

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

JOHN K. MEYER, ET AL.	§	IN THE DISTRICT COURT
Plaintiffs,	§	
	§	
vs.	§	
	§	
JP MORGAN CHASE BANK, N.A.	§	
INDIVIDUALLY/CORPORATELY	§	225TH JUDICIAL DISTRICT
AND AS TRUSTEE OF THE SOUTH	§	
TEXAS SYNDICATE TRUST,	§	
Defendant.	§	BEXAR COUNTY, TEXAS

PLAINTIFFS' NOTICE OF FILING OF RULE 11 AGREEMENT

TO THE HONORABLE JUDGE OF SAID COURT:

Now come Plaintiffs in the above-entitled and numbered cause, and file the attached Rule 11 Agreement with the Court.

Respectfully submitted,

John B. Massopust (*pro hac vice*)
Matthew J. Gollinger (*pro hac vice*)
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LINDA ALDRICH, ET AL.**

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(210) 222-0586 Telecopier

By: _____ /s/
James L. Drought
jld@ddb-law.com
State Bar No. 06135000
James L. Drought
State Bar No. 06135000
**ATTORNEYS FOR PLAINTIFFS,
JOHN K. MEYER, ET AL.**

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:
 _____ Efiling delivery to:

Mr. Patrick K. Sheehan
Mr. Rudy Garza
Mr. David Jed Williams
Hornberger Sheehan Fuller & Garza Incorporated
7373 Broadway, Suite 300
San Antonio, TX 78209

Mr. John C. Eichman
Ms. Amy S. Bowen
Hunton & Williams LLP
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202



DROUGHT DROUGHT & BOBBITT LLP

ATTORNEYS AT LAW

June 6, 2014

Mr. David Jed Williams
Law Office of Hornberger Sheehan Fuller & Garza, Inc.
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, Texas 78209

VIA FAX AND EMAIL

Re: Cause No. 2010-CI-10977; *John K. Meyer, et al., Plaintiff v. JP Morgan, Defendant.*
Rule 11 Letter Agreement

Dear Jed:

We propose that Plaintiffs' deadline to designate expert witnesses be extended to **June 9, 2014**. We further propose that Defendants' deadline to designate expert witnesses be extended to **August 11, 2014**.

All other deadlines set forth in the Amended Docket Control Order dated April 3, 2014 will remain the same.

If this meets with your approval, please so indicate by signing below and returning to me. I will then see that our agreement is filed as a Rule 11 letter.

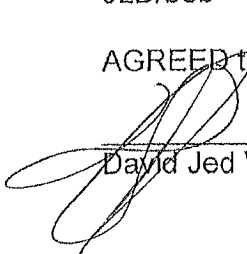
With best regards.

Sincerely,


James L. Drought

JLD/beb

AGREED this 6th day of June, 2014.



David Jed Williams, Attorney for Defendant

S:\MLD\Meyer, John\VA, Corras\Counsel ltr - Rule 11 letter re expert designation deadlines - 06-06-14.wpd

CAUSE NO. 2010-CI-10977

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

**DEFENDANT’S MOTION FOR PROTECTIVE ORDER CONCERNING
PLAINTIFFS’ TENTH REQUEST FOR PRODUCTION**

Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust (collectively “JPMorgan”) files this Motion for Protective Order Concerning Plaintiffs’ Tenth Request for Production (pursuant to common law and Texas Rule of Civil Procedure 192.6).

I.

SUMMARY OF RELIEF REQUESTED

On May 2, 2014, Plaintiffs served upon JPMorgan their Tenth Request for Production.¹ JPMorgan seeks a protective order with regard to Request Nos. 6-7 because these requests seek: (1) highly confidential business and personal information and information that is confidential and proprietary to JPMorgan and potentially to third parties including Petrohawk; and (2) potential customer records of a financial institution (JPMorgan) without first complying with the requirements of the Texas Finance Code that govern the production of such information in

¹ A true and correct copy of Plaintiffs’ Tenth Request for Production is attached as Exhibit “1” to this Motion.

litigation. Further, Request No. 8 seeks information JPMorgan cannot disclose under Paragraph 2(c) of the June 13, 2007 Geophysical and Lease Option Agreement between JPMorgan and Whittier. Accordingly, JPMorgan seeks protection from the Court.

II.

PLAINTIFFS HAVE FAILED TO COMPLY WITH THE TEXAS FINANCE CODE

Request No. 6 seeks “all presentations in 2008 and 2009 made by Richard Stoneburner of Petrohawk to the lending consortium that included J.P. Morgan.” Additionally, Request No. 7 seeks “all notes or reports made by representatives or employees of J.P. Morgan concerning the presentations described in Request for Production No. 6.” The information requested may comprise or include customer records held by JPMorgan as a financial institution. With respect to this information, Plaintiffs have failed to satisfy the requirements of Texas Finance Code §59.006, and specifically, §§59.006(b), (c), and (d), which require that Plaintiffs pay JPMorgan’s costs and attorneys’ fees, give notice to the affected possible customers of JPMorgan and give those customers an opportunity to consent or refuse to consent to the production of their records.² Accordingly, JPMorgan has objected to these requests on this basis and asks the Court for protective relief.

² “Record” is defined by Tex. Fin. Code §59.001(7) as “financial or other information of a customer maintained by a financial institution.”

III.

JPMORGAN IS CONTRACTUALLY PROHIBITED FROM DISCLOSING THE WHITTIER SEISMIC DATA

Request No. 8 seeks “copies, electronic or otherwise, of the seismic data received by JP Morgan from Whittier...pursuant to the 2007 agreements with Whittier.” Pursuant to Paragraph 2(c) of the June 13, 2007 Geophysical and Lease Option Agreement, the data provided to JPMorgan under this Agreement may only be disclosed to JPMorgan’s own personnel and consultants. Therefore, JPMorgan is prohibited from disclosing this data, has objected to this request on this basis and asks the Court for protective relief. Should Plaintiffs further pursue production of this seismic data, Plaintiffs should provide notice to the affected parties under this referenced agreement prior to any hearing so that they may protect their interests.

IV.

TRCP 192.6(a) provides that a “person from whom discovery is sought...may move within the time permitted for response to the discovery request for an order protecting the person from the discovery sought.” TRCP 192.6(b) provides that “[t]o protect the movant from undue burden, unnecessary expense, harassment, annoyance, or the invasion of personal, constitutional, or property rights, the court may make any order in the interest of justice...”. JPMorgan thus moves for a protective order under Rule 192.6(b) and under the common law to protect itself (and others affected by these discovery requests, such as third parties) from the invasion of personal and business rights of privilege, confidentiality, and privacy

caused by the requested discovery, as well as the rights of privilege, confidentiality, and privacy of JPMorgan and other third parties having rights with respect to the requested discovery. JPMorgan further moves for a protective order because Plaintiffs have failed to comply with the requirements of the Texas Finance Code with regard to customer records.

V.

WHEREFORE, JPMorgan prays that the Court grants this Motion and signs a protective order in this case. Further, JPMorgan seeks such other and further relief, in law or equity, it may be entitled.

Respectfully submitted,

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GARZA INCORPORATED**

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By: /s/ David Jed Williams

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this document was served upon the following on June 2, 2014 by the method indicated:

Mr. Steven J. Badger **VIA ELECTRONIC DELIVERY AND EMAIL**
Ms. Ashley Bennett Jones
ZELLE HOFMANN VOELBEL & MASON LLP
901 Main Street, Suite 4000
Dallas, Texas 75202-3975

Mr. David R. Deary **VIA ELECTRONIC DELIVERY AND EMAIL**
Mr. Jim L. Flegle
Mr. Jeven R. Sloan
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VIA ELECTRONIC DELIVERY AND EMAIL

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Houston, Texas 77045

VIA ELECTRONIC DELIVERY AND EMAIL

/s/ David Jed Williams
David Jed Williams

EXHIBIT “1”

DEFINITIONS

1. "Trust" refers to the trust that is the subject of this lawsuit, commonly designated and referred to as the "South Texas Syndicate Trust." "Trust" also refers to and includes the assets, property, and/or estate of the Trust. "Trust" further includes the fiduciary relationship governing the Trustee with respect to the Trust property when that reading of the term would cause more documents or information to be covered by the term.

2. "Trust Assets" refers to the assets, property and the estate of the Trust (*i.e.* South Texas Syndicate Trust).

3. "Trustee" shall mean Defendant JP Morgan Chase Bank, N.A., Corporately and as Trustee of the South Texas Syndicate Trust, and any individual or entity acting on its behalf, and Gary P. Aymes in his capacity as an employee of Defendant JP Morgan Chase Bank, N.A. and his capacity as fiduciary officer and/or administrator of the Trust.

4. "You," "Your," and "J.P. Morgan" shall mean and refer to J.P. Morgan Chase Bank, N.A., Individually/Corporately and as Trustee of South Texas Syndicate Trust, including but not limited to, Gary P. Aymes and any and all past or present partners, officers, directors, managers, employees, attorneys, representatives, agents, shareholders, affiliates, subsidiaries, parents, successors, assigns, or any entity in which Defendant has an ownership interest, individually, collectively, or in any combination and/or permutation whatsoever.

5. "Oil and Gas Asset Management" refers to the function and/or department within JP Morgan for which Bertram Hayes-Davis became responsible in 2008 as well as the JP Morgan personnel who managed this function before and after Bertram Hayes-Davis.

6. "Petrohawk" shall mean Petrohawk Energy Corporation and shall include all iterations and forms of Petrohawk Energy Corporation, including but not limited to BHP Billiton, and all predecessor, successor, parent, subsidiary, and affiliate companies.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: The 2008 "Operating Model Analysis" for specialty assets (as described in the deposition of Kevin R. Smith on October 16, 2013 around pages 21-24).

RESPONSE:

REQUEST FOR PRODUCTION NO. 2: The annual budget for the Oil and Gas Asset Management department of J.P. Morgan from 2007 to 2012 (as described in the deposition of Kevin R. Smith on October 16, 2013 on and around pages 48-49, 76-77).

RESPONSE:

REQUEST FOR PRODUCTION NO. 3: All financial documents that show the expenses and revenues for the Oil and Gas Asset Management department of J.P. Morgan from 2007 to 2012 (as described in the deposition of Kevin R. Smith on October 16, 2013 on and around pages 48-49, 76-77).

RESPONSE:

REQUEST FOR PRODUCTION NO. 4: The annual budget for the group responsible for "specialty assets" at J.P. Morgan from 2007 to 2012 (as described by Kevin R. Smith in his deposition on October 16, 2013 on and around pages 48-49 and 76-77).

RESPONSE:

REQUEST FOR PRODUCTION NO. 5: All "monthly business reviews" that reference the Trust, the Trust Assets, and/or any of the trustees of the Trust from the date of Bert Hayes Davis' employment at J.P. Morgan to 2012 (as described by Kevin R. Smith in his deposition on October 16, 2013 on and around pages 191-93).

RESPONSE:

REQUEST FOR PRODUCTION NO. 6: All presentations in 2008 and 2009 made by Richard Stoneburner of Petrohawk to the lending consortium that included J.P. Morgan.

RESPONSE:

REQUEST FOR PRODUCTION NO. 7: All notes or reports made by representatives or employees of J.P. Morgan concerning the presentations described in Request for Production No. 6 above.

RESPONSE:

REQUEST FOR PRODUCTION NO. 8: Copies, electronic or otherwise, of the seismic data received by JP Morgan from Whittier, its agents or representatives, pursuant to the 2007 agreements with Whittier relating to the Trust Assets.

RESPONSE:

DATE: May 2, 2014.

Respectfully submitted,

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Matthew J. Gollinger (*pro hac vice*)
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By: 
Tyler M. Simpson

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 email and facsimile, this 2nd day of May 2014:

Patrick K. Sheehan
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Via Facsimile and Email

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Minneapolis, MN 55415

Via Facsimile and Email



Tyler M. Simpson

★ ★ ★
LOEWINSOHN FLEGLE DEARY
L · L · P

May 30, 2014

Ms. Jennifer Contreras
Court Clerk
225th District Court
Bexar County Courthouse
100 Delorosa, 4th Floor
San Antonio, TX 78205

Re: Cause No. 2011-CI-10977; *John K. Meyer, et al. v. JPMorgan 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

Dear Ms. Contreras:

This letter is to advise the Court that I will be on vacation from July 8, 2014 - July 22, 2014. I respectfully request that the Court refrain from scheduling any hearings or trial in the above-referenced case during this time period.

If you have any questions, please contact me. Thank you for your assistance in this matter.

Very truly yours,



Jim L. Flegle

Direct Dial: (214) 572-1701

Email: jimf@LFDLaw.com

JLF/mlj

cc: All counsel of record

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL,

§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT

VS.

