



*Production to Defendant's Amanda Lollar, Bat World Sanctuary*" (sic). (See Exhibits "C" and "D".)

2. In her preambles to her written responses to discovery Plaintiff states that the information is provided "under seal" to Defendants' attorneys and may not be shared with Defendants.

3. Plaintiff responded to Interrogatories 2, 4, 5, 16, and 21 by stating that they would be answered "at a later date through an attorney." Plaintiff failed to fully respond to Interrogatories No. 12, 13, and 15. Plaintiff objected to Interrogatory No. 11.

4. Plaintiff failed to produce any documents requested in Defendant's Request for Production. Plaintiff made boilerplate objections to Defendants' Request for Production Nos. 6, 9, 11, 12, and 13.

5. Subsequent to the initial filing of this Motion, on March 12, 2014, the Court entered an Order for the parties to seek to resolve as many of the pending discovery issues as they could. See Doc. No. 98. Plaintiff responded to the issuance of this Order by forwarding a message to this counsel indicating that she would respond to any "reasonable" discovery request, and then going on to disparage Defendant, whom she referred to as "disgusting," and "severely mentally ill," and threatening that she might need to involve the police if counsel "bumped into her." Exhibit E, 000001. The undersigned's associate thereafter contacted *pro se* Plaintiff, to see just what specific matters from the Motion could be resolved. See Exhibit E, 000002.

6. Plaintiff indicated that she would only respond to the discovery with a protective order in place:

I will give you the things I said I would if Turner, Lollar sign a protective order with an enforcement clause for sanctions. If Turner, Lollar do not agree to that, then he should file his amended motion to compel. I will reply to that and file a motion for protective order and sanctions.

Exhibit E, 000008. Defendant sought clarification as to the scope of the protective order she was seeking, since Defendant had previously proposed, in July of 2013, a protective order restricting access to gynecological records, in order to address concerns of the Plaintiff. *See* Exhibit E, 000009, *et. seq.*

7. Plaintiff indicated that she expected a protective order as to all discovery, including deposition transcripts and videos, such protective order to prohibit access even to the Defendant herself. *See* Exhibit E, 000013. She will produce only such medical records as she views to be relevant. *Id.* It does not appear she is willing to produce anything else. *Id.*

8. She has indicated in these communications that she is “not suing for lost salary as I did not have a salaried job.” *Id.* However, when told in response that Defendant would withdraw any discovery requests relating to “employment, [her] business(es), taxes and finances” if she would stipulate she was not seeking lost wages or loss of earning capacity resulting from her alleged injuries in this suit, she never responded to this offer.<sup>1</sup> *See e.g.* Exhibit E, 000015. Defendant further indicated to Plaintiff indicated that although they could not agree to a blanket protective order as to all discovery, they would agree to one as to medical and/or financial information, and that as to other areas of information, if she could point to something as to which she had a specific concern, they might be willing to discuss adding other matters to such a protective order. *Id.*

9. No response was made to this offer. Defendant followed up 5 days later asking if any agreements could be reached, and noting the deadline imposed by the Court’s March 12, 2014

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<sup>1</sup> Plaintiff did text a response, “Oops. Thought it was 27 and not 23,” on April 23, 2014. *See* Exhibit E, 000015. But when Defendant’s counsel indicated they did not know what this meant (“What do you mean?”), she did not respond. *Id.* at 000014.

Order. *See* Exhibit B, p. 14. But no response was made prior to the date of the filing of this Amended Motion to Compel.

## **II.** **Standard of Discovery**

10. The Federal Discovery rules are to be interpreted broadly and liberally. *See* FED. R. CIV. P. 26(b)(1); *Trevino v. Celanese Corp.*, 701 F.2d 397, 405 (5th Cir.(Tex.) 1983), citing to *Hickman v. Taylor*, 329 U.S. 495, 507, 67 S.Ct. 385 (1947); *MQS Inspection, Inc. v. Bielecki*, 963 F.Supp. 771 (E.D. Wis. 1995).

11. Where objections are raised, it is the burden of the objecting party to substantiate its objections. *See B&S Drilling Company, Inc. v. Halliburton Oil Well Cementing Co.*, 24 F.R.D. 1, 4 (S.D. Tex. 1959); *Oleson v. Kmart Corp.*, 175 F.R.D. 560, 565 (D. Kan. 1997). Merely stating that an interrogatory or document request is “overly broad and burdensome,” “oppressive”, or “not reasonably calculated to lead to the discovery of admissible evidence,” is not sufficient and the resisting party risks waiving his objections entirely. *See McLeod, Alexander, Powel & Apffel, P.C. v. Quarles*, 894 F.2d 1482, 1485 (5th Cir. (Tex.), 1990), citing to *Roseberg v. Johns-Manville Corp.*, 85 F.R.D. 292, 296-97 (E.D. Pa. 1980). Objections must be specific and supported by a reasonably detailed explanation why the particular discovery request may be improper, and the responding party still must answer to the extent the request is not objectionable. *See* FED. R. CIV. P. 33, 33(a); *Harding v. Dana Transport, Inc.*, 914 F.Supp 1084, 1101-02 (D.N.J., 1996); *United States v. 58.16 Acres of Land*, 66 F.R.D. 570, 572 (E.D. Ill.1975); 8C Wright & A. Miller, *Federal Practice and Procedure: Civil* § 2173 (1970; 1993 Suppl.).

12. Federal Courts have consistently held that instructions, definitions, and discovery requests are sufficiently definite as long as they are clear enough to adequately advise the

interrogated party of the information requested. *See Struthers Scientific and International Corporation v. General Foods Corporation*, 45 F.R.D. 375, 379 (S.D. Tex. 1968); *Capacchione v. Charlotte-Mecklenburg Schools et al*, 182 F.R.D. 486, 491 (W.D.N.C. 1998). Where otherwise vague or ambiguous, the responding party still has a burden to answer by “exercising reason and common sense to attribute ordinary definitions to terms and phrases” utilized in discovery. *See* FED. R. CIV. P. 26(b)(1); *Pulsecard, Inc. v. Discover Card Services, Inc.*, 168 F.R.D. 295, 310 (D. Kan. 1996).

### III.

#### **The Disputed Objections and Failure to Respond to Plaintiff’s Interrogatories**

A. Plaintiff’s statement that her responses are provided to Defendants’ attorneys “under seal” and may not be shared Defendants is improper

13. In the preambles to Plaintiff’s responses to interrogatories and request for production, she states:

Plaintiff provides this private and confidential information under seal to Defendants’ attorneys only. Plaintiff does not allow this information and/or any information produced in discovery, through interrogatories or in deposition video to be shared publicly, or with anyone other than Defendant’s attorneys or experts. Plaintiff does not allow Defendants’ attorneys to share this information with Defendants because Defendants have a long history of using and abusing discovery for harassment purposes.

*See* Exhibit “C” and “D”.

14. Rule 26(c) provides that the Court may, for good cause shown, issue a protective order forbidding discovery, specifying terms for discovery, or designating persons who may be present while discovery is conducted. However, the rule does not allow a party to unilaterally limit discovery as Plaintiff attempts to do in her discovery responses. Defendants request that Plaintiff’s attempted restrictions or limitations on discovery responses be denied.

B. Plaintiff's answers to interrogatories were unsworn

15. Plaintiff's answers to interrogatories were not made under oath as required by FED. R. CIV. P. 33(b). Plaintiff should be ordered to provide sworn answers to the interrogatories propounded to her.

C. Interrogatories 2, 4, 5, 16, and 21

16. Plaintiff's unsworn answers to Defendant's Interrogatories 2 (Exhibit "C," p. 7), 4 (Exhibit "C," p. 7), 5 (Exhibit "C," p. 7), and 21 (Exhibit "C," p. 9), state that "Plaintiff is an individual and not an attorney. This information will be provided at a later date by an attorney." (See Exhibit "C"). Almost seven (7) months have passed since Plaintiff served her answers to interrogatories. As a *pro se* party Plaintiff is required to follow the local civil rules of this court and the Federal Rules of Civil Procedure. See LR 83.14. The Federal Rules of Civil Procedure require a party to answer each interrogatory separately and fully in writing under oath within 30 days after being served with the interrogatories. See FED. R. CIV. P. 33(b). Plaintiff should be ordered to provide the information requested in Interrogatories 2, 4, 5, and 21 under oath.

C. Interrogatories 12, 13, and 15

17. Defendant's Interrogatory No. 12 (**REQUEST:** Exhibit A, p. 9; **RESPONSE:** Exhibit "C," p. 4) asked Plaintiff for a list of medical expenses which resulted from the incident in question. Plaintiff's unsworn answer states that she "will be providing this at a later date" and "Plaintiff has already provided some of this information." Almost seven months have passed since Plaintiff served her answers to interrogatories. Plaintiff was required to provide the information requested under oath and within 30 days after being served with interrogatories. See FED. R. CIV. P. 33(b).

18. Defendant's Interrogatory No. 13 (**REQUEST**: Exhibit A, p. 9; **RESPONSE**: Exhibit "C," p. 5) asked Plaintiff for information concerning lost time and money caused by the incident. Plaintiff responded that "Plaintiff will provide the time and money lost at a later date." Almost seven months have passed since Plaintiff served her answers to interrogatories. Plaintiff was required to provide the information requested within 30 days after being served with interrogatories. *See* FED.R.CIV.PROC. 33(b).

19. Defendant's Interrogatory No. 15 (**REQUEST**: Exhibit A, p. 8; **RESPONSE**: Exhibit "C," p. 5) asked Plaintiff about her self-employment. Plaintiff responded that "Plaintiff will not be providing income information to Defendant" and "Plaintiff will state this at a later date through an attorney." Plaintiff did not object to this interrogatory and asserted no privilege. Almost seven months have passed since Plaintiff served her answers to interrogatories. Plaintiff was required to provide the information requested within 30 days after being served with interrogatories. *See* FED.R.CIV.PROC. 33(b).

