numbered cause.

If you should have any questions, please do not hesitate to contact me.

Very truly yours,  
 KEITH E. HOTTLE, CLERK

*[Signature: Jennifer Saenz]*  
 Jennifer Saenz  
 Deputy Clerk, Ext. 3221



(Consolidated Under)  
**CAUSE NO. 2010-CI-10977**

**JOHN K. MEYER, ET AL.**  
**Plaintiffs,**

**vs.**

**JP MORGAN CHASE BANK, N.A.**  
**INDIVIDUALLY/CORPORATELY**  
**AND AS TRUSTEE OF THE SOUTH**  
**TEXAS SYNDICATE TRUST**  
**and GARY P. AYMES,**  
**Defendants.**

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**IN THE DISTRICT COURT**

**225<sup>TH</sup> JUDICIAL DISTRICT**

**BEXAR COUNTY, TEXAS**

*B. J. DEPUTY*  
*Deputy Clerk*

11 DEC 20 PM 4:39

FILED  
DISTRICT CLERK  
BEXAR CO. TEXAS

**MOTION TO ENTER ORDERS**  
**(ON PLAINTIFFS' MOTION TO COMPEL)**

TO THE HONORABLE JUDGE OF SAID COURT:

Now come John K. Meyer, John Meyer, Jr., Theodore Meyer, and Emilie Blaze, Plaintiffs in the above-styled and numbered cause, and file this Motion to Enter Orders on Plaintiffs' Motion to Compel, and would respectfully show unto the Court the following:

1. On November 8, 2011, the Court heard Plaintiffs' Motions to Compel and made certain orders. On November 18, 2011, Plaintiffs submitted to Defendants proposed Orders with the request to approve as to form, attached hereto as **Exhibit "A"**. Thereafter, on or about November 30, 2011, Defendants submitted an alternate version of the proposed Orders attached hereto as **Exhibit "B"**.

2. The parties have not been able to agree on the form of Order. Wherefore, Plaintiffs request that the Court enter the orders attached as **Exhibit "A"**.

Respectfully submitted,

David R. Deary  
Jim L. Flegle  
Michael J. Donley  
LOEWINSOHN, FLEGLE, DEARY,  
L.L.P.  
12377 Merit Drive, Suite 900  
Dallas, Texas 75251  
Telephone: (214) 572-1700  
Facsimile: (214) 572-1717

Richard Tinsman  
TINSMAN & SCIANO, INC.  
10107 McAllister Fwy  
San Antonio, Texas 78216  
Telephone: (210) 225-3121  
Facsimile: (210) 225-6235

CLEMENS & SPENCER, P.C.  
112 East Pecan Street, Suite 1300  
San Antonio, Texas 78205  
Telephone: (210) 227-7121  
Facsimile: (210) 227-0732

DROUGHT, DROUGHT & BOBBITT,  
LLP  
2900 Weston Centre  
112 East Pecan Street  
San Antonio, Texas 78205  
(210) 225-4031 Telephone  
(210) 222-0586 Telecopier

By: 

James L. Drought  
State Bar No. 06135000

**ATTORNEYS FOR PLAINTIFFS**

**FIAT**

You are hereby notified that a hearing has been scheduled on Motion to Enter Orders (on Plaintiffs' Motion to Compel) in the above captioned cause, on the 29<sup>th</sup> day of December, 2011 at 10:00 a.m. in the 37<sup>th</sup> District Court, Bexar County Courthouse, San Antonio, Texas.

Signed this \_\_\_\_\_ day of DEC 20 2011, 2011.

**DAVID A. BERCHELMANN, JR.**  
**PRESIDING JUDGE**  
\_\_\_\_\_  
Presiding Judge, DISTRICT COURT  
BEXAR COUNTY, TEXAS

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been sent by:

\_\_\_\_\_  
✓ U.S. Certified Mail, Return Receipt Requested to:  
\_\_\_\_\_  
Facsimile to:  
\_\_\_\_\_  
First Class Mail to:  
\_\_\_\_\_  
Hand Delivery to:

Mr. Patrick K. Sheehan  
Mr. David Jed Williams  
Mr. Mark A. Randolph  
Hornberger Sheehan Fuller & Beiter, Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

on this the 20<sup>th</sup> day of December, 2011.

  
\_\_\_\_\_  
James L. Brought

JOHN K. MEYER, et al	§	IN THE DISTRICT COURT
	§	
vs.	§	225 <sup>TH</sup> JUDICIAL DISTRICT
	§	
JP MORGAN CHASE BANK, N.A.,	§	
INDIVIDUALLY/CORPORATELY AND	§	
AS TRUSTEE OF THE SOUTH TEXAS	§	
SYNDICATE TRUST and GARY P. AYMES	§	BEXAR COUNTY, TEXAS

ORDER ON MEYER'S MOTION TO COMPEL REGARDING DEFENDANTS'  
OBJECTIONS TO MEYER'S SECOND SET OF INTERROGATORIES

On the 8<sup>th</sup> day of November, 2011, the Court heard John Meyer's Motion to Compel. At the presentation of the Motion to Compel, Plaintiff Meyer, by and through counsel, presented the court with a Summary of the Interrogatories by category and number that Plaintiff Meyer was requesting a ruling on. The Court, after hearing argument of Counsel for Plaintiffs and Defendants, is of the opinion that the following orders should be entered. It is therefore, ORDERED:

<u>No.</u>	<u>Topic</u>
1-9	<b>Amount of bonus and delay rentals received regarding the Activa, Elsworth, Petrohawk and Bishop Leases (9 leases)</b>

Defendants objections are: OVERRULED

Further holding of the Court: Defendants announced that they were not waiving their objection regarding the Mandamus and that they wanted to produce the information subject to a confidentiality order. The Court found that to be "fair enough" and found that to be acceptable and subject to that announcement and the condition of the confidentiality order, overruled Defendants objections and assuming

the Court of Appeals denied the mandamus. The Defendants provided a new confidentiality order and stated on the record the revision that had been made as compared to one previously provided to Plaintiffs. Plaintiff's counsel, George Spencer, represented to the Court that if what the Defendants represented was the only change made by Defendants, it would be acceptable to Plaintiffs.

**10 Did JPM tell any beneficiary the terms of the 9 leases?**

Defendants objections are: GRANTED

Further holding of the Court: Defendants do not have to produce at this point, but Plaintiffs can reurge in the future.

**11 Individuals JPM contacted regarding the negotiation of the 9 leases**

Defendants objections are: OVERRULED

Further holding of the Court: Defendants need to start working on it.

**12 JPM representatives involved re: negotiation of the 9 leases**

Defendants objections are: OVERRULED

Further holding of the Court: Defendants announced they could agree and the Court overruled the objections.

**13 Names of JPM committees who reviewed the 9 leases**

Defendants objections are: OVERRULED

Further holding of the Court: Defendants announced they could agree and the Court overruled the objections.

**14 [skip]**

**15 Annual amount of fees charged to the trust**

Defendants objections are: OVERRULED

Further holding of the Court: Defendants announced this information was already produced, therefore, the Court overrules the objections and further orders the Defendants to identify where the information was produced.

**16            Names of petroleum engineer providing reports**

Defendants objections are: OVERRULED

Further holding of the Court: Defendants announced they could agree if so ordered by a higher court, therefore, the Court overrules Defendants objections.

**17            Names of geologist providing reports**

Same ruling as 16.

**18            Names of person who evaluated the STS minerals**

Defendants objections are: OVERRULED.

Further holding of the Court: Defendants announced they were not aware of any responsive information, but would check.

**19-20        Identify policy manuals**

Defendants objections are: OVERRULED

Signed this the \_\_\_\_ day of November, 2011.

---

Hon. David Berchermann  
Judge Presiding



APPROVED AS TO FORM ONLY:

---

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GARY AYMES**

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Dallas, Texas 75251

***ATTORNEYS FOR PLAINTIFF,***

***EMILIE BLAZE***

(Consolidated Under)  
CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL.,	§	IN THE DISTRICT COURT OF
	§	
Plaintiffs,	§	
	§	
JP MORGAN CHASE BANK, N.A.,	§	
INDIVIDUALLY/CORPORATELY AND	§	225 <sup>th</sup> JUDICIAL DISTRICT
AS TRUSTEE OF THE SOUTH TEXAS	§	
SYNDICATE TRUST AND GARY P.	§	
AYMES,	§	
	§	
Defendants.	§	BEXAR COUNTY, TEXAS

**ORDER ON MEYER'S MOTION TO COMPEL REGARDING DEFENDANTS'  
OBJECTIONS TO MEYER'S SECOND AND THIRD REQUESTS FOR PRODUCTION**

On the 8<sup>th</sup> day of November, 2011, the Court heard John Meyer's Motion to Compel. At the presentation of the Motion to Compel, Plaintiff Meyer, by and through counsel, presented the Court with a Summary of the Requests at issue by category and number. The Court, after hearing argument of Counsel for Plaintiffs and Defendants, made the following rulings. It is therefore, ORDERED:

<b><u>No.</u></b>	<b><u>Topic</u></b>
<b>3</b>	<b>Documents re: ordinary v. extraordinary services:</b>  <u>Defendants' objections are: OVERRULED</u>  The Court orders Defendants to produce.
<b>6-10</b>	<b>Correspondence between JPM and the beneficiaries</b>  Plaintiff did not request a ruling at this time.
<b>11</b>	<b>STS Tax Returns</b>  <u>Defendants' objections are: OVERRULED</u>  The Court orders Defendants to produce.

**12-14 Correspondence with third parties**

Defendants' objections are: SUSTAINED

Plaintiff can reurge this request at a later time.

**15-16 Correspondence between JPM representatives**

Defendants' objections are: OVERRULED

Defendants are ordered to confer with Plaintiff regarding appropriate search terms.

**17-21 667a Activa Leases**

- (1) With regard to the Oil and Gas Leases, Defendants' objections are:  
OVERRULED

The Court orders Defendants to produce.

- (2) With regard to bonuses and delay rentals, Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

- (3) With regard to division orders, Defendants' objections are:  
OVERRULED

The Court orders Defendants to produce.

- (4) With regard to what JP MORGAN relied on, Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

**22-26 483ac Elsworth Lease**

Same ruling as for 17-21.

**27-31 12,772ac Petrohawk Lease**

Same ruling as for 17-21.

**32-36      12,073ac Petrohawk Lease**

Same ruling as for 17-21.

**37-41      16,903ac Petrohawk Lease**

Same ruling as for 17-21.

**42-46      15,456ac Petrohawk Lease**

Same ruling as for 17-21.

**47-51      3,845ac Petrohawk Lease**

Same ruling as for 17-21.

**52-56      18,473ac Petrohawk Lease**

Same ruling as for 17-21.

**57-61      750ac Bishop Lease**

Same ruling as for 17-21.

**62          Other STS Leases**

Same ruling as for 17-21.

**63          Copies of checks received by JPM**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce for the period of January 1, 2008 to date.

**64          Documents showing distribution of income to beneficiaries**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce for the period of January 1, 2008 to date.

**65          Annual Fee Schedule**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce for schedules applicable in Texas for the period of January 1, 2008 to date.

**67 Fees charged**

Defendants' objections are: SUSTAINED

Plaintiff can reurge this request at a later time.

**68 Tax Opinions**

This request is deferred until a hearing on Defendants' claims of privilege.

**69 Audits**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce, if any exist.

**70-72 Annual Reports and Accountings sent to Beneficiaries**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce for the period of January 1, 2001 to present.

**73-74 Policy Manuals regarding administration of trust and minerals**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce any policy manuals that employees follow who administer the STS Trust.

**75-76 Invoices from attorneys, accountants and others regarding work performed**

This request is deferred until a hearing on Defendants' claims of privilege.

**77-78 Reports prepared by Joseph Finger**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

**79 STS Certificates of Beneficial Interests**

Defendants' objections are: SUSTAINED

Plaintiff can reurge this request at a later time.

80-81

**Lease maps**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

82

**Division Orders**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

83

**Carneiro Chumney Statements**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

84

**2009 and 2010 Bank Statements**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

85

**Schedule of Fees for Administering Trusts**

Plaintiff did not request a ruling at this time.

86

**Legal Opinions paid for with trust funds**

Plaintiff did not request a ruling at this time.

87

**Correspondence from beneficiaries**

Plaintiff did not request a ruling at this time.

88-89

**Petroleum engineer reports and correspondence**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

**90-91            Geologist reports and correspondence**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

**92                Evaluation reports**

Defendants' objections are: SUSTAINED

Plaintiff can reurge this request at a later time.

**93                Names of beneficiaries and number of shares owned by each**

Plaintiff did not request a ruling at this time.

Signed this the \_\_\_\_ day of November, 2011.

---

Hon. David Berchermann  
Judge Presiding

APPROVED AS TO FORM ONLY:

---

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2010-CI-10977

JOHN K. MEYER, et al	§	IN THE DISTRICT COURT
	§	
vs.	§	225 <sup>TH</sup> JUDICIAL DISTRICT
	§	
JP MORGAN CHASE BANK, N.A.,	§	
INDIVIDUALLY/CORPORATELY AND	§	
AS TRUSTEE OF THE SOUTH TEXAS	§	
SYNDICATE TRUST and GARY P. AYMES	§	BEXAR COUNTY, TEXAS

**ORDER ON MEYER'S MOTION TO COMPEL REGARDING DEFENDANTS'**  
**OBJECTIONS TO MEYER'S SECOND SET OF INTERROGATORIES**

On the 8<sup>th</sup> day of November, 2011, the Court heard John Meyer's Motion to Compel. At the presentation of the Motion to Compel, Plaintiff Meyer, by and through counsel, presented the court with a Summary of the Interrogatories by category and number that Plaintiff Meyer was requesting a ruling on. The Court, after hearing argument of Counsel for Plaintiffs and Defendants, is of the opinion that the following orders should be entered. It is therefore, ORDERED:

<b><u>No.</u></b>	<b><u>Topic</u></b>
<b>1-9</b>	<b>Amount of bonus and delay rentals received regarding the Activa, Elsworth, Petrohawk and Bishop Leases (9 leases)</b>

Holding of the Court: Defendants announced that they were not waiving their objection regarding the Mandamus and that they wanted to produce the information subject to a confidentiality order. The Court found that to be "fair enough" and found that to be acceptable and subject to that announcement and the condition of the confidentiality order, ordered that Defendants respond to the interrogatories assuming the Court of Appeals denied the mandamus. The Defendants provided a new confidentiality order and stated on the

**EXHIBIT B**

record the revision that had been made as compared to one previously provided to Plaintiffs. Plaintiff's counsel, George Spencer, represented to the Court that if what the Defendants represented was the only change made by Defendants, it would be acceptable to Plaintiffs.

**10 Did JPM tell any beneficiary the terms of the 9 leases?**

Defendants objections are: GRANTED

Further holding of the Court: Defendants do not have to produce at this point, but Plaintiffs can reurge in the future.

**11 Individuals JPM contacted regarding the negotiation of the 9 leases**

Defendants objections are: OVERRULED

Further holding of the Court: Defendants need to start working on it.

**12 JPM representatives involved re: negotiation of the 9 leases**

Holding of the Court: Defendants announced they could agree to provide the information requested in the Interrogatory.

**13 Names of JPM committees who reviewed the 9 leases**

Holding of the Court: Defendants announced they could agree to provide the information requested in the Interrogatory.

**14 [skip]**

**15 Annual amount of fees charged to the trust**

Holding of the Court: Defendants announced this information was already produced. The Court orders the Defendants to identify where the information was produced.

**16 Names of petroleum engineer providing reports**

Holding of the Court: Defendants announced they could agree to answer the Interrogatory.

**17 Names of geologist providing reports**

Same ruling as 16.

**18 Names of person who evaluated the STS minerals**

Holding of the Court: Defendants announced they were not aware of any responsive information, but would check.

**19-20 Identify policy manuals**

Defendants objections are: OVERRULED

Signed this the \_\_\_\_ day of November, 2011.

---

Hon. David Berchermann  
Judge Presiding

APPROVED AS TO FORM ONLY:

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***ATTORNEYS FOR PLAINTIFF,  
EMILIE BLAZE***

(Consolidated Under)  
CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL.,

Plaintiffs,

JP MORGAN CHASE BANK, N.A.,  
INDIVIDUALLY/CORPORATELY AND  
AS TRUSTEE OF THE SOUTH TEXAS  
SYNDICATE TRUST AND GARY P.  
AYMES,

Defendants.

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IN THE DISTRICT COURT OF

225<sup>th</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**ORDER ON MEYER'S MOTION TO COMPEL REGARDING DEFENDANTS'  
OBJECTIONS TO MEYER'S SECOND AND THIRD REQUESTS FOR PRODUCTION**

On the 8<sup>th</sup> day of November, 2011, the Court heard John Meyer's Motion to Compel. At the presentation of the Motion to Compel, Plaintiff Meyer, by and through counsel, presented the Court with a Summary of the Requests at issue by category and number. The Court, after hearing argument of Counsel for Plaintiffs and Defendants, made the following rulings. It is therefore, ORDERED as follows:

Subject to the outcome of Defendants' mandamus regarding its request for abatement of the lawsuit, the parties are ordered to confer and attempt to agree upon search terms, time frames, list of custodians and other necessary limitations as to the scope of discovery regarding electronically stored information. Subject to this general limitation, it further is further ORDERED:

**No.**

**Topic**

**3**

**Documents re: ordinary v. extraordinary services:**

Defendants agreed to produce responsive documents.

**6-10 Correspondence between JPM and the beneficiaries**

Plaintiff did not request a ruling at this time.

**11 STS Tax Returns**

Subject to the entry of a confidentiality order, Defendants agreed to produce responsive documents.

**12-14 Correspondence with third parties**

The Court denied the motion to compel.

Plaintiff can reurge this request at a later time.

**15-16 Correspondence between JPM representatives**

Defendants are ordered to confer with Plaintiff regarding appropriate search terms.

**17-21 667a Activa Leases**

Subject to Defendants' objections and the entry of a confidentiality order, Defendants agreed to produce the lease and responsive summary documents. The Court overruled Defendants' objections regarding the production of the division order and ordered the production of the division order. The Court further ordered Defendants to produce documents relied on by Defendants in entering into the lease after the parties confer regarding appropriate search terms.