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

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

PROOF OF SERVICE OF SUBPOENA

Came to hand on **Thursday, May 29, 2014 at 8:00 AM,**
Executed at: **1999 BRYAN ST., STE. 900, DALLAS, TX 75201**
within the county of **DALLAS** at **9:00 AM,** on **Thursday, May 29, 2014,**
by delivering to the within named:

MARUBENI EAGLE FORD LP

By delivering to its' **Registered Agent, CT CORPORATION SYSTEM**
By delivering to its' **Authorized Agent, MARIE GARCIA**

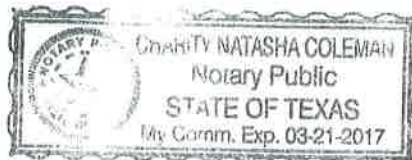
In person a true copy hereof and tendering \$1.00 in Cash.

Adil Tadli

By:

Server ID # - SCH1206 - Exp 05/31/17

Subscribed and Sworn to by Adil Tadli, Before Me, the undersigned authority, on this 30th day
of May, 2014.



Charity N. Coleman
Notary Public in and for the State of Texas

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL	§	IN THE DISTRICT COURT
	§	
vs.	§	
	§	225 th JUDICIAL DISTRICT
JP MORGAN CHASE BANK, N.A.,	§	
INDIVIDUALLY/CORPORATELY	§	
AND AS TRUSTEE OF THE SOUTH	§	
TEXAS SYNDICATE TRUST	§	BEXAR COUNTY, TEXAS

DEPOSITION SUBPOENA DUCES TECUM
TO PRODUCE DOCUMENTS ISSUED IN THE NAME OF THE STATE OF TEXAS

TO ANY PEACE OFFICER, CONSTABLE OF THE STATE OF TEXAS OR OTHER
PERSON DULY AUTHORIZED TO SERVE OR EXECUTE SUBPOENAS:

This Subpoenas is directed to:

CUSTODIAN OF RECORDS FOR:

MARUBENI EAGLE FORD LP

c/o National Registered Agents, Inc.
1999 Bryan St., Ste. 900
Dallas, Texas 75201
Registered agent for Marubeni Eagle Ford LP

This Subpoena directs the Custodian of Records for MARUBENI EAGLE FORD LP to
appear at 10:00 a.m. on June 13, 2014 before a notary public at the following location:

Marubeni Eagle Ford LP
2800 Post Oak Blvd., Suite 6000
Houston, Texas 77056

and answer under oath written questions to be propounded by counsel for Plaintiffs and to
produce for inspection and photocopying the documents and records described on Exhibit 1
attached to the Notice of Intention to Take Deposition on Written Questions served with and
attached to this Subpoena.

This Subpoena is issued at the instance and request of Plaintiffs John K. Meyer, et al. The
attorneys of record for Plaintiffs are Jim L. Flegle, David R. Deary, Carol E. Farquhar, and
Tyler M. Simpson, Loewinsohn Flegle Deary, LLP, 12377 Merit Drive, Suite 900, Dallas, TX
75251.

THIS SUBPOENA IS ISSUED UNDER TEXAS RULE OF CIVIL PROCEDURE 176. RULE 176.8(A) STATES: FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A SUBPOENA SERVED UPON THAT PERSON MAY BE DEEMED A CONTEMPT OF THE COURT FROM WHICH THE SUBPOENA IS ISSUED OR A DISTRICT COURT IN THE COUNTY IN WHICH THE SUBPOENA IS SERVED, AND MAY BE PUNISHED BY FINE OF CONFINEMENT, OR BOTH.

This Subpoena is issued by Jim L. Flegle, attorney for Plaintiffs, on behalf of Plaintiffs.

DATE: May 19, 2014.

Respectfully submitted,

John B. Massopust (*pro hac vice*)
Matthew J. Gollinger (*pro hac vice*)
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JOHN K. MEYER, ET AL.

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ATTORNEYS FOR PLAINTIFFS,
EMILIE BLAZE, ET AL.

By: /s/ Jim L. Flegle
Jim L. Flegle

RETURN

CAME TO HAND ON THE _____ DAY OF _____, 2014, AT _____ O'CLOCK
____.M. AND EXECUTED (NOT EXECUTED) ON THE _____ DAY OF _____ 2014, BY
DELIVERING TO _____, A TRUE COPY OF THIS SUBPOENAS
UPON WHICH I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO
EXECUTE THIS SUBPOENA IS _____.

**** SEE ATTACHED ****
***** AFFIDAVIT *****

TOTAL FEES: \$ _____

DALLAS COUNTY, TEXAS

BY: _____

NON-PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER)

SWORN TO THIS _____ DAY OF _____, 2014.

**** SEE ATTACHED ****
***** AFFIDAVIT *****

Notary Public, State of Texas

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL.,	§	IN THE DISTRICT COURT
	§	
PLAINTIFFS,	§	
	§	
VS.	§	
	§	225TH JUDICIAL DISTRICT
	§	
JPMORGAN CHASE BANK, N.A.	§	
INDIVIDUALLY/CORPORATELY	§	
AND AS TRUSTEE OF THE SOUTH	§	
TEXAS SYNDICATE TRUST	§	
	§	
DEFENDANT.	§	BEXAR COUNTY, TEXAS

**DEFENDANT JPMORGAN CHASE BANK N.A.’S MOTION TO QUASH
AND MOTION FOR PROTECTIVE ORDER**

Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust (“JPMorgan”) files this Motion to Quash and Motion for Protective Order as to Plaintiffs’ and Plaintiff-Intervenors’ (collectively referred to as “Plaintiffs”) Notice Duces Tecum of Intention to Take Oral and Videotaped Deposition of the Corporate Representatives of JPMorgan Chase Bank, N.A. dated May 28, 2014 (the “Notice”) as follows.

I.

NATURE OF THE CASE

The South Texas Syndicate Trust (“STS”) is a trust that holds the minerals underlying approximately 132,000 contiguous acres of land located in La Salle and McMullen Counties, Texas in what is now known as the “Eagle Ford shale play.” Plaintiffs are some of the 279 beneficiaries of STS, and they brought this lawsuit to recover damages allegedly suffered by STS primarily as a result of JPMorgan’s actions in leasing STS minerals. Plaintiffs contend that JPMorgan, as trustee of STS, breached its fiduciary duties by various acts and omissions concerning certain mineral leases.

II.

SUMMARY OF RELIEF REQUESTED

On May 28, 2014, Plaintiffs served the Notice seeking testimony from JPMorgan relating to its commercial and investment banking relationships with at least fifteen non-parties – Hunt Oil Company, Murphy Oil Corporation, Marubeni Corporation, and twelve or more entities apparently controlled by the Bass Brothers, plus any affiliates or subsidiaries – spanning a period of more than nine years.¹ These entities all acquired their interests in the oil and gas leases in question, long after the underlying leases were originally executed by JPMorgan as trustee of STS. Nevertheless, Plaintiffs seek testimony on eight topics for *each* entity – for a minimum of 120 deposition topics. The deposition is noticed for 9:30 a.m. on June 20, 2014, in San Antonio, Texas. And the Notice includes a request for documents that tracks to topics of examination (a minimum of 120 categories of documents) to be produced “no less than ten (10) days prior to the deposition.” A copy of the Notice is attached hereto as Exhibit “A.”

Plaintiffs filed this lawsuit nearly four years ago. It was set for trial on March 24, 2014, until Plaintiffs sought a continuance after one of their damages models was struck as untimely. To date, Plaintiffs have conducted a massive amount of discovery. In response to the Plaintiffs’ prior deposition notices, JPMorgan has designated six corporate representatives to testify regarding hundreds of topics and sub-topics. Those depositions combined spanned more than 25 hours of testimony. In addition, Plaintiffs have deposed *twenty-one* JPMorgan employees and former employees and *eight* third parties. In total, Plaintiffs have obtained almost 100 hours of

¹ On May 6, 2014, JPMorgan received a draft of the Notice and counsel for the parties thereafter conferred about it. Counsel for JPMorgan informed Plaintiffs’ counsel of JPMorgan’s objections to the draft Notice. Counsel agreed it would consider the issues and follow up with counsel for JPMorgan but the Notice deviated little from the draft previously provided.

deposition testimony – nearly double the limit under Texas Rule of Civil Procedure 190.3(2). Despite the astounding number of deposition hours Plaintiffs have logged, they now seek testimony on a minimum of 120 additional topics and the production of 120 additional categories of documents.

Moreover, the Notice seeks information that is largely irrelevant. Its focus is not on JPMorgan's actions as Trustee. Instead, the Notice focuses on JPMorgan's commercial and investment banking relationships with several third-parties, whose involvement in this dispute is tangential, at best. Those relationships are conducted in business units that are on the other side of federally-mandated information barriers from JPMorgan's trust activities. Specifically, the Notice seeks details of the banking services provided by JPMorgan to the 15 or more third-parties including, but not limited to, loans, lines of credit, derivative or hedging services, as well as any joint venture, partnership, ownership or other investment relationship that JPMorgan may have had with those third-parties over a 9-year period. The Notice also seeks information regarding compensation paid by these third-parties to JPMorgan in connection with commercial and investment banking services. The type and scope of the information the Plaintiffs seek concerning such relationships is simply not relevant to the issues in this case, particularly when measured against the enormous burden gathering such information would impose. Not a whisper was made about the discovery Plaintiffs now seek as the parties prepared to try this case earlier this year; likewise, the new discovery was not raised by Plaintiffs as a basis for continuing the trial date.

JPMorgan moves to quash the Notice and for the entry of a protective order because: (1) the time and place are objectionable under Texas Rule of Civil Procedure 199.4;² (2) Plaintiffs

² This motion is being filed within three business days of service of the Notice.

have already exceeded the number of deposition hours permitted by the Texas Rules of Civil Procedure; (3) the Notice is overbroad, harassing, abusive and seeks information that is irrelevant or that can be obtained by less intrusive means; (4) Plaintiffs have failed to comply with the requirements of the Texas Finance Code; (5) the Notice ignores information barriers that are in place at JPMorgan pursuant to federal law; and (6) and the document request attached to the Notice fails to comply with the Texas Rules of Civil Procedure. In the event the Court requires JPMorgan to comply with some or all of the Notice, JPMorgan requests that Plaintiffs be required to bear any and all costs, expense and fees incurred by JPMorgan.

III.

JPMORGAN OBJECTS TO THE TIME AND PLACE OF THE DEPOSITION

Plaintiffs served JPMorgan with the Notice on May 28, 2014, for a deposition that is to occur on June 20, 2014. The Court should quash the Notice because Plaintiffs served it on JPMorgan without conferring with JPMorgan's counsel regarding the availability of witnesses or counsel.

JPMorgan also objects to the place of the deposition because the individuals that JPMorgan likely would designate to provide testimony do not reside or work in San Antonio, Texas, and in some cases may be located out of state or even in another country. It would be unduly burdensome to require those witnesses to travel to San Antonio. Also, the timing violates the requirements of § 59.006 of the Texas Finance Code, discussed more completely hereafter. Accordingly, pursuant to Texas Rule of Civil Procedure 199.4, JPMorgan objects to the time and place for the deposition, and it respectfully requests that the Court quash the Notice.

IV.

**PLAINTIFFS HAVE ALREADY EXCEEDED THE LIMIT
ON DEPOSITION HOURS IMPOSED BY THE RULES**

Here, the Notice should be quashed because Plaintiffs have already taken nearly 100 hours of deposition testimony in this case. Under Texas Rule of Civil Procedure 190.3(2), unless otherwise modified by the Court, each side “may have no more than 50 hours in oral depositions” with an additional six hours for each expert designated beyond two experts. Plaintiffs are well beyond the limit imposed by the Rules.

V.

**THE NOTICE IS HARASSING, AND ABUSIVE AND MANY OF THE TOPICS SEEK
IRRELEVANT INFORMATION OR ARE OVERBROAD ON THEIR FACE**

Although the Texas Rules of Civil Procedure authorize discovery of any non-privileged matter that is relevant to the subject matter of a pending action, the scope of discovery of even relevant matters is not unlimited. *See In re Graco Children’s Prods., Inc.*, 210 S.W.3d 598, 600 (Tex. 2006) (per curiam); *see also In re Allstate County Mut. Ins. Co.*, 227 S.W.3d 667, 668-69 (Tex. 2007). Under Texas Rule of Civil Procedure 192.4, the Court should limit discovery if it determines that either: (1) the discovery sought is unreasonably cumulative or duplicative, or is obtainable from some other source that is more convenient, less burdensome, or less expensive; or (2) the burden or expense of the discovery outweighs its likely benefit, taking into account the needs of the case, the amount in controversy, the parties’ resources, the importance of the issues at stake in the litigation, and the importance of the proposed discovery in resolving the issues. Tex. R. Civ. P. 192.4.