20. Defendant's Interrogatory No. 11 (**REQUEST**: Exhibit A, p. 7; **RESPONSE**: Exhibit "C," p. 4) asked for the name of the each hospital that examined treated Plaintiff before the incident and the reason for the examination or treatment. Plaintiff objected on the ground that the "information sought is not reasonably calculated to lead to the discovery of admissible evidence" and that the "scope if over broad as to time and subject matter." First, the requested discovery is certainly relevant, as it goes to the question of whether Defendant suffered from any pre-existing conditions or ailments which may have in fact been a cause of the damages being alleged in this suit against Defendants.<sup>2</sup> As to Plaintiff's objection that the request is overly

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<sup>2</sup> Pre-existing conditions (the exclusionary instruction for which can be found in Texas Pattern Jury Charge 15.8) are relevant because under Texas law, recovery for injuries is limited to "medical expenses specifically shown to result from treatment made necessary by the negligent acts or omissions of the defendant..." *Texarkana Mem. Hosp. v. Murdock*, 946 S.W.2d 836, 840 (Tex. 1997).

broad, it should be noted that she offers nothing to this Court other than this bare statement. As noted previously, merely stating that an interrogatory or document request is “overly broad” is not sufficient. *See McLeod, Alexander, Powel & Appfel, P.C. v. Quarles*, 894 F.2d 1482, 1485 (5th Cir. 1990) citing *Roseberg v. Johns-Manville Corp.*, 85 F.R.D. 292, 296-97 (E.D.Pa. 1980). Rather, such objection must be specific and supported by a reasonably detailed explanation why the particular discovery request may be improper, and the responding party still must answer to the extent the request is not objectionable. *See* FED. R. CIV. P. 33, 33(a); *Harding v. Dana Transport, Inc.*, 914 F.Supp 1084, 1101-02 (D.N.J. 1996); *United States v. 58.16 Acres of Land*, 66 F.R.D. 570, 572 (E.D.Ill. 1975); 8C Wright & A. Miller, *Federal Practice and Procedure: Civil* § 2173 (1970; 1993 Suppl.). Plaintiff has failed to do this.

#### IV.

#### **The Disputed Objections and Failure to Produce Documents**

##### A. Plaintiff's Objections to Request for Production

21. Defendant's Request for Production No. 6 (**REQUEST:** Exhibit B, p. 3; **RESPONSE:** Exhibit “D,” p. 3) asked for any and all correspondence and documents evidencing communications between Plaintiff and any Defendant in this case. Plaintiff responded that she “previously supplied all such correspondence and documents evidencing communications between Plaintiff and Defendants in this case; Defendants also have copies of all said communications.” (*See* Exhibit “C”). To the extent that Plaintiff is claiming that the requested documents were produced in the instant case this is simply not true. To the extent that Plaintiff is claiming the documents were produced in one of the other various lawsuits filed by Plaintiff against Defendants in Texas and California she has not properly complied with the request for documents.



22. Defendant also filed a plethora of unsubstantiated boilerplate objections to this request, stating that is “not reasonably calculated to lead to the discovery of admissible evidence,” “the scope of the documents sought is overbroad,” it is an “unwarranted annoyance and under (*sic*) burden,” “the burden and intrusiveness of the request outweighs the likelihood that the documents sought will lead to the discovery of admissible evidence,” and “the documents sought violate the right of privacy of third parties.” But Plaintiff offers nothing to substantiate these objections. Further, as the documents requested have been produced by her in the past (per her own response), there should be nothing about production in this case that should make the request any more objectionable.

23. Defendant’s Request No. 7 (**REQUEST:** Exhibit B, p. 3; **RESPONSE:** Exhibit “D,” p. 3) asked for “copies of all medical bills and other bills of any nature which you claim to be recoverable because of the injuries you claim you received in the incident in question.” Plaintiff did not object and responded that the requested documents “will be provided at a later date; because of Plaintiff’s back injury it has been difficult to physically gather the documents at this time.” While Defendants are uncertain why the collection of medical records – a task capable of being undertaken through written requests and receipt of records by mail, is allegedly so physically tasking. Nevertheless, Plaintiff has engaged these Defendants in litigation and must expect some level of inconvenience associated with this fact. Given she has not objected, the Court should Order these documents produced.

24. Defendant’s Request No. 8 (**REQUEST:** Exhibit B, p. 3; **RESPONSE:** Exhibit “D,” p. 3) asked for “Photographs, diagrams, drawings, models and other physical evidence which you have preserved or produced which relate to the occurrence in question or the damages being claimed.” Plaintiff did not object and responded that “Plaintiff’s doctor has MRI and x-rays.”

(See Exhibit “C”). While Defendants appreciate the recitation of these documents’ location, this was a request for production. If the intent of such response was to suggest that Defendants should get the records from her doctor, it should be noted that it is “not usually a ground for objection that the information is equally available to the interrogator or is a matter of public record.” *Petruska v. Johns-Manville*, 83 F.R.D. 32, 35 (E.D. Pa. 1979) citing 8 Wright and Miller, *Federal Practice and Procedure*, Civil § 2014 at 111. This is especially true where, as here, the responding party would have less trouble obtaining the documents from the third party in question. *Id.* See also *Carlson v. Geneva City Sch. Dist.*, 277 F.R.D. 90, 96 (W.D.N.Y. 2011) (“If the producing party has the legal right or the practical ability to obtain the documents, then it is deemed to have “control,’ even if the documents are actually in possession of a non-party. This holding extends to medical and counseling records.”).

25. Defendant’s Request No. 9 (**REQUEST**: Exhibit B, p. 3; **RESPONSE**: Exhibit “D,” p. 3) asked for “Any written, taped or transcribed statements of any Defendant in this case or any agent or representative of any Defendant.” Plaintiff responded that “Defendants have copies of any written, taped, or transcribed statements of Defendant Amanda Lollar and Bat World Sanctuary.” Plaintiff further made the same boilerplate objections that she made in response to Request No. 6. But, again, she fails to in any way seek to substantiate these objections as required under the Rules.

26. Defendant’s Request No. 10 (**REQUEST**: Exhibit B, p. 3; **RESPONSE**: Exhibit “D,” p. 3) asked for “A copy of the front and back of Plaintiff’s drivers license.” Plaintiff did not object and responded that she “previously provided the front of Plaintiff’s drivers license to attorney Randy Turner to inspect at a deposition [presumably in an unrelated case]; the only thing on the back of the license is a magnetic strip and bar code which are not reasonably calculated to lead to

the discovery of admissible evidence.” As noted previously, prior production of an item, in an unrelated case in no way satisfies her discovery obligations in the present litigation. In any event, having failed to object, an adequate response should be provided.

27. Defendant’s Request No. 11 (**REQUEST**: Exhibit B, p. 3; **RESPONSE**: Exhibit “D,” pp. 3-4) asked for “All income tax returns with W-2 and 1099 forms attached for the period of time beginning 5 years prior to the incident in question up through the present time.” Plaintiff stated that she has no W-2 forms and “will not be providing 1099 forms to Defendant because Defendant has a long history of abusing discovery to harass and harm Plaintiff.” Plaintiff further made the same boilerplate objections that she made in response to Request No. 6. (*See* Exhibit “C”). It should be noted, however, that Plaintiff has alleged that injuries claimed in this suit resulted in a loss of wages. *See e.g.* Doc. No. 46, p. 5. “Tax returns are relevant to actions in which a party asserts that it is entitled to lost wages.” *Reed v. Tokio Marine & Nichido Fire Ins. Co., Ltd.*, 2010 U.S. Dist. LEXIS 13994, 4 (W.D. La. Feb. 1, 2010). As can be seen from the present Motion, Defendants have tried to obtain information in this regard from multiple sources, but Plaintiff has either objected or simply refused to produce any such information. If Plaintiff cannot or will not substantiate her past income through other less intrusive means, the Court should compel the production of Plaintiff’s tax returns.

28. Defendant’s Request No. 12 (**REQUEST**: Exhibit B, p. 3; **RESPONSE**: Exhibit “D,” p. 4) asked for “A current medical authorization signed by Plaintiff, a form of which is attached hereto, to enable Defendant to obtain copies of Plaintiff’s medical records.” Plaintiff responded that she “will not be giving a blank signed medical authorization form to Defendants because Defendants have a long history of abusing discovery to harass and harm Plaintiff; Plaintiff will provide all medical records which relate to this injury and the part of the body injured.” Plaintiff

further made the same boilerplate objections that she made in response to Request No. 6. Interestingly, Plaintiff refused to provide medical records in response to other requests because it is allegedly too physically tasking, and in fact in response to some requests, she simply refers Defendants to her doctor, but refuses to provide an authorization to allow Defendants to obtain these records themselves. Regardless of the circular logic inherent in these arguments, the simple fact is the Plaintiff does not get to be the gatekeeper to her medical records, picking and choosing which such records she will provide (which at this point is simply nothing). Defendants are entitled to these records to seek to defend this lawsuit, and Plaintiff should be compelled to provide an authorization. *See e.g. McKnight v. Blanchard*, 667 F.2d 477, 481-82 (5th Cir. 1982) (when a party puts his or her physical condition at issue that a court can, upon proper motion, order him or her to sign a medical authorization).