**22-26 483ac Elsworth Lease**

Same as for 17-21.

**27-31 12,772ac Petrohawk Lease**

Same ruling as for 17-21.

**32-36 12,073ac Petrohawk Lease**

Same ruling as for 17-21.

**37-41 16,903ac Petrohawk Lease**

Same ruling as for 17-21.



**42-46        15,456ac Petrohawk Lease**

Same ruling as for 17-21.

**47-51        3,845ac Petrohawk Lease**

Same ruling as for 17-21.

**52-56        18,473ac Petrohawk Lease**

Same ruling as for 17-21.

**57-61        750ac Bishop Lease**

Same ruling as for 17-21.

**62            Other STS Leases**

Subject to Defendants' objections and the entry a confidentiality order, Defendants agreed to produce the responsive leases.

**63            Copies of checks received by JPM**

Subject to Defendants' objections and the entry a confidentiality order, Defendants agreed to produce responsive checks for the period of January 1, 2008 to date.

**64            Documents showing distribution of income to beneficiaries**

The Court orders Defendants to produce checks responsive to the request for the currently joined Plaintiffs for the period of January 1, 2008 to date.

**65            Annual Fee Schedule**

The Court orders Defendants to produce fee schedules applicable in Texas for the period of January 1, 2008 to date.

**67            Fees charged**

Motion to Compel is denied at present.

**68            Tax Opinions**

This request is deferred until a hearing on Defendants' claims of privilege.

69

**Audits**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce, if any exist.

70-72

**Annual Reports and Accountings sent to Beneficiaries**

Defendants agreed to bates-stamp and produce responsive documents that have been previously provided to counsel for Plaintiffs.

73-74

**Policy Manuals regarding administration of trust and minerals**

The Court orders Defendants to produce any policy manuals that employees who administer the STS Trust follow.

75-76

**Invoices from attorneys, accountants and others regarding work performed**

This request is deferred until a hearing on Defendants' claims of privilege.

77-78

**Reports prepared by Joseph Finger**

The Court orders Defendants to produce reports prepared by Joseph Finger.

79

**STS Certificates of Beneficial Interests**

The Court did not rule specifically on the objections, but held that Defendants did not have to produce the certificates. Plaintiff can reurge this request at a later time.

80-81

**Lease maps**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

82

**Division Orders**

The Court orders Defendants to produce division orders for the nine leases previously addressed in Requests 17 - 61.

83

**Carneiro Chumney Statements**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

**84                    2009 and 2010 Bank Statements**

Defendants' objections are: OVERRULED

The Court orders Defendants to Bates-Stamp and produce the previously provided trust statements.

**85                    Schedule of Fees for Administering Trusts**

Plaintiff did not request a ruling at this time.

**86                    Legal Opinions paid for with trust funds**

Plaintiff did not request a ruling at this time.

**87                    Correspondence from beneficiaries**

Plaintiff did not request a ruling at this time.

**88-89                Petroleum engineer reports and correspondence**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce.

**90-91                Geologist reports and correspondence**

Defendants' objections are: OVERRULED

The Court orders Defendants to produce responsive documents after the parties confer on search terms for the request.

**92                    Evaluation reports**

Defendants' objections are: SUSTAINED

Plaintiff can reurge this request at a later time.

**93                    Names of beneficiaries and number of shares owned by each**

Plaintiff did not request a ruling at this time.

Signed this the \_\_\_\_ day of November, 2011.

The foregoing order is subject to the Defendants' right to request relief regarding the cost to respond to the discovery requests and the payment of such cost under their Motion(s) for Protective Order after the parties have conferred regarding search terms, time frames, list of custodians and other necessary limitations as to the scope of discovery regarding electronically stored information.

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Hon. David Berchermann  
Judge Presiding

APPROVED AS TO FORM ONLY:

---

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JOHN K. MEYER, ET AL.,

Plaintiffs,

JP MORGAN CHASE BANK, N.A.,  
INDIVIDUALLY/CORPORATELY AND  
AS TRUSTEE OF THE SOUTH TEXAS  
SYNDICATE TRUST AND GARY P.  
AYMES,

Defendants.

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IN THE DISTRICT COURT OF

225<sup>th</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**PLAINTIFFS' RESPONSE TO EOG RESOURCES, INC.'S  
MOTION FOR PROTECTIVE ORDER**

Plaintiffs hereby file this Response to EOG Resources, Inc.'s ("EOG") Motion for Protective Order and would respectfully show the Court as follows:

**I.**

**FACTUAL AND PROCEDURAL BACKGROUND**

**A. The Instant Action**

This lawsuit involves the administration of the South Texas Syndicate Trust ("STS Trust"). Defendant JP Morgan Chase Bank, N.A. ("JP Morgan") is the current Trustee of the STS Trust. Plaintiffs, beneficiaries of the STS trust, have sued Defendants because of Defendants' pattern of neglect, mismanagement and tortious behavior that has caused millions of dollars of damage to the STS Trust assets and estate.

**B. Relevance and STS Beneficiaries' Right to the Documents**

Part of the damage to the STS Trust was caused by Defendants' interactions and business dealings with third parties, including EOG. For example, in their Amended Petition, among

BY:

2011 DEC 28 P 3:52

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BEXAR CO. TEXAS

many other violations, Plaintiffs specifically allege Defendants violated their fiduciary duties by actions taken and not taken in filing, litigating and settling an action against Pioneer Natural Resources USA, Inc. and EOG, previously pending as Cause No. 09-04-00036-CVL; *JP Morgan Chase Bank, N.A., in its capacity as Trustee of the South Texas Syndicate Trust v. Pioneer Natural Resources USA, Inc. and EOG Resources, Inc.*; in the 218th Judicial District Court, LaSalle County, Texas. Am. Pet. at 7, 9, 12.

Additionally, upon information and belief, JP Morgan has relationships with EOG that create conflicts of interest that JP Morgan has a duty to disclose. JP Morgan has failed to disclose those relationships as required by the Texas Trust law.

The STS Beneficiaries are entitled to this information because of their rights under the Texas Rules of Civil Procedure and Texas Trust law.

**C. The Discovery Request**

During discovery, Plaintiffs requested documents related to the business and banking relationships between Defendants and a limited number of third parties. The document request at issue reads as follows:

All documents sufficient to identify any and all business or banking relationships by and between JP Morgan Chase Bank, N.A., or any of its affiliates, subsidiaries, or divisions and any entity having a leasehold or other interest in the Trust Assets, including but not limited to, the following entities and any of their affiliates, subsidiaries, divisions, joint venture interests, partnerships, or other business relationships:

- (a) Pioneer Natural Resources;
- (b) Petrohawk Energy Corporation; and
- (c) EOG Resources.

**D. Plaintiffs Have Complied with Tex. Fin. Code § 59.006**

Because Defendants objected in part that the request sought documents consisting of banking records related to third parties, Plaintiffs strictly complied with the process set out in Tex. Fin. Code § 59.006 and provided EOG with notice of the request and opportunity to consent. As a result of Plaintiffs' notice, and without contacting counsel for Plaintiffs, EOG filed its Motion.

**II.**

**ARGUMENTS AND AUTHORITIES**

Plaintiffs' request is limited to documents sufficient to identify the relationship between Defendants and EOG. The request is narrowly tailored to the specific issues in this litigation – conflicts of interest and Defendants' actions with respect to the administration of the STS Trust. The request is therefore not overly broad, vague, or ambiguous.<sup>1</sup> Accordingly, the Court should deny EOG's Motion.

To the extent that EOG is concerned about the confidentiality of its documents, a protective order has been entered in this case that will adequately protect any proprietary information. Plaintiffs are not competitors to EOG, so any concern about proprietary information being disclosed to competitors is without merit. Additionally, counsel for Plaintiffs is willing to work with EOG's counsel and Defendants' counsel to determine what information could be redacted without impacting the substance of the relevant information.

---

<sup>1</sup> To date, Defendants have failed to comply with their discovery obligations by stating the specific basis for their objections and the extent to which they refuse to comply. See TEX. R. CIV. P. 193.2(a); *In re CI Host, Inc.*, 92 S.W.3d 514, 516-517 (Tex. 2002); *In re Exmark Mfg. Co.*, 299 S.W.3d 519, 524 (Tex. App. – Corpus Christi, 2009, no pet.). Moreover, Defendants have refused to produce those documents that are not covered by the Tex. Fin. Code § 59.006.



Because Plaintiffs have a right to the documents under the TRCP and Texas Trust law, and because adequate protections are in place, the Court should deny EOG's Motion.

### **III.**

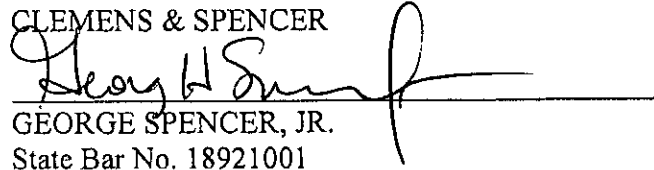
#### **REQUEST FOR RELIEF**

For the reasons described in this Response, Plaintiffs respectfully request that the Court deny EOG's Motion for Protective Order.

DATE: December 28, 2011.

Respectfully submitted,

CLEMENS & SPENCER

  
\_\_\_\_\_  
GEORGE SPENCER, JR.

State Bar No. 18921001

112 E. Pecan St., Suite 1300

San Antonio, Texas 78205

Telephone: (210) 227-7121

Facsimile: (210) 227-0732

RICHARD TINSMAN

State Bar No. 20064000

TINSMAN & SCIANO, INC.

10107 McAllister Freeway

San Antonio, Texas 78205

Telephone: (210) 225-3121

Facsimile: (210) 225-6235

JAMES L. DROUGHT

State Bar No. 06135000

DROUGHT DROUGHT & BOBBITT, LLP

112 E. Pecan St., Suite 2900

San Antonio, Texas 78205

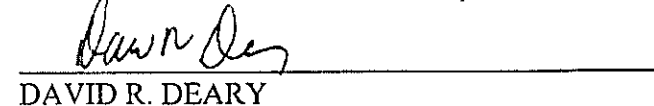
Telephone: (210) 225-4031

Facsimile: (210) 222-0586

ATTORNEYS FOR PLAINTIFF

JOHN K. MEYER

LOEWINSOHN FLEGLE DEARY, L.L.P.

  
\_\_\_\_\_  
DAVID R. DEARY

State Bar No. 05624900

JIM L. FLEGLE

State Bar No. 07118600

MICHAEL J. DONLEY

State Bar No. 24045795

12377 Merit Drive, Suite 900

Dallas, Texas 75251

Telephone: (214) 572-1700

Facsimile: (214) 572-1717

ATTORNEYS FOR PLAINTIFF

EMILIE BLAZE

**CERTIFICATE OF SERVICE**

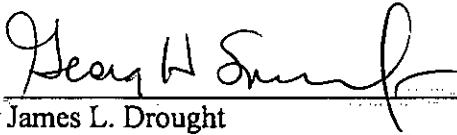
I hereby certify that a true and correct copy of the above and foregoing instrument has been served on the below listed counsel of record via the method indicated, this 28th day of December 2011:

Patrick K. Sheehan  
David Jed Williams  
Mark A. Randolph  
Hornberger Sheehan Fuller  
& Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

*Via Facsimile*

Ronald A. Simank  
Schauer & Simank, P.C.  
615 North Upper Broadway, Suite 2000  
Corpus Christi, TX 78401

*Via Facsimile*

  
for James L. Drought



CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL.

VS.

JPMORGAN CHASE BANK, N.A.  
INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH  
TEXAS SYNDICATE TRUST AND  
GARY P. AYMES

§  
§  
§  
§  
§  
§  
§

IN THE DISTRICT COURT

225<sup>TH</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**PIONEER NATURAL RESOURCES USA, INC.'s**  
**MOTION FOR PROTECTION FROM DISCOVERY NOTICE**

NOW COMES Pioneer Natural Resources USA, Inc. (Pioneer) and files its Motion for Protection from a Notice of Record Request served by Plaintiffs pursuant to §59.006 of the Texas Finance Code, and in support of its Motion Pioneer shows as follows:

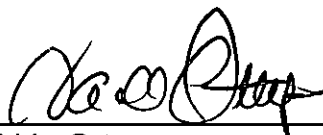
1. Pioneer is not a party to this lawsuit.
2. Plaintiffs served the attached Notice of Record Request Pursuant to §59.006 of the Texas Finance Code (Notice).
3. According to the Notice, Plaintiffs seek to obtain Pioneer's consent to release its financial records maintained by the Defendant, JP Morgan Chase Bank, N.A.
4. A trial court may issue an order protecting a non-party from a discovery request that invades personal, constitutional or property rights, or is unduly burdensome, unnecessarily expensive and/or harassing. TRCP 192.6(b). The court has the authority to limit the scope of discovery based on the needs and circumstances of the case. TRCP 192 cmt. 7.

*[Handwritten signature]*  
11 DEC 21 PM 1:57  
2011 DEC 21  
DEFUTIX  
Pioneer

5. Pioneer asks the Court for a Protective Order because the request for documents in Plaintiffs' Notice is overly broad. A discovery request must be reasonably tailored to include only relevant matters. *In re Am. Optical Corp.*, 988 S.W.2d 711, 713 (Tex. 1998).
6. In this instance, Plaintiffs ask for "all documents sufficient to identify any and all business or banking relationships by and between JP Morgan Chase Bank, N.A., or any of its affiliates, subsidiaries, or divisions and any entity having a leasehold or other interest in the Trust Assets (JP Morgan), including but not limited to, the following entities and any of their affiliates, subsidiaries, divisions, joint venture interests, partnerships, or other business relationships:
  - a. Pioneer Natural Resources;
  - b. Petrohawk Energy Corporation; and
  - c. EOG Resources.
7. Pioneer further objects to Plaintiffs' request as vague, not reasonably limited in time or scope, and not reasonably calculated to lead to the discovery of relevant or admissible evidence.
8. Pioneer asks for a Protective Order because the request for documents in Plaintiffs' Notice asks for extensive sensitive banking information that should not be disclosed in the underlying lawsuit. Plaintiffs' request constitutes an invasion of Pioneer's right to private and confidential banking information. TRCP 192.6(b).
9. Pioneer does not consent to the release of its confidential, proprietary, private and privileged information maintained by JP Morgan.

WHEREFORE, Pioneer Natural Resources USA, Inc. asks the Court to enter a Protective Order from the release of its banking information, and for all other relief to which this Defendant is entitled.

Respectfully submitted,



---

David L. Ortega  
State Bar No. 00791377  
Naman, Howell, Smith & Lee, PLLC  
10001 Reunion Place, Suite #600  
San Antonio, Texas 78216  
Telephone: 210-731-6353  
Facsimile: 210-785-2953

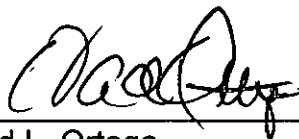
**ATTORNEYS FOR PIONEER NATURAL  
RESOURCES USA, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing was served in compliance with the Texas Rules of Civil Procedure on this the 21<sup>st</sup> day of December, 2011 to the following counsel of record:

Mr. Jim L. Flegle  
Loewinsohn Flegle Deary, LLP  
12377 Merit Drive, Suite #900  
Dallas, Texas 75251

Mr. Patrick K. Sheehan  
Mr. Mark A. Randolph  
Hornberger Sheehan Fuller & Beiter Incorporated  
7373 Broadway, Suite #300  
San Antonio, Texas 78209



---

David L. Ortega

★ ★ ★  
LOEWINSOHN FLEGLE DEARY  
L · L · P

---

November 18, 2011

Pioneer Natural Resources USA, Inc.  
c/o C T Corporation System  
350 North St. Paul St., Ste. 2900  
Dallas, TX 75201

*Via Hand Delivery*

Re: Notice of Record Request Pursuant to §59.006, Texas Finance Code

To Whom It May Concern:

We represent Plaintiff Emilie Blaze in Cause No. 2011-CI-10977; *John K. Meyer, et al. v. JP Morgan Chase Bank N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*; in the 225th District Court, Bexar County, Texas ("Litigation"). JP Morgan Chase Bank N.A. ("JP Morgan") has been sued individually/corporately and in its capacity as Trustee of the South Texas Syndicate Trust.

In the Litigation, my client has requested discovery of records of JP Morgan relating to Pioneer Natural Resources USA, Inc. as a customer of the financial institution. A copy of our Request for Production #92 is attached.

Pursuant to §59.006, Texas Finance Code, you are hereby given notice of your rights as a customer under §59.006(e). You, as a customer, bear the burden of preventing or limiting the financial institution's compliance with a record request subject to §59.006 by seeking an appropriate remedy, including filing a motion to quash the record request or a motion for a protective order. Any motion filed shall be served on the financial institution and the requesting party before the date that compliance with the request is required. If we have not received your consent form, as requested below, by December 19, 2011, we will file a motion seeking an in camera inspection of the documents. The service address for JP Morgan, the financial institution, is:

JP Morgan Chase Bank N.A.  
c/o Patrick K. Sheehan, Esq.  
Hornberger Sheehan Fuller & Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209  
Fax: 210-271-1730

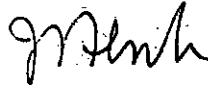
The service address for Plaintiff, the requesting party, is:

Emilie Blaze  
c/o Jim L. Flegle, Esq.  
Loewinsohn Flegle Deary, LLP  
12377 Merit Drive, Suite 900  
Dallas, TX 75251  
Fax: 214-572-1717

Further, my client requests your written consent authorizing JP Morgan to comply with the request. A consent form is enclosed. If you wish to consent to the release of the records my client has requested, please execute the attached consent form and return it to the undersigned by December 19, 2011.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Jim L. Flegle  
(214) 572-1701  
Email: [jimf@LFDlaw.com](mailto:jimf@LFDlaw.com)

JLF/mlj



**Consent for JP Morgan to Release Banking Records**

I, \_\_\_\_\_, have capacity to act on behalf of Pioneer Natural Resources USA, Inc.. Pioneer Natural Resources USA, Inc. consents to the release of the records requested by the Plaintiffs in Request for Production #92 and hereby authorizes JP Morgan to comply with the Request and provide any documents covered by the Request to the Plaintiffs.