The party responding to discovery has a legitimate interest in avoiding overly broad and harassing discovery requests. *See Fethkenher v. Kroger Co.*, 139 S.W.3d 24, 29-30 (Tex.App. –

Fort Worth 2004, no pet.). Texas Rule of Civil Procedure 192.6(b) provides that, “[t]o protect the movant from undue burden, unnecessary expense, harassment, annoyance, or the invasion of personal, constitutional, or property rights, the court may make any order in the interest of justice” The Court has broad discretion and it may order, among other things, that: (1) the requested discovery not be sought in whole or in part; (2) the extent or subject matter of discovery be limited; (3) the discovery not be undertaken at the time or place specified; or (4) the discovery be undertaken only by such method or upon such terms and conditions or at the time and place directed by the court. Tex. R. Civ. P. 192.6(b).

If the sheer volume of information sought by the Notice were not enough to justify it being quashed, the marginal relevance of the information certainly supports such an outcome. The Notice seeks testimony and documents regarding JPMorgan’s relationship with Hunt Oil Company (“Hunt”), Murphy Oil Corporation (“Murphy”), Bass Brothers and “Bass-Controlled Entities” (“Bass”) and Marubeni Corporation (“Marubeni”), all of whom acquired their interests long after the leases in question were executed by JPMorgan on behalf of STS, in transaction to which STS was not a party. Neither Murphy nor Bass is even mentioned in Plaintiffs’ Sixth Amended Petition, which was filed on February 26, 2014 and was to be the Plaintiffs’ trial pleading when the case was set for trial on March 24, 2014. The only allegation regarding any relationship with Marubeni was that JPMorgan purportedly was a large shareholder in Marubeni. With respect to Hunt, the Plaintiffs have already questioned a witness – Paschall Tosch, the head of the oil and gas group at JPMorgan’s investment bank – about the general scope of JPMorgan’s relationship with Hunt. Given the Plaintiffs’ current pleading and the discovery they have already obtained, the massive discovery they now seek is completely unwarranted.

While JPMorgan does not concede that the information sought by Plaintiffs is relevant, should the Court determine that Plaintiffs are entitled to some information regarding the general nature and scope of the banking relationships at issue here, there clearly are more convenient, less intrusive, and less expensive means of obtaining the information sought. In fact, JPMorgan has provided Plaintiffs with information relating to its commercial and investment banking relationships with other customers in the form of interrogatory answers, after the customers consented to such information being provided. The burden and expense of the discovery is not outweighed by its likely benefit, and the Court should, therefore, quash the Notice or, at a minimum, substantially limit the discovery sought.

Moreover, the topics set forth in the Notice are overbroad on their face. When a discovery request is overbroad on its face, the responding party is not required to detail its objections to the requests. *See In re Allstate Cty. Mut. Ins. Co.*, 227 S.W.3d 667, 670 (Tex. 2007). An overbroad request is improper whether it is burdensome or not. *Id.* The 120 topics set forth in the Notice each seek information going back more than nine years. That period of time is overbroad. None of these third-parties became parties to any of the STS leases until 2009 or even much later. No good faith basis exists to support Plaintiffs' request for the sheer breadth of the information and documents sought – even if the information were relevant, something JPMorgan disputes. In addition, the topics are overbroad on their face without regard to the time period. For example, the Notice seeks testimony and supporting documents regarding “[a]ny forms of financial relationship”, “[a]ny forms of economic relationship”, “[a]ny forms of loans, including lines of credit, or other facilities of credit . . .” between JPMorgan and each of the third-parties – at least 15 entities. That request is “not merely an impermissible fishing

expedition; it [is] an effort to dredge the lake in hopes of finding a fish.” *Texaco, Inc. v. Sanderson*, 898 S.W.2d 813, 815 (Tex. 1995).

VI.

PLAINTIFFS SEEK PRODUCTION OF NON-PARTY, CUSTOMER FINANCIAL RECORDS BUT PLAINTIFFS HAVE FAILED TO COMPLY WITH THE REQUIREMENTS OF THE TEXAS FINANCE CODE

The Notice seeks information, including documents, of JPMorgan customers who are not parties to the litigation. Section 59.006 of the Texas Finance Code provides the “exclusive method” for compelling a financial institution to produce customer records. TEX. FIN. CODE § 59.006(a). The term “record” is defined broadly to include “financial or other information of a customer maintained by a financial institution.” And the statute contains specific, non-discretionary requirements before a financial institution must produce non-party customer records. The statute requires the Plaintiffs to:

- give JPMorgan at least twenty four (24) days to comply with a request under Section 59.006(b)(1);
- pay JPMorgan’s reasonable costs of complying with the request under Section 59.006(b)(2);
- give notice to the customers of their rights under Section 59.005(e) and provide them with a copy of the request under Section 59.006(c)(1);
- file a certificate of service indicating that they have mailed or served the notice on the customer under Section 59.006(c)(2); and
- request the customers’ written consent authorizing production under Section 59.006(c)(3).

Plaintiffs have failed to comply with *any* of these requirements.

When a customer that is not a party does not consent to disclosure of its records, the sole means of obtaining access to the records is by Court order following an in camera inspection

upon motion by the party seeking the records. TEX. FIN. CODE § 59.006(d). Following an in camera review to determine relevance, the Court may order redaction of portions that should not be produced. *Id.* The Court also would be required to enter a protective order preventing the produced records from being disclosed to any person not a party to the litigation and from being used for any purpose other than resolving the dispute before the tribunal. *Id.* Obviously, Plaintiffs have failed to meet their statutory obligations under Section 59.006.

In addition, Plaintiffs should not be permitted to make an “end run” around the requirements of Section 59.006 by seeking the same confidential customer information in the form of deposition testimony. The definition of “records” includes “information,” not just documents. Several of the topics contained in the Notice seek testimony about information that would be contained in the customer records. Accordingly, the Court should quash the Notice as to the records and other information relating to non-party JPMorgan customers Hunt, Murphy, Marubeni and Bass.

VII.

PLAINTIFFS IGNORE THE FEDERALLY MANDATED INFORMATION BARRIERS THAT ARE IN PLACE AT JPMORGAN

Plaintiffs seek to require JPMorgan to provide testimony and turn over documents and information belonging to several of its non-fiduciary banking customers that are largely confidential and likely contain material non-public information. In fact, both Hunt and Bass are private companies and most of the information sought is not publicly available. In addition, even though both Marubeni and Murphy Oil are public companies, much of the information sought goes well beyond what generally is disclosed to the public. Throughout this case, Plaintiffs assume that every record and piece of information held anywhere at JPMorgan is and should be accessible by the Trustee of the Trust. That is simply wrong. Federal banking regulations and

institutional policies at JPMorgan mandate information barriers that prevent the sharing of information among the various parts of JPMorgan as an institution.

Federal law allows financial institutions to address potential conflicts through the creation and maintenance of information barriers.³ Banks are required to adopt information barriers between their fiduciary and other departments that have access to material non-public information or inside information. E.g., OCC, *Conflicts of Interest: Comptroller's Handbook* 28 (noting that Chinese walls “should prevent the passage of material inside information between a bank’s fiduciary department and its commercial department in violation of securities laws and regulations, as well as fiduciary standards”); FDIC, *Trust Examination Manual*, Section 8, § D.1; *Policy Statement Concerning Use of Inside Information*, 43 Fed. Reg. 12,755 (Federal Reserve Mar. 27, 1978). Moreover, Regulation 9 governing the fiduciary activities of national banks requires a bank exercising fiduciary powers to adopt and follow written policies and procedures to address, among other things, the prevention of self-dealing and conflicts of interest. 12 C.F.R. § 9.12.

Courts and commentators have acknowledged that information barriers effectively prevent conflicts of interest in a wide variety of contexts. *Metropolitan Life Ins. Co. v. Glenn*, 554 U.S. 105, 117 (2008) (conflict of interest faced by an ERISA fiduciary is reduced “perhaps to the vanishing point” by information barrier); M. Lybecker, *Regulation of Bank Trust*

³ The SEC and Congress codified the use of information barriers in a wide variety of insider trading contexts, including in Rule 14e-3b relating to tender offers, 17 C.F.R. § 240.14e-3, Rule 10b5-1 liability, 17 C.F.R. § 240.10b5-1(c)(2), the Insider Trading Sanctions Act of 1984 (the “ITSA”), Pub. L. No. 98-376, 98 Stat. 1264 (1984); 15 U.S.C. § 78u(d)(2), and the 1988 Insider Trading and Securities Fraud Enforcement Act (the “ITSFA”), Pub. L. No. 100-704, 102 Stat. 4677 (1988), as well as conflicts involving potentially improper influence exercised by investment banking interests on research analysts. See Sec. Exch. Act. § 15D(a)(3), 15 U.S.C. § 78o-6(a)(3); *Self-Regulatory Organizations; Order Approving Proposed Rule Changes by the NYSE Relating to Exchange Rules 344, 345A and 472 and by the NASD, Inc. Relating to Research Analyst Conflicts of Interest*, SEC Rel. No. 34-48252, 2003 WL 21750579 (July 29, 2003). Likewise, the Federal Reserve endorses information barriers to prevent conflicts. See *Federal Reserve Policy Statement Concerning the Use of Inside Information*, 43 Fed. Reg. 12,755, 12,756 (Mar. 27, 1978).

Department Investment Activities: Seven Gaps, Eight Remedies, Part I, 90 BANKING L.J. 912, 923-924 (1973) (“It is normal and necessary for large industrial corporations to have creditor, depositor, directorial, and still other relationships with banks. . . . To deal with potential conflicts of interest, particularly misuse of inside information as between commercial lending and trust functions, many banks have developed a ‘wall’ between those departments.”). If it was a conflict for a bank to act as lender to someone with whom it did business on behalf of a trust “that conclusion would surely be reflected in the extensive regulations that govern the banking industry.” *Board of Trustees of Aftra Retirement Fund v. JPMorgan Chase Bank, N.A.* 806 F.Supp.2d 662, 665-66 (S.D.N.Y. 2011).

In this case, as JPMorgan has pointed out on numerous occasions, JPMorgan employees who manage the Trust are separated from the other areas of JPMorgan that might have access to material non-public information about JPMorgan’s commercial banking and/or investment banking customers by institutionally mandated information barriers. Affidavit of Cindy Eubank, ¶ 10.⁴ Effective information barriers – such as those present here – ensure that the Trustee can carry out its fiduciary responsibilities without any conflict of interest. Affidavit of Cindy Eubank, ¶ 4.

The Notice ignores these information barriers – Plaintiffs seek the production of information and documents in discovery without any showing or even suggestion that the information barrier was, or even may have been, breached. At minimum, the Court should require Plaintiffs to make such a showing before they can obtain the information sought.

⁴ The Affidavit of Cindy Eubank was previously filed by JPMorgan on October 25, 2012, in connection with the Bank’s response to a motion to compel filed by Intervenors; however, for ease of reference, JPMorgan is attaching the affidavit to this motion as Exhibit “B.”

VIII.

THE DOCUMENT REQUEST IN THE NOTICE FAILS TO COMPLY WITH THE TEXAS RULES OF CIVIL PROCEDURE

JPMorgan objects to Plaintiffs' request for documents attached to the Notice because it fails to comply with Texas Rule of Civil Procedure 196.2(a). That Rule requires (30) days for a party to respond to a request for documents. Here, Plaintiffs' demand the production of voluminous documents only twelve days after they serve the Notice. Accordingly, the Notice is defective. Moreover, the request for documents is overly broad and lacks specificity requesting that:

To the extent responsive documents have not already been produced regarding the subject matters identified in Exhibit A, produce the additional documents not later than ten (10) days prior to the deposition.

Notice, p. 8. Searching for and gathering documents that are likely to fall under the scope of the Notice will require interviews and inquiries of multiple additional JPMorgan employees, and only then can JPMorgan begin to collect, review and prepare them for production.

IX.

SHOULD JPMORGAN'S MOTION BE DENIED, JPMORGAN REQUESTS THAT PLAINTIFFS BEAR ANY COSTS ASSOCIATED WITH THE PRODUCTION OF ADDITIONAL DOCUMENTS

Should the Court permit any of the discovery sought, JPMorgan requests that the Court shift the costs, expenses and fees incurred in connection with the production of documents (including, but not limited to, those costs, expenses and fees associated with locating, gathering, reviewing and producing the documents) to Plaintiffs. That relief is consistent with Texas Rules of Civil Procedure 192.6(b) and 196.4, Texas Property Code § 114.064, and the relevant provisions of the Finance Code.