29. Defendant's Request No. 13 (**REQUEST**: Exhibit B, p. 3; **RESPONSE**: Exhibit "D," p. 4) asked for "A current employment authorization signed by Plaintiff, a form of which is attached hereto, to enable Defendant to obtain copies of Plaintiff's employment records." Plaintiff responded that she "will not be giving a blank signed employment authorization form to Defendants because Defendants have a long history of abusing discovery to harass and harm Plaintiff." Plaintiff further made the same boilerplate objections that she made in response to Request No. 6. Unsubstantiated accusations do not form the basis of a valid objection to discovery. Plaintiff has alleged that the injuries which are the subject of this suit resulted in lost wages. *See* Doc. No. 46, p. 5. Defendants are entitled to explore her employment records to test the veracity of this claim.

30. Defendant's Request No. 14 (**REQUEST**: Exhibit B, p. 3; **RESPONSE**: Exhibit "D," p. 4) asked for "All employment and payroll records pertaining to Plaintiff's current employment

and any other employment which Plaintiff has had in the past five (5) years.” Plaintiff responded that “Plaintiff will not be providing employment records for the last five years because Defendant has a long history of abusing discovery to harass and harm Plaintiff.” Plaintiff further made the same boilerplate objections that she made in response to Request No. 6. Having failed to present any substantiated objection to this discovery, and in the face of its relevance to the issue of lost wages, the Court should compel this information. *See e.g. Scheffler v. County of Dunn*, 2009 U.S. Dist. LEXIS 56481, 2 (W.D. Wis. May 6, 2009) (“Plaintiff’s employment records are relevant to his claim for lost wages.”).

31. Defendant’s Request No. 18 (**REQUEST**: Exhibit B, p. 4; **RESPONSE**: Exhibit “D,” p. 5) asked for “All canceled checks, charge card receipts and any other receipts or documents reflecting payment of any medical or psychological bills or expenses alleged to be recoverable in this lawsuit.” Plaintiff responded that she “will provide all receipts for medical bills and expenses alleged to be recoverable in this case.” To date these have not been provided, and the Court should therefore compel such production.

32. Defendant’s Request No. 19 (**REQUEST**: Exhibit B, p. 4; **RESPONSE**: Exhibit “D,” p. 5) asked for “All documents and materials relating to investigations or inquiries into the matters which form the basis of this case. This request for production of materials seeks the production of documents created by or on behalf of Plaintiff prior to the date this suit was filed and seeks the production of documents created by third parties at any time.” Plaintiff responded that she “will be providing medical bills, MRI report to Defendant.” To date these have not been provided, and the Court should therefore compel such production.

33. Defendant’s Request No. 21 (**REQUEST**: Exhibit B, p. 4; **RESPONSE**: Exhibit “D,” p. 5) asked for “A copy of each ordinance, statute, code, and other law or regulation which you

claims Defendant Amanda Lollar violated with regard to the incident in question.” Plaintiff responded that “An attorney for Plaintiff will be providing the legal ordinances, statutes, codes or other regulations Defendant Amanda Lollar violated at a later date; Plaintiff has already included some in her complaint; Plaintiff is not an attorney and therefore not able to provide this information.”

**V.**  
**Conclusion**

34. Defendant stands willing to enter into a protective order as medical and/or financial information, though there is no legal or factual basis for any such protective order to encompass Defendant herself. Defendant further stands willing to enter a protective order as to any other specific responsive information or document as to which there might be some reasonable expectation of privacy in general. And Defendant has offered to withdraw many of the above discovery requests if she will simply stipulate for the purposes of this lawsuit that she seeks neither lost wages, nor any loss of earning capacity as a result of this case. She has suggested in emails that she is not (*See* Exhibit E, 000013), but in response to discovery she stated that she would “provide the time and money lost at a later date.” *See* Exhibit C, p. 8.

35. But none of this can occur if Plaintiff will not meaningfully work towards an agreement on these discovery disputes. And it is particularly telling that to this day, 8 months after tendering this discovery, Defendant has received no documents, and little in the way of meaningful responses.

WHEREFORE, Plaintiff respectfully requests that the Court order Defendant to provide sworn answers to the interrogatories as requested herein and produce the requested document as set forth herein. A proposed order is attached.

Respectfully Submitted,

/S/ Randall E. Turner

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**ATTORNEY FOR DEFENDANTS  
AMANDA LOLLAR AND BAT WORLD  
SANCTUARY**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was duly served this 30<sup>th</sup> day of April 2014 to each of the following via CM/ECF System:

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/S/ Randall E. Turner  
**RANDALL E. TURNER**



**EXHIBIT "A"**

**Defendant, Amanda Lollar's  
First Set of Interrogatories to Plaintiff**

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

MARY CUMMINS  
Plaintiff pro se

vs.

BAT WORLD SANCTUARY and  
AMANDA LOLLAR,  
Defendants

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CIVIL ACTION NO. 4:12-cv-00560-Y

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DEFENDANT, AMANDA LOLLAR'S  
FIRST SET OF INTERROGATORIES TO PLAINTIFF

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Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant AMANDA LOLLAR requests that Plaintiff MARY CUMMINS, answer within thirty (30) days in writing and under oath the following interrogatories:

DEFINITIONS

- a. The terms "YOU" or "YOUR" shall mean and refer to plaintiff Mary Cummins.
- b. The term "LOLLAR" shall mean and refer to defendant Amanda Lollar.
- c. The term "BAT WORLD SANCTUARY" shall mean and refer to defendant Bat World Sanctuary.
- d. To "STATE ALL FACTS" shall mean (i) to describe in detail the factual basis for the allegation specified in the particular Interrogatory, including without limitation the time, date, and place of each fact, occurrence or statement, and the exact words (if any) spoken, (ii) to IDENTIFY each individual with knowledge of the facts described in the response, and (iii) to provide a detailed description of each DOCUMENT related to the allegation.
- e. To "IDENTIFY" or provide the "IDENTIFICATION" of a person or entity means to provide the person's or entity's name, last known business and home address, last known business and home telephone number, employer (if applicable), and employment or other position (if applicable).
- f. "DOCUMENT" or "DOCUMENTS" shall include all materials within the scope of Rule 1001 of the Federal Rules of Evidence and/or Rule 34 of the Federal Rules of Civil Procedure and

shall include the original, any duplicate, and any non-identical duplicates. DOCUMENTS include electronic mail, DOCUMENTS and files stored in electronic form in or on computers or on computer networks or storage devices, and data compilations from which information can be obtained by YOU through detection devices into reasonably usable form.

g. "COMMUNICATE" or "COMMUNICATION" or "COMMUNICATIONS" means and refers to any communication, whether written, oral or otherwise, and includes (but is not limited to) documents, meetings, discussions, conferences, telephone conversations, e-mail, facsimile, and telegraphic COMMUNICATIONS.

h. "COMPLAINT" means the most recent amended complaint in this action filed by "YOU".

**INTERROGATORIES**

**INTERROGATORY NO. 1:** Please identify yourself fully, giving the following:

- (a). Your full name;
- (b). Any nicknames, aliases or married names presently used by you, or used by you at any time in the past;
- (c). Your date and city of birth;
- (d). Your current residence address;
- (e). Your current business address and occupation;

**ANSWER:**

**INTERROGATORY NO. 2:** In paragraph 21 of your complaint you allege that “the building...was not up to code.” Please describe how the building was not “up to code,” including:

- (a) Identify the specific “code” to which this allegation refers, including the number and section of the ordinance or statute and the government unit or authority that enacted the code.
- (b) The specific provisions, sections, or articles of the code which you claim were violated or not complied with;
- (c) Each and every fact which supports your allegation that the code was violated or not complied with. In other words, how or in what way the code provisions were violated or not complied with;
- (d) A description of how the code violations caused or contributed to your alleged injury;
- (e) A description of each document that supports this allegation.

**ANSWER:**

**INTERROGATORY NO. 4:** In paragraph 21 of your complaint you allege that “defendants did not tell Cummins that the building did not have an occupancy permit.” Please describe the “occupancy permit” to which you refer and how that was a “factor in bringing about Cummins’ injury,” including:

- (a) The entity or government agency that would have issued or had the authority to issue such an “occupancy permit;”
- (b) Identification of the statute, ordinance, or other law which authorized, provided for, or required the issuance of such a permit;
- (c) A description of how an occupancy permit would have prevented or avoided your alleged injury;
- (d) A description of each document that supports this allegation.

**ANSWER:**

**INTERROGATORY NO. 5:** Please list and describe the injuries which you allege you received in the incident made the basis of this suit, and describe all complaints which you contend resulted from the injuries listed.

**ANSWER:**

**INTERROGATORY NO. 6:** If you have ever had any other injuries, complaints or symptoms before this incident which were in any way similar to those sustained in the incident, please identify such injuries, complaints or symptoms and state the period of time during which such conditions persisted.

**ANSWER**

**INTERROGATORY NO. 7:** Please list the names and addresses of any hospitals or psychiatric institutions you went to for any treatment, testing or observation following the incident in question, and with respect to each such hospital or psychiatric institution, please state the dates you went there and, for each date, the reason you went there.

**ANSWER:**

**INTERROGATORY NO. 8:** Please list the name and address of each doctor, chiropractor, therapist, counselor, psychologist, psychiatrist or other health care provider who examined or treated you since the incident in question, the dates of each visit, and the general nature of the treatment or examination provided by each health care provider identified.

**ANSWER:**

**INTERROGATORY NO. 9:** Please list the name and address of each doctor, chiropractor, therapist, counselor, psychologist, psychiatrist or other health care provider who has examined or treated you during the ten (10) years prior to the incident in question and state the general nature of the treatment or examination provided by each health care provider identified.

**ANSWER:**

**INTERROGATORY NO. 10:** If you are under the care of any doctor, chiropractor, therapist, counselor, psychologist, psychiatrist or other health care provider at this time, please identify the health care provider by stating his or her name and address.

**ANSWER:**

**INTERROGATORY NO. 11:** Please list the name and address of each hospital in which you were examined or treated before this incident and describe the dates and reasons for such examination or treatment.