PIONEER NATURAL RESOURCES USA, INC.

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

CAUSE NO. 2011-CI-04747

EMILIE BLAZE,	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
	§	
v.	§	
	§	225 <sup>TH</sup> JUDICIAL DISTRICT
JP MORGAN CHASE BANK, N.A.,	§	
INDIVIDUALLY/CORPORATELY AND AS	§	
TRUSTEE OF THE SOUTH TEXAS	§	
SYNDICATE TRUST and GARY P. AYMES,	§	
	§	
Defendants.	§	BEXAR COUNTY, TEXAS

**PLAINTIFF'S SECOND SET OF REQUESTS FOR PRODUCTION TO DEFENDANT  
JP MORGAN CHASE BANK, N.A., INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST**

TO: Defendant JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust, by and through its attorney of record, Patrick K. Sheehan, Hornberger Fuller Sheehan & Beiter Inc., The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, TX 78209

Plaintiff Emilie Blaze ("Plaintiff"), hereby requests that Defendant JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust ("Defendant") produce the following described documents for inspection and copying pursuant to Tex. R. Civ. P. 196, at the offices of Loewinsohn Flegle Deary, L.L.P., 12377 Merit Drive, Suite 900, Dallas, Texas 75251-2224, within thirty (30) days of service and that Defendant serve a written response to this First Request For Production to Defendant within thirty (30) days of service in accordance with the Texas Rules of Civil Procedure.

**REQUEST FOR PRODUCTION NO. 92:**

All documents sufficient to identify any and all business or banking relationships by and between JP Morgan Chase Bank, N.A., or any of its affiliates, subsidiaries, or divisions and any entity having a leasehold or other interest in the Trust Assets, including but not limited to, the following entities and any of their affiliates, subsidiaries, divisions, joint venture interests, partnerships, or other business relationships:

- (a) Pioneer Natural Resources;
- (b) Petrohawk Energy Corporation; and
- (c) EOG Resources.

**RESPONSE:**

FILED  
DISTRICT CLERK  
BESAR, TEXAS  
2011 DEC 28 P 3:53  
DEPUTY  
Amended Petition  
interactions and business

many other violations, Plaintiffs specifically allege Defendants violated their fiduciary duties by actions taken and not taken in filing, litigating and settling an action against Pioneer and EOG Resources, Inc., previously pending as Cause No. 09-04-00036-CVL; *JP Morgan Chase Bank, N.A., in its capacity as Trustee of the South Texas Syndicate Trust v. Pioneer Natural Resources USA, Inc. and EOG Resources, Inc.*; in the 218th Judicial District Court, LaSalle County, Texas. Am. Pet. at 7, 9, 12.

Additionally, upon information and belief, JP Morgan has relationships with Pioneer that create conflicts of interest that JP Morgan has a duty to disclose. JP Morgan has failed to disclose those relationships as required by the Texas Trust law.

The STS Beneficiaries are entitled to this information because of their rights under the Texas Rules of Civil Procedure and Texas Trust law.

#### **C. The Discovery Request**

During discovery, Plaintiffs requested documents related to the business and banking relationships between Defendants and a limited number of third parties. The document request at issue reads as follows:

All documents sufficient to identify any and all business or banking relationships by and between JP Morgan Chase Bank, N.A., or any of its affiliates, subsidiaries, or divisions and any entity having a leasehold or other interest in the Trust Assets, including but not limited to, the following entities and any of their affiliates, subsidiaries, divisions, joint venture interests, partnerships, or other business relationships:

- (a) Pioneer Natural Resources;
- (b) Petrohawk Energy Corporation; and
- (c) EOG Resources.

#### **D. Plaintiffs Have Complied with Tex. Fin. Code § 59.006**

Because Defendants objected in part that the request sought documents consisting of banking records related to third parties, Plaintiffs strictly complied with the process set out in Tex. Fin. Code § 59.006 and provided Pioneer with notice of the request and opportunity to consent. As a result of Plaintiffs' notice, Pioneer contacted counsel for Plaintiffs for an extension of time to discuss the information sought. Exhibit A, Letter dated December 19, 2011 from D. Ortega to J. Flegle. However, before the parties could discuss the request, Pioneer filed its Motion. Exhibit B, Letter dated December 21, 2011 from D. Ortega to J. Flegle.

### **II.**

#### **ARGUMENTS AND AUTHORITIES**

Plaintiffs' request is limited to documents sufficient to identify the relationship between Defendants and Pioneer. The request is narrowly tailored to the specific issues in this litigation – conflicts of interest and Defendants' actions with respect to the administration of the STS Trust. The request is therefore not overly broad or vague, is limited in time and scope, and seeks documents that are clearly likely to lead to the discovery of admissible evidence.<sup>1</sup> Accordingly, the Court should deny Pioneer's Motion.

To the extent that Pioneer is concerned about the sensitivity of its documents, a protective order has been entered in this case that will adequately protect any proprietary information. Additionally, counsel for Plaintiffs is willing to work with Pioneer's counsel and Defendants'

---

<sup>1</sup> To date, Defendants have failed to comply with their discovery obligations by stating the specific basis for their objections and the extent to which they refuse to comply. See TEX. R. CIV. P. 193.2(a); *In re CI Host, Inc.*, 92 S.W.3d 514, 516-517 (Tex. 2002); *In re Exmark Mfg. Co.*, 299 S.W.3d 519, 524 (Tex. App. – Corpus Christi, 2009, no pet.). Moreover, Defendants have refused to produce those documents that are not covered by Tex. Fin. Code § 59.006.

counsel to determine what information could be redacted without impacting the substance of the relevant information.

Because Plaintiffs have a right to the documents under the TRCP and Texas Trust law, and because adequate protections are in place, the Court should deny Pioneer's Motion.

Pioneer's assertions of privilege are without merit. There can be no privilege for documents that include "information maintained by JP Morgan." Motion at p. 2. Thus, the Court should deny Pioneer's Motion on the basis of privilege.

### **III.**

#### **REQUEST FOR RELIEF**

For the reasons described in this Response, Plaintiffs respectfully request that the Court deny Pioneer's Motion for Protection from Discovery Notice.

DATE: December 28, 2011.

Respectfully submitted,

CLEMENS & SPENCER



GEORGE SPENCER, JR.

State Bar No. 18921001

112 E. Pecan St., Suite 1300

San Antonio, Texas 78205

Telephone: (210) 227-7121

Facsimile: (210) 227-0732

RICHARD TINSMAN

State Bar No. 20064000

TINSMAN & SCIANO, INC.

10107 McAllister Freeway

San Antonio, Texas 78205

Telephone: (210) 225-3121

Facsimile: (210) 225-6235

JAMES L. DROUGHT

State Bar No. 06135000

DROUGHT DROUGHT & BOBBITT, LLP

112 E. Pecan St., Suite 2900

San Antonio, Texas 78205

Telephone: (210) 225-4031

Facsimile: (210) 222-0586

ATTORNEYS FOR PLAINTIFF

JOHN K. MEYER

LOEWINSOHN FLEGLE DEARY, L.L.P.



DAVID R. DEARY

State Bar No. 05624900

JIM L. FLEGLE

State Bar No. 07118600

MICHAEL J. DONLEY

State Bar No. 24045795

12377 Merit Drive, Suite 900

Dallas, Texas 75251

Telephone: (214) 572-1700

Facsimile: (214) 572-1717

ATTORNEYS FOR PLAINTIFF

EMILIE BLAZE



**CERTIFICATE OF SERVICE**

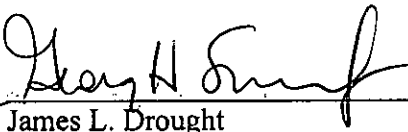
I hereby certify that a true and correct copy of the above and foregoing instrument has been served on the below listed counsel of record via the method indicated, this 28th day of December 2011:

Patrick K. Sheehan  
David Jed Williams  
Mark A. Randolph  
Hornberger Sheehan Fuller  
& Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

*Via Facsimile*

David L. Ortega  
Naman Howell Smith & Lee, PLLC  
Union Square II  
10001 Reunion Place  
Suite 600  
San Antonio, TX 78216

*Via Facsimile*

  
for James L. Drought

# EXHIBIT A



*Offices  
in  
Austin,  
Fort Worth,  
Harker Heights,  
San Antonio,  
Temple, and  
Waco*

Naman, Howell, Smith & Lee, PLLC  
Union Square II  
10001 Reunion Place, Suite 600  
San Antonio, Texas 78216  
Phone: (210) 731-6353  
Fax: (210) 785-2953  
[www.namanhowell.com](http://www.namanhowell.com)



**NAMAN HOWELL  
SMITH & LEE P.C.**  
ATTORNEYS AT LAW

To:	Jim Flegle	Fax No.:	214-572-1717
From:	David L. Ortega		
Date:	December 19, 2011		
Pages:	2, including cover page		
Re:	Blaze/Meyer v. JPMorgan		

<input checked="" type="checkbox"/> Original Will Not Follow
<input type="checkbox"/> Original Will Follow Via
<input type="checkbox"/> Regular Mail <input type="checkbox"/> Overnight Delivery
<input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Other _____

**Description/Message:**

**CONFIDENTIALITY NOTICE**

The documents accompanying this transaction and the message conveyed above are intended only for the use of the individual(s) or entity(s) to which it is addressed and may contain attorney-client communications or other information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient(s) named above, or the employee or agent responsible for delivering this message to the intended recipient(s), you are hereby notified that any dissemination, distribution, copying, or other use of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the United States Postal Service, at our expense. Thank you.

09/02

**If there are any problems with this transmission, please call  
(210) 731-6438.**

Client/Matter Number: 99134.20 Secretary/Operator: Melanie



NAMAN HOWELL  
SMITH & LEE<sup>PLLC</sup>  
ATTORNEYS AT LAW

December 19, 2011

Mr. Jim L. Flegle  
Loewinsohn Flegle Deary, LLP  
12377 Merit Drive, Suite 900  
Dallas, Texas 75251  
**Via Facsimile - 214-572-1717**

Union Square II  
10001 Reunion Place  
Suite 600  
San Antonio, Texas 78218  
(210) 231-6353  
Fax (210) 285-2953  
Email:  
dloewin@namanhowell.com

Offices In:

• Austin  
• Fort Worth  
•arker Heights  
• San Antonio  
• Temple  
• Waco

Re: Cause No. 2011-CI-10977; *John K. Meyer, et al. v. JP Morgan Chase Bank N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*; In the 225<sup>th</sup> District Court, Bexar County, Texas; NHSL File #99134.20

Dear Jim:

In response to your call on Friday, this letter is to extend Pioneer Natural Resources, Inc.'s deadline to respond to your request of November 18, 2011. The original deadline of today (December 19, 2011) is extended to Thursday, December 22, 2011. Hopefully this will give us time to visit in person or on the phone about the information you are trying to obtain about my client. If the contents of this letter are accurate, please sign where indicated and return a copy to me via pdf or fax for use pursuant to TRCP 11.

Sincerely,

NAMAN HOWELL SMITH & LEE, PLLC

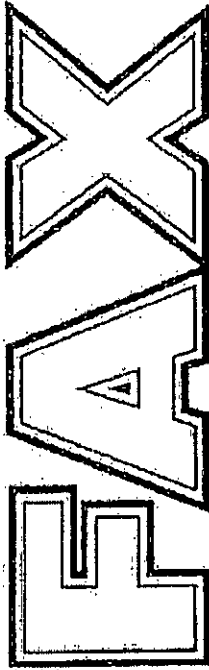
By: \_\_\_\_\_

David L. Ortega

AGREED:

\_\_\_\_\_  
Jim L. Flegle  
DLO/mlk

# EXHIBIT B



*Offices  
in  
Austin,  
Fort Worth,  
Harker Heights,  
San Antonio,  
Temple, and  
Waco*

Naman, Howell, Smith & Lee, PLLC  
Union Square II  
10001 Reunion Place, Suite 600  
San Antonio, Texas 78216  
Phone: (210) 731-6353  
Fax: (210) 785-2953  
[www.namanhowell.com](http://www.namanhowell.com)



**NAMAN HOWELL  
SMITH & LEE**  
ATTORNEYS AT LAW

To:	Jim Fagle	Fax No.:	214-572-1717
To:	Mark A. Randolph	Fax No.:	217-1730
To:	Patrick Sheehan	Fax No.:	217-1730
From:	David L. Ortega		
Date:	December 21, 2011		
Pages:	12, Including cover page		
Re:	Blaze/Meyer v. JPMorgan		

- ☒ Original Will Not Follow  
☐ Original Will Follow Via  
☐ Regular Mail      ☐ Overnight Delivery  
☐ Hand Delivery      ☐ Other \_\_\_\_\_

**Description/Message:**

**CONFIDENTIALITY NOTICE**

The documents accompanying this transaction and the message conveyed above are intended only for the use of the individual(s) or entity(s) to which it is addressed and may contain attorney-client communications or other information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient(s) named above, or the employee or agent responsible for delivering this message to the intended recipient(s), you are hereby notified that any dissemination, distribution, copying, or other use of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the United States Postal Service, at our expense. Thank you.

09/02

If there are any problems with this transmission, please call  
(210) 731-6438.

Client/Matter Number: 99134.20 Secretary/Operator Melanie



NAMAN HOWELL  
SMITH & LEE  
ATTORNEYS AT LAW

December 21, 2011

Mr. Jim L. Flegle  
Loewinsohn Flegle Deary, LLP  
12377 Merit Drive, Suite 900  
Dallas, Texas 75251  
**Via Facsimile - 214-572-1717**

Mr. Mark A. Randolph  
Hornberger Sheehan Fuller & Beiter Incorporated  
7373 Broadway, Suite #300  
San Antonio, Texas 78209  
**Via Facsimile - 217-1730**

Re: Cause No. 2011-CI-10977; *John K. Meyer, et al. v. JP Morgan Chase Bank N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*; In the 225<sup>th</sup> District Court, Bexar County, Texas; NHSL File #99134.20

Dear Jim:

It looks like the rush to Christmas has kept us from visiting about the specific information you are trying to obtain from JP Morgan. Since today is my deadline to respond to your notice, attached are the following documents:

1. Pioneer Natural Resources USA, Inc.'s Motion for Protection from Discovery Notice; and
2. Fiat setting a hearing with JP Morgan's Motion at 10:00 a.m. on December 29, 2011 in the 37<sup>th</sup> Judicial District Court, Bexar County, Texas.

In the interim, please call me with any questions. Otherwise, I look forward to meeting you on the 29<sup>th</sup>. Thank you.

Union Square II  
10001 Reunion Place  
Suite 600  
San Antonio, Texas 78218  
(210) 731-6353  
Fax (210) 785-2933  
Email:  
dcto@namanhowell.com

Offices in:

Austin  
Fort Worth  
Harker Heights  
San Antonio  
Temple  
Waco

[www.namanhowell.com](http://www.namanhowell.com)

December 21, 2011  
Page 2

Sincerely,

NAMAN HOWELL SMITH & LEE, PLLC

By: 

David L. Ortega

DLO/mik

cc: Patrick K. Sheehan

Via Facsimile and With Enclosures

Enclosures



CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL.

VS.

JPMORGAN CHASE BANK, N.A.  
INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH  
TEXAS SYNDICATE TRUST AND  
GARY P. AYMES§  
§  
§  
§  
§  
§  
§  
§

IN THE DISTRICT COURT

225<sup>TH</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**PIONEER NATURAL RESOURCES USA, INC.'s  
MOTION FOR PROTECTION FROM DISCOVERY NOTICE**

NOW COMES Pioneer Natural Resources USA, Inc. (Pioneer) and files its Motion for Protection from a Notice of Record Request served by Plaintiffs pursuant to §59.006 of the Texas Finance Code, and in support of its Motion Pioneer shows as follows:

1. Pioneer is not a party to this lawsuit.
2. Plaintiffs served the attached Notice of Record Request Pursuant to §59.006 of the Texas Finance Code (Notice).
3. According to the Notice, Plaintiffs seek to obtain Pioneer's consent to release its financial records maintained by the Defendant, JP Morgan Chase Bank, N.A.
4. A trial court may issue an order protecting a non-party from a discovery request that invades personal, constitutional or property rights, or is unduly burdensome, unnecessarily expensive and/or harassing. TRCP 192.6(b). The court has the authority to limit the scope of discovery based on the needs and circumstances of the case. TRCP 192 cmt. 7.

5. Pioneer asks the Court for a Protective Order because the request for documents in Plaintiffs' Notice is overly broad. A discovery request must be reasonably tailored to include only relevant matters. *In re Am. Optical Corp.*, 988 S.W.2d 711, 713 (Tex. 1998).
6. In this instance, Plaintiffs ask for "all documents sufficient to identify any and all business or banking relationships by and between JP Morgan Chase Bank, N.A., or any of its affiliates, subsidiaries, or divisions and any entity having a leasehold or other interest in the Trust Assets (JP Morgan), including but not limited to, the following entities and any of their affiliates, subsidiaries, divisions, joint venture interests, partnerships, or other business relationships:
  - a. Pioneer Natural Resources;
  - b. Petrohawk Energy Corporation; and
  - c. EOG Resources.
7. Pioneer further objects to Plaintiffs' request as vague, not reasonably limited in time or scope, and not reasonably calculated to lead to the discovery of relevant or admissible evidence.
8. Pioneer asks for a Protective Order because the request for documents in Plaintiffs' Notice asks for extensive sensitive banking information that should not be disclosed in the underlying lawsuit. Plaintiffs' request constitutes an invasion of Pioneer's right to private and confidential banking information. TRCP 192.6(b).
9. Pioneer does not consent to the release of its confidential, proprietary, private and privileged information maintained by JP Morgan.

WHEREFORE, Pioneer Natural Resources USA, Inc. asks the Court to enter a Protective Order from the release of its banking information, and for all other relief to which this Defendant is entitled.