WHEREFORE, JPMorgan respectfully requests that the Court enter an order quashing the Notice and/or enter a protective order granting JPMorgan the relief described above and such further relief to which it may be justly entitled.

Respectfully submitted,

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**ATTORNEYS FOR DEFENDANT
JPMORGAN CHASE BANK, N.A.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served on the following counsel of record via the electronic service manager and/or by email on this 2nd day of June, 2014.

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EXHIBIT A

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

225th JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**NOTICE DUCES TECUM OF INTENTION TO TAKE ORAL AND VIDEO
DEPOSITION OF THE CORPORATE REPRESENTATIVES
OF J.P. MORGAN CHASE BANK, N.A.**

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 Sheehan Fuller & Garza Inc., The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, TX 78209

Please take notice that on behalf of Plaintiffs and Plaintiff-Intervenors, the oral and video deposition of the designated corporate representative of **J.P. Morgan Chase Bank, N.A.**, will be taken upon oral examination beginning at **9:30 a.m. on June 20, 2014** and continuing from day to day until completed, at the offices of Hornberger Sheehan Fuller & Garza Inc., 7373 Broadway, Suite 300, San Antonio, Texas 78209, by an official court reporter.

Please take notice that this deposition will be video recorded.

The witness is directed to designate one of more persons to testify on its behalf upon the subject matters described in **Exhibit A**, attached hereto and made a part hereof.

The witness is requested to produce, ten (10) days prior to the deposition, the documents and things described in **Exhibit B**, attached hereto and made a part hereof, which shall include email, electronic information, and computer files stored on any type of medium.

NOTE: Texas Rule of Civil Procedure 199.2 provides that when an organization is named as the witness, the organization must – a reasonable time before the deposition – designate one or more individuals to testify on its behalf and set forth, for each individual designated, the matters to which the individual will testify.

Respectfully submitted,

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By: _____


James L. Drought
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ATTORNEYS FOR PLAINTIFFS,
JOHN K. MEYER, ET AL.

CERTIFICATE OF SERVICE

I certify that on May 28, 2014, this document was served via the method designated below on the following described parties below:

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David Jed Williams
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Via U.S. Mail and Email

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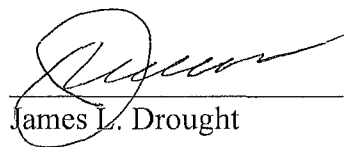
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Via U.S. Mail and Email



James L. Drought

EXHIBIT A

SUBJECT MATTERS

(1) **Business Relationships with Hunt Oil Company**

Any forms of ownership or investment as between JPM and Hunt Oil Company and any of its affiliates or subsidiaries (collectively, "Hunt Oil") from January 1, 2005 to the present.

Any forms of financial relationships as between JPM and Hunt Oil from January 1, 2005 to the present.

Any forms of economic relationships as between JPM and Hunt Oil from January 1, 2005 to the present.

Any forms of loans, including lines of credit, or other facilities of credit as between JPM and Hunt Oil from January 1, 2005 to the present.

Any forms of derivative or hedging relationships as between JPM and Hunt Oil from January 1, 2005 to the present.

Any joint ventures or partnerships as between JPM and Hunt Oil from January 1, 2005 to the present.

The nature and duration of any services provided by JPM to Hunt Oil from January 1, 2005 to the present.

The amount and timing of any compensation received by JPM from Hunt Oil for any business services from January 1, 2005 to the present.

(2) **Business Relationships with Murphy Oil Corporation**

Any forms of ownership or investment as between JPM and Murphy Oil Corporation and any of its subsidiaries (collectively "Murphy Oil") from January 1, 2005 to the present. Any forms of financial relationships as between JPM and Hunt Oil from January 1, 2005 to the present.

Any forms of financial relationships as between JPM and Murphy Oil from January 1, 2005 to the present.

Any forms of economic relationships as between JPM and Murphy Oil from January 1, 2005 to the present.

Any forms of loans, including lines of credit, or other facilities of credit as between JPM and Murphy Oil from January 1, 2005 to the present.

Any forms of derivative or hedging relationships as between JPM and Murphy Oil from January 1, 2005 to the present.

Any joint ventures or partnerships as between JPM and Murphy Oil from January 1, 2005 to the present.

The nature and duration of any services provided by JPM to Murphy Oil from January 1, 2005 to the present.

The amount and timing of any compensation received by JPM from Murphy Oil for any business services from January 1, 2005 to the present.

(3) Business Relationships with the Bass Brothers and/or Bass-Controlled Entities

Any forms of ownership or investment as between JPM and any entities owned or controlled by Sid R. Bass, Edward P. Bass, Lee M. Bass and/or Robert M. Bass (collectively, the "Bass Brothers"), including but not limited to, ACB O&G TX, L.P.; ARBGT (LMB) O&G TX, L.P.; ARBGT (SRB) O&G TX, L.P.; BMT O&G TX, L.P.; CMB O&G TX, L.P.; EPB Eagleford TX, L.P.; Keystone O&G TX, L.P.; LMBI O&G TX, L.P.; MLB O&G TX, L.P.; SRBI O&G TX, L.P.; Thru Line O&G TX, L.P.; and TRB O&G TX, L.P. (collectively, "BOPCO"), from January 1, 2005 to the present.

Any forms of financial relationships as between JPM and any of the Bass Brothers and/or any entity owned or controlled by any of the Bass Brothers (including BOPCO) from January 1, 2005 to the present.

Any forms of economic relationships as between JPM and any of the Bass Brothers and/or any entity owned or controlled by any of the Bass Brothers (including BOPCO) from January 1, 2005 to the present.

Any forms of loans, including lines of credit, or other facilities of credit as between JPM and any of the Bass Brothers and/or any entity owned or controlled by any of the Bass Brothers (including BOPCO) from January 1, 2005 to the present.

Any forms of derivative or hedging relationships as between JPM and any of the Bass Brothers and/or any entity owned or controlled by any of the Bass Brothers (including BOPCO) from January 1, 2005 to the present.

Any joint ventures or partnerships as between JPM and any of the Bass Brothers and/or any entity owned or controlled by any of the Bass Brothers (including BOPCO) from January 1, 2005 to the present.

The nature and duration of any services provided by JPM to any of the Bass Brothers and/or any entity owned or controlled by any of the Bass Brothers (including BOPCO) from January 1, 2005 to the present.

The amount and timing of any compensation received for any business services provided by JPM to any of the Bass Brothers and/or any entity owned or controlled by any of the Bass Brothers (including BOPCO) from January 1, 2005 to the present.

(4) Business Relationships with Marubeni Corporation.

Any forms of ownership or investment as between JPM and Marubeni Corporation and any of its subsidiaries, including but not limited to Marubeni Eagle Ford LP, a Texas limited partnership (collectively, "Marubeni") from January 1, 2005 to the present.

Any forms of financial relationships as between JPM and Marubeni from January 1, 2005 to the present.

Any forms of economic relationships as between JPM and Marubeni from January 1, 2005 to the present.

Any forms of loans, including lines of credit, or other facilities of credit as between JPM and Marubeni from January 1, 2005 to the present.

Any forms of derivative or hedging relationships as between JPM and Marubeni from January 1, 2005 to the present.

Any joint ventures or partnerships as between JPM and Marubeni from January 1, 2005 to the present.

The nature and duration of any services provided by JPM to Marubeni from January 1, 2005 to the present.

The amount and timing of any compensation received by JPM from Marubeni for any business services from January 1, 2005 to the present.

EXHIBIT B

DOCUMENTS TO BE PRODUCED

To the extent responsive documents have not already been produced regarding the subject matters identified in **Exhibit A**, produce the additional documents not later than ten (10) days prior to the deposition.

Defendants need not perform any additional restoration or searches of Electronically Stored Information. However, to the extent that any electronically stored information is restored, accessed, collected and/or reviewed in the course of preparing the deponent(s) to give testimony, it is understood and expected that any and all such documents will be produced.

EXHIBIT B

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served on the following counsel of record via certified mail, return receipt requested this 25th day of October, 2012.

John B. Massopust
Matthew J. Gollinger
ZELLE HOFMANN VOELBEL & MASON
LLP
500 Washington Avenue South, Suite 5000
Minneapolis, MN 55415
Facsimile: (612) 336-9100

George Spencer, Jr.
CLEMENS & SPENCER, P.C.
112 E. Pecan St., Suite 1300
San Antonio, Texas 78205
Facsimile: (210) 227-0732

James L. Drought
DROUGHT DROUGHT & BOBBITT, LLP
112 E. Pecan St., Suite 2900
San Antonio, Texas 78205
Facsimile: (210) 222-0586

Richard Tinsman
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205
Telephone: (210) 225-3121

Steven J. Badger
Ashley Bennett Jones
ZELLE HOFMANN VOELBEL & MASON
LLP
901 Main Street, Suite 4000
Dallas, Texas 75202-3975
Facsimile: (214) 760-8994

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

Patrick K. Sheehan
David Jed Williams
HORNBERGER SHEEHAN FULLER &
BEITER, INC.
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, TX 78209
Facsimile: (210) 271-1730


John C. Eichman

EXHIBIT 1

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

225th JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

AFFIDAVIT OF CINDY EUBANK

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared Cindy Eubank who, being duly sworn on her oath deposed and stated as follows:

1. My name is Cindy Eubank. I am over the age of twenty-one and am competent to make this affidavit. All statements herein are true and correct and within my personal knowledge. I make this affidavit on behalf of JPMorgan Chase Bank, N.A. ("JPMorgan") in its corporate capacity.

2. I am currently employed by JPMorgan as a Vice President. I am Compliance Director for Domestic Private Banking/High Net Worth and Ultra-High Net Worth which is part of JPMorgan's Global Wealth Management group ("GWM") and I support trusts and estates. I have been in compliance with JPMorgan or a predecessor of JPMorgan since 1996.

3. As a result of my job duties and responsibilities I have personal knowledge of compliance matters including various policies of JPMorgan and GWM designed to address the handling of “material non-public information” (“MNPI”) and “inside information.” JPMorgan employees, including trust officers, mineral managers, and others, involved in the management of trusts such as the South Texas Syndicate Trust at issue in this lawsuit, are included in GWM and are subject to its policies.

4. Since at least 2004, JPMorgan has maintained policies that prohibit the use of MPNI or inside information by JPMorgan employees overseeing fiduciary assets such as those assets held in the South Texas Syndicate Trust. The information barriers – also known as “Chinese Walls” – are designed, as defined in the policies, to limit the flow of information between those areas of JPMorgan that routinely have access to MNPI and inside information such as Investment Banking, Capital Markets, Mergers and Acquisitions, Restructuring and Commercial Lending, and other areas of JPMorgan, including GWM, that do not have access to MNPI and inside information.

5. At JPMorgan all employees are subject to the JPMorgan Chase Code of Conduct (the “Code of Conduct”). Sections 2.1 and 2.2 of the Code of Conduct sets forth the prohibition against the sharing of MNPI and inside information. A true and correct copy of relevant excerpts of the current Code of Conduct are attached to this affidavit as Exhibits “A.”¹

6. In GWM, the prohibition against the sharing of MNPI or inside information is further defined by the Global Wealth Management Information Safeguarding Policy (the

¹ The current version of the Code of Conduct was enacted in 2012. Accordingly, what are currently Sections 2.1 and 2.2 of the Code of Conduct were previously Sections 4.1 and 4.2. Sections 4.1 and 4.2 of the prior version of the Code of Conduct are attached to this affidavit as Exhibit “A-1.”

"GWM Policy"). The current GWM Policy has been in effect since October 1, 2007. A true and correct copy of the GWM Policy is attached to this affidavit as Exhibit "B."

7. "Material information" is "information where there is a substantial likelihood that it would be considered important to a reasonable investor deciding to purchase or sell stock or other securities." Exhibit "B," p. 2. Examples of material information may include "corporate events such as impending mergers, sales of subsidiaries, acquisitions, tender offers, leveraged buy-outs and other corporate restructurings;" "financial results," including "projections;" "new securities offerings" or "stock splits;" and "significant shifts in operating or financial circumstances such as cash-flow reductions" or "liquidity needs." Exhibit "B," p. 2.

8. Non-public information is information that "has not been disseminated in a manner making it available to investors generally." Exhibit "B," p. 2.

9. "Inside information" is defined under the GWM Policy as "material, non-public information relating to a corporation, public entity or other issuer of securities." Exhibit "B," p. 2.