**ANSWER:**

**INTERROGATORY NO. 12:** Please give an itemized list of your doctor, hospital, pharmaceutical expenses and any other medical expense which you contend resulted from this accident.

**ANSWER:**

**INTERROGATORY NO.13:** Please state your business or occupation and, if you claim to have lost any time from your work or employment because of injuries resulting from this incident, then please list the amount of time, the dates of such lost time, and the amount of money you claim you lost because of your time off work.

**ANSWER:**

**INTERROGATORY NO. 14:** Please list the names and addresses of all your employers or places of employment for the five (5) years immediately prior to this incident (including the dates you were employed by each employer), and state your income and describe the manner in which it was paid (hourly, salary, or per unit of work done) for the one (1) year preceding the incident in question.

**ANSWER:**

**INTERROGATORY NO. 15:** If you were self-employed at any time during the five (5) years immediately prior to this incident then please:

- a) State the name, address, and nature of your business or company;
- b) State the amount of income you derived from your business or company during each of the five (5) years prior to the incident;
- c) State the total amount of lost income from your business or company that you are claiming as a result of injuries you received in the incident in question and how you arrived at this figure;
- d) Describe all books, records, and other documents you looked at to answer this interrogatory.

**ANSWER:**



**INTERROGATORY NO. 16:** Please list the total amount of income you have received since the incident in question, including the source of the income, a description of any work you did to earn the income and the date each payment was received.

**ANSWER:**

**INTERROGATORY NO. 17:** If you have ever made another claim against anyone for personal injuries, including worker's compensation claims, prior to or since the incident in question then please list the names, addresses, and all parties against whom you have made a claim, the approximate date of each claim, and the nature of the claim asserted by you.

**ANSWER:**

**INTERROGATORY NO. 18:** If you have been involved as a party in any lawsuit other than the present one during the last ten (10) years, please specify the case number, the court and county of filing, the year the lawsuit was filed, and the subject matter of the lawsuit.

**ANSWER:**


**INTERROGATORY NO. 21:** In paragraph 33 of the complaint you ask for judgment against the defendants for "economic loss and loss of other benefits." Please describe each "economic loss" and "other benefit" to which this refers, including:

- (a) A description of the loss or other benefit;
- (b) The dollar amount of the loss or other benefit;
- (c) How each loss or other benefit was calculated;
- (d) A description of each document which shows such loss or other benefit;
- (e) A description of each document upon which you relied in answering this interrogatory.

**ANSWER:**

DATED: August 28, 2013

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

  
**RANDALL E. TURNER**  
State Bar No. 20328310

**BAILY & GALYEN**  
1901 Airport Freeway  
Bedford, Texas 76021  
Telephone (817) 359-7065  
Fax (817) 764-6336  
**ATTORNEY FOR DEFENDANTS**  
**AMANDA LOLLAR AND BAT WORLD**  
**SANCTUARY**

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document has been sent to all parties, as follows:

Via Facsimile: 310.494.9395  
Mary Cummins, Plaintiff Pro Se  
[mmmaryinla@aol.com](mailto:mmmaryinla@aol.com)  
645 W. 9<sup>th</sup> Street, #110-140  
Los Angeles, CA 90015-1640

Via Facsimile: 214.323.3250  
Kimberly J. Munson, Attorney for Dorothy Hyatt, Defendant  
Kristi L. Kautz  
The Law Offices of Kimberly J. Munson, PLLC  
1024 S. Greenville Ave., Suite 120  
Allen, Texas 75002  
[kmunson@kkmunson.com](mailto:kmunson@kkmunson.com)

Via Facsimile: 214.220.0439  
Kevin Cook, Attorney for Kate Rugroden, Defendant  
Payne & Blanchard, L.L.P.  
717 N. Harwood Street, Suite 3350  
Dallas, Texas 75201  
[kcook@pandblaw.com](mailto:kcook@pandblaw.com)

  
RANDALL E. TURNER

**EXHIBIT “B”**

**Defendant, Amanda Lollar’s  
First Request for Production to Plaintiff**



4. All documents and tangible things, including all tangible reports, physical models, compilations of data and other material prepared by an expert used for consultation which forms the basis, either in whole or in part, of the opinions of any expert who may be called to testify in this case, or which have been reviewed by any expert who may be called to testify in this case.
5. Curriculum vitae for all expert witnesses who may be called to testify in this case.
6. Any and all correspondence and documents evidencing communications between Plaintiff and any Defendant in this case.
7. Copies of all medical bills and other bills of any nature which you claim to be recoverable because of the injuries you claim you received in the incident in question.
8. Photographs, diagrams, drawings, models and other physical evidence which you have preserved or produced which relate to the occurrence in question or the damages being claimed.
9. Any written, taped or transcribed statements of any Defendant in this case or any agent or representative of any Defendant.
10. A copy of the front and back of Plaintiff's driver's license.
11. All income tax returns of Plaintiff with W-2 and 1099 forms attached for the period of time beginning five years prior to the incident in question up through the present time.
12. A current medical authorization signed by Plaintiff, a form of which is attached hereto, to enable Defendant to obtain copies of Plaintiff's medical records.
13. An employment authorization signed by Plaintiff, a form of which is attached hereto, to enable Defendant to obtain copies of Plaintiff's employment records.
14. All employment and payroll records pertaining to Plaintiff's current employment and any other employment which Plaintiff has had in the past five (5) years.
15. All books, accounting records, and any other documents showing the income and expenses of any business or company owned by you in the past five (5) years.
16. All medical records pertaining to medical or psychological treatment which Plaintiff has received as a result of the incident in question.
17. All videos, movies, films, motion pictures, and day-in-the-life films, edited and unedited, taken by anyone regarding any of the issues in this case.

18. All canceled checks, charge card receipts and any other receipts or documents reflecting payment of any medical or psychological bills or expenses alleged to be recoverable in this lawsuit.
19. All documents and materials relating to investigations or inquiries into the matters which form the basis of this case. This request for production of materials seeks the production of documents created by or on behalf of Plaintiff prior to the date this suit was filed and seeks the production of documents created by third parties at any time.
20. All documents relating to medical bills you claim to have incurred as a result of the incident made the basis of this lawsuit that have been paid by any source including, but not limited to, private or public health insurance, Medicare, Medicaid, public assistance programs, Champus, or any other source.
21. A copy of each ordinance, statute, code and other law or regulation which you claim Defendant Amanda Lollar violated with regard to the incident in question.
22. All exhibits which you intend to introduce into evidence at the trial of this cause.

DATED: August 28, 2013

BY: 

**RANDALL E. TURNER**  
State Bar No. 20328310

**BAILY & GALYEN**  
1901 Airport Freeway  
Bedford, Texas 76021  
Telephone (817) 359-7065  
Fax (817) 764-6336  
**ATTORNEY FOR DEFENDANTS**  
**AMANDA LOLLAR AND BAT WORLD**  
**SANCTUARY**

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document has been sent to all parties, as follows:

Via Facsimile: 310.494.9395  
Mary Cummins, Plaintiff Pro Se  
[mmmaryinla@aol.com](mailto:mmmaryinla@aol.com)  
645 W. 9<sup>th</sup> Street, #110-140  
Los Angeles, CA 90015-1640

Via Facsimile: 214.323.3250  
Kimberly J. Munson, Attorney for Dorothy Hyatt, Defendant  
Kristi L. Kautz  
The Law Offices of Kimberly J. Munson, PLLC  
1024 S. Greenville Ave., Suite 120  
Allen, Texas 75002  
[kmunson@kkmunson.com](mailto:kmunson@kkmunson.com)

Via Facsimile: 214.220.0439  
Kevin Cook, Attorney for Kate Rugroden, Defendant  
Payne & Blanchard, L.L.P.  
717 N. Harwood Street, Suite 3350  
Dallas, Texas 75201  
[kcook@pandblaw.com](mailto:kcook@pandblaw.com)

  
\_\_\_\_\_  
RANDALL E. TURNER



**LIMITED MEDICAL AUTHORIZATION**

**PATIENTS NAME:** Mary Cummins

**PATIENTS DOB:** 12/17/1965

**TO:** \_\_\_\_\_

You are hereby authorized and requested to permit the examination of, and copying or reproduction, in any manner, whether mechanical, photographic, or otherwise by \_\_\_\_\_

All medical records and bills that are reasonably related to the injuries or damages I received in an accident or incident on JUNE 23, 2019 and to any pre-existing condition of or injury to that part of my body that was injured or damaged on that date.

This authorization is strictly limited to written records and bills reasonably related to the injuries or damages I received in an accident or incident on JUNE 23, 2010 and any pre-existing condition of, or injury to, that part of my body that was injured or damaged on that date. You are prohibited from orally discussing my condition with any person unless my attorney listed below is present.

I understand that this information authorized for release may include information concerning communicable diseases such as hepatitis, syphilis, gonorrhea, drugs, Human Immunodeficiency Virus ("HIV") and Acquired Immune Deficiency Syndrome ("AIDS"), mental illness (except for psychotherapy notes), chemical or alcohol dependency, laboratory test results, medical history, treatment or any other such related information.

The medical and/or pharmaceutical records are limited in use in the investigation and possible trial of a civil lawsuit that has been or may be filed on behalf of the patient.

I understand that if the recipient authorized to receive the information is not a covered entity, e.g. insurance company or non-health care provider; the released information may no longer be protected by federal and state privacy regulations and may be subject to the redisclosure by the recipient.

I understand that this authorization is voluntary, that I have the right to inspect the health information to be released and that I may refuse to sign this authorization. I further understand that unless the purpose of this authorization is to determine payment of a claim for benefits and/or an enrollment in a health plan, my health care and the payment of my health care will not be affected on whether I provide authorization for the requested use or disclosure.