Respectfully submitted,



David L. Ortega  
State Bar No. 00791377  
Naman, Howell, Smith & Lee, PLLC  
10001 Reunion Place, Suite #600  
San Antonio, Texas 78216  
Telephone: 210-731-6353  
Facsimile: 210-785-2953

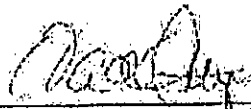
**ATTORNEYS FOR PIONEER NATURAL  
RESOURCES USA, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing was served in compliance with the Texas Rules of Civil Procedure on this the 21<sup>st</sup> day of December, 2011 to the following counsel of record:

Mr. Jim L. Flegle  
Loewensohn Flegle Deary, LLP  
12377 Merit Drive, Suite #900  
Dallas, Texas 75251

Mr. Patrick K. Sheehan  
Mr. Mark A. Randolph  
Hornberger Sheehan Fuller & Beiter Incorporated  
7373 Broadway, Suite #300  
San Antonio, Texas 78209



David L. Ortega

## LOEWINSOHN FLEGLE DEARY

November 18, 2011

Pioneer Natural Resources USA, Inc.  
c/o C T Corporation System  
350 North St. Paul St., Ste. 2900  
Dallas, TX 75201

*Via Hand Delivery*

Re: Notice of Record Request Pursuant to §59.006, Texas Finance Code

To Whom It May Concern:

We represent Plaintiff Emilie Blaze in Cause No. 2011-CI-10977; *John K. Meyer, et al. v. JP Morgan Chase Bank N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*, in the 225th District Court, Bexar County, Texas ("Litigation"). JP Morgan Chase Bank N.A. ("JP Morgan") has been sued individually/corporately and in its capacity as Trustee of the South Texas Syndicate Trust.

In the Litigation, my client has requested discovery of records of JP Morgan relating to Pioneer Natural Resources USA, Inc. as a customer of the financial institution. A copy of our Request for Production #92 is attached.

Pursuant to §59.006, Texas Finance Code, you are hereby given notice of your rights as a customer under §59.006(e). You, as a customer, bear the burden of preventing or limiting the financial institution's compliance with a record request subject to §59.006 by seeking an appropriate remedy, including filing a motion to quash the record request or a motion for a protective order. Any motion filed shall be served on the financial institution and the requesting party before the date that compliance with the request is required. If we have not received your consent form, as requested below, by December 19, 2011, we will file a motion seeking an in camera inspection of the documents. The service address for JP Morgan, the financial institution, is:

JP.Morgan Chase Bank N.A.  
c/o Patrick K. Sheehan, Esq.  
Hornberger Sheehan Fuller & Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209  
Fax: 210-271-1730

Pioneer Natural Resources USA, Inc.  
November 17, 2011  
Page 2

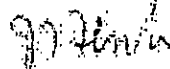
The service address for Plaintiff, the requesting party, is:

Emilie Blaze  
c/o Jim L. Flegle, Esq.  
Loewensohn Flegle Deary, LLP  
12377 Merit Drive, Suite 900  
Dallas, TX 75251  
Fax: 214-572-1717

Further, my client requests your written consent authorizing JP Morgan to comply with the request. A consent form is enclosed. If you wish to consent to the release of the records my client has requested, please execute the attached consent form and return it to the undersigned by December 19, 2011.

If you have any questions, please do not hesitate to contact me.

-- Very truly yours,



Jim L. Flegle  
(214) 572-1701  
Email: [jimf@LFDlaw.com](mailto:jimf@LFDlaw.com)

JLF/mj

Pioneer Natural Resources USA, Inc.  
November 17, 2011  
Page 3

**Consent for JP Morgan to Release Banking Records**

I, \_\_\_\_\_, have capacity to act on behalf of Pioneer Natural Resources USA, Inc.. Pioneer Natural Resources USA, Inc. consents to the release of the records requested by the Plaintiffs in Request for Production #92 and hereby authorizes JP Morgan to comply with the Request and provide any documents covered by the Request to the Plaintiffs.

PIONEER NATURAL RESOURCES USA, INC.

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

CAUSE NO. 2011-CI-04747

EMILIE BLAZE,

Plaintiff,

v.

JP MORGAN CHASE BANK, N.A.,  
INDIVIDUALLY/CORPORATELY AND AS  
TRUSTEE OF THE SOUTH TEXAS  
SYNDICATE TRUST and GARY P. AYMES,

Defendants.

IN THE DISTRICT COURT OF

225<sup>TH</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**PLAINTIFF'S SECOND SET OF REQUESTS FOR PRODUCTION TO DEFENDANT  
JP MORGAN CHASE BANK, N.A., INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST**

TO: Defendant JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust, by and through its attorney of record, Patrick K. Sheehan, Hornberger Fuller Sheehan & Beiter Inc., The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, TX 78209

Plaintiff Emilie Blaze ("Plaintiff"), hereby requests that Defendant JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust ("Defendant") produce the following described documents for inspection and copying pursuant to Tex. R. Civ. P. 196, at the offices of Loewinson Flegle Deary, L.L.P., 12377 Merit Drive, Suite 900, Dallas, Texas 75251-2224, within thirty (30) days of service and that Defendant serve a written response to this First Request For Production to Defendant within thirty (30) days of service in accordance with the Texas Rules of Civil Procedure.

**REQUEST FOR PRODUCTION NO. 92:**

All documents sufficient to identify any and all business or banking relationships by and between JP Morgan Chase Bank, N.A., or any of its affiliates, subsidiaries, or divisions and any entity having a leasehold or other interest in the Trust Assets, including but not limited to, the following entities and any of their affiliates, subsidiaries, divisions, joint venture interests, partnerships, or other business relationships:

- (a) Pioneer Natural Resources;
- (b) Petromhawk Energy Corporation; and
- (c) EOG Resources.

**RESPONSE:**



CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL.

VS.

JPMORGAN CHASE BANK, N.A.  
INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH  
TEXAS SYNDICATE TRUST AND  
GARY P. AYMES§  
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IN THE DISTRICT COURT

225<sup>TH</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

FIAT

A hearing on Pioneer Natural Resources USA, Inc.'s Motion for Protection from  
Discovery Notice is hereby set for December 29, 2011 at 10:00 a.m. in the 37<sup>th</sup> District  
Court, Bexar County, Texas.

SIGNED this 21<sup>st</sup> day of December, 2011.DAVID A. BERCHELMAN, JR.  
JUDGE  
225<sup>TH</sup> JUDICIAL DISTRICT  
BEXAR COUNTY, TEXAS

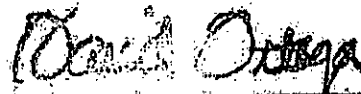
JUDGE DAVID A. BERCHELMAN, JR.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was served in compliance  
with the Texas Rules of Civil Procedure on this the 21<sup>st</sup> day of December, 2011 to the  
following counsel of record:

Mr. Jim L. Flegle  
Loewinsohn Flegle Deary, LLP  
12377 Merit Drive, Suite #900  
Dallas, Texas 75251

Mr. Patrick K. Sheehan  
Mr. Mark A. Randolph  
Hornberger Sheehan Fuller & Beiter Incorporated  
7373 Broadway, Suite #300  
San Antonio, Texas 78209



David L. Ortega



CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL.,

Plaintiffs,

JP MORGAN CHASE BANK, N.A.,  
INDIVIDUALLY/CORPORATELY AND  
AS TRUSTEE OF THE SOUTH TEXAS  
SYNDICATE TRUST AND GARY P.  
AYMES,

Defendants.

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IN THE DISTRICT COURT OF

225<sup>th</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**PLAINTIFFS' MOTION TO COMPEL WITNESS STATEMENTS AGAINST  
DEFENDANT JP MORGAN CHASE BANK, N.A., INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST**

Plaintiffs hereby file this Motion to Compel against Defendants JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes ("Defendants") and would respectfully show the Court as follows:

**I.**

**FACTUAL AND PROCEDURAL BACKGROUND**

This lawsuit involves the administration of the South Texas Syndicate Trust ("STS Trust"). Plaintiffs, beneficiaries of the STS trust, have sued Defendants because of Defendants' pattern of neglect, mismanagement and tortious behavior that has caused millions of dollars of damage to the STS Trust assets and estate. Plaintiffs also seek a statutory accounting, the removal of Defendants as Trustee and judicial reformation of the STS Trust instrument to protect the beneficiaries' interests in the future, provide transparency, define the duties and responsibilities of the trustee, and ensure the efficient and proper administration of the STS Trust.

DEPUTY CLERK  
2011 DEC 21 PM 1:55  
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DISTRICT CLERK  
2011 DEC 21 VAS

In their Amended Petition, among many other violations, Plaintiffs specifically allege Defendants violated their fiduciary duties by actions taken and not taken in filing, litigating and settling an action against Pioneer Natural Resources USA, Inc. and EOG Resources, Inc., previously pending as Cause No. 09-04-00036-CVL; *JP Morgan Chase Bank, N.A., in its capacity as Trustee of the South Texas Syndicate Trust v. Pioneer Natural Resources USA, Inc. and EOG Resources, Inc.*; in the 218th Judicial District Court, LaSalle County, Texas. Am. Pet. at 7, 9, 12.

Plaintiffs served Defendants with Requests for Disclosure as part of their Original Petition, which was filed on March 22, 2011. Defendants responded on May 17, 2011. Ex. A. As part of their responses, Defendants stated that they had no witness statements. *Id.* at 6. Because Plaintiffs were aware of prior deposition testimony that should have been produced in response to the Request for Disclosure, counsel for Plaintiffs sent a letter December 9, 2011 that specifically identified the prior deposition testimony that should have been produced as part of the initial discovery. Ex. B, Letter dated December 9, 2011 from J. Flegle to P. Sheehan. Defendants responded on December 15, 2011 and refused to produce the prior deposition testimony. Ex. C.

## II.

### ARGUMENTS AND AUTHORITIES

As part of their initial discovery obligations, Defendants had an obligation to produce all witness statements. Tex. R. Civ. P. 194.2 and 192.3(h). Texas Rule of Civil Procedure 192.3(h) specifically includes witness statements “regardless of when the statement was made”, and includes “a stenographic, mechanical, electrical, or other type of recording of a witness’s oral statement.” *Id.* The rule therefore clearly includes prior deposition statements.

Comment 9 to the rule provides that discovery includes witness statements subject to “the same rules concerning the scope of discovery and *privileges* applicable to other documents or tangible things.” Tex. R. Civ. P. 193.2(h), cmt. 9 (emphasis added). *See also In re Fontenot*, 13 S.W.3d 111, 113 (Tex. App. – Fort Worth, 2000, no pet.) (finding that witness statements were privileged because of the attorney-client relationship). Prior deposition testimony that is reasonably calculated to lead to the discovery of admissible evidence regarding the issues in the case should be produced as part of the discovery process. *In re Exmark Mfg. Co., Inc.*, 299 S.W.3d 519, 528-530 (Tex. App. – Corpus Christi 2009, no pet.) (prior deposition statements requested as part of document production). Further, the requested witness statements are relevant to specific allegations in Plaintiffs’ Amended Petition. Am. Pet. at 7, 9, 12.

Plaintiffs requested copies of relevant witness statements pursuant to Texas Rule of Civil Procedure 194.2. Defendants’ only response was “None.” Ex. A at 6. Defendants did not assert any objections and therefore waived them. Tex. R. Civ. P. 193.2(e) and 193.3. Because Defendants did not identify or produce prior deposition testimony, Plaintiffs sent a letter on December 9, 2011 that specifically identified the prior deposition testimony that should have been produced as part of the initial discovery. Ex. B, Letter dated December 9, 2011 from J. Flegle to P. Sheehan. Defendants’ sole basis for refusing to comply with their discovery obligations is that deposition testimony is not included under “witness statements.” Ex. C, Letter dated December 15, 2011 from P. Sheehan to J. Flegle. Because prior deposition testimony is included under the clear language of Tex. R. Civ. P. 192.3(h) and because Defendants have not asserted any privilege, the Court should grant Plaintiffs’ motion to compel and order Defendants to produce the prior deposition testimony within ten days of the entry of the order.

### III.


#### **REQUEST FOR RELIEF**

For the reasons described in this Motion to Compel, Plaintiffs respectfully request that the Court enter an order requiring Defendants to produce the deposition transcripts from the case styled *JPMorgan Chase Bank, Trustee of South Texas Syndicate Trust v. Pioneer Natural Resources and EOG Resources*, Cause No. 09-04-00036-CVL within ten days of the entry of the order.

DATE: December 21, 2011.

Respectfully submitted,

CLEMENS & SPENCER



GEORGE SPENCER, JR.

State Bar No. 18921001

112 E. Pecan St., Suite 1300

San Antonio, Texas 78205

Telephone: (210) 227-7121

Facsimile: (210) 227-0732

RICHARD TINSMAN

State Bar No. 20064000

TINSMAN & SCIANO, INC.

10107 McAllister Freeway

San Antonio, Texas 78205

Telephone: (210) 225-3121

Facsimile: (210) 225-6235

JAMES L. DROUGHT

State Bar No. 06135000

DROUGHT DROUGHT & BOBBITT, LLP

112 E. Pecan St., Suite 2900

San Antonio, Texas 78205


Telephone: (210) 225-4031

Facsimile: (210) 222-0586

ATTORNEYS FOR PLAINTIFF

JOHN K. MEYER

LOEWINSOHN FLEGLE DEARY, L.L.P.



DAVID R. DEARY

State Bar No. 05624900

JIM L. FLEGLE

State Bar No. 07118600

MICHAEL J. DONLEY

State Bar No. 24045795

12377 Merit Drive, Suite 900

Dallas, Texas 75251

Telephone: (214) 572-1700

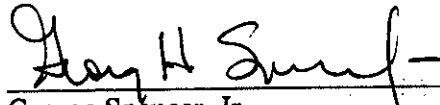
Facsimile: (214) 572-1717

ATTORNEYS FOR PLAINTIFF

EMILIE BLAZE

**CERTIFICATE OF CONFERENCE**

Michael Donley has conferred with counsel for Defendants regarding the substance of this Motion and the parties were unable to come to an agreement thereby necessitating the filing of this Motion.

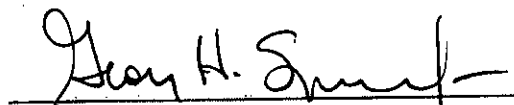
  
George Spencer, Jr.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing instrument has been served on the below listed counsel of record via the method indicated, this 21st day of December 2011:

Patrick K. Sheehan  
David Jed Williams  
Mark A. Randolph  
Hornberger Sheehan Fuller  
& Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

*Via Facsimile*

  
George Spencer, Jr.

# EXHIBIT A





**HORNBERGER SHEEHAN FULLER & BEITER**  
INCORPORATED

David Jed Williams  
Direct Dial (210) 271-1731  
jwilliams@hsfbllaw.com

May 17, 2011

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

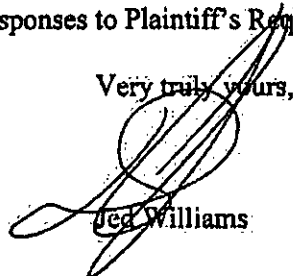
Mr. David R. Deary  
Loewinsohn Flegle Deary LLP  
12377 Merit Drive, Suite 900  
Dallas, Texas 75251-2224

Re: Cause No. 2011-CI-04747; *Emilie Blaze v. JPMorgan Chase Bank, N.A., et al.*,  
in the 225<sup>th</sup> Judicial District Court, Bexar County, Texas (the "Lawsuit")

Dear Mr. Deary:

Enclosed are Defendants' Responses to Plaintiff's Request for Disclosure.

Very truly yours,



David Williams

DJW/lrk  
Enclosures



CAUSE NO. 2011-CI-04747

EMILIE BLAZE,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,  
INDIVIDUALLY/CORPORATELY AND AS  
TRUSTEE OF THE SOUTH TEXAS  
SYNDICATE TRUST AND GARY P. AYMES

Defendants.

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**DEFENDANTS' RESPONSES TO PLAINTIFF'S REQUEST FOR DISCLOSURE**

JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust (collectively "J.P. Morgan") and Gary P. Aymes, Defendants in the above-styled and numbered cause, submit these Responses to Plaintiff's Request for Disclosure.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER &  
BEITER INCORPORATED**

The Quarry Heights Building

7373 Broadway, Suite 200

San Antonio, TX 78209

TEL.: (210) 271-1700 FAX: (210) 271-1730

By: 

Patrick K. Sheehan

State Bar No. 18175500

Kevin M. Beiter

State Bar No. 02059065

David Jed Williams

State Bar No. 21518060

Mark A. Randolph

State Bar No. 00791484

Attorneys for Defendants

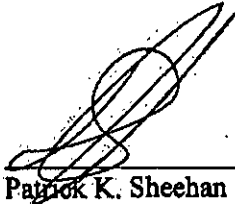
**CERTIFICATE OF SERVICE**

This is to certify that on this 17<sup>th</sup> day of May, 2011, a true and correct copy of the foregoing document was served on the following Plaintiff's counsel of record by the method indicated:

Mr. David R. Deary  
Mr. Jim L. Flegle  
Mr. Jeven R. Sloan  
Loewinsohn Flegle Deary, L.L.P.  
12377 Merit Drive, Suite 900  
Dallas, Texas 75251

**CERTIFIED MAIL RRR**

this 17<sup>th</sup> day of May, 2011.

A handwritten signature in black ink, appearing to read "Patrick K. Sheehan", is written over a horizontal line.

Patrick K. Sheehan  
David Jed Williams

**DEFENDANTS' RESPONSES TO PLAINTIFF'S REQUEST FOR DISCLOSURE**

- (a) The correct names and addresses of the parties to the lawsuit.

**RESPONSE:**

JPMorgan Chase Bank, N.A.  
Individually/Corporately and  
as Trustee of the South Texas Syndicate Trust  
1020 NE Loop 410  
San Antonio, Texas 78209  
(210) 841-5870

Mr. Gary P. Aymes  
1020 NE Loop 410  
San Antonio, Texas 78209  
(210) 841-5870

- (b) The name, address, and telephone number of any potential parties.

**RESPONSE:**

All persons who are actually receiving distributions from the South Texas Syndicate Trust are necessary parties to this action under TEX. PROP. CODE §115.011(b)(3).