10. In order to isolate GWM employees from any MNPI or inside information within JPMorgan, the GWM Policy sets forth the following guidelines:

- GWM employees should not seek to obtain access to materials from insider areas that may contain inside information or MNPI.
- To prevent the inadvertent flow of inside information or MNPI, GWM employees are generally physically segregated from employees with insider information and business units segregate sensitive files and restrict access by persons from other business units.
- All GWM employees must have a good working knowledge of the legal restrictions and JPMorgan's policies and procedures on the use and dissemination of inside information or MNPI.

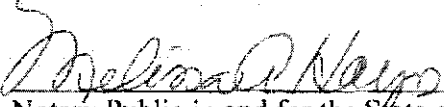
Exhibit "A." p. 4.

11. In addition to the Code of Conduct, the GWM Policy expressly states that it should be read in conjunction with (a) JPMorgan Chase & Co. Policy on Information Barriers; and (b) J.P. Morgan Asset Management Safeguarding Policy. True and correct copies of relevant excerpts of these policies are attached to this affidavit as Exhibits "C," and "D," respectively. Like the GWM Policy, these policies set forth the prohibitions against the sharing of insider information and MNPI.


Cindy Eubank, Affiant

Sworn and subscribed to before me by the said Cindy Eubank on this 25th day of October, 2012, to certify which witness my hand and seal of office.




Notary Public in and for the State of Texas

My commission expires:
August 22, 2014

Exhibit “A-1”

Exhibit
“B”

Exhibit “C”

Exhibit “D”

(Consolidated Under)
2010-CI-10977

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

BUSINESS RECORDS AFFIDAVIT – GULFTEX ENERGY, LLC

Before me, the undersigned authority, personally appeared Kenneth Van Taylor, who, being by me duly sworn, deposed as follows:

My name is KENNETH V. TAYLOR, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of GulfTex Energy, LLC. Attached hereto are 15 pages of records from GulfTex Energy, LLC, labeled GT-000001 to GT-000015. These said 15 pages of records are kept by GulfTex Energy, LLC in the regular course of business, and it was the regular course of business of GulfTex Energy, LLC, LLC, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original.

Van Taylor
Affiant

SWORN TO AND SUBSCRIBED before me on the 15 day of May, 2014.



Lynette Waltisperger
Notary Public, State of Texas

CAUSE NO. 2010-CI-10977

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

**DEPOSITION SUBPOENA DUCES TECUM TO PRODUCE DOCUMENTS
ISSUED IN THE NAME OF THE STATE OF TEXAS**

**TO ANY PEACE OFFICER, CONSTABLE OF THE STATE OF TEXAS OR OTHER
PERSON DULY AUTHORIZED TO SERVE OR EXECUTE SUBPOENAS:**

This Subpoena is directed to:

CUSTODIAN OF RECORDS FOR:

**SOLO ENERGY, L.P.
c/o David L. Garrison
802 N. Carancahua, Suite 450
Corpus Christi, Texas 78470**

This Subpoena directs the Custodian of Records for SOLO ENERGY, L.P., to appear at **10:00 a.m. on August 4, 2014**, before a notary public at the following location:

**802 N. Carancahua, Suite 450
Corpus Christi, Texas 78470**

and answer under oath written questions to be propounded by counsel for Defendant and to produce for inspection and photocopying the documents and records described on Exhibit "A" attached to the Notice Duces Tecum of Intent to Take Deposition by Written Questions served with and attached to this Subpoena.

This Subpoena is issued at the instance and request of Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust. The attorneys of record for Defendant are: Patrick K. Sheehan and David Jed Williams, Hornberger Sheehan Fuller & Garza Incorporated, The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, Texas 78209.

THIS SUBPOENA IS ISSUED UNDER TEXAS RULE OF CIVIL PROCEDURE 176. RULE 176.8(a) STATES: FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A SUBPOENA SERVED UPON THAT PERSON MAY BE DEEMED A CONTEMPT OF THE COURT FROM WHICH THE SUBPOENA IS

ISSUED OR A DISTRICT COURT IN THE COUNTY IN WHICH THE SUBPOENA IS SERVED, AND MAY BE PUNISHED BY FINE OR CONFINEMENT, OR BOTH.

This Subpoena is issued by David Jed Williams, attorney for Defendant, on behalf of Defendant.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: *s/David Jed Williams*

Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
(214) 979-3000 - Telephone
(214) 880-0011 – Facsimile
Charles A. Gall
State Bar No. 07281500
John C. Eichman
State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

RETURN

CAME TO HAND ON THE _____ DAY OF _____ 2014, AT _____ O'CLOCK
____.M. AND EXECUTED (NOT EXECUTED) ON THE _____ DAY OF _____ 2014, BY
DELIVERING TO **DAVID L. GARRISON**, A TRUE COPY OF THIS SUBPOENA UPON
WHICH I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO EXECUTE THIS
SUBPOENA IS _____.

TOTAL FEES: \$ _____

NUECES COUNTY, TEXAS

BY: _____

NON-PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER)

SWORN TO THIS _____ DAY OF _____ 2014.

Notary Public, State of Texas

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

**NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTIONS
WITH DUCES TECUM**

Defendant JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST will take a deposition by written questions of the Custodian of Records for **SOLO ENERGY, L.P.**, at the following date, time, and place:

Date: **August 4, 2014**

Time: **10:00 a.m.**

Place: **SOLO ENERGY, L.P.
802 N. Carancahua, Suite 450
Corpus Christi, Texas 78006**

Notice is further given that the witness shall produce at the deposition for inspection and photocopying the documents and records listed and described on the attached Exhibit "A."

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: s/David Jed Williams
Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700

Dallas, Texas 75202

(214) 979-3000 - Telephone

(214) 880-0011 – Facsimile

Charles A. Gall

State Bar No. 07281500

John C. Eichman

State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this deposition notice was served upon the following, in the manner indicated, on July 8, 2014:

Mr. George Spencer, Jr. **VIA EMAIL**
Mr. Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan St., Suite 1300
San Antonio, Texas 78205

Mr. James L. Drought **VIA EMAIL**
Mr. Ian Bolden
DROUGHT DROUGHT & BOBBITT, LLP
112 East Pecan St., Suite 2900
San Antonio, Texas 78205

Mr. Richard Tinsman **VIA EMAIL**
Ms. Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205

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

Mr. John B. Massopust **VIA EMAIL**
Mr. Matthew Gollinger
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, MN 55415-1152

Mr. Michael S. Christian **VIA EMAIL**
ZELLE HOFMANN VOELBEL & MASON
44 Montgomery Street, Suite 3400
San Francisco, California 94104

Mr. Fred W. Stumpf **VIA EMAIL**
GLAST, PHILLIPS & MURRAY
Nine Greenway Plaza, Suite 3100
Houston, Texas 77046

s/David Jed Williams
David Jed Williams

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

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNED UPON THE WITNESS,
CUSTODIAN OF RECORDS FOR SOLO ENERGY, L.P.**

1. Please state your full name, business address, and official title.

ANSWER:

2. Did you receive a subpoena for the production of the documents and records listed and described on Exhibit "A" attached to these questions?

ANSWER:

3. Have these documents and records been produced for this deposition, bates numbered, and delivered to the officer taking this deposition?

ANSWER:

4. Are you the custodian of these documents or records for **SOLO ENERGY, L.P.**?

ANSWER:

5. What is the Bates number range for the documents and records produced for this deposition?

ANSWER:

6. Are the documents and records produced for this deposition originals or photocopies of the original documents?

ANSWER:

7. Are the documents and records produced for this deposition memoranda, reports, records or data compilations of acts, events, or conditions made at or near the time by or from information transmitted by, a person with knowledge?

ANSWER:

8. Are these documents and records kept in the course of a regularly conducted business activity of **SOLO ENERGY, L.P.**?

ANSWER:

9. Was it the regular practice of the business activity of **SOLO ENERGY, L.P.**, to make the memorandum, report, record or data compilation reflected in these documents and records?

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
SOLO ENERGY, L.P.

I _____, a Notary Public in and for the State of Texas, do hereby certify that the forgoing answers of the witness were made by the said witness and sworn to and subscribed before me.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS ____ day of _____, 2014.

Notary Public, State of Texas

EXHIBIT "A"

Please produce the following documents relating to the leases described below:

- The executed leases;
- Any option agreements, letters of intent to lease or side agreements relative to the leases;
- Any agreements relative to amendment, modification or extension of the leases;
- Any lease data sheets relative to the lease;
- Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre);
- Any Lease Purchase Report ("LPR") and;
- Any receipt or paid draft relative to the leases

-
1. Seismic Memorandum, dated 11/5/2008 from Briscoe Ranch, Inc., as Grantor, to SOLO ENERGY, L.P., as Grantee, recorded in Volume 483 Page 315 Oil and Gas Lease Records LaSalle County, Texas, comprising 31,934.19 acres of land, more or less, in such county.

CAUSE NO. 2010-CI-10977

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

**DEPOSITION SUBPOENA DUCES TECUM TO PRODUCE DOCUMENTS
ISSUED IN THE NAME OF THE STATE OF TEXAS**

**TO ANY PEACE OFFICER, CONSTABLE OF THE STATE OF TEXAS OR OTHER
PERSON DULY AUTHORIZED TO SERVE OR EXECUTE SUBPOENAS:**

This Subpoena is directed to:

CUSTODIAN OF RECORDS FOR:

**MURPHY EXPLORATION & PRODUCTION COMPANY, USA
c/o CT Corporation
1999 Bryan Street, Suite 900
Dallas, Texas 75201**

This Subpoena directs the Custodian of Records for MURPHY EXPLORATION & PRODUCTION COMPANY, USA, to appear at **10:00 a.m. on August 4, 2014**, before a notary public at the following location:

**9805 Katy Freeway, Suite G-200
Houston, Texas 77024**

and answer under oath written questions to be propounded by counsel for Defendant and to produce for inspection and photocopying the documents and records described on Exhibit "A" attached to the Notice Duces Tecum of Intent to Take Deposition by Written Questions served with and attached to this Subpoena.

This Subpoena is issued at the instance and request of Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust. The attorneys of record for Defendant are: Patrick K. Sheehan and David Jed Williams, Hornberger Sheehan Fuller & Garza Incorporated, The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, Texas 78209.

**THIS SUBPOENA IS ISSUED UNDER TEXAS RULE OF CIVIL PROCEDURE 176. RULE 176.8(a)
STATES: FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A SUBPOENA SERVED**

UPON THAT PERSON MAY BE DEEMED A CONTEMPT OF THE COURT FROM WHICH THE SUBPOENA IS ISSUED OR A DISTRICT COURT IN THE COUNTY IN WHICH THE SUBPOENA IS SERVED, AND MAY BE PUNISHED BY FINE OR CONFINEMENT, OR BOTH.

This Subpoena is issued by David Jed Williams, attorney for Defendant, on behalf of Defendant.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: *s/David Jed Williams*

Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
(214) 979-3000 - Telephone
(214) 880-0011 – Facsimile
Charles A. Gall
State Bar No. 07281500
John C. Eichman
State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

RETURN

CAME TO HAND ON THE _____ DAY OF _____ 2014, AT _____ O'CLOCK
____.M. AND EXECUTED (NOT EXECUTED) ON THE _____ DAY OF _____ 2014, BY
DELIVERING TO **CT CORPORATION**, A TRUE COPY OF THIS SUBPOENA UPON
WHICH I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO EXECUTE THIS
SUBPOENA IS _____.

TOTAL FEES: \$ _____

DALLAS COUNTY, TEXAS

BY: _____

NON-PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER)

SWORN TO THIS _____ DAY OF _____ 2014.

Notary Public, State of Texas

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

**NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTIONS
WITH DUCES TECUM**

Defendant JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST will take a deposition by written questions of the Custodian of Records for **MURPHY EXPLORATION & PRODUCTION COMPANY, USA**, at the following date, time, and place:

Date: **August 4, 2014**

Time: **10:00 a.m.**

Place: **MURPHY EXPLORATION & PRODUCTION COMPANY, USA
9805 Katy Freeway, Suite G-200
Houston, Texas 77024**

Notice is further given that the witness shall produce at the deposition for inspection and photocopying the documents and records listed and described on the attached Exhibit "A."