I release the entities listed above, their agents and employees from any liability in connection with the use or disclosure of the protected health information covered by this authorization. The entity authorized to disclose the information will not be compensated by the recipient for the disclosure, except for the cost of copying and mailing as authorized by law.

I understand that this authorization will expire ONE HUNDRED EIGHTY (180) days from the date of my signature unless I revoke the authorization prior to that time. I understand that I may revoke this authorization at any time by notifying \_\_\_\_\_ in writing. I also understand that the written revocation must be signed and dated with a date that is later than the date on this authorization. The revocation will not affect any actions taken before the receipt of the written revocation. I understand that the revocation is not effective to the extent that the practice has relied on this authorization in its actions. Also, a revocation is not effective if this authorization was obtained as condition of obtaining insurance coverage, as other law provides the insurer with the right to contest a claim under the policy itself.

\_\_\_\_\_  
Date Name of Patient or Legally Authorized Representative (SIGNATURE)

\_\_\_\_\_  
Relationship Name of Patient or Legally Authorized Representative (PRINTED)

**AUTHORIZATION AND CONSENT TO RELEASE OF  
EMPLOYMENT INFORMATION AND RECORDS**

TO: MARY CUMMINS

You are hereby authorized to provide to Randal E. Turner, at the offices of Bailey & Galyen, 1300 Summit Ave. Ste. 650, Fort Worth, Texas 76102; telephone (817) 417-9660; facsimile (817)764-6336; its agents, employees or representatives, any and all employment information and records in your possession, or constructive possession, relating to any employment I have had or sought with you, including, but not limited to, applications for employment, payroll records, personnel data, disciplinary records, insurance claims information, group insurance coverage information, medical records, tax information, and work attendance records.

**A copy of this authorization may be used as the original.**

Any copies obtained shall be at the cost and expense of the above requesting persons.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

Address: \_\_\_\_\_  
\_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

**EXHIBIT “C”**

**Plaintiff’s Response to Defendants  
Bat World Sanctuary, Amanda Lollar’s  
First Set of Interrogatories**

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

MARY CUMMINS  
Plaintiff,

vs.

AMANDA LOLLAR, DENISE  
TOMLINSON, DOROTHY HYATT,  
MICHELLE MCCAULLEY, KATE  
RUGRODEN, LESLIE STURGES, BAT  
WORLD SANCTUARY, JOHN DOES 1-10

Defendants.

) CIVIL ACTION

) Civil Action No.: 4:12-CV-00560-Y

) JURY

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PLAINTIFF'S RESPONSE TO FIRST SET OF INTERROGATORIES TO  
DEFENDANTS BAT WORLD SANCTUARY, AMANDA LOLLAR

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Plaintiff provides this private and confidential information under seal to Defendants' attorneys only. Plaintiff does not allow this information and/or any information produced in discovery, through interrogatories or in deposition including deposition video to be shared publicly, or with anyone other than Defendants' attorneys or experts. Plaintiff does not allow Defendants' attorneys to share this with Defendants because Defendants have a long history of using and abusing discovery for harassment purposes. Plaintiff does not allow any of this information to be posted on the Internet or shared publicly in any way, shape or form. Plaintiff only allows this information to be used at trial under seal.

**INTERROGATORIES**

**1. Identification**

- a. Mary Katherine Cummins-Cobb
- b. Mary Cummins, Mary Cobb
- c. December 17, 1965, Long Beach, California
- d. CONFIDENTIAL: 358 N. Beverly Glen, Los Angeles, CA 90077
- e. Unemployed

**2. Building was not up to code**

a-e. Plaintiff is an individual and not an attorney. This information will be provided at a later date by an attorney.

There is no interrogatory No. 3

**4. Building did not have an occupancy permit**

a-d. Plaintiff is an individual and not an attorney. This information will be provided at a later date by an attorney.

**5. Injuries received**

This information will be provided at a later date by an attorney.

**6. Previous injuries before this incident which are similar to this injury.**

Plaintiff has never had an injury, complaint or symptom before this incident which were in any way similar to those sustained in the incident.

**7. Names of hospitals**

Plaintiff has not gone to a hospital or institution for treatment for this injury. Plaintiff has gone to her chiropractor, general practitioner, spine specialist and physical therapist for treatment. While they are located in hospitals, they are not hospitals or institutions.

**8. List of doctors, chiropractors, therapist**

Dr. Reza L. Oshiro  
Orthopedic Spinal Specialist  
444 San Vicente #900  
Los Angeles, CA 90048

Dr. Samuel A. Berkman  
General Practitioner  
9400 Brighton Way #210  
Beverly Hills, CA 90210

Dr. Thomas Marinaro  
Chiropractor  
Pain Relief Center  
8300 W. Third St.  
Los Angeles, CA 90048

Ho Physical Therapy  
Sally Ho  
9675 Brighton Way #250  
Beverly Hills, CA 90210

**9. Names of doctors who've treated me during last ten years prior to incident**

Dr. Samuel A. Berkman  
General Practitioner  
9400 Brighton Way #210  
Beverly Hills, CA 90210

Dr. Thomas Marinaro  
Chiropractor  
Pain Relief Center  
8300 W. Third St.  
Los Angeles, CA 90048

**10. Name of doctor currently caring for Plaintiff**

Dr. Rosa L. Oshiro  
Orthopedic Spinal Specialist  
444 San Vicente #900  
Los Angeles, CA 90048

**11. Name of hospital where treated before this incident**

Plaintiff will not be providing this information. The information sought is not reasonably calculated to lead to the discovery of admissible evidence. The scope of the information sought is over broad as to time and subject matter, thereby requesting information which is not admissible, nor reasonably calculated to lead to the discovery of admissible evidence.

**12. List of doctor, hospital, pharmaceutical expenses which resulted from this incident.**

Plaintiff will be providing this at a later date. Plaintiff has already provided some of this information.

**13. Occupation, business, lost time and money caused by this injury.**

Plaintiff already stated occupation and business. Plaintiff will provide the time and money lost at a later date.

**14. List of names, addresses of employers for past five years prior to this incident, income, manner of payment**

Plaintiff is currently unemployed. Plaintiff has not had an employer in last five years. Plaintiff by trade is an independent real estate appraiser.

**15. Self-employment**

- a. Plaintiff is an independent real estate appraiser by trade
- b. Plaintiff will not be providing income information to Defendant.
- c. Plaintiff will state this at a later date through an attorney
- d. Plaintiff will provide this information, if it exists, at a later date through an attorney

**16. Amount of income received since incident**

Plaintiff will be providing this information at a later date through an attorney

**17. Plaintiff has never made a claim against anyone for personal injuries prior to or since the incident in question.**

**18. This information is public knowledge. Defendant already has this information.**

There is no interrogatory 19 or 20

**21. Economic loss and loss of other benefits**

a-e. Plaintiff will be providing this information at a later date through an attorney

DATED: October 1, 2013

Respectfully submitted,



Mary Cummins, Plaintiff  
645 W. 9th St. #110-140  
Los Angeles, CA 90015-1640  
In Pro Per  
Direct: (310) 877-4770

**CERTIFICATE OF SERVICE**

I, Mary Cummins, hereby certify that a copy of the foregoing document has been sent to all parties, as follows:

**Kevin Cook, Esq.**  
Payne & Blanchard, L.L.P.  
717 N. Harwood Street, Suite 3350  
Dallas, TX 75201  
Phone: 214.231.3245  
Fax: 214.220.0439  
[kcook@pandbiaw.com](mailto:kcook@pandbiaw.com)

**Kimberly J. Munson**  
**Kristi L. Kautz**  
The Law Offices of Kimberly J. Munson, PLLC  
1024 S. Greenville Ave., Suite 120  
Allen, Texas 75002  
Phone: 214.383.3150  
Fax: 214.383.3250  
[kmunson@kkmunson.com](mailto:kmunson@kkmunson.com)  
[kkautz@kkmunson.com](mailto:kkautz@kkmunson.com)

**Randy Turner**  
**Daniel Sullivan**  
Bailey & Galyen  
1300 Summit Ave. #650  
Fort Worth, Texas 76102  
[rtuner@galyen.com](mailto:rtuner@galyen.com)  
[dsullivan@galyen.com](mailto:dsullivan@galyen.com)

By:   
Mary Cummins, Plaintiff Pro Se  
October 1, 2013



**EXHIBIT “D”**

**Plaintiff’s Response to Defendants  
Bat World Sanctuary, Amanda Lollar’s  
First Requests for Production**

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

MARY CUMMINS  
Plaintiff,

vs.

AMANDA LOLLAR, DENISE  
TOMLINSON, DOROTHY HYATT,  
MICHELLE MCCAULLEY, KATE  
RUGRODEN, LESLIE STURGES, BAT  
WORLD SANCTUARY, JOHN DOES 1-10

Defendants.

) CIVIL ACTION

) Civil Action No.: 4:12-CV-00560-Y

) JURY

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PLAINTIFF'S RESPONSE TO FIRST REQUEST FOR PRODUCTION TO  
DEFENDANTS AMANDA LOLLAR, BAT WORLD SANCTUARY

---

Plaintiff provides this private and confidential information under seal to Defendants' attorneys only. Plaintiff does not allow this information and/or any information produced in discovery, through interrogatories or in deposition including deposition video to be shared publicly, or with anyone other than Defendants' attorneys or experts. Plaintiff does not allow Defendants' attorneys to share this with Defendants because Defendants have a long history of using and abusing discovery for harassment purposes. Plaintiff does not allow any of this information to be posted on the Internet or shared publicly in any way, shape or form. Plaintiff only allows this information to be used by Defendants' attorneys and at trial under seal.