- (c) The legal theories and, in general, the factual bases of Defendant's claims or defenses.

**RESPONSE:**

Defendants deny all of the claims and allegations contained in Plaintiff's Original Petition and all amendments and supplements thereto. See Defendants' Original Answer and all amended and supplemental answers filed herein.

- (d) The amount and any methods of calculating economic damages.

**RESPONSE:**

Defendants are not presently seeking any economic damages.

- (e) The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case.

**RESPONSE:**

Mr. Gary P. Aymes  
JPMorgan Chase Bank, N.A.  
1020 NE Loop 410  
San Antonio, Texas 78209  
(210) 841-5870

Defendant; Employee of J.P. Morgan.

Ms. Colleen W. Dean  
JPMorgan Chase Bank, N.A.  
1020 NE Loop 410  
San Antonio, Texas 78209  
210-841-5870

Employee of J.P. Morgan.

Ms. Sherry Harrison  
JPMorgan Chase Bank, N.A.  
1020 NE Loop 410  
San Antonio, Texas 78209  
210-841-7030

Employee of J.P. Morgan.

Mr. H.L. Tompkins  
JPMorgan Chase Bank, N.A.  
2200 Ross Avenue  
Dallas, Texas 75201  
214-965-2047

Employee of J.P. Morgan.

Mr. Jason Beck  
JPMorgan Chase Bank, N.A.  
420 Throckmorton  
Fort Worth, Texas 76102  
817-871-3528

Employee of J.P. Morgan.

Ms. Charlotte Ray  
JPMorgan Chase Bank, N.A.  
451 Florida Street  
Baton Rouge, LA 70801  
225-332-4218

Employee of J.P. Morgan.

Ms. Deborah M. Round  
JPMorgan Chase Bank, N.A.  
2200 Ross Avenue  
Dallas, Texas 75201  
214-965-3196

Employee of J.P. Morgan.

Mr. John C. Minter  
JPMorgan Chase Bank, N.A.  
221 West Sixth Street  
Austin, Texas 78701  
512-479-5707

Employee of J.P. Morgan.

Mr. Kevin R. Smith  
JPMorgan Chase Bank, N.A.  
2200 Ross Avenue, Floor 10  
Dallas, Texas 75201  
214-965-3205

Employee of J.P. Morgan

Mr. Bertram Hayes-Davis  
JPMorgan Chase Bank, N.A.  
2200 Ross Avenue, Floor 10  
Dallas, Texas 75201  
214-965-2225

Employee of J.P. Morgan

Defendants reserve the right to supplement the foregoing and also reserve the right to call any witnesses designated by Plaintiff.

(f) For any testifying expert:

- (1) the expert's name, address, and telephone number.
- (2) the subject matter of which the expert will testify.
- (3) the general substance of the expert's mental impression and opinions and a brief summary of the basis for them, or if the expert is not retained by, employed by, or otherwise subject to the control of the responding party, documents reflecting such information.
- (4) if the expert is retained by, employed by, or otherwise subject to the control of the responding party:
  - (A) all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony and
  - (B) the expert's current resume and bibliography

**RESPONSE:**

No such experts have been retained by Defendants at this time.

(g) Any indemnity and insuring agreements described in Rule 192.3(f) T.R.C.P.

**RESPONSE:**

None.

(h) Any settlement agreements described in Rule 192.3(g) T.R.C.P.

**RESPONSE:**

None.

(i) Any witness statements described in Rule 192.3(h) T.R.C.P.

**RESPONSE:**

None.

- (j) In a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills that are reasonably related to the injuries or damages asserted or, in lieu thereof, an authorization permitting the disclosure of such medical records and bills.

**RESPONSE:**

N/A

- (k) In a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills obtained by the responding party by virtue of an authorization furnished by the requesting party.

**RESPONSE:**

N/A

- (l) The name, address, and telephone number of any person who may be designated as a responsible third party.

**RESPONSE:**

None of which Defendants are presently aware. Will supplement as appropriate.



# EXHIBIT B

— ★ ★ ★ —  
LOEWINSOHN FLEGLE DEARY  
— L · L · P —

December 9, 2011

**Via Facsimile and Email**

Patrick K. Sheehan, Esq.  
Hornberger Fuller Sheehan & Beiter, Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

Re: Cause No. 2011-CI-10977; *John K. Meyer, et al. v. JP Morgan Chase Bank N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*; in the 225<sup>th</sup> District Court, Bexar County, Texas

Dear Pat:

On March 22, 2011, our clients served a Request for Disclosure on JP Morgan. Item (i) in the request requires production of witness statements.

It is our understanding that there were depositions taken in the litigation filed by JP Morgan against Pioneer and EOG, styled *JP Morgan Chase Bank, N.A., in its Capacity as Trustee of the South Texas Syndicate Trust v. Pioneer Natural Resources USA, Inc. and EOG Resources, Inc.*; Cause No. 09-04-00036-CVL, in the 218th District Court, LaSalle County Texas. This litigation and JP Morgan's conduct involving it are identified in our amended petition filed November 15, 2011. Depositions taken in that litigation are certainly statements of persons with knowledge of relevant facts.

If there are any confidentiality concerns, they are addressed by the protective order we previously approved in this cause.

Please forward copies of all depositions and exhibits to us by December 16, 2011.

Patrick K. Sheehan, Esq.  
December 9, 2011  
Page 2

If JP Morgan refuses, we will set a rehearing on our motion to compel addressing these witness statements.

Very truly yours,



Jim L. Flegle  
Direct Dial: (214) 572-1701  
Email: [jimf@LFDlaw.com](mailto:jimf@LFDlaw.com)

JLF/mlj

cc: George H. Spencer, Jr.  
Richard Tinsman  
James L. Drought

# EXHIBIT C



**HORNBERGER SHEEHAN FULLER & BEITER**  
INCORPORATED

Patrick K. Sheehan  
psheehan@hsfbllaw.com

December 15, 2011

**VIA TELECOPIER**

Mr. James L. Flegle  
Loewensohn Flegle Deary, L.L.P.  
12377 Merit Drive, Suite 900  
Dallas, Texas 75251

Re: Cause No. 2010-CI-10977; *John K. Meyer vs. JP Morgan Chase Bank, N.A. Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*, in the District Court, 225th Judicial District, Bexar County, Texas

Dear Jim:

This letter is sent in response to your letter to me dated December 9, 2011 requesting production of depositions (and exhibits) from the JPM-Pioneer case.

The transcripts of the depositions (and exhibits) taken in the JPM-Pioneer case are not "witness statements" as defined in Texas Rule of Civil Procedure 192.3(h), the related commentaries nor under Texas law. Therefore, we will not be producing any of the deposition transcripts or exhibits that you asked us to produce in your letter.

Sincerely,

Patrick K. Sheehan

PKS/lrk



**HORNBERGER SHEEHAN FULLER & BETTER INCORPORATED**  
7373 BROADWAY, SUITE 300  
SAN ANTONIO, TEXAS 78209  
TEL: (210) 271-1700  
FAX: (210) 271-1740

**TELECOPIER COVER SHEET**

**Confidentiality Notice:** The information contained in, or accompanying this telecopy is privileged and confidential and is intended only for the recipient(s) below. Nothing in this telecopy is intended by the attorney or the client to constitute a waiver of the confidentiality of the message. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us, and you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited.

**DATE:** December 15, 2011

**NO. OF PAGES (with cover sheet)** 2

**TO:** Mr. James L. Flegle  
**AT:** Loewensohn Flegle Deary, L.L.P.

**FAX NO.:** (214) 572-1717

**FROM:** Patrick K. Sheehan

**MESSAGE:**

**OPERATOR:** Rose C.

**CLIENT NO.** 6439 **TIME SENT:** \_\_\_\_\_

If you did not receive the total number of pages listed above,  
are experiencing difficulties in receiving this transmission, received this in error,  
please call (210) 271-1700



2010CI10977 -P00080

225 M

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Court of AppealsFourth Court of Appeals District of Texas  
San Antonio
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 DISTRICT CLERK  
 BEXAR CO. TEXAS  
 2011 DEC 29 A 10:29  
 DEPUTY  
 BY: [Signature]

December 23, 2011

No. 04-11-00914-CV

 IN RE JP MORGAN CHASE BANK, N.A., INDIVIDUALLY/CORPORATELY AND AS  
 TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST AND GARY P. AYMES
Original Mandamus Proceeding<sup>1</sup>

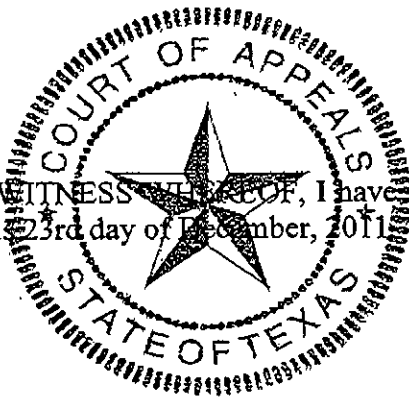
## ORDER

 Sitting: Catherine Stone, Chief Justice  
 Karen Angelini, Justice  
 Rebecca Simmons, Justice

On December 22, 2011, relator filed a petition for writ of mandamus and a motion for temporary relief. The court has considered relator's petition and is of the opinion that relator is not entitled to the relief sought. Accordingly, the petition for writ of mandamus and the motion for temporary relief are DENIED. See TEX. R. APP. P. 52.8(a). The court's opinion will issue at a later date.

It is so ORDERED on December 23, 2011.

 Rebecca Simmons  
 Rebecca Simmons, Justice

 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said  
 court on this 23rd day of December, 2011.

 Keith E. Hottle  
 Keith E. Hottle, Clerk

<sup>1</sup> This proceeding arises out of Cause No. 2010-CI-10977, styled *John K. Meyer, et al. v. JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*, pending in the 225th Judicial District Court, Bexar County, Texas, the Honorable Peter Sakai presiding. However, the order complained of was signed by the Honorable David A. Berchelmann, presiding judge of the 37th Judicial District Court, Bexar County, Texas.



CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL.,

Plaintiffs,

JP MORGAN CHASE BANK, N.A.,  
INDIVIDUALLY/CORPORATELY AND  
AS TRUSTEE OF THE SOUTH TEXAS  
SYNDICATE TRUST AND GARY P.  
AYMES,

Defendants.

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IN THE DISTRICT COURT OF

225<sup>th</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**PLAINTIFFS' MOTION TO COMPEL WITHHOLDING STATEMENT AGAINST  
DEFENDANT JPMORGAN CHASE BANK, N.A., INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST**

Plaintiffs hereby file this Motion to Compel against Defendants JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes ("Defendants") and would respectfully show the Court as follows:

**I.**

**FACTUAL AND PROCEDURAL BACKGROUND**

This lawsuit involves the administration of the South Texas Syndicate Trust ("STS Trust"). Plaintiffs, beneficiaries of the STS trust, have sued Defendants because of Defendants' pattern of neglect, mismanagement and tortious behavior that has caused millions of dollars of damage to the STS Trust assets and estate. Plaintiffs also seek a statutory accounting, the removal of Defendants as Trustee and judicial reformation of the STS Trust instrument to protect the beneficiaries' interests in the future, provide transparency, define the duties and responsibilities of the trustee, and ensure the efficient and proper administration of the STS Trust.

*Handwritten signature: J. Morgan Chase*  
FILED  
DISTRICT CLERK  
BEXAR COUNTY, TEXAS  
11 DEC 21 PM 1:54



In response to discovery, Defendants repeatedly asserted various privileges. *See, e.g.*, Ex. A. Based on these assertions and pursuant to Texas Rules of Civil Procedure 193.3, Plaintiffs requested a withholding statement on November 17, 2011. Ex. B. When Defendants did not comply within the fifteen-day period set forth by Rule 193.3, Plaintiffs followed up on December 8, 2011 and again requested the withholding statement. Ex. C, Letter dated December 8, 2011 from J. Flegle to P. Sheehan. To date, Defendants have refused to provide a withholding statement.

## II.

### ARGUMENTS AND AUTHORITIES

Pursuant to Texas Rule of Civil Procedure 193.3, Defendants must provide information within 15 days of the request that:

- (1) describes the information or materials withheld that . . . enables other parties to assess the applicability of the privilege; and
- (2) asserts a specific privilege for each item or group of items withheld.

Tex. R. Civ. P. 193.3(b).

Plaintiffs complied with Rule 193.3 and requested the withholding statement on November 17, 2011. Ex. B. Because Defendants failed to provide the requested information, Plaintiffs sent a letter on December 8, 2011, again requesting the withholding statement. Ex. C, Letter dated December 8, 2011 from J. Flegle to P. Sheehan. To date, Defendants have refused to comply with their obligations to provide a withholding statement. The Court should grant Plaintiffs' motion to compel and order Defendants to provide a withholding statement within ten days of the entry of the order.

### **III.**

#### **REQUEST FOR RELIEF**

For the reasons described in this Motion to Compel, Plaintiffs respectfully request that the Court enter an order requiring Defendants to provide a withholding statement within ten days of the entry of the order.

DATE: December 21, 2011.

Respectfully submitted,

CLEMENS & SPENCER



---

GEORGE SPENCER, JR.

State Bar No. 18921001

112 E. Pecan St., Suite 1300

San Antonio, Texas 78205

Telephone: (210) 227-7121

Facsimile: (210) 227-0732

RICHARD TINSMAN

State Bar No. 20064000

TINSMAN & SCIANO, INC.

10107 McAllister Freeway

San Antonio, Texas 78205

Telephone: (210) 225-3121

Facsimile: (210) 225-6235

JAMES L. DROUGHT

State Bar No. 06135000

DROUGHT DROUGHT & BOBBITT, LLP

112 E. Pecan St., Suite 2900

San Antonio, Texas 78205

Telephone: (210) 225-4031

Facsimile: (210) 222-0586

ATTORNEYS FOR PLAINTIFF

JOHN K. MEYER

LOEWINSOHN FLEGLE DEARY, L.L.P.



---

DAVID R. DEARY

State Bar No. 05624900

JIM L. FLEGLE

State Bar No. 07118600

MICHAEL J. DONLEY

State Bar No. 24045795

12377 Merit Drive, Suite 900

Dallas, Texas 75251

Telephone: (214) 572-1700

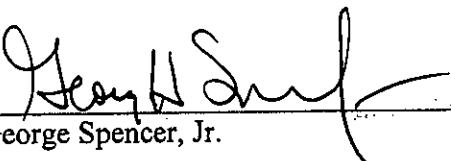
Facsimile: (214) 572-1717

ATTORNEYS FOR PLAINTIFF

EMILIE BLAZE

**CERTIFICATE OF CONFERENCE**

Counsel for Plaintiffs has conferred with counsel for Defendants regarding the substance of this Motion and the parties were unable to come to an agreement thereby necessitating the filing of this Motion.

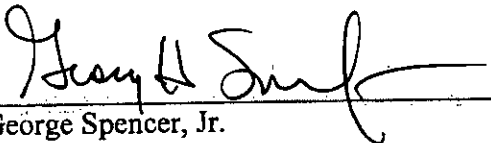
  
George Spencer, Jr.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing instrument has been served on the below listed counsel of record via the method indicated, this 21st day of December 2011:

Patrick K. Sheehan  
David Jed Williams  
Mark A. Randolph  
Hornberger Sheehan Fuller  
& Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

*Via Facsimile*

  
\_\_\_\_\_  
George Spencer, Jr.

# EXHIBIT A

CAUSE NO. 2010-CI-10977

JOHN K. MEYER

VS.

JPMORGAN CHASE BANK, N.A.  
INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH  
TEXAS SYNDICATE TRUST  
and GARY P. AYMES

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IN THE DISTRICT COURT

225<sup>TH</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**DEFENDANT JPMORGAN CHASE BANK, N.A.'S OBJECTIONS AND RESPONSES  
TO PLAINTIFF'S FIRST REQUEST FOR PRODUCTION**

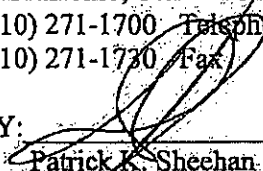
Defendant JPMorgan Chase Bank, N.A. ("J.P. Morgan") submits these Objections and Responses to Plaintiff's First Request for Production.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER  
& BETTER INCORPORATED**

The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, Texas 78209  
(210) 271-1700 Telephone  
(210) 271-1730 Fax

BY:

  
Patrick K. Sheehan  
State Bar No. 18175500  
Kevin M. Beiter  
State Bar No. 02059065  
David Jed Williams  
State Bar No. 21518060  
Mark A. Randolph  
State Bar No. 00791484

**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing document was served upon the following by the method indicated:

Mr. George H. Spencer, Jr.  
Clemens & Spencer  
112 East Pecan St., Suite 1300  
San Antonio, Texas 78205

**CERTIFIED MAIL R.R.R.**

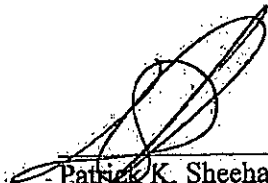
Mr. Richard Tinsman  
Tinsman & Sciano, Inc.  
10107 McAllister Frwy.  
San Antonio, Texas 78216

**CERTIFIED MAIL R.R.R.**

Mr. James L. Drought  
Drought, Drought & Bobbitt, LLP  
112 East Pecan Street, Suite 2900  
San Antonio, Texas 78205

**CERTIFIED MAIL R.R.R.**

on this 23<sup>rd</sup> day of May, 2011.

  
\_\_\_\_\_  
Patrick K. Sheehan  
David Jed Williams



**DEFENDANT'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF  
REQUESTS FOR PRODUCTION**

**I. GENERAL OBJECTIONS AND REQUEST FOR PROTECTIVE ORDER**

A. These Requests in some instances seek the production of information that would constitute an invasion of Defendants' (or other person's or entity's) personal rights of privilege, confidentiality, and privacy. Additionally, many of these Requests have questionable relevance to the subject matter of this case, are overly broad in scope and would unduly burden J.P. Morgan with the need to search for, organize, review and produce a massive amount of information and data from over ten (10) years at great time and expense. J.P. Morgan has filed a Motion for Protective Order, which Motion is incorporated herein by reference in its entirety, and J.P. Morgan objects to these discovery requests (where applicable) on each and all of the bases set forth in the Motion for Protective Order (and as provided below).