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: s/David Jed Williams
Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700

Dallas, Texas 75202

(214) 979-3000 - Telephone

(214) 880-0011 – Facsimile

Charles A. Gall

State Bar No. 07281500

John C. Eichman

State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this deposition notice was served upon the following, in the manner indicated, on July 8, 2014:

Mr. George Spencer, Jr. **VIA EMAIL**
Mr. Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan St., Suite 1300
San Antonio, Texas 78205

Mr. James L. Drought **VIA EMAIL**
Mr. Ian Bolden
DROUGHT DROUGHT & BOBBITT, LLP
112 East Pecan St., Suite 2900
San Antonio, Texas 78205

Mr. Richard Tinsman **VIA EMAIL**
Ms. Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205

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

Mr. John B. Massopust **VIA EMAIL**
Mr. Matthew Gollinger
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, MN 55415-1152

Mr. Michael S. Christian **VIA EMAIL**
ZELLE HOFMANN VOELBEL & MASON
44 Montgomery Street, Suite 3400
San Francisco, California 94104

Mr. Fred W. Stumpf **VIA EMAIL**
GLAST, PHILLIPS & MURRAY
Nine Greenway Plaza, Suite 3100
Houston, Texas 77046

s/David Jed Williams
David Jed Williams

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

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNED UPON THE WITNESS,
CUSTODIAN OF RECORDS FOR MURPHY EXPLORATION & PRODUCTION
COMPANY, USA**

1. Please state your full name, business address, and official title.

ANSWER:

2. Did you receive a subpoena for the production of the documents and records listed and described on Exhibit "A" attached to these questions?

ANSWER:

3. Have these documents and records been produced for this deposition, bates numbered, and delivered to the officer taking this deposition?

ANSWER:

4. Are you the custodian of these documents or records for **MURPHY EXPLORATION & PRODUCTION COMPANY, USA**?

ANSWER:

5. What is the Bates number range for the documents and records produced for this deposition?

ANSWER:

6. Are the documents and records produced for this deposition originals or photocopies of the original documents?

ANSWER:

7. Are the documents and records produced for this deposition memoranda, reports, records or data compilations of acts, events, or conditions made at or near the time by or from information transmitted by, a person with knowledge?

ANSWER:

8. Are these documents and records kept in the course of a regularly conducted business activity of **MURPHY EXPLORATION & PRODUCTION COMPANY, USA**?

ANSWER:

9. Was it the regular practice of the business activity of **MURPHY EXPLORATION & PRODUCTION COMPANY, USA**, to make the memorandum, report, record or data compilation reflected in these documents and records?

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
**MURPHY EXPLORATION & PRODUCTION
COMPANY, USA**

I _____, a Notary Public in and for the State of Texas, do hereby certify that the forgoing answers of the witness were made by the said witness and sworn to and subscribed before me.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS ____ day of _____, 2014.

Notary Public, State of Texas

EXHIBIT "A"

Please produce the following documents relating to the leases described below:

- The executed leases;
- Any option agreements, letters of intent to lease or side agreements relative to the leases;
- Any agreements relative to amendment, modification or extension of the leases;
- Any lease data sheets relative to the lease;
- Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre);
- Any Lease Purchase Report ("LPR") and;
- Any receipt or paid draft relative to the leases

-
1. Memorandum of Lease, dated 9/28/2009 from Robert Webb Briggs Jr. Estate, as Grantor, to MURPHY EXPLORATION & PRODUCTION COMPANY, USA, as Grantee, recorded in Volume 379 Page 147 Oil and Gas Lease Records Dimmit County, Texas, comprising 17,753.69 acres of land, more or less, in such county.

CAUSE NO. 2010-CI-10977

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

**DEPOSITION SUBPOENA DUCES TECUM TO PRODUCE DOCUMENTS
ISSUED IN THE NAME OF THE STATE OF TEXAS**

**TO ANY PEACE OFFICER, CONSTABLE OF THE STATE OF TEXAS OR OTHER
PERSON DULY AUTHORIZED TO SERVE OR EXECUTE SUBPOENAS:**

This Subpoena is directed to:

CUSTODIAN OF RECORDS FOR:

**SAN ISIDRO DEVELOPMENT CO.
c/o Blackstone Dilworth
400 FM 534
Sandia, Texas 78383**

This Subpoena directs the Custodian of Records for SAN ISIDRO DEVELOPMENT CO., to appear at **10:00 a.m. on August 4, 2014**, before a notary public at the following location:

**400 FM 534
Sandia, Texas 78383**

and answer under oath written questions to be propounded by counsel for Defendant and to produce for inspection and photocopying the documents and records described on Exhibit "A" attached to the Notice Duces Tecum of Intent to Take Deposition by Written Questions served with and attached to this Subpoena.

This Subpoena is issued at the instance and request of Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust. The attorneys of record for Defendant are: Patrick K. Sheehan and David Jed Williams, Hornberger Sheehan Fuller & Garza Incorporated, The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, Texas 78209.

THIS SUBPOENA IS ISSUED UNDER TEXAS RULE OF CIVIL PROCEDURE 176. RULE 176.8(a) STATES: FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A SUBPOENA SERVED UPON THAT PERSON MAY BE DEEMED A CONTEMPT OF THE COURT FROM WHICH THE SUBPOENA IS

ISSUED OR A DISTRICT COURT IN THE COUNTY IN WHICH THE SUBPOENA IS SERVED, AND MAY BE PUNISHED BY FINE OR CONFINEMENT, OR BOTH.

This Subpoena is issued by David Jed Williams, attorney for Defendant, on behalf of Defendant.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: *s/David Jed Williams*

Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
(214) 979-3000 - Telephone
(214) 880-0011 – Facsimile
Charles A. Gall
State Bar No. 07281500
John C. Eichman
State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

RETURN

CAME TO HAND ON THE _____ DAY OF _____ 2014, AT _____ O'CLOCK
____.M. AND EXECUTED (NOT EXECUTED) ON THE _____ DAY OF _____ 2014, BY
DELIVERING TO **BLACKSTONE DILWORTH**, A TRUE COPY OF THIS SUBPOENA
UPON WHICH I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO
EXECUTE THIS SUBPOENA IS _____.

TOTAL FEES: \$ _____

JIM WELLS COUNTY, TEXAS

BY: _____

NON-PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER)

SWORN TO THIS _____ DAY OF _____ 2014.

Notary Public, State of Texas

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

NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTIONS WITH DUCES TECUM

Defendant JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST will take a deposition by written questions of the Custodian of Records for **SAN ISIDRO DEVELOPMENT CO.**, at the following date, time, and place:

Date: **August 4, 2014**

Time: **10:00 a.m.**

Place: **SAN ISIDRO DEVELOPMENT CO.
400 FM 534
Sandia, Texas 78383**

Notice is further given that the witness shall produce at the deposition for inspection and photocopying the documents and records listed and described on the attached Exhibit "A."

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: s/David Jed Williams
Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700

Dallas, Texas 75202

(214) 979-3000 - Telephone

(214) 880-0011 – Facsimile

Charles A. Gall

State Bar No. 07281500

John C. Eichman

State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this deposition notice was served upon the following, in the manner indicated, on July 8, 2014:

Mr. George Spencer, Jr. **VIA EMAIL**
Mr. Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan St., Suite 1300
San Antonio, Texas 78205

Mr. James L. Drought **VIA EMAIL**
Mr. Ian Bolden
DROUGHT DROUGHT & BOBBITT, LLP
112 East Pecan St., Suite 2900
San Antonio, Texas 78205

Mr. Richard Tinsman **VIA EMAIL**
Ms. Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205

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

Mr. John B. Massopust **VIA EMAIL**
Mr. Matthew Gollinger
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, MN 55415-1152

Mr. Michael S. Christian **VIA EMAIL**
ZELLE HOFMANN VOELBEL & MASON
44 Montgomery Street, Suite 3400
San Francisco, California 94104

Mr. Fred W. Stumpf **VIA EMAIL**
GLAST, PHILLIPS & MURRAY
Nine Greenway Plaza, Suite 3100
Houston, Texas 77046

s/David Jed Williams
David Jed Williams

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

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNED UPON THE WITNESS,
CUSTODIAN OF RECORDS FOR SAN ISIDRO DEVELOPMENT CO.**

1. Please state your full name, business address, and official title.

ANSWER:

2. Did you receive a subpoena for the production of the documents and records listed and described on Exhibit "A" attached to these questions?

ANSWER:

3. Have these documents and records been produced for this deposition, bates numbered, and delivered to the officer taking this deposition?

ANSWER:

4. Are you the custodian of these documents or records for **SAN ISIDRO DEVELOPMENT CO.?**

ANSWER:

5. What is the Bates number range for the documents and records produced for this deposition?

ANSWER:

6. Are the documents and records produced for this deposition originals or photocopies of the original documents?

ANSWER:

7. Are the documents and records produced for this deposition memoranda, reports, records or data compilations of acts, events, or conditions made at or near the time by or from information transmitted by, a person with knowledge?

ANSWER:

8. Are these documents and records kept in the course of a regularly conducted business activity of **SAN ISIDRO DEVELOPMENT CO.?**

ANSWER:

9. Was it the regular practice of the business activity of **SAN ISIDRO DEVELOPMENT CO.**, to make the memorandum, report, record or data compilation reflected in these documents and records?

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
SAN ISIDRO DEVELOPMENT CO.

I _____, a Notary Public in and for the State of Texas, do hereby certify that the forgoing answers of the witness were made by the said witness and sworn to and subscribed before me.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS ____ day of _____, 2014.

Notary Public, State of Texas

EXHIBIT "A"

Please produce the following documents relating to the leases described below:

- The executed leases;
- Any option agreements, letters of intent to lease or side agreements relative to the leases;
- Any agreements relative to amendment, modification or extension of the leases;
- Any lease data sheets relative to the lease;
- Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre);
- Any Lease Purchase Report ("LPR") and;
- Any receipt or paid draft relative to the leases

-
1. Seismic Memorandum, dated 9/1/2006 from Frost National Bank, Trustee, as Grantor, to SAN ISIDRO DEVELOPMENT CO., as Grantee, recorded in Volume 452 Page 432 Oil and Gas Lease Records McMullen County, Texas, comprising 16,089.56 acres of land, more or less, in such county.

CAUSE NO. 2010-CI-10977

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

**DEPOSITION SUBPOENA DUCES TECUM TO PRODUCE DOCUMENTS
ISSUED IN THE NAME OF THE STATE OF TEXAS**

**TO ANY PEACE OFFICER, CONSTABLE OF THE STATE OF TEXAS OR OTHER
PERSON DULY AUTHORIZED TO SERVE OR EXECUTE SUBPOENAS:**

This Subpoena is directed to:

CUSTODIAN OF RECORDS FOR:

**TEXAS CRUDE ENERGY INC.
c/o Kane C. Weiner
2803 Buffalo Speedway
Houston, Texas 77098**

This Subpoena directs the Custodian of Records for TEXAS CRUDE ENERGY INC., to appear at **10:00 a.m. on August 4, 2014**, before a notary public at the following location:

**2803 Buffalo Speedway
Houston, Texas 77098**

and answer under oath written questions to be propounded by counsel for Defendant and to produce for inspection and photocopying the documents and records described on Exhibit "A" attached to the Notice Duces Tecum of Intent to Take Deposition by Written Questions served with and attached to this Subpoena.

This Subpoena is issued at the instance and request of Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust. The attorneys of record for Defendant are: Patrick K. Sheehan and David Jed Williams, Hornberger Sheehan Fuller & Garza Incorporated, The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, Texas 78209.

**THIS SUBPOENA IS ISSUED UNDER TEXAS RULE OF CIVIL PROCEDURE 176. RULE 176.8(a)
STATES: FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A SUBPOENA SERVED
UPON THAT PERSON MAY BE DEEMED A CONTEMPT OF THE COURT FROM WHICH THE SUBPOENA IS**

ISSUED OR A DISTRICT COURT IN THE COUNTY IN WHICH THE SUBPOENA IS SERVED, AND MAY BE PUNISHED BY FINE OR CONFINEMENT, OR BOTH.

This Subpoena is issued by David Jed Williams, attorney for Defendant, on behalf of Defendant.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: *s/David Jed Williams*
Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
(214) 979-3000 - Telephone
(214) 880-0011 – Facsimile
Charles A. Gall
State Bar No. 07281500
John C. Eichman
State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

RETURN

CAME TO HAND ON THE _____ DAY OF _____ 2014, AT _____ O'CLOCK
____.M. AND EXECUTED (NOT EXECUTED) ON THE _____ DAY OF _____ 2014, BY
DELIVERING TO **KANE C. WEINER**, A TRUE COPY OF THIS SUBPOENA UPON WHICH I
ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO EXECUTE THIS
SUBPOENA IS _____.

TOTAL FEES: \$ _____

HARRIS COUNTY, TEXAS

BY: _____

NON-PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER)

SWORN TO THIS _____ DAY OF _____ 2014.

Notary Public, State of Texas

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

NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTIONS WITH DUCES TECUM

Defendant JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST will take a deposition by written questions of the Custodian of Records for **TEXAS CRUDE ENERGY INC.**, at the following date, time, and place:

Date: **August 4, 2014**

Time: **10:00 a.m.**

Place: **TEXAS CRUDE ENERGY INC.
2803 Buffalo Speedway
Houston, Texas 77098**

Notice is further given that the witness shall produce at the deposition for inspection and photocopying the documents and records listed and described on the attached Exhibit "A."