**Documents and Things to be Produced**

1. No reports have yet been prepared by any expert witnesses Plaintiff may use at trial.
2. No report has yet been prepared by any medical expert witness Plaintiff may use at trial.
3. No documents or tangible things have yet been prepared by any expert witness.
4. No documents or tangible things have yet been prepared by any expert witness.
5. No expert witnesses have yet been named by Plaintiff.

6. Plaintiff previously supplied all correspondence and documents evidencing communications between Plaintiff and Defendants in this case. Defendants also have copies of all said communications. The documents sought are not reasonably calculated to lead to the discovery of admissible evidence. The scope of the documents sought is over broad as to time and subject matter, thereby requesting documents which are not admissible, nor reasonably calculated to lead to the discovery of admissible evidence; The overly broad scope of the documents sought constitutes an unwarranted annoyance and under burden on Defendant; The documents sought constitute an unwarranted annoyance and the burden and intrusiveness of the request outweighs the likelihood that the documents sought will lead to the discovery of admissible evidence; and The documents sought violate the right of privacy of third parties.
7. Copies of all medical bills and other bills of any nature which Plaintiff claims to be recoverable because of injuries will be provided at a later date. Because of Plaintiff's back injury it has been difficult to physically gather the documents at this time.
8. Plaintiff's doctor has Plaintiff's MRI and x-rays.
9. Defendants have copies of any written, taped or transcribed statements of Defendants Amanda Lollar and Bat World Sanctuary. The documents sought are not reasonably calculated to lead to the discovery of admissible evidence. The scope of the documents sought is over broad as to time and subject matter, thereby requesting documents which are not admissible, nor reasonably calculated to lead to the discovery of admissible evidence; The overly broad scope of the documents sought constitutes an unwarranted annoyance and under burden on Defendant; The documents sought constitute an unwarranted annoyance and the burden and intrusiveness of the request outweighs the likelihood that the documents sought will lead to the discovery of admissible evidence; and The documents sought violate the right of privacy of third parties.
10. Plaintiff previously provided the front of Plaintiff's driver's license. Plaintiff previously gave her driver's license to attorney Randy Turner to inspect at deposition. The only thing on the back of the license is a magnetic strip and bar code which are not reasonably calculated to lead to the discovery of admissible evidence.
11. Plaintiff has no W-2 forms for five years prior to the incident to present date. Plaintiff will not be providing 1099 forms to Defendant because Defendant has a long history of abusing discovery to harass and harm Plaintiff. The documents sought are not reasonably calculated to lead to the discovery of admissible evidence. The scope of the documents sought is over broad as to time and subject matter, thereby requesting documents which are not admissible, nor reasonably calculated to lead to the discovery of admissible evidence; The overly broad scope of the documents sought constitutes an unwarranted annoyance and under burden on Defendant; The documents sought constitute an unwarranted annoyance and the burden and intrusiveness of the request outweighs the likelihood that the documents

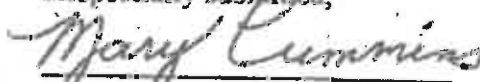
sought will lead to the discovery of admissible evidence; and The documents sought violate the right of privacy of third parties.

12. Plaintiff will not be giving a blank signed medical authorization form to Defendants because Defendants have a long history of abusing discovery to harass and harm Plaintiff. Plaintiff will provide all medical records which relate to this injury and the part of the body which was injured. The documents sought are not reasonably calculated to lead to the discovery of admissible evidence. The scope of the documents sought is over broad as to time and subject matter, thereby requesting documents which are not admissible, nor reasonably calculated to lead to the discovery of admissible evidence; The overly broad scope of the documents sought constitutes an unwarranted annoyance and undue burden on Defendant; The documents sought constitute an unwarranted annoyance and the burden and intrusiveness of the request outweighs the likelihood that the documents sought will lead to the discovery of admissible evidence; and The documents sought violate the right of privacy of third parties.
13. Plaintiff will not be giving a blank signed employment authorization form to Defendant because Defendant has a long history of abusing discovery to harass and harm Plaintiff. The documents sought are not reasonably calculated to lead to the discovery of admissible evidence. The scope of the documents sought is over broad as to time and subject matter, thereby requesting documents which are not admissible, nor reasonably calculated to lead to the discovery of admissible evidence; The overly broad scope of the documents sought constitutes an unwarranted annoyance and undue burden on Defendant; The documents sought constitute an unwarranted annoyance and the burden and intrusiveness of the request outweighs the likelihood that the documents sought will lead to the discovery of admissible evidence; and The documents sought violate the right of privacy of third parties.
14. Plaintiff is not currently employed. Therefore there are no current employment records to provide to Defendant. Plaintiff will not be providing employment records for the last five years because Defendant has a long history of abusing discovery to harass and harm Plaintiff. The documents sought are not reasonably calculated to lead to the discovery of admissible evidence. The scope of the documents sought is over broad as to time and subject matter, thereby requesting documents which are not admissible, nor reasonably calculated to lead to the discovery of admissible evidence; The overly broad scope of the documents sought constitutes an unwarranted annoyance and undue burden on Defendant; The documents sought constitute an unwarranted annoyance and the burden and intrusiveness of the request outweighs the likelihood that the documents sought will lead to the discovery of admissible evidence; and The documents sought violate the right of privacy of third parties.
15. Plaintiff does not own a business or company and has not owned a business or company in the last five years. Therefore there are no records to provide.

16. Plaintiff will be providing medical records relating to medical treatment which Plaintiff has received as a result of the incident in question. Plaintiff has not yet received any psychological treatment as a result of the incident in question as of this date. Therefore there are no records to provide at this time.
17. No videos, movies, films, motion pictures or day-in-the-life films have yet been taken by anyone regarding any of the issues in this case.
18. Plaintiff will provide all receipts for medical bills and expenses alleged to be recoverable in this case. There are no bills for psychological treatment as of this date.
19. Plaintiff will be providing medical bills, MRI report to Defendant.
20. Plaintiff currently has no health insurance. Plaintiff has paid for all medical bills personally. Plaintiff's doctor provided Plaintiff with some free services. Plaintiff currently has outstanding medical bills which have not been paid.
21. An attorney for Plaintiff will be providing the legal ordinances, statutes, codes and other law or regulations Defendant Amanda Lollar violated at a later date. Plaintiff has already included some in her complaint. Plaintiff is not an attorney and therefore not able to provide this information.
22. Plaintiff will be providing her MRI report, medical records which relate to this injury. At this time there are no prepared exhibits which will be introduced into evidence at the trial.

DATED: October 1, 2013

Respectfully submitted,



Mary Cummins, Plaintiff

645 W. 9th St. #110-140

Los Angeles, CA 90015-1640

In Pro Per

Direct: (310) 877-4770


**CERTIFICATE OF SERVICE**

I, Mary Cummins, hereby certify that a copy of the foregoing document has been sent to all parties, as follows:

Kevin Cook, Esq.  
Payne & Blanchard, L.L.P.  
717 N. Harwood Street, Suite 3350  
Dallas, TX 75201  
Phone: 214.231.3245  
Fax: 214.220.0439  
[kcook@pandblaw.com](mailto:kcook@pandblaw.com)

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Allen, Texas 75002  
Phone: 214.383.3150  
Fax: 214.383.3250  
[kmunson@kkmunson.com](mailto:kmunson@kkmunson.com)  
[kkautz@kkmunson.com](mailto:kkautz@kkmunson.com)

Randy Turner  
Daniel Sullivan  
Bailey & Galyen  
1300 Summit Ave. #650  
Fort Worth, Texas 76102  
[rturner@galyen.com](mailto:rturner@galyen.com)  
[dsullivan@galyen.com](mailto:dsullivan@galyen.com)

By:   
Mary Cummins, Plaintiff Pro Se  
October 1, 2013

**Dan Sullivan**

---

**From:** Mary Cummins [mmaryinla@aol.com]  
**Sent:** Wednesday, March 12, 2014 5:48 PM  
**To:** Randy Turner; Dan Sullivan  
**Subject:** Fwd: Activity in Case 4:12-cv-00560-Y Cummins v. Lollar et al Order

I will reply to any reasonable and relevant discovery requests. I will not respond to any abusive, harassing or irrelevant requests. You (Turner) and your client has a very long history of using discovery to harass and attack me including the video of the deposition. Lollar has now made 300 movies from that video. She has also used items which were covered by a protective order. This included my social security number which she used to pretend to be me to access my bank account and the account of my nonprofit. That was your client. I listened to the recording of her phone calls to two different banks. The only reason the police are not doing anything is because she was not able to steal any money. Lollar is still using my ss# to try to access my utilities and other accounts including my phone. I've changed the security codes and questions for this reason. While I have your clients financial data, drivers license and social security number I have never done anything with them even though I obtained all legally and they are not under a protective order. I will never sign a general release for all of my medical records ever. It's bad enough your disgusting client requested my gynecological records in the defamation lawsuit. Your client is severely mentally ill.

In you proceed in this case in the same disgusting manner that you did in the 352nd district court, I will file motions for motion abuse, perjury, fraud, harassment... I will have a videocamera at all times before/after court, depositions. If you pretend to bump into me, touch me again, I will file a police report and get a restraining order.

I will be sending you my discovery requests this week.

Mary Cummins

Begin forwarded message:

From: ecf\_txnd@txnd.uscourts.gov  
Date: March 12, 2014 1:36:54 PM PDT  
To: Courtmail@txnd.uscourts.gov  
Subject: Activity in Case 4:12-cv-00560-Y Cummins v. Lollar et al Order

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If you need to know whether you must send the presiding judge a paper copy of a document that you have docketed in this case, click here: [Judges' Copy Requirements](#).