B. Defendant objects to producing "e-mail, electronic calendars, voice mail and billing and accounting files in hard copy and electronically, together with software required to access the same" as unduly burdensome and harassing. Defendant will produce such information as it is kept in the ordinary course of its business or in such other format as may be convenient to Defendant or agreed to by the parties.

C. Defendant objects to the time and place designated for the production. Defendant will produce responsive information at a mutually agreeable date, time, and place or at such time, date, and place as may be designated by Defendant.

Subject to these objections and following the entry of an appropriate agreed order and/or the Court's ruling on J.P. Morgan's Motion for Protective Order (and protections requested hereinabove on the general objection and requests for protective order incorporated herein), Defendant will further respond and/or supplement as appropriate or required.

**REQUEST FOR PRODUCTION NO. 1:**

Produce the initial trust instrument with regard to the STS.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague and undefined (e.g. "initial").

**RESPONSE:**

Subject to and without waiving the foregoing objections, Defendant will produce documents responsive to the request at a mutually convenient date, time and place.

**REQUEST FOR PRODUCTION NO. 2:**

Produce the document(s) which authorizes you to act as sole trustee of the STS.

**RESPONSE:**

Defendant will produce documents responsive to the request at a mutually convenient date, time and place.

**REQUEST FOR PRODUCTION NO. 3:**

Produce each version in existence during the last 10 years of the written criteria employed by you to determine whether services performed by you regarding STS were "extraordinary" within the meaning of the Final Decree entered on or about February 12, 1951 in *Fred W. Shield, et al. Eva M. Barrington, et al.*, No. F-62,656 in the 73<sup>rd</sup> Judicial District Court of Bexar County, Texas.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 4:**

If at any time during the preceding 10 years, you have received compensation for your services and responsibilities as Trustee of the STS on any basis or under any formula other than that set out in the Final Decree entered on or about February 12, 1951 in *Fred W. Shield, et al. Eva M. Barrington, et al.*, No. F-62,656 in the 73<sup>rd</sup> Judicial District Court of Bexar County, Texas, produce copies of the documents setting forth each such basis or formula.

**RESPONSE:**

Defendant has no documents within its possession or control responsive to this Request.

**REQUEST FOR PRODUCTION NO. 5:**

Produce all agreements you have made with the beneficiaries of the STS.

**RESPONSE:**

Defendant has no documents within its possession or control responsive to this Request.

**REQUEST FOR PRODUCTION NO. 6:**

Produce all correspondence, including emails, between Gary Aymes and any beneficiaries of the STS, regarding the STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 7:**

Produce all correspondence, including emails, between you and any beneficiaries of the STS, regarding the STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 8:**

Produce all correspondence, including emails, between you and Patricia Ormond regarding STS.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 9:**

Produce all correspondence, including emails, between you and Joseph M. Finger, Jr., Consulting Petroleum Geologist.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 10:**

Produce all correspondence, including emails, between you and Carneiro, Chumney & Co regarding the STS since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 11:**

Produce all STS tax returns prepared by Carneiro, Chumney & Co. since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 12:**

Produce all correspondence, including emails, between you and any potential lessee of oil, gas or minerals owned by the STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 13:**

Produce all correspondence, including emails, between you and any lessee of oil, gas or minerals owned by the STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 14:**

Produce all correspondence, emails, memos and documents exchanged between your employees with regard to any oil, gas or mineral lease or potential oil, gas or mineral lease to which JPM, as Trustee of the STS, is a party or potential party, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 15:**

Produce all correspondence, emails, memos and documents exchanged between your employees with regard to the accounting, administration and management of the STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 16:**

Produce all documents and files kept by Patricia Ormond with regard to any oil, gas or mineral lease or potential oil, gas or mineral lease to which JPM, as Trustee of the STS, is a party or potential party, since January 1, 2001.



**OBJECTIONS:**

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 17:**

Produce the 666.99 acre Oil, Gas and Mineral Lease between the STS and Activa Resources, LLC, dated January 23, 2008 (Activa Lease).

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 18:**

Produce all documents regarding the amount of bonus and relay [sic] rentals regarding the Activa Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the

subject matter of this case. *See* TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 19:**

Produce the Division Order regarding the Activa Lease.

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 20:**

Produce all documents you relied on in negotiating the terms of the Activa Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 21:**

Produce all documents, including committee minutes, regarding committee review and/or recommendation regarding the Activa Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 22:**

Produce the 483.3 acre Oil, Gas and Mineral Lease between the STS and H.P. Ellsworth dated May 12, 2008 (Ellsworth Lease).

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 23:**

Produce all documents regarding the amount of bonus and relay [sic] rentals regarding the Ellsworth Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 24:**

Produce the Division Order regarding the Ellsworth Lease.

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 25:**

Produce all documents you relied on in negotiating the terms of the Ellsworth Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.

2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 26:**

Produce all documents, including committee minutes, regarding committee review and/or recommendation regarding the Ellworth Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 27:**

Produce the 12,772.93 acre Oil, Gas and Mineral Lease between the STS and Petrohawk Properties, LP, dated May 27, 2008 (12,772 ac. Petrohawk Lease).

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining

to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 28:**

Produce all documents regarding the amount of bonus and relay [sic] rentals regarding the 12,772 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 29:**

Produce the Division Order regarding the 12,772 ac. Petrohawk Lease.

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 30:**

Produce all documents you relied on in negotiating the terms of the 12,772 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 31:**

Produce all documents, including committee minutes, regarding committee review and/or recommendation regarding the 12,772 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 32:**

Produce the 12,073.475 acre Oil, Gas and Mineral Lease between the STS and Petrohawk Properties, LP, dated May 27, 2008 (12,073 ac. Petrohawk Lease).

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 33:**

Produce all documents regarding the amount of bonus and relay [sic] rentals regarding the 12,073 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 34:**

Produce the Division Order regarding the 12,073 ac. Petrohawk Lease.



**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 35:**

Produce all documents you relied on in negotiating the terms of the 12,073 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 36:**

Produce all documents, including committee minutes, regarding committee review and/or recommendation regarding the 12,073 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 37:**

Produce the 16,903.43 acre Oil, Gas and Mineral Lease between the STS and Petrohawk Properties, LP, dated July 16, 2008 (16,903 ac. Petrohawk Lease).

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 38:**

Produce all documents regarding the amount of bonus and relay [sic] rentals regarding the 16,903 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined

by the subject matter of this case. See TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 39:**

Produce the Division Order regarding the 16,903 ac. Petrohawk Lease.

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 40:**

Produce all documents you relied on in negotiating the terms of the 16,903 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request

until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 41:**

Produce all documents, including committee minutes, regarding committee review and/or recommendation regarding the 16,903 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 42:**

Produce the 15,456.66 acre Oil, Gas and Mineral Lease between the STS and Petrohawk Properties, L.P. dated December 12, 2008 (15,456 ac. Petrohawk Lease).

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 43:**

Produce all documents regarding the amount of bonus and relay [sic] rentals regarding the 15,456 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 44:**

Produce the Division Order regarding the 15,456 ac. Petrohawk Lease.

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 45:**

Produce all documents you relied on in negotiating the terms of the 15,456 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 46:**

Produce all documents, including committee minutes, regarding committee review and/or recommendation regarding the 15,456 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 47:**

Produce the 3,845.305 acre Oil, Gas and Mineral Lease between the STS and Petrohawk Properties, L.P. dated December 12, 2008 (3,845 ac. Petrohawk Lease).

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 48:**

Produce all documents regarding the amount of bonus and relay [sic] rentals regarding the 3,845 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 49:**

Produce the Division Order regarding the 3,845 ac. Petrohawk Lease.

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.

2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 50:**

Produce all documents you relied on in negotiating the terms of the 3,845 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 51:**

Produce all documents, including committee minutes, regarding committee review and/or recommendation regarding the 3,845 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.



3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

#### **REQUEST FOR PRODUCTION NO. 52:**

Produce the 18,473.04 acre Oil, Gas and Mineral Lease between the STS and Petrohawk Properties, L.P. dated December 12, 2008 (18,473 ac. Petrohawk Lease).

#### **OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

#### **REQUEST FOR PRODUCTION NO. 53:**

Produce all documents regarding the amount of bonus and relay [sic] rentals regarding the 18,473 ac. Petrohawk Lease.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 54:**

Produce the Division Order regarding the 18,473 ac. Petrohawk Lease.

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 55:**

Produce all documents you relied on in negotiating the terms of the 18,473 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 56:**

Produce all documents, including committee minutes, regarding committee review and/or recommendation regarding the 18,473 ac. Petrohawk Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 57:**

Produce the 750.015 acre Oil, Gas and Mineral Lease between the STS and Bishop Petroleum, Inc., dated October 15, 2008 (Bishop Lease).

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 58:**

Produce all documents regarding the amount of bonus and relay [sic] rentals regarding the Bishop Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 59:**

Produce the Division Order regarding the Bishop Lease.

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 60:**

Produce all documents you relied on in negotiating the terms of the Bishop Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 61:**

Produce all documents, including committee minutes, regarding committee review and/or recommendation regarding the Bishop Lease.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 62:**

Produce all oil, gas and mineral leases between the STS and any third party which are currently in effect.

**OBJECTIONS:**

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 63:**

Produce copies of all checks you received for STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**RESPONSE:**

Subject to and without waiving the foregoing objections, Defendant refers Plaintiff to the trust statements already provided and/or made available that contain much of the requested information.

**REQUEST FOR PRODUCTION NO. 64:**

Produce copies of all documents that evidence the distribution of bonus payments, rental payments, royalty payments and other payments to the beneficiaries of the STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific and overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for

Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**RESPONSE:**

Subject to and without waiving the foregoing objections, Defendant refers Plaintiff to the trust statements already provided and/or made available that contain much of the requested information.

**REQUEST FOR PRODUCTION NO. 65:**

Produce the annual schedule of your fees and commissions with regard to administration of the STS, from the time you became Trustee of the STS to the present.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome as to time (e.g. "from the time you became Trustee of the STS to the present").

**RESPONSE:**

Subject to and without waiving the foregoing objections, Plaintiff can ascertain much of this information from the annual trust statements already provided and/or made available.

**REQUEST FOR PRODUCTION NO. 66:**

If you contend that you are entitled to compensation greater than that established in the February 12, 1951 Final Decree in Cause No. F-62,656 in the 73<sup>rd</sup> Judicial District Court of Bexar County, Texas, produce all such documents which authorize such greater compensation.

**RESPONSE:**

J.P. Morgan makes no such contention.

**REQUEST FOR PRODUCTION NO. 67:**

Produce all documents with regard to fees and commissions you charged to the STS, from the time you became Trustee of the STS to the present.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter, time and/or scope, harassing, and unduly burdensome (e.g. "all documents with regard to" and "from the time you became Trustee of the STS until the present").
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.

**RESPONSE:**

Subject to and without waiver of these objections, Plaintiff may ascertain much of this information from the annual trust statements for the years previously provided to and/or made available to Plaintiff.

**REQUEST FOR PRODUCTION NO. 68:**

Produce all tax opinions you have obtained with regard to the STS, since January 1, 2001.

**CLAIM OF PRIVILEGE:**

Documents responsive to this Request have been or will be withheld from production under attorney-client and work product privileges.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.



**REQUEST FOR PRODUCTION NO. 69:**

Produce all audits conducted with regard to the STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 70:**

Produce all annual reports sent by you to the beneficiaries of the STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**RESPONSE:**

Subject to and without waiver of these objections, these annual reports have been

contained within the accounting previously provided to Plaintiff.

**REQUEST FOR PRODUCTION NO. 71:**

Produce all accountings of the STS sent by you to the beneficiaries of the STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**RESPONSE:**

Subject to and without waiver of these objections, this information is contained within the accounting previously provided to Plaintiff.

**REQUEST FOR PRODUCTION NO. 72:**

Produce all accountings of the STS, which are in compliance with Texas Trust Code sections 113.151 and 113.152, sent by you to the beneficiaries of the STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**RESPONSE:**

Subject to and without waiver of these objections, this information is contained within the accounting previously provided to Plaintiff.

**REQUEST FOR PRODUCTION NO. 73:**

Produce your policy manuals regarding administration of trusts, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 74:**

Produce your policy manuals regarding oil, gas and mineral leasing of trust property, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.

2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 75:**

Produce all invoices from attorneys and accountants regarding work performed by them related to the STS, which were paid from assets of the STS, since January 1, 2001.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 76:**

Produce all invoices from third parties regarding work performed by them related to the STS, which were paid from assets of the STS, since January 1, 2001.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 77:**

Produce STS Reports 1 through 30 prepared by Joseph M. Finger, Jr.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**RESPONSE:**

Subject to and without waiver of these objections, this information is contained within the annual reports previously provided to Plaintiff.

**REQUEST FOR PRODUCTION NO. 78:**

Produce all other STS Reports prepared by Joseph M. Finger, Jr.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 79:**

Produce all STS Certificates of Beneficial Interest.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such

Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 80:**

Produce the STS 2008, 2009 and 2010 Lease Maps.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**RESPONSE:**

Subject to and without waiver of these objections, this information is contained within the accounting previously provided to Plaintiff.

**REQUEST FOR PRODUCTION NO. 81:**

Produce the Oil and Gas Development Map prepared by Joseph M. Finger, Jr.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for

Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**RESPONSE:**

Subject to and without waiver of these objections, this information is contained within the accounting previously provided to Plaintiff.

**REQUEST FOR PRODUCTION NO. 82:**

Produce the division orders from all wells located on STS land.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 83:**

Produce all STS statements prepared by Carneiro Chumney & Co.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.



3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 84:**

Produce the 2009 and 2010 bank statements for all accounts maintained for the STS.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 85:**

Produce your schedule of fees for administrating trusts for the years 2001 through 2010, and for 2011.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such

Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 86:**

Produce all legal opinions which were paid for out of STS funds.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 87:**

Produce all correspondence, including emails, from beneficiaries of the STS to you from January 1, 2001 to the present.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific, overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the

subject matter of this case. *See* TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 88:**

Produce all petroleum engineer reports you received regarding STS from January 1, 2001 to the present.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 89:**

Produce all correspondence, including emails, between you and petroleum engineers regarding STS from January 1, 2001 to the present.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 90:**

Produce all geologist reports you received regarding STS from January 1, 2001 to the present.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 91:**

Produce all correspondence, including emails, between you and geologists regarding STS from January 1, 2001 to the present.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for

Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 92:**

Produce all documents related to any evaluation your [sic] performed regarding STS mineral interests from January 1, 2001 until the present.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad as to subject matter and/or scope, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 93:**

Produce documents showing the names of the STS beneficiaries and the number of shares owned by each.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request seeks information that is not relevant to the subject matter of this case for purposes of discovery and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request (other than the names of the beneficiaries, which has previously been provided) seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**RESPONSE:**

Subject to and without waiver of these objections, this information (in part) has previously been provided to Plaintiff.

CAUSE NO. 2011-CI-04747

EMILIE BLAZE,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,  
INDIVIDUALLY/CORPORATELY AND AS  
TRUSTEE OF THE SOUTH TEXAS  
SYNDICATE TRUST AND GARY P. AYMES,

Defendants.

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**DEFENDANT JPMORGAN CHASE BANK, N.A.'s OBJECTIONS AND RESPONSES  
TO PLAINTIFF'S FIRST SET OF REQUESTS FOR PRODUCTION**

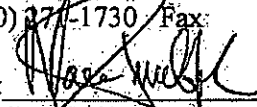
Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust ("J.P. Morgan") submits these Objections and Responses to Plaintiff's First Set of Requests for Production.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER  
& BEITER INCORPORATED**

7373 Broadway, Suite 300  
San Antonio, Texas 78209  
(210) 271-1700 Telephone  
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BY:

  
Patrick K. Sheehan  
State Bar No. 18175500  
Kevin M. Beiter  
State Bar No. 02059065  
David Jed Williams  
State Bar No. 21518060  
Mark A. Randolph  
State Bar No. 00791484

**ATTORNEYS FOR DEFENDANTS**

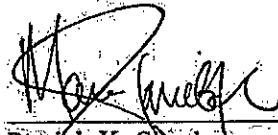
CERTIFICATE OF SERVICE

This is to certify that on this 29<sup>th</sup> day of June, 2011, a true and correct copy of the foregoing document was served on the following Plaintiff's counsel of record by the method indicated:

Mr. David R. Deary  
Mr. Jim L. Flegle  
Mr. Jeven R. Sloan  
Loewensohn Flegle Deary, L.L.P.  
12377 Merit Drive, Suite 900  
Dallas, Texas 75251

CERTIFIED MAIL RRR

this 29<sup>th</sup> day of June, 2011.

  
\_\_\_\_\_  
Patrick K. Sheehan  
David Jed Williams  
Mark A. Randolph



**DEFENDANT'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF  
REQUESTS FOR PRODUCTION**

**I. GENERAL OBJECTIONS AND REQUEST FOR PROTECTIVE ORDER**

A. These Requests in some instances seek the production of information that would constitute an invasion of Defendants' (or other person's or entity's) personal rights of privilege, confidentiality, and privacy. Additionally, many of these Requests have questionable relevance to the subject matter of this case, are overly broad in scope and would unduly burden J.P. Morgan with the need to search for, organize, review and produce a massive amount of information and data from decades past at great time and expense. J.P. Morgan has filed a Motion for Protective Order, which Motion is incorporated herein by reference in its entirety, and J.P. Morgan objects to these discovery requests (where applicable) on each and all of the bases set forth in the Motion for Protective Order (and as provided below).

B. Defendant objects to the instructions contained in I. A. as same are unduly burdensome and harassing. Defendant will produce such information as it is kept in the ordinary course of its business or in such other format as may be convenient to Defendant or agreed to by the parties.

C. Defendant objects to the time and place designated for the production. Defendant will produce responsive information at a mutually agreeable date, time, and place or at such time, date, and place as may be designated by Defendant.