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: s/David Jed Williams
Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

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Dallas, Texas 75202

(214) 979-3000 - Telephone

(214) 880-0011 – Facsimile

Charles A. Gall

State Bar No. 07281500

John C. Eichman

State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this deposition notice was served upon the following, in the manner indicated, on July 8, 2014:

Mr. George Spencer, Jr. **VIA EMAIL**
Mr. Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan St., Suite 1300
San Antonio, Texas 78205

Mr. James L. Drought **VIA EMAIL**
Mr. Ian Bolden
DROUGHT DROUGHT & BOBBITT, LLP
112 East Pecan St., Suite 2900
San Antonio, Texas 78205

Mr. Richard Tinsman **VIA EMAIL**
Ms. Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205

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

Mr. John B. Massopust **VIA EMAIL**
Mr. Matthew Gollinger
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, MN 55415-1152

Mr. Michael S. Christian **VIA EMAIL**
ZELLE HOFMANN VOELBEL & MASON
44 Montgomery Street, Suite 3400
San Francisco, California 94104

Mr. Fred W. Stumpf **VIA EMAIL**
GLAST, PHILLIPS & MURRAY
Nine Greenway Plaza, Suite 3100
Houston, Texas 77046

s/David Jed Williams
David Jed Williams

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

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNED UPON THE WITNESS,
CUSTODIAN OF RECORDS FOR TEXAS CRUDE ENERGY INC.**

1. Please state your full name, business address, and official title.

ANSWER:

2. Did you receive a subpoena for the production of the documents and records listed and described on Exhibit "A" attached to these questions?

ANSWER:

3. Have these documents and records been produced for this deposition, bates numbered, and delivered to the officer taking this deposition?

ANSWER:

4. Are you the custodian of these documents or records for **TEXAS CRUDE ENERGY INC.?**

ANSWER:

5. What is the Bates number range for the documents and records produced for this deposition?

ANSWER:

6. Are the documents and records produced for this deposition originals or photocopies of the original documents?

ANSWER:

7. Are the documents and records produced for this deposition memoranda, reports, records or data compilations of acts, events, or conditions made at or near the time by or from information transmitted by, a person with knowledge?

ANSWER:

8. Are these documents and records kept in the course of a regularly conducted business activity of **TEXAS CRUDE ENERGY INC.?**

ANSWER:

9. Was it the regular practice of the business activity of **TEXAS CRUDE ENERGY INC.**, to make the memorandum, report, record or data compilation reflected in these documents and records?

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
TEXAS CRUDE ENERGY INC.

I _____, a Notary Public in and for the State of Texas, do hereby certify that the forgoing answers of the witness were made by the said witness and sworn to and subscribed before me.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS ____ day of _____, 2014.

Notary Public, State of Texas

EXHIBIT "A"

Please produce the following documents relating to the leases described below:

- The executed leases;
- Any option agreements, letters of intent to lease or side agreements relative to the leases;
- Any agreements relative to amendment, modification or extension of the leases;
- Any lease data sheets relative to the lease;
- Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre);
- Any Lease Purchase Report ("LPR") and;
- Any receipt or paid draft relative to the leases

-
1. Memorandum of Lease, dated 9/15/2007 from Melba Jo Parrott, as Grantor, to TEXAS CRUDE ENERGY INC., as Grantee, recorded in Volume 105 Page 577 Oil and Gas Lease Records Live Oak County, Texas, comprising 5,704.85 acres of land, more or less, in such county.
 2. Memorandum of Lease, dated 9/7/2007 from 1893 Oil & Gas, Ltd., as Grantor, to TEXAS CRUDE ENERGY INC., as Grantee, recorded in Volume 105 Page 570 Oil and Gas Lease Records Live Oak County, Texas, comprising 5,611.45 acres of land, more or less, in such county.

CAUSE NO. 2010-CI-10977

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

**DEPOSITION SUBPOENA DUCES TECUM TO PRODUCE DOCUMENTS
ISSUED IN THE NAME OF THE STATE OF TEXAS**

**TO ANY PEACE OFFICER, CONSTABLE OF THE STATE OF TEXAS OR OTHER
PERSON DULY AUTHORIZED TO SERVE OR EXECUTE SUBPOENAS:**

This Subpoena is directed to:

CUSTODIAN OF RECORDS FOR:

**TEXAS LONE STAR PETROLEUM CORP.
c/o Jeffrey Dan Cobbs
915 Leopard Street, Suite 336
Corpus Christi, Texas 78476**

This Subpoena directs the Custodian of Records for TEXAS LONE STAR PETROLEUM CORP., to appear at **10:00 a.m. on August 4, 2014**, before a notary public at the following location:

**915 Leopard Street, Suite 336
Corpus Christi, Texas 78476**

and answer under oath written questions to be propounded by counsel for Defendant and to produce for inspection and photocopying the documents and records described on Exhibit "A" attached to the Notice Duces Tecum of Intent to Take Deposition by Written Questions served with and attached to this Subpoena.

This Subpoena is issued at the instance and request of Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust. The attorneys of record for Defendant are: Patrick K. Sheehan and David Jed Williams, Hornberger Sheehan Fuller & Garza Incorporated, The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, Texas 78209.

THIS SUBPOENA IS ISSUED UNDER TEXAS RULE OF CIVIL PROCEDURE 176. RULE 176.8(a) STATES: FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A SUBPOENA SERVED UPON THAT PERSON MAY BE DEEMED A CONTEMPT OF THE COURT FROM WHICH THE SUBPOENA IS

ISSUED OR A DISTRICT COURT IN THE COUNTY IN WHICH THE SUBPOENA IS SERVED, AND MAY BE PUNISHED BY FINE OR CONFINEMENT, OR BOTH.

This Subpoena is issued by David Jed Williams, attorney for Defendant, on behalf of Defendant.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: *s/David Jed Williams*
Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
(214) 979-3000 - Telephone
(214) 880-0011 – Facsimile
Charles A. Gall
State Bar No. 07281500
John C. Eichman
State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

RETURN

CAME TO HAND ON THE _____ DAY OF _____ 2014, AT _____ O’CLOCK
____.M. AND EXECUTED (NOT EXECUTED) ON THE _____ DAY OF _____ 2014, BY
DELIVERING TO **JEFFREY DAN COBBS**, A TRUE COPY OF THIS SUBPOENA UPON
WHICH I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO EXECUTE THIS
SUBPOENA IS _____.

TOTAL FEES: \$_____

NUECES COUNTY, TEXAS

BY:_____

NON-PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER)

SWORN TO THIS _____ DAY OF _____ 2014.

Notary Public, State of Texas

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

**NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTIONS
WITH DUCES TECUM**

Defendant JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST will take a deposition by written questions of the Custodian of Records for **TEXAS LONE STAR PETROLEUM CORP.**, at the following date, time, and place:

Date: **August 4, 2014**

Time: **10:00 a.m.**

Place: **TEXAS LONE STAR PETROLEUM CORP.
615 Leopard Street, Suite 336
Corpus Christi, Texas 78401**

Notice is further given that the witness shall produce at the deposition for inspection and photocopying the documents and records listed and described on the attached Exhibit "A."

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: s/David Jed Williams
Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700

Dallas, Texas 75202

(214) 979-3000 - Telephone

(214) 880-0011 – Facsimile

Charles A. Gall

State Bar No. 07281500

John C. Eichman

State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this deposition notice was served upon the following, in the manner indicated, on July 8, 2014:

Mr. George Spencer, Jr. **VIA EMAIL**
Mr. Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan St., Suite 1300
San Antonio, Texas 78205

Mr. James L. Drought **VIA EMAIL**
Mr. Ian Bolden
DROUGHT DROUGHT & BOBBITT, LLP
112 East Pecan St., Suite 2900
San Antonio, Texas 78205

Mr. Richard Tinsman **VIA EMAIL**
Ms. Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205

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

Mr. John B. Massopust **VIA EMAIL**
Mr. Matthew Gollinger
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, MN 55415-1152

Mr. Michael S. Christian **VIA EMAIL**
ZELLE HOFMANN VOELBEL & MASON
44 Montgomery Street, Suite 3400
San Francisco, California 94104

Mr. Fred W. Stumpf **VIA EMAIL**
GLAST, PHILLIPS & MURRAY
Nine Greenway Plaza, Suite 3100
Houston, Texas 77046

s/David Jed Williams
David Jed Williams

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

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNED UPON THE WITNESS,
CUSTODIAN OF RECORDS FOR TEXAS LONE STAR PETROLEUM CORP.**

1. Please state your full name, business address, and official title.

ANSWER:

2. Did you receive a subpoena for the production of the documents and records listed and described on Exhibit "A" attached to these questions?

ANSWER:

3. Have these documents and records been produced for this deposition, bates numbered, and delivered to the officer taking this deposition?

ANSWER:

4. Are you the custodian of these documents or records for **TEXAS LONE STAR PETROLEUM CORP.?**

ANSWER:

5. What is the Bates number range for the documents and records produced for this deposition?

ANSWER:

6. Are the documents and records produced for this deposition originals or photocopies of the original documents?

ANSWER:

7. Are the documents and records produced for this deposition memoranda, reports, records or data compilations of acts, events, or conditions made at or near the time by or from information transmitted by, a person with knowledge?

ANSWER:

8. Are these documents and records kept in the course of a regularly conducted business activity of **TEXAS LONE STAR PETROLEUM CORP.?**

ANSWER:

9. Was it the regular practice of the business activity of **TEXAS LONE STAR PETROLEUM CORP.**, to make the memorandum, report, record or data compilation reflected in these documents and records?

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
TEXAS LONE STAR PETROLEUM CORP.

I _____, a Notary Public in and for the State of Texas, do hereby certify that the forgoing answers of the witness were made by the said witness and sworn to and subscribed before me.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS ____ day of _____, 2014.

Notary Public, State of Texas

EXHIBIT "A"

Please produce the following documents relating to the leases described below:

- The executed leases;
- Any option agreements, letters of intent to lease or side agreements relative to the leases;
- Any agreements relative to amendment, modification or extension of the leases;
- Any lease data sheets relative to the lease;
- Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre);
- Any Lease Purchase Report ("LPR") and;
- Any receipt or paid draft relative to the leases

-
1. Lease, dated 5/13/2009 from Stanifer Creek Minerals Ltd., et al., as Grantor, to TEXAS LONE STAR PETROLEUM CORP., as Grantee, recorded in Volume 368 Page 581 Oil and Gas Lease Records Dimmit County, Texas, comprising 6,778.77 acres of land, more or less, in such county.
 2. Memorandum of Lease, dated 5/13/2009 from Tracy Ogden King, as Grantor, to TEXAS LONE STAR PETROLEUM CORP., as Grantee, recorded in Volume 368 Page 543 Oil and Gas Lease Records Dimmit County, Texas, comprising 5,694.97 acres of land, more or less, in such county.
 3. Memorandum of Lease, dated 5/7/2009 from South Texas Distributors, LLC, as Grantor, to TEXAS LONE STAR PETROLEUM CORP., as Grantee, recorded in Volume 368 Page 554 Oil and Gas Lease Records Dimmit County, Texas, comprising 5,694.97 acres of land, more or less, in such county.

CAUSE NO. 2010-CI-10977

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

**DEPOSITION SUBPOENA DUCES TECUM TO PRODUCE DOCUMENTS
ISSUED IN THE NAME OF THE STATE OF TEXAS**

**TO ANY PEACE OFFICER, CONSTABLE OF THE STATE OF TEXAS OR OTHER
PERSON DULY AUTHORIZED TO SERVE OR EXECUTE SUBPOENAS:**

This Subpoena is directed to:

CUSTODIAN OF RECORDS FOR:

**SMITH PRODUCTION INC.
c/o CT Corporation
1999 Bryan Street, Suite 900
Dallas, Texas 75201**

This Subpoena directs the Custodian of Records for SMITH PRODUCTION INC., to appear at **10:00 a.m. on August 4, 2014**, before a notary public at the following location:

**8708 Technology Forest Place, Suite 150
The Woodlands, Texas 77381**

and answer under oath written questions to be propounded by counsel for Defendant and to produce for inspection and photocopying the documents and records described on Exhibit "A" attached to the Notice Duces Tecum of Intent to Take Deposition by Written Questions served with and attached to this Subpoena.

This Subpoena is issued at the instance and request of Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust. The attorneys of record for Defendant are: Patrick K. Sheehan and David Jed Williams, Hornberger Sheehan Fuller & Garza Incorporated, The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, Texas 78209.