Case 4:12-cv-00560-Y Document 110-5 Filed 04/30/14 Page 2 of 18 PageID 915  
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U.S. District Court  
Northern District of Texas  
Notice of Electronic Filing

The following transaction was entered on 3/12/2014 at 3:36 PM CDT and filed on 3/12/2014

Case Name: Cummins v. Lollar et al  
Case Number: 4:12-cv-00560-Y <<https://ecf.txnd.uscourts.gov/cgi-bin/DktRpt.pl?221416>>  
Filer:  
Document Number: 98  
<[https://ecf.txnd.uscourts.gov/doc1/17718013271?caseid=221416&de\\_seq\\_num=312&magic\\_num=85477098](https://ecf.txnd.uscourts.gov/doc1/17718013271?caseid=221416&de_seq_num=312&magic_num=85477098)>

Docket Text:

ORDER REGARDING DEFENDANT'S MOTION TO COMPEL: Before the Court is the Motion to Compel [97] of Defendant Amanda Lollar. Having reviewed the matter, the Court finds that the parties should be given a final opportunity to resolve their discovery disputes without Court intervention. (See order for specifics). (Ordered by Judge Terry R Means on 3/12/2014) (srs)

4:12-cv-00560-Y Notice has been electronically mailed to:

Kevin J Cook [kcook@pandblaw.com](mailto:kcook@pandblaw.com), [jholmes@pandblaw.com](mailto:jholmes@pandblaw.com), [lscott@pandblaw.com](mailto:lscott@pandblaw.com)

Randall Eugene Turner [rturner@galyen.com](mailto:rturner@galyen.com), [kbozeman@galyen.com](mailto:kbozeman@galyen.com), [randy@randyturner.com](mailto:randy@randyturner.com)

Kimberly J Munson [kmunson@kjmunson.com](mailto:kmunson@kjmunson.com)

Daniel P Sullivan [dsullivan@maxlawyers.com](mailto:dsullivan@maxlawyers.com), [ggarrett@maxlawyers.com](mailto:ggarrett@maxlawyers.com)

Allyson L Johnson [johnsona@jacksonlewis.com](mailto:johnsona@jacksonlewis.com), [ackers@jacksonlewis.com](mailto:ackers@jacksonlewis.com),  
[dallasdocketing@jacksonlewis.com](mailto:dallasdocketing@jacksonlewis.com)

Mary Cummins [mary@animaladvocates.us](mailto:mary@animaladvocates.us), [mmmaryinla@aol.com](mailto:mmmaryinla@aol.com)

4:12-cv-00560-Y The CM/ECF system has NOT delivered notice electronically to the names listed below. The clerk's office will serve notice of court Orders and Judgments by mail as required by the federal rules. An attorney/pro se litigant is cautioned to carefully follow the federal rules (see FedRCivP 5) with regard to service of any document the attorney/pro se litigant has filed with the court. The clerk's office will not serve paper documents on behalf of an attorney/pro se litigant.

The following document(s) are associated with this transaction:

Document description:Main Document



Electronic document Stamp:

[STAMP dcecfStamp\_ID=1004035775 [Date=3/12/2014] [FileNumber=7570623-0  
] [7da96722af7f8bb30bfeeb1598d35e4679b6f6f152006b69e5f71a1b73eaab3fb20  
f0781d90e5ec54769736b800a76932b0dcfdb47620791c0a5b71710b20856]]

Mary Cummins  
MMMARYinLA@AOL.COM

**Dan Sullivan**

---

**From:** Mary Cummins [mmaryinla@aol.com]  
**Sent:** Thursday, March 13, 2014 2:41 PM  
**To:** Dan Sullivan  
**Subject:** Re: Activity in Case 4:12-cv-00560-Y Cummins v. Lollar et al Order

I will look at it tomorrow. I have to finish an important pro bono appraisal for a case. Thanks.

On Mar 13, 2014, at 7:28 AM, Dan Sullivan wrote:

Mary:

The Judge will want to know if there are any of the discovery requests made the basis of Randy's Motion to which you can agree. Are there specific requests to which you can agree, or as to which you are open to discussion?

<image001.png>  
Dan Sullivan  
Attorney at Law  
Bailey & Galyen  
dsullivan@galyen.com  
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Fort Worth, Texas 76102  
800-529-8008  
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Fax: (817) 719-9484

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From: Mary Cummins [mailto:mmaryinla@aol.com]

Case 4:12-cv-00560-Y Document 110-5 Filed 04/30/14 Page 5 of 18 PageID 918  
Sent: Wednesday, March 12, 2014 5:48 PM  
To: Randy Turner; Dan Sullivan  
Subject: Fwd: Activity in Case 4:12-cv-00560-Y Cummins v. Lollar et al Order

I will reply to any reasonable and relevant discovery requests. I will not respond to any abusive, harassing or irrelevant requests. You (Turner) and your client has a very long history of using discovery to harass and attack me including the video of the deposition. Lollar has now made 300 movies from that video. She has also used items which were covered by a protective order. This included my social security number which she used to pretend to be me to access my bank account and the account of my nonprofit. That was your client. I listened to the recording of her phone calls to two different banks. The only reason the police are not doing anything is because she was not able to steal any money. Lollar is still using my ss# to try to access my utilities and other accounts including my phone. I've changed the security codes and questions for this reason. While I have your clients financial data, drivers license and social security number I have never done anything with them even though I obtained all legally and they are not under a protective order. I will never sign a general release for all of my medical records ever. It's bad enough your disgusting client requested my gynecological records in the defamation lawsuit. Your client is severely mentally ill.

In you proceed in this case in the same disgusting manner that you did in the 352nd district court, I will file motions for motion abuse, perjury, fraud, harassment... I will have a videocamera at all times before/after court, depositions. If you pretend to bump into me, touch me again, I will file a police report and get a restraining order.

I will be sending you my discovery requests this week.

Mary Cummins

Begin forwarded message:

From: ecf\_txnd@txnd.uscourts.gov  
Date: March 12, 2014 1:36:54 PM PDT  
To: Courtmail@txnd.uscourts.gov  
Subject: Activity in Case 4:12-cv-00560-Y Cummins v. Lollar et al Order

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U.S. District Court

Northern District of Texas

Notice of Electronic Filing

The following transaction was entered on 3/12/2014 at 3:36 PM CDT and filed on 3/12/2014 Case Name:

Cummins v. Lollar et al

Case Number:

4:12-cv-00560-Y <<https://ecf.txnd.uscourts.gov/cgi-bin/DktRpt.pl?221416>>

Filer:

Document Number:

98

<[https://ecf.txnd.uscourts.gov/doc1/17718013271?caseid=221416&de\\_seq\\_num=312&magic\\_num=85477098](https://ecf.txnd.uscourts.gov/doc1/17718013271?caseid=221416&de_seq_num=312&magic_num=85477098)>

Docket Text:

ORDER REGARDING DEFENDANT'S MOTION TO COMPEL: Before the Court is the Motion to Compel [97] of Defendant Amanda Lollar. Having reviewed the matter, the Court finds that the parties should be given a final opportunity to resolve their discovery disputes without Court intervention. (See order for specifics). (Ordered by Judge Terry R Means on 3/12/2014) (srs)

4:12-cv-00560-Y Notice has been electronically mailed to:

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Randall Eugene Turner [rturner@galyen.com](mailto:rturner@galyen.com), [kbozeman@galyen.com](mailto:kbozeman@galyen.com), [randy@randyturner.com](mailto:randy@randyturner.com)

Kimberly J Munson [kmunson@kjmunson.com](mailto:kmunson@kjmunson.com)

Daniel P Sullivan [dsullivan@maxlawyers.com](mailto:dsullivan@maxlawyers.com), [ggarrett@maxlawyers.com](mailto:ggarrett@maxlawyers.com)

Allyson L Johnson [johnsona@jacksonlewis.com](mailto:johnsona@jacksonlewis.com), [ackers@jacksonlewis.com](mailto:ackers@jacksonlewis.com), [dallasdocketing@jacksonlewis.com](mailto:dallasdocketing@jacksonlewis.com)

Mary Cummins [mary@animaladvocates.us](mailto:mary@animaladvocates.us), [mmmaryinla@aol.com](mailto:mmmaryinla@aol.com)

4:12-cv-00560-Y The CM/ECF system has NOT delivered notice electronically to the names listed below. The clerk's office will serve notice of court Orders and Judgments by mail as required by the federal rules. An attorney/pro se litigant is cautioned to carefully follow the federal rules (see FedRCivP 5) with regard to service of any document the attorney/pro se litigant has filed with the court. The clerk's office will not serve paper documents on behalf of an attorney/pro se litigant.

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp\_ID=1004035775 [Date=3/12/2014] [FileNumber=7570623-0] [7da96722af7f8bb30bfeeb1598d35e4679b6f6f152006b69e5f71a1b73eaab3fb20f0781d90e5ec54769736b800a76932b0dcfdb47620791c0a5b71710b20856]]

Mary Cummins  
MMMARYinLA@AOL.COM

<image002.jpg>

Mary Cummins  
MMMARYinLA@AOL.COM

**Dan Sullivan**

---

**From:** Mary Cummins [mmaryinla@aol.com]  
**Sent:** Thursday, April 10, 2014 5:16 PM  
**To:** Dan Sullivan  
**Subject:** What is happening with discovery?

I will give you the things I said I would if Turner, Lollar sign a protective order with an enforcement clause for sanctions. If Turner, Lollar do not agree to that, then he should file his amended motion to compel. I will reply to that and file a motion for protective order and sanctions.