Subject to these objections and following the entry of an appropriate agreed order and/or the Court's ruling on J.P. Morgan's Motion for Protective Order (and protections requested hereinabove on the general objection and requests for protective order incorporated herein), Defendant will further respond and/or supplement as appropriate or required.

**REQUEST FOR PRODUCTION NO. 1:**

All documents regarding or referring to Plaintiff or John Blaze.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 2:**

All documents regarding or reflecting communications or information exchanged by and/or between You and Plaintiff or John Blaze.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. All-necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 3:**

All documents regarding or referring to the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject

matter of this case. *See* TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 4:**

All documents regarding or referring to the Trustee.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 5:**

All documents regarding or referring to the Trust assets.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 6:**

All documents regarding and/or reflecting Your internal communications or information exchanged regarding any aspect of the Trust, Trust assets, or Trustee.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 7:**

All documents regarding and/or reflecting Your internal communications and/or information exchanged regarding any aspect of the Trust, Plaintiff (including John Blaze) or any other beneficiary.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.

2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 8:**

All documents regarding and/or reflecting communications and/or information exchanged by and/or between You and any individual or entity other than a beneficiary of the Trust regarding any aspect of the Trust, Trust assets, or Trustee.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 9:**

All documents regarding and/or reflecting any communication and/or information exchanged by and/or between You and any beneficiary regarding any aspect of the Trust, Trust assets or Trustee.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents

thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 10:**

All documents regarding or reflecting communications or information exchanged by or between You and any potential witness You may call to testify at the trial of this matter.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 11:**

All documents regarding and/or reflecting any communications or information exchanged by or between You and any individual or entity regarding Plaintiff, John Blaze, or any aspect of this lawsuit.



### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 12:**

All documents regarding or reflecting communications and/or information exchanged by and/or between You and any individual or entity who may have knowledge of facts relevant to this case.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust)

have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 13:**

All documents or communications regarding or reflecting Your right and/or authority to act as Trustee of the South Texas Syndicate Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 14:**

All documents regarding or reflecting any written or oral agreements of any nature entered into with, for, or on behalf of the Trust.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 15:**

All documents or communications regarding or reflecting any lease, contract and/or agreement relating in any way to the Trust or Trust assets for the period You have been Trustee of the Trust.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for

discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 16:**

All documents or communications regarding or reflecting Your efforts to liquidate Trust assets.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the

release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 17:**

All documents regarding or reflecting formal or informal communications, summaries, reports, or analysis provided to beneficiaries of the Trust as a whole or to any individual beneficiary of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 18:**

All documents or communications regarding or reflecting communications to, from and/or between, You, the Trust and/or Trustee and any or All of the beneficiaries of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome. In addition, the Request is vague and incapable of reasonable interpretation by Defendant.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 19:**

All documents regarding or reflecting communications (including information exchanged) by and/or between You and any other individual or entity other than a beneficiary of the Trust concerning any aspect of the Trust, the Trust assets, or the services provided to, for, or on behalf of the Trust or Trustee.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.

2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and third parties. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 20:**

All documents regarding or reflecting communications (including information exchanged) by and/or between You and any beneficiary of the Trust concerning any aspect of the Trust, the Trustee, or services provided to, for, or on behalf of the Trust or Trustee.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **REQUEST FOR PRODUCTION NO. 21:**

All documents or communications regarding or reflecting the characterization or structure of the Trust.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome. In addition, the Request is vague and incapable of reasonable interpretation by Defendant.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 22:**

All documents or communications regarding or reflecting whether the Trust is properly characterized, structured, operated or maintained, at any time, as a liquidating trust.



### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 23:**

All documents regarding or referring to the characterization or structure of the Trust. This Request specifically includes but is not limited to characterizations or analysis for legal or tax purposes.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 24:**

All documents regarding or reflecting communications or information exchanged by and/or between You and any other individual or entity other than a beneficiary of the Trust relating to the characterization or structure of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 25:**

All documents regarding or reflecting communications or information exchanged by and/or between You, Plaintiff (including John Blaze) and/or any other beneficiary of the Trust regarding or Relating to the characterization or structure of the Trust

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 26:**

All documents or communications regarding or reflecting analysis of whether a particular action by the Trustee, at any time, was a routine service or responsibility or an extraordinary service.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 27:**

All documents regarding or reflecting communications and/or information exchanged by and/or between You and any accountant, lawyer, or other professional regarding any aspect of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 28:**

All documents regarding or reflecting communications and/or information exchanged by and/or between You and any professional advisor (including but not limited to lawyers or accountants)

concerning any aspect of the Trust, including but not limited to the characterization, structure, and/or operation of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 29:**

All documents or communications regarding or reflecting any oral or written opinion from a professional advisor (including but not limited to a lawyer or accountant) concerning any aspect of the Trust, including but not limited to the characterization, structure, or operation of the Trust. This Request specifically includes but is not limited to all internal communications, all written communications, and all forms of any opinion, whether informal, formal, draft, revised, or final.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.

2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 30:**

Any documents regarding or reflecting any communication with, or opinions by, an accountant, attorney, or other professional, relating to the characterization of the Trust as an ordinary trust, liquidating trust, business trust, royalty trust, association, business association, or other characterization or structure. This Request specifically includes characterizations or analysis for legal or tax purposes.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 31:**

All documents regarding or reflecting information exchanged and/or communications, including but not limited to memorandums, reports, or opinions, by accountants, attorneys, or other professionals relating to the characterization or structure of the Trust. This Request specifically includes characterizations or analysis for legal or tax purposes.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 32:**

All documents regarding or reflecting communications and/or information exchanged by and/or between You and any accountant, lawyer, or other professional advisor regarding any aspect of the Trust, Trust assets, or Trustee.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.



### **REQUEST FOR PRODUCTION NO. 33:**

All documents or communications regarding or reflecting any communications, memorandums, reports or opinions by accountants, attorneys, or other professionals, whose services were paid for out of Trust funds, relating to the characterization of the Trust as an ordinary trust, liquidating trust, business trust, royalty trust, association, business association, or other characterization or structure, to specifically include characterizations or analysis for legal or tax purposes.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 34:**

All documents or communications regarding, reflecting or relating to the characterization of the Trust as an ordinary trust, liquidating trust, business trust, royalty trust, association, business association, or other characterization or structure.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 35:**

All documents or communications regarding or reflecting any aspect of the management and/or operation of the Trust.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 36:**

All documents regarding, referring to, or reflecting any aspect of the administration of the Trust before you were appointed as the Trustee of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted

information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 37:**

All documents or communications regarding or reflecting the operation of the Trust as an ordinary trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 38:**

All documents or communications regarding or reflecting the Internal Revenue Services' treatment of the Trust, including but not limited to the Internal Revenue Services' treatment of the characterization and/or operation of the Trust.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 39:**

All documents or communications regarding or reflecting any aspect of a decision to seek or not to seek a letter ruling or other guidance from the Internal Revenue Service with regard to the characterization, structure, operation or any other aspect of the Trust.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective

Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 40:**

All documents or communications regarding or reflecting any letter ruling or other guidance, input, or advice from the Internal Revenue Service concerning the characterization, structure, operation, or any other aspect of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 41:**

All documents or communications regarding judicial reformation of the Trust instrument that currently governs the trusteeship of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 42:**

All documents or communications regarding or reflecting any aspect of a decision to seek or not to seek judicial reformation of the Trust instrument that currently governs the trusteeship of the Trust.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 43:**

All documents and communications regarding Your status as Trustee of the Trust.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for



discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 44:**

All documents or communications regarding or reflecting Your potential loss of the trusteeship of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome. In addition, the Request is vague and incapable of reasonable interpretation by Defendant.
2. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted

information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 45:**

All documents or communications regarding or reflecting the job descriptions or duties of each employee, independent contractor, or any other individual or entity that You have hired or retained to administer the Trust or provide any other services to, from, or on behalf of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 46:**

All documents regarding and/or reflecting communications and/or information exchanged by and/or between You, any of Your employees or any other individuals or entities that You have hired or retained to administer the Trust or provide any services related in any way to the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 47:**

All documents sufficient to identify each of Your employees or any other individual or entity that You have hired to administer the Trust or provide any services to or for the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

**REQUEST FOR PRODUCTION NO. 48:**

All documents regarding and/or reflecting the administration of the Trust, including all services provided by the Trustee or other individuals or entities who provided any services to, for, or on behalf of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 49:**

All financial and accounting statements and records prepared for the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective

Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 50:**

All documents regarding and/or reflecting any financial accounting performed for or on behalf of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this

Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under accountant-client, attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 51:**

All documents regarding or reflecting any type of financial or accounting calculations or analysis regarding the Trust, including but not limited to financial statements, balance sheets, profit/loss statements, and any analysis of revenue, expenses, cash flow, allocations, distributions, disbursements, or any other financial analysis, calculation, projections, or estimates.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under accountant-client, attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 52:**

All documents or communications regarding or reflecting any accounting or any aspect of an accounting performed on the Trust, including, but not limited to, any accounting requested by a beneficiary of the Trust.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under accountant-client, attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 53:**

All documents or communications regarding or reflecting any business strategies, strategic plans, or business plans relating to the Trust,

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective

Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 54:**

All documents or communications regarding or reflecting any plan, strategy, or activity to maximize the value of the Trust to the beneficiaries.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.



### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 55:**

All documents or communications regarding or reflecting any aspect of the development and/or implementation of business strategies, strategic plans, or business plans to maximize the value of the Trust to the beneficiaries.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 56:**

All documents or communications regarding or reflecting delay rentals related to the Trust properties or Trust estate. This Request specifically includes but is not limited to the negotiation of delay rentals and/or agreements for delay rentals. This Request specifically includes but is not limited to documents or communications regarding or reflecting: the amounts; terms; conditions; length of time of the delay; calculation methods; investigation of comparable delay rentals; and any other aspect of delay rentals that the Trustee considered before entering into or negotiating delay rentals on behalf of the Trust.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 57:**

All documents or communications regarding or reflecting expenses, fees and/or other amounts You charged to the Trust. This Request specifically includes, but is not limited to, documents and communications regarding or reflecting any amounts paid to You, third parties, the Trustee and/or affiliated entities or individuals. This Request specifically includes, but is not limited to, documents and communications regarding or reflecting amount paid for: (1) reasonable

compensation for actions taken as part of efforts to sell trust assets; (2) amounts retained for routine services and responsibilities as Trustee; (3) fees charged for extraordinary services in connection with the Trust estate; (4) reimbursements for out-of-pocket expenses and reasonable attorneys' and accountant fees incurred in connection with Trust properties.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 58:**

All documents or communications regarding or reflecting any aspect of payments, distributions, or disbursements of any kind received by the Trustee. This Request specifically includes, but is not limited to, the determination of the method of the calculation of the amount of the payment, the determination of the timing of the payment, the actual calculation of the payment, and the reasons for the payment.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 59:**

All documents or communications regarding or reflecting any aspect of payments, distributions, or disbursements of any kind made by the Trustee to You (Individually/Corporately) and/or to any individual or entity other than a beneficiary of the Trust. This Request specifically includes, but is not limited to, the determination of the method of the calculation of the amount of the payment, the determination of the timing of the payment, the actual calculation of the payment, and the reason for payment.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 60:**

All documents or communications regarding or reflecting consideration (including monies or other benefits) received by the Trustee as compensation for its administration of the Trust. This Request specifically includes amounts paid out of the Trust estate, amounts paid out of Trust funds, and any other source of consideration, money or benefit that the Trustee retained as compensation for its administration of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 61:**

All documents or communications regarding or reflecting consideration (including monies or other benefits) received by the Trustee on behalf of the Trust. This Request specifically includes, but is not limited to, documents and communications regarding or reflecting payments from

leasees of Trust assets and any other consideration (including monies or other benefits) from any source received by the Trustee on behalf of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 62:**

All documents or communications regarding or reflecting any aspect of payments, distributions, royalties, or disbursements of any kind made by the Trustee to Trust beneficiaries. This Request specifically includes, but is not limited to, the determination of the method of the calculation of the amount of the payment, the determination of the timing of the payment, and the actual calculation of the payments.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for

discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 63:**

All documents regarding or reflecting communications or information exchanged by and/or between You and Cox & Smith related in any way to the Trustee or the Trust, including but not limited to the characterization, structure, and/or operation of the Trust.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined

and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 64:**

All documents or communications regarding or reflecting any written oral opinion from Cox & Smith related in any way to the Trustee or the Trust, including but not limited to the characterization, structure, and/or operation of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.



#### **REQUEST FOR PRODUCTION NO. 65:**

All documents, including internal communications, regarding or reflecting any services Cox & Smith provided to, for, or on behalf of the Trust or Trustee.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 66:**

All documents or communications regarding or reflecting monies paid to Cox & Smith or any other professional advisor for services rendered to, for, or on behalf of the Trust or Trustee. This Request specifically includes but is not limited to all invoices, statements, and/or bills issued by Cox & Smith or other professional advisors, as well as documents regarding or reflecting the payment of such bills, invoices, or statements.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 67:**

All documents or communications regarding or reflecting any aspect of the decision to seek an opinion from Cox & Smith related to the characterization, structure and/or operation of the Trust. This Request specifically includes the documents or communications regarding or reflecting the decision to pay for the legal services connected with the Cox & Smith opinion out of Trust funds.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 68:**

All documents or communications regarding or reflecting the identity, mental impressions, work product, and/or opinions of any consulting expert whose mental impressions and/or opinions have been reviewed or relied upon by any witness or testifying expert in this case. This Request specifically includes documents or communications regarding or reflecting the following information related to said consulting expert: (1) name, address, and telephone number; (3) the facts known by said consulting expert that relate to or form the basis of the expert's mental impressions and opinions formed or made in connection with this case, regardless of when and how the factual information was acquired; (4) said consulting expert's mental impressions and opinions formed or made in connection with this case, and any methods used to derive them; (5) any bias of the consulting expert; (6) all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the consulting expert; (7) the consulting expert's current resume, curriculum vitae, and bibliography.

**RESPONSE:**

Defendant has no documents within its possession or control responsive to this Request.

**REQUEST FOR PRODUCTION NO. 69:**

All documents produced to and/or received from any consulting expert whose mental impressions and/or opinions have been reviewed and relied upon by any witness or testifying expert.

**RESPONSE:**

Defendant has no documents within its possession or control responsive to this Request.

**REQUEST FOR PRODUCTION NO. 70:**

All communications and/or information exchanged by and/or between You and any consulting expert whose mental impressions and/or opinions have been reviewed and relied upon by any witness or testifying expert.

**RESPONSE:**

Defendant has no documents within its possession or control responsive to this Request.

**REQUEST FOR PRODUCTION NO. 71:**

All documents sufficient to identify (name, address and telephone number) of each individual or entity that is a beneficiary of the Trust.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust and its beneficiaries. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
2. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.
3. In addition, J.P. Morgan objects to this Request to the extent that it requests the production of information beyond the scope of the Order of Judge Martha Tanner signed on April 5, 2011. Defendant further objects to the use by Plaintiff of such information beyond the limited use allowed by Judge Tanner in the Order signed on April 5, 2011.

**REQUEST FOR PRODUCTION NO. 72:**

All insurance policies, including but not limited to, all primary, secondary, excess, or umbrella policies, and any indemnity agreements under which any person or entity may be liable to satisfy part or all of a judgment rendered in this action or indemnify or reimburse for payments made to satisfy any judgment rendered in this action.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request seeks information that is exclusively discoverable under a request for disclosure.

**REQUEST FOR PRODUCTION NO. 73:**

All written or recorded statements of any person with knowledge of facts relevant to this action. This Request specifically includes all statements that constitute discoverable information under Texas Rule of Civil Procedure 192.3(h).

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request seeks information that is exclusively discoverable under a request for disclosure.
2. This Request is overly broad, harassing, unduly burdensome and beyond the scope of permissible discovery under the Texas Rules of Civil Procedure.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**REQUEST FOR PRODUCTION NO. 74:**

All written or recorded statements made by Plaintiff, John Blaze, You, the Trustee, any beneficiary of the Trust, or any other individual or entity concerning in any way, Plaintiff, John Blaze, the Trust, the Trustee, this lawsuit, and/or the alleged facts or occurrences made the basis of this lawsuit.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request seeks information that is exclusively discoverable under a request for disclosure.
2. This Request is overly broad, harassing, unduly burdensome and beyond the scope of permissible discovery under the Texas Rules of Civil Procedure.
3. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
4. This Request seeks confidential, private, and/or proprietary information pertaining to the

South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

5. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 75:**

The settlement agreement entered with Pioneer/EOG.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **REQUEST FOR PRODUCTION NO. 76:**

All drafts, revisions, and/or versions of any proposed or final settlement agreement with Pioneer/EOG.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
2. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 77:**

All documents regarding the settlement with Pioneer/E00.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the

South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.

4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 78:**

All documents regarding or reflecting communications and/or information exchanged by and/or between You and Pioneer/EOG concerning any aspect of the dispute or settlement of the dispute.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.



### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 79:**

All documents regarding the dispute with Pioneer/EOG. This Request specifically includes but is not limited to all correspondence, pleadings, discovery, documents produced, or other documents related in any way to any aspect of the dispute or litigation with Pioneer/EOG.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 80:**

All documents regarding or reflecting communications or information exchanged by and between You and counsel for the Trust in connection with the Pioneer/EOG dispute or litigation.

#### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

#### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

#### **REQUEST FOR PRODUCTION NO. 81:**

All documents regarding or reflecting invoices, bills, or statements received from the Trust counsel for services rendered in connection with the Pioneer/EOG dispute or litigation.

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject

matter of this case. See TRCP 192 cmt. 1.

3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 82:**

All documents regarding or reflecting the payment of all fees and expenses incurred by the counsel for the Trust in the Pioneer/EOG dispute or litigation.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 83:**

All documents regarding or reflecting your internal communications or information exchanged regarding the Pioneer/EOG dispute or litigation.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 84:**

A copy of the complete litigation file, including but not limited to all work product and attorney-client communications, for the Pioneer/EOG dispute or litigation.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject

matter of this case. See TRCP 192 cmt. 1.

3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

**REQUEST FOR PRODUCTION NO. 85:**

All documents or communications regarding or reflecting any aspect of the Pioneer/EOG Settlement. This Request specifically includes, but is not limited to, documents or communications regarding or reflecting the reasons the Trustee made the decision to enter into the Pioneer/EOG Settlement.

**OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. See TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined

and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

### **CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

### **REQUEST FOR PRODUCTION NO. 86:**

All documents or communications regarding or reflecting the choice of counsel and the payment of fees and expenses for the Pioneer/EOG Litigation. This Request specifically includes, but is not limited to, documents or communications regarding or reflecting any aspect of the process by which the Trustee chose trial counsel and determined the fee arrangement to enter into with trial counsel. This Request specifically includes but is not limited to documents or communications regarding or reflecting the Trustee's analyses or other action to determine the propriety and/or reasonableness of the \$1,162,161.32 in fees and expenses generated by the Trustee in the Pioneer/EOG Litigation and Settlement. This Request specifically includes, but is not limited to, documents or communications regarding or reflecting the Trustees' analysis, action, or determination as to whether all or any portion of the \$1,162,161.32 justified an extraordinary fee under the Trust instrument. This Request specifically includes but is not limited to documents or communications regarding or reflecting any extraordinary fee taken by the trustee because of time "consumed" by the Pioneer/EOG Litigation and/or Settlement or any other basis or reason.

### **OBJECTIONS:**

Defendant objects to this Request on the following bases:

1. This Request is vague, undefined, non-specific, overly broad, harassing, and unduly burdensome.
2. This Request seeks information that is not relevant to the subject matter of this case for discovery purposes and is beyond the scope of discovery as confined by the subject matter of this case. *See* TRCP 192 cmt. 1.
3. This Request seeks confidential, private, and/or proprietary information pertaining to the South Texas Syndicate Trust. Accordingly, J.P. Morgan has filed a Motion for Protective Order and objects to further responding to this discovery request until such Motion has been determined and protections granted as requested therein.
4. All necessary parties (in excess of 200 beneficiaries of the South Texas Syndicate Trust) have not been joined and J.P. Morgan objects to producing information that may be confidential (or otherwise objectionable) to the other beneficiaries before they are joined

and have the opportunity to be heard regarding any objections that they may have to the release of the requested information to Plaintiff.

**CLAIM OF PRIVILEGE:**

Subject to the above-objections and the Court's determination as to the proper scope of this Request and J.P. Morgan's obligations (if any) to further respond and produce documents thereunder, J.P. Morgan anticipates that documents responsive to this Request (or redacted information in such documents) have been or will be withheld from production under attorney-client and work product privileges.

T:\32\RUPMORGAN\Blaze\Discovery\Responses to RFP.doc

# EXHIBIT B



★ ★ ★  
LOEWINSOHN FLEGLE DEARY  
— L · L · P —

November 17, 2011

Via Facsimile

Patrick K. Sheehan, Esq.  
Hornberger Sheehan Fuller & Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

Re: Cause No. 2010-CI-10977; *John K. Meyer, et al. v. JP Morgan Chase Bank N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*; in the 225<sup>th</sup> District Court, Bexar County, Texas

Dear Mr. Sheehan:

Enclosed is a copy of Plaintiffs' Request for Rule 193.3 Withholding Statement.

Very truly yours,

*Michael J. Donley /arh*

Michael J. Donley  
Direct Dial: (214) 572-1728  
Email: [michaeld@LFDlaw.com](mailto:michaeld@LFDlaw.com)

MJD/arh  
Enclosure

**(Consolidated Under)**  
**CAUSE NO. 2010-CI-10977**

JOHN K. MEYER, ET AL.,

Plaintiffs,

JP MORGAN CHASE BANK, N.A.,  
INDIVIDUALLY/CORPORATELY AND  
AS TRUSTEE OF THE SOUTH TEXAS  
SYNDICATE TRUST AND GARY P.  
AYMES,

**Defendants.**

IN THE DISTRICT COURT OF

225<sup>th</sup> JUDICIAL DISTRICT

**BEXAR COUNTY, TEXAS**

**PLAINTIFFS' REQUEST FOR RULE 193.3 WITHHOLDING STATEMENT**

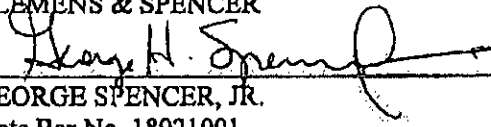
TO: Defendant JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes by and through their attorney of record, Patrick K. Sheehan, Hornberger Sheehan Fuller & Beiter Inc., The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, TX 78209

In accordance with Rule 193.3, TRCP, Plaintiffs request that JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes, identify the information and material that has been withheld as stated in their responses to Plaintiffs' discovery requests previously served on Defendants. In the withholding statement, Defendants must describe any information or materials withheld and the specific privilege for each item or group of items withheld within fifteen days after service of this Rule 193.3 Request.

DATE: November 17, 2011.

Respectfully submitted,

CLEMENS & SPENCER

  
GEORGE SPENCER, JR.

State Bar No. 18921001

112 E. Pecan St., Suite 1300

San Antonio, Texas 78205

Telephone: (210) 227-7121

Facsimile: (210) 227-0732

RICHARD TINSMAN

State Bar No. 20064000

TINSMAN & SCIANO, INC.

10107 McAllister Freeway

San Antonio, Texas 78205

Telephone: (210) 225-3121

Facsimile: (210) 225-6235

JAMES L. DROUGHT

State Bar No. 06135000

DROUGHT DROUGHT & BOBBITT, LLP

112 E. Pecan St., Suite 2900

San Antonio, Texas 78205

Telephone: (210) 225-4031

Facsimile: (210) 222-0586

ATTORNEYS FOR PLAINTIFF

JOHN K. MEYER

LOEWINSOHN FLEGLE DEARY, L.L.P.



DAVID R. DEARY

State Bar No. 05624900

JIM L. FLEGLE

State Bar No. 07118600

MICHAEL J. DONLEY

State Bar No. 24045795

12377 Merit Drive, Suite 900

Dallas, Texas 75251

Telephone: (214) 572-1700

Facsimile: (214) 572-1717

ATTORNEYS FOR PLAINTIFF

EMILIE BLAZE

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing instrument has been served on the below listed counsel of record via the method indicated, this 17<sup>th</sup> day of November 2011:

Patrick K. Sheehan  
David Jed Williams  
Mark A. Randolph  
Kevin M. Beiter  
Hornberger Sheehan Fuller  
& Beiter Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

Via Facsimile



Michael J. Donley

# EXHIBIT C

★ ★ ★  
LOEWINSOHN FLEGLE DEARY  
L · L · P

December 8, 2011

**Via Facsimile and Email**

Patrick K. Sheehan, Esq.  
Hornberger Fuller Sheehan & Beiter, Inc.  
The Quarry Heights Building  
7373 Broadway, Suite 300  
San Antonio, TX 78209

Re: Cause No. 2011-CI-10977; *John K. Meyer, et al. v. JP Morgan Chase Bank N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*; in the 225<sup>th</sup> District Court, Bexar County, Texas

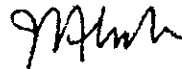
Dear Pat:

On November 17, 2011, we requested a withholding statement from JP Morgan pursuant to Rule 193.3(b). JP Morgan was required to serve a response within 15 days of service containing the information detailed in that rule. By our calculations, JP Morgan's withholding statement was due December 5, 2011.

To date, we have not received a withholding statement from JP Morgan or any communication regarding same.

If we do not receive a withholding statement by December 13, we will file a motion to compel JP Morgan to fulfill its discovery obligations and set the motion for hearing.

Very truly yours,



Jim L. Flegle  
Direct Dial: (214) 572-1701  
Email: [jimf@LFDlaw.com](mailto:jimf@LFDlaw.com)

JLF/mlj

cc: George H. Spencer, Jr.  
Richard Tinsman  
James L. Drought



## COURT OF APPEALS

FOURTH COURT OF APPEALS DISTRICT  
CADENA-REEVES JUSTICE CENTER  
300 DOLOROSA, SUITE 3200  
SAN ANTONIO, TEXAS 78205-3037  
WWW.4THCOA.COURTS.STATE.TX.US

CATHERINE STONE  
CHIEF JUSTICE  
KAREN ANGELINI  
SANDEE BRYAN MARION  
PHYLIS J. SPEEDLIN  
REBECCA SIMMONS  
STEVEN C. HILBIG  
MARIALYN BARNARD  
JUSTICES

KEITH E. HOTTLE,  
CLERK

TELEPHONE  
(210) 335-2635

FACSIMILE NO.  
(210) 335-2762

December 22, 2011

Dinah L. Gaines  
Staff Attorney  
Bexar County Civil District  
Courts  
100 Dolorosa, Suite B-23  
San Antonio, TX 78205

George H. Spencer, Jr.  
112 East Pecan Street, Suite  
1300  
San Antonio, TX 78205-1512

Honorable Peter A. Sakai  
Judge, 225th District Court  
Bexar County Courthouse  
100 Dolorosa, 2nd Floor  
San Antonio, TX 78205

Patrick K. Sheehan  
7373 Broadway, Suite 300  
San Antonio, TX 78209

Donna Kay McKinney  
Bexar County-District Clerk  
101 W. Nueva  
San Antonio, TX 78205

Honorable David A.  
Berchermann, Jr.  
Judge, 37th Judicial District  
Court  
Bexar County Courthouse  
100 Dolorosa  
San Antonio, TX 78205

James L. Drought  
2900 Weston Centre  
112 East Pecan Street  
San Antonio, TX 78205


Richard Tinsman  
10107 McAllister Freeway  
San Antonio, TX 78216

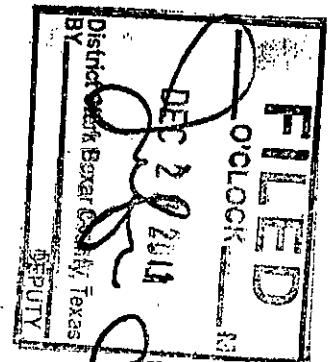
RE: Court of Appeals Number: 04-11-00914-CV  
Trial Court Case Number: 2010-CI-10977

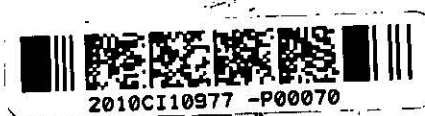
Style: In re JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South  
Texas Syndicate Trust and Gary P. Aymes, Relator

The Relator's Petition for Writ of Mandamus and Motion for Temporary Relief in the  
above styled and numbered cause has this date been filed.

Very truly yours,  
KEITH E. HOTTLE, CLERK

  
Jennifer Saenz  
Deputy Clerk, Ext. 3221





2010CI10977 -P00070

BY \_\_\_\_\_

2011 DEC 21  
FILED  
DISTRICT CLERK  
BEXAR CO. TEXAS  
4:45  
DEPUTY

(Consolidated Under)  
2010-CI-10977

JOHN K. MEYER, ET AL.

V.

JP MORGAN CHASE BANK, N.A.,  
INDIVIDUALLY/CORPORATELY  
AND AS TRUSTEE OF THE SOUTH  
TEXAS SYNDICATE TRUST  
AND GARY P. AYMES

§  
§  
§  
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§  
§

IN THE DISTRICT COURT

225<sup>TH</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**PLAINTIFFS' MOTION TO SET ON THE JURY DOCKET**

This Motion is now made that the above-numbered and entitled cause be  
set for trial. The estimated length of trial is two (2) weeks.

Check type of case:

\_\_\_ Family \_\_\_\_\_  
(Specify type)

\_\_\_ Workers' comp.

\_\_\_ Injunction

X Other Trust/Breach of Fiduciary Duty  
(Specify)

ENTERED

Respectfully submitted,

Mr. Richard Tinsman  
TINSMAN & SCIANO, INC.  
10107 McAllister Freeway  
San Antonio, Texas 78216  
Telephone: (210) 225-3121  
Facsimile: (210) 225-6235





Mr. George H. Spencer, Jr.  
CLEMENS & SPENCER, P.C.  
112 East Pecan, Suite 1300  
San Antonio, Texas 78205  
Telephone: (210) 227-7121  
Facsimile: (210) 227-0732

DROUGHT, DROUGHT & BOBBITT, L.L.P.  
2900 Weston Centre  
112 East Pecan Street  
San Antonio, Texas 78205  
Telephone: (210) 225-4031  
Facsimile: (210) 222-0586

By: \_\_\_\_\_

James L. Drought  
State Bar No. 06135000

**ATTORNEYS FOR PLAINTIFFS,  
JOHN K. MEYER, JOHN MEYER, JR.  
and THEODORE MEYER**

**ORDER**

The above-styled and numbered cause is set for trial on the Jury Docket for the  
22<sup>nd</sup> day of October, 2012 at 8:30 a.m. in the 215 District Court, Bexar County  
Courthouse, San Antonio, Texas. *ADR 6-6-12 438*

SIGNED this \_\_\_\_\_ day of December, 2011.

**JUDGE JANET LITTLEJOHN**

**DEC 22 2011**

\_\_\_\_\_  
Judge Presiding

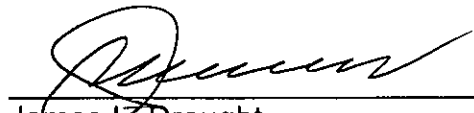
**CERTIFICATE OF SERVICE**

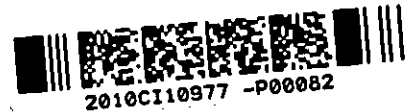
I hereby certify that a true and correct copy of the foregoing has been sent  
by:

  X   U.S. Certified Mail, Return Receipt Requested to:  
      Facsimile to:  
      First Class Mail to:  
      Hand Delivery to:

Mr. Patrick K. Sheehan  
Mr. David Jed Williams  
Mr. Mark A. Randolph  
Mr. Kevin M. Beiter  
HORNBERGER SHEEHAN FULLER & BEITER, INC.  
7373 Broadway, Suite 300  
San Antonio, TX 78209

on this the 21<sup>st</sup> day of December, 2011.

  
\_\_\_\_\_  
James L. Drought



# COURT OF APPEALS

FOURTH COURT OF APPEALS DISTRICT  
CADENA-REEVES JUSTICE CENTER  
300 DOLOROSA, SUITE 3200  
SAN ANTONIO, TEXAS 78205-3037  
WWW.4THCOA.COURTS.STATE.TX.US

CATHERINE STONE  
CHIEF JUSTICE  
KAREN ANGELINI  
SANDEE BRYAN MARION  
PHYLIS J. SPEEDLIN  
REBECCA SIMMONS  
STEVEN C. HILBIG  
MARIALYN BARNARD  
JUSTICES

KEITH E. HOTTLE,  
CLERK

TELEPHONE  
(210) 335-2635

FACSIMILE NO.  
(210) 335-2762

December 23, 2011

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Bexar County Civil District Courts  
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George H. Spencer, Jr.  
Clemens & Spencer, P.C.  
112 East Pecan Street, Suite 1300  
San Antonio, TX 78205-1512

Honorable Peter A. Sakai  
Judge, 225th District Court  
Bexar County Courthouse  
100 Dolorosa, 2nd Floor  
San Antonio, TX 78205

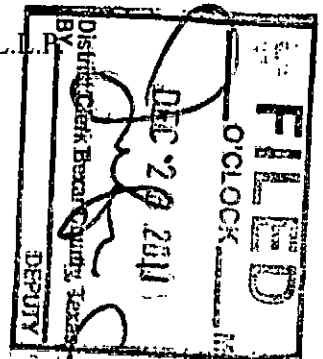
Patrick K. Sheehan  
Hornberger Sheehan Fuller & Beiter Incorporated  
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San Antonio, TX 78209

Donna Kay McKinney  
Bexar County-District Clerk  
101 W. Nueva  
San Antonio, TX 78205

Honorable David A. Berchelmann, Jr.  
Judge, 37th Judicial District Court  
Bexar County Courthouse  
100 Dolorosa  
San Antonio, TX 78205

James L. Drought  
Drought, Drought & Bobbitt, L.L.P.  
2900 Weston Centre  
112 East Pecan Street  
San Antonio, TX 78205

Richard Tinsman  
Tinsman & Sciano, Inc.  
10107 McAllister Freeway  
San Antonio, TX 78216



RE: Court of Appeals Number: 04-11-00914-CV  
Trial Court Case Number: 2010-CI-10977  
Style: In re JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South  
Texas Syndicate Trust and Gary P. Aymes, Relator

Enclosed please find the order which the Honorable Court of Appeals has issued in reference to the above styled and numbered cause.

If you should have any questions, please do not hesitate to contact me.

Very truly yours,  
KEITH E. HOTTLE, CLERK

*Jennifer Saenz*  
Jennifer Saenz  
Deputy Clerk, Ext. 3221

*Court of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



December 23, 2011

No. 04-11-00914-CV

**IN RE JP MORGAN CHASE BANK, N.A., INDIVIDUALLY/CORPORATELY AND AS  
TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST AND GARY P. AYMES**

Original Mandamus Proceeding<sup>1</sup>

**ORDER**


Sitting: Catherine Stone, Chief Justice  
Karen Angelini, Justice  
Rebecca Simmons, Justice

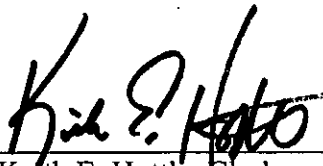
On December 22, 2011, relator filed a petition for writ of mandamus and a motion for temporary relief. The court has considered relator's petition and is of the opinion that relator is not entitled to the relief sought. Accordingly, the petition for writ of mandamus and the motion for temporary relief are DENIED. See TEX. R. APP. P. 52.8(a). The court's opinion will issue at a later date.

It is so **ORDERED** on December 23, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 23rd day of December, 2011.



  
Rebecca Simmons, Justice

  
Keith E. Hottle, Clerk

<sup>1</sup> This proceeding arises out of Cause No. 2010-CI-10977, styled *John K. Meyer, et al. v. JP Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust and Gary P. Aymes*, pending in the 225th Judicial District Court, Bexar County, Texas, the Honorable Peter Sakai presiding. However, the order complained of was signed by the Honorable David A. Berchelmann, presiding judge of the 37th Judicial District Court, Bexar County, Texas.