**THIS SUBPOENA IS ISSUED UNDER TEXAS RULE OF CIVIL PROCEDURE 176. RULE 176.8(a)
STATES: FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A SUBPOENA SERVED
UPON THAT PERSON MAY BE DEEMED A CONTEMPT OF THE COURT FROM WHICH THE SUBPOENA IS**

ISSUED OR A DISTRICT COURT IN THE COUNTY IN WHICH THE SUBPOENA IS SERVED, AND MAY BE PUNISHED BY FINE OR CONFINEMENT, OR BOTH.

This Subpoena is issued by David Jed Williams, attorney for Defendant, on behalf of Defendant.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: *s/David Jed Williams*

Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
(214) 979-3000 - Telephone
(214) 880-0011 – Facsimile
Charles A. Gall
State Bar No. 07281500
John C. Eichman
State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

RETURN

CAME TO HAND ON THE _____ DAY OF _____ 2014, AT _____ O'CLOCK
____.M. AND EXECUTED (NOT EXECUTED) ON THE _____ DAY OF _____ 2014, BY
DELIVERING TO **CT CORPORATION**, A TRUE COPY OF THIS SUBPOENA UPON
WHICH I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO EXECUTE THIS
SUBPOENA IS _____.

TOTAL FEES: \$ _____

DALLAS COUNTY, TEXAS

BY: _____

NON-PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER)

SWORN TO THIS _____ DAY OF _____ 2014.

Notary Public, State of Texas

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

NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTIONS WITH DUCES TECUM

Defendant JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST will take a deposition by written questions of the Custodian of Records for **SMITH PRODUCTION INC.**, at the following date, time, and place:

Date: **August 4, 2014**

Time: **10:00 a.m.**

Place: **SMITH PRODUCTION INC.
8708 Technology Forest Place, Suite 150
The Woodlands, Texas 77381**

Notice is further given that the witness shall produce at the deposition for inspection and photocopying the documents and records listed and described on the attached Exhibit "A."

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: s/David Jed Williams
Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700

Dallas, Texas 75202

(214) 979-3000 - Telephone

(214) 880-0011 – Facsimile

Charles A. Gall

State Bar No. 07281500

John C. Eichman

State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this deposition notice was served upon the following, in the manner indicated, on July 8, 2014:

Mr. George Spencer, Jr. **VIA EMAIL**
Mr. Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan St., Suite 1300
San Antonio, Texas 78205

Mr. James L. Drought **VIA EMAIL**
Mr. Ian Bolden
DROUGHT DROUGHT & BOBBITT, LLP
112 East Pecan St., Suite 2900
San Antonio, Texas 78205

Mr. Richard Tinsman **VIA EMAIL**
Ms. Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205

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

Mr. John B. Massopust **VIA EMAIL**
Mr. Matthew Gollinger
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, MN 55415-1152

Mr. Michael S. Christian **VIA EMAIL**
ZELLE HOFMANN VOELBEL & MASON
44 Montgomery Street, Suite 3400
San Francisco, California 94104

Mr. Fred W. Stumpf **VIA EMAIL**
GLAST, PHILLIPS & MURRAY
Nine Greenway Plaza, Suite 3100
Houston, Texas 77046

s/David Jed Williams
David Jed Williams

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

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNED UPON THE WITNESS,
CUSTODIAN OF RECORDS FOR SMITH PRODUCTION INC.**

1. Please state your full name, business address, and official title.

ANSWER:

2. Did you receive a subpoena for the production of the documents and records listed and described on Exhibit "A" attached to these questions?

ANSWER:

3. Have these documents and records been produced for this deposition, bates numbered, and delivered to the officer taking this deposition?

ANSWER:

4. Are you the custodian of these documents or records for **SMITH PRODUCTION INC.?**

ANSWER:

5. What is the Bates number range for the documents and records produced for this deposition?

ANSWER:

6. Are the documents and records produced for this deposition originals or photocopies of the original documents?

ANSWER:

7. Are the documents and records produced for this deposition memoranda, reports, records or data compilations of acts, events, or conditions made at or near the time by or from information transmitted by, a person with knowledge?

ANSWER:

8. Are these documents and records kept in the course of a regularly conducted business activity of **SMITH PRODUCTION INC.?**

ANSWER:

9. Was it the regular practice of the business activity of **SMITH PRODUCTION INC.**, to make the memorandum, report, record or data compilation reflected in these documents and records?

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
SMITH PRODUCTION INC.

I _____, a Notary Public in and for the State of Texas, do hereby certify that the forgoing answers of the witness were made by the said witness and sworn to and subscribed before me.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS ____ day of _____, 2014.

Notary Public, State of Texas

EXHIBIT "A"

Please produce the following documents relating to the leases described below:

- The executed leases;
- Any option agreements, letters of intent to lease or side agreements relative to the leases;
- Any agreements relative to amendment, modification or extension of the leases;
- Any lease data sheets relative to the lease;
- Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre);
- Any Lease Purchase Report ("LPR") and;
- Any receipt or paid draft relative to the leases

-
1. Memorandum of Lease, dated 8/30/2007 from Roger F. Welder, et al., as Grantor, to SMITH PRODUCTION INC., as Grantee, recorded in Volume 459 Page 795 Oil and Gas Lease Records Duval County, Texas, comprising 11,057.46 acres of land, more or less, in such county.

Hornberger Sheehan Fuller & Garza

INCORPORATED

Bexar County District Clerk
Accepted By: Roxanne Mujica

July 1, 2014

VIA EMAIL

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

VIA EMAIL

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

VIA EMAIL

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

VIA EMAIL

Mr. John B. Massopust
Mr. Matthew J. Gollinger
ZELLE HOFMANN VOELBEL & MASON
500 Washington Avenue South, Suite 4000
Minneapolis, MN 55415-1152

VIA EMAIL

Mr. Richard Tinsman
Ms. Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78216

Re: Cause No, 2010-CI-10977, *John K. Meyer, et al. vs. JP Morgan Chase Bank, N.A., et al.*, in the 225th Judicial District Court of Bexar County, Texas

Dear Counsel:

This letter confirms our agreement as follows:

1. On or before July 15, 2014, Plaintiffs shall identify to Defendants in writing all Plaintiffs that may testify as witnesses at the trial of this case and have not previously been deposed.
2. Plaintiffs agree to make any Plaintiff so identified available for deposition in San Antonio prior to the discovery deadline of September 5, 2014.

3. Defendants reserve the right to seek the deposition of any Plaintiff and Plaintiffs reserve the right to object to the taking of any additional Plaintiff depositions (other than those Plaintiffs identified as witnesses).


Please sign below to indicate your acceptance and agreement to the filing of this letter as a TRCP 11 agreement.

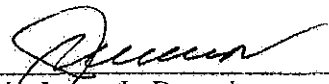
Sincerely,




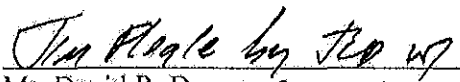
Patrick K. Sheehan


AGREED AND ACCEPTED:


Mr. George Spencer, Jr. *JED w/ permission*
CLEMENS & SPENCER


Mr. James L. Drought
DROUGHT DROUGHT & BOBBITT, LLP


Mr. Richard Tinsman *w/ permission*
Ms. Sharon C. Savage
TINSMAN & SCIANO, INC.


Mr. David R. Deary *permission*
Mr. Jim L. Flegle
Mr. Michael J. Donley
LOEWINSOHN FLEGLE DEARY, L.L.P.


Mr. John B. Massopust *permission*
ZELLE HOFMANN VOELBEL & MASON

July 1, 2014
Page 3

cc: VIA EMAIL
Mr. Fred W. Stumpf
Mr. Kelly M. Walne
BOYER SHORT
Nine Greenway Plaza, Suite 3100
Houston, Texas 77045

(Consolidated Under)
2010-CI-10977

JOHN K. MEYER, ET AL.,	§	IN THE DISTRICT COURT
Plaintiffs,	§	
	§	
vs.	§	
	§	
JP MORGAN CHASE BANK, N.A.	§	225TH JUDICIAL DISTRICT
INDIVIDUALLY/CORPORATELY	§	
AND AS TRUSTEE OF THE SOUTH	§	
TEXAS SYNDICATE TRUST,	§	
Defendant.	§	BEXAR COUNTY, TEXAS

**PLAINTIFF'S THIRD NOTICE OF REQUEST FOR PRODUCTION
OF DOCUMENTS TO HUNT OIL COMPANY**

Plaintiff's serve upon:

Hunt Oil Company
c/o Jacob Davidson
1445 Ross At Field, Suite 1500
Dallas, Texas 75202

Pursuant to Rule 205 of the Texas Rules of Civil Procedure, Plaintiffs request Hunt Oil Company produce for inspection and copying all documents responsive to the Requests attached hereto at 10:00 a.m. on July 21, 2014 at the offices of Hunt Oil Company, 1900 N. Akard Street, Dallas, Texas 75201 (or another mutually agreed upon location). Plaintiffs will serve a Subpoena upon Hunt Oil Company after the expiration of ten (10) days from service of this Notice.

Respectfully submitted,

John B. Massopust (*pro hac vice*)
Matthew J. Gollinger (*pro hac vice*)
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, Minnesota 55415-1152
(612) 339-2020 - Telephone

(612) 336-9100 - Facsimile

**ATTORNEYS FOR INTERVENOR-
PLAINTIFFS, LINDA ALDRICH, ET AL.**

Jim L. Flegle
State Bar No. 07118600
LOEWINSOHN FLEGLE DEARY, L.L.P.
12377 Merit Dr., Suite 900
Dallas, Texas 75251
(214) 572-1700 - Telephone
(214) 572-1717 - Facsimile
**ATTORNEYS FOR PLAINTIFFS,
EMILIE BLAZE, ET AL.**

Daniel J.T. Sciano
State Bar No. 17881200
Richard Tinsman
State Bar No. 20064000
Sharon C. Savage
State Bar No. 0474200
TINSMAN & SCIANO, INC.
10107 McAllister Fwy
San Antonio, Texas 78216
Telephone: (210) 225-3121
Facsimile: (210) 225-6235

George H. Spencer, Jr.
State Bar No. 18921001
Robert Rosenbach
State Bar No. 17266400
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: _____ /s/ _____

James L. Drought

jld@ddb-law.com

State Bar No. 06135000

**ATTORNEYS FOR PLAINTIFFS,
JOHN K. MEYER, ET AL.**

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:
 √ _____ E-filing Service to:

Mr. Patrick K. Sheehan
Mr. David Jed Williams
Hornberger Sheehan Fuller & Garza Incorporated
7373 Broadway, Suite 300
San Antonio, TX 78209

Kevin M. Beiter
McGinnis Lochridge
600 Congress Avenue, Suite 2100
Austin, Texas 78701

Mr. Charles A. Gall
Mr. John C. Eichman
Hunton & Williams LLP
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202

Mr. Fred W. Stumpf
Boyer Short, A Professional Corporation
Nine Greenway Plaza, Suite 3100
Houston, Texas 77046

on this the 3rd day of July, 2014.

_____/s/
James L. Drought

INSTRUCTIONS

- a. For any requested information about a document that no longer exists or cannot be located, identify the document, state how and when it passed out of existence, or when it could no longer be located, and the reason(s) for the disappearance. Also, identify each person having knowledge about the disposition or loss and identify each document evidencing the existence or nonexistence of each document that cannot be located.
- b. Each Request below includes a request for production of data and/or information that exists in electronic and/or magnetic form. All responsive data and/or information that exists in electronic or magnetic form should be:
(i) copied to a CD-ROM, DVD-ROM, or other external storage device in its native format (i.e., the format in which such data and/or information that exists in electronic and/or magnetic form was created, maintained, and/or used in the ordinary course of business) with all metadata intact; and
(ii) produced in bates numbered form either (a) printed on paper or (b) electronically in either PDF or TIFF format. If any electronic or magnetic data requested cannot be produced in the form requested, please state the form in which information is regularly kept and/or can be produced.

NOTICE OF PROTECTIVE ORDER

An Agreed Protective Order has been entered in this case whereby documents produced in the case can be designated confidential. A copy of the Agreed Protective Order will be provided to you upon request.

REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Please produce your entire lease file for the 683 ac. lease granted by JP Morgan, as trustee on behalf of the South Texas Syndicate, originally dated March 15, 2006. (Referenced in Bill Osborn's deposition, dated January 24, 2014 on page 21).

RESPONSE:

REQUEST FOR PRODUCTION NO. 2: Please produce your entire lease file for the 3,094 ac. lease granted by JP Morgan, as trustee on behalf of the South Texas Syndicate, originally dated June 25, 2006. (Referenced in Bill Osborn's deposition, dated