Mary Cummins  
[MMMARYinLA@AOL.COM](mailto:MMMARYinLA@AOL.COM)

**Dan Sullivan**

---

**From:** Dan Sullivan  
**Sent:** Friday, April 11, 2014 10:32 AM  
**To:** 'Mary Cummins'  
**Subject:** RE: What is happening with discovery?  
**Importance:** High

Well, The Protective Order only relates to the issue of medical records. I think there are other classes of documents he has sought in his Motion to Compel. Unless we can reach an agreement as to those other classes of documents I believe he would move forward with his motion as to those other issues. Are you suggesting you want a protective Order that covers other matters other than medical records? That could certainly be done, though I have not run that by anyone on this side at this point. Just let me know which of the discovery requests from the Motion we can reach an agreement on, and if applicable what protection(s) you feel should be afforded for them, and I can certainly try and come up with something and make the pitch for it here.

BG\_Logos\_665\_13706.fw

Dan Sullivan

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From: Mary Cummins [mailto:mmmaryinla@aol.com]  
Sent: Friday, April 11, 2014 10:24 AM  
To: Dan Sullivan  
Subject: Re: What is happening with discovery?

I realize this. That's not what I meant. Is Turner willing to solve these discovery issues with me or is he going to file an amended motion to compel?

In the district court I was forced to give Turner my home address. The Judge put it under a protective order. Turner then gave my home address to Lollar who signed me up for a bunch of snail mail spam addressed to Mary Cumstain, Mary Cumbucket, Mary Scummins.... It was catalogues for clothes for fat people, wigs, alcoholism and bankruptcy crap. It was the same spam she signed all my email accounts to receive. No way I could prove it without sending many subpoenas and taking all of Lollar's physical computers and phone records.

In the CA case my medical records were under a Judge's protective order. That attorney also instantly gave that information to Lollar. It had my SSN, bank account. Lollar called my bank, pretended to be me to access the money. Bank saved the phone call. It was Lollar. I filed two police reports, one for each bank, then filed motion for contempt. Judge stated Lollar would have to admit in writing that she received the data from her attorney. Because Lollar would never admit that in writing because she is not honest I lost my motion for contempt. Obviously protective orders don't do a damn thing. I have obeyed the protective order on Lollar's banking data. Lollar, Turner have been in contempt of every order.

On Apr 11, 2014, at 7:12 AM, Dan Sullivan wrote:

It's self-enforcing. As an Order of the Court it would be subject to contempt for violations thereof. See e.g. *In re Bergenholtz*, 2013 WL 3479776 (Bankr. E.D. Tex. July 10, 2013) (“An agreed order is nonetheless an order of the Court and violations are punishable as contempt.”).



<image001.png>

Dan Sullivan

Attorney at Law

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dsullivan@galyen.com

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From: Mary Cummins [mailto:mmmaryinla@aol.com]

Sent: Thursday, April 10, 2014 5:16 PM

Case 4:12-cv-00560-Y Document 110-5 Filed 04/30/14 Page 12 of 18 PageID 925  
To: Dan Sullivan  
Subject: What is happening with discovery?

I will give you the things I said I would if Turner, Lollar sign a protective order with an enforcement clause for sanctions. If Turner, Lollar do not agree to that, then he should file his amended motion to compel. I will reply to that and file a motion for protective order and sanctions.

Mary Cummins  
MMMARYinLA@AOL.COM

<image002.jpg>

Mary Cummins  
MMMARYinLA@AOL.COM

**Dan Sullivan**

---

**From:** Mary Cummins [mmaryinla@aol.com]  
**Sent:** Friday, April 11, 2014 2:21 PM  
**To:** Dan Sullivan  
**Subject:** Re: What is happening with discovery?

**Importance:** High

I will only give you medical records relative to my back for a couple of years before the injury to date. No gynecological records at all. They must be under seal for lawyer's eyes only. Defendants do not get to see them. I have the records already. I will redact all SSN, CDL, private, confidential, banking information. I would need a protective order or agreement before I release any documents. If Turner mentions these documents in deposition, Defendants are not allowed to be present, have the minutes or video. Turner and your clients are extremely abusive.

I will never give my tax returns or bank statements. Turner has tried to get them in the district case and was denied. He's now trying through the CA case but I have a hearing in a month to prevent that. My tax returns have nothing to do with my back. I'm not suing for lost salary as I did not have a salaried job. I'm suing for my back injury, cost for treatment, surgery...

Turner is again using discovery to try to harass, oppress, embarrass and bully me. Lollar posted my banking information online. I have not posted her banking information. Lollar posted all those videos of my deposition which reveal confidential and personal things such as my banking records. I have not done this to her. Lollar posted all the minutes from the depositions which reveal the same.

I have not sunk to the extremely low and abusive level of Turner or your clients. I could post all their private information including her SSN which I obtained legally but I have not. Turner, Lollar really need to think about their discovery requests very carefully. I will reply to his motion to compel with a motion for protective order and request for sanctions for discovery and motion abuse. I have a ton of evidence. The Judge already knows Turner is abusive based on my motion opposing his substitution of attorney. He is a witness and partner of BWS. He really shouldn't be the attorney in this case.

On Apr 11, 2014, at 11:57 AM, Dan Sullivan wrote:

Having consulted with Randy on this, I regret I do not have authority to enter into any agreement that would in blanket fashion make all discovery responses confidential. I have flexibility as to medical records and certain sensitive financial records such as tax returns, but beyond that he is wanting a particularized showing of a document or information which would be responsive, and as to which a reasonable expectation of privacy would apply under the law, and he might then be willing to add those particular individual items to such an order.

<image001.png>  
Dan Sullivan  
Attorney at Law  
Bailey & Galyen  
[dsullivan@galyen.com](mailto:dsullivan@galyen.com) <<mailto:dsullivan@galyen.com>>

Case 4:12-cv-00560-Y Document 110-5 Filed 04/30/14 Page 14 of 18 PageID 927  
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Mary Cummins  
[MMMARYinLA@AOL.COM](mailto:MMMARYinLA@AOL.COM)

**Dan Sullivan**

---

**From:** Dan Sullivan  
**Sent:** Monday, April 28, 2014 10:51 AM  
**To:** 'Mary Cummins'  
**Subject:** FW: What is happening with discovery?

Following up on this. I want to see what agreements we can reach on these outstanding discovery issues before the court's deadline passes this week.

Dan Sullivan  
Attorney at Law  
Bailey & Galyen  
dsullivan@galyen.com  
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-----Original Message-----

From: Dan Sullivan  
Sent: Wednesday, April 23, 2014 11:11 AM  
To: 'Mary Cummins'  
Subject: RE: What is happening with discovery?

What do you mean?

-----Original Message-----

From: Mary Cummins [mailto:mmmaryinla@aol.com]  
Sent: Wednesday, April 23, 2014 10:23 AM  
To: Dan Sullivan  
Subject: Re: What is happening with discovery?

Oops. Thought it was 27 and not 23.

Sent from my iPhone which has an evil spell checker/editor

> On Apr 23, 2014, at 7:43 AM, Dan Sullivan <DSullivan@galyen.com> wrote:

>

> I have spoken to Randy about this, and we cannot agree to any kind of blanket protective order relating to all discovery. We could agree to one covering medical records, subject to an agreement as to the terms thereof. We could also agree to one as to financial records and social security number. As to your position on financial/employment information, I had taken from your petition that you were claiming damages relating to lost wages/profits. We will agree to forego records pertaining to employment, your business(es), taxes and finances if you will stipulate:

>

> a) you are not claiming lost wages, earnings, or profits in this case due to your injury, and

> b) The injury did not affect your ability to earn money or make profits

>

> Let me know your thoughts on this.

>

> THANKS.

>

> Dan Sullivan

> Attorney at Law

> Bailey & Galyen

> dsullivan@galyen.com

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> Fort Worth, Texas 76102

> 800-529-8008

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> Luther King

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>

> -----Original Message-----

> From: Mary Cummins [mailto:mmmaryinla@aol.com]

> Sent: Friday, April 11, 2014 2:21 PM

> To: Dan Sullivan

> Subject: Re: What is happening with discovery?

> Importance: High

>

> I will only give you medical records relative to my back for a couple of years before the injury to date. No gynecological records at all. They must be under seal for lawyer's eyes only. Defendants do not get to see them. I have the records already. I will redact all SSN, CDL, private, confidential, banking information. I would need a protective order or agreement before I release any documents. If Turner mentions these documents in deposition, Defendants are not allowed to be present, have the minutes or video. Turner and your clients are extremely abusive.

>

> I will never give my tax returns or bank statements. Turner has tried to get them in the district case and was denied. He's now trying through the CA case but I have a hearing in a month to prevent that. My tax returns have nothing to do with my back. I'm not suing for lost salary as I did not have a salaried job. I'm suing for my back injury, cost for treatment, surgery...

>

> Turner is again using discovery to try to harass, oppress, embarrass and bully me. Lollar posted my banking information online. I have not posted her banking information. Lollar posted all those videos of my deposition which reveal confidential and personal things such as my banking records. I have not done this to her. Lollar posted all the minutes from the depositions which reveal the same.

>

> I have not sunk to the extremely low and abusive level of Turner or your clients. I could post all their private information including her SSN which I obtained legally but I have not. Turner, Lollar really need to think about their discovery requests very carefully. I will reply to his motion to compel with a motion for protective order and request for sanctions for discovery and motion abuse. I have a ton of evidence. The Judge already knows Turner is abusive based on my motion opposing his substitution of attorney. He is a witness and partner of BWS. He really shouldn't be the attorney in this case.

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> On Apr 11, 2014, at 11:57 AM, Dan Sullivan wrote:

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> Having consulted with Randy on this, I regret I do not have authority to enter into any agreement that would in blanket fashion make all discovery responses confidential. I have flexibility as to medical records and certain sensitive financial records such as tax returns, but beyond that he is wanting a particularized showing of a document or information which would be responsive, and as to which a reasonable expectation of privacy would apply under the law, and he might then be willing to add those particular individual items to such an order.

>

> <image001.png>  
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> "Injustice anywhere is a threat to justice everywhere." - Martin  
> Luther King

>  
>  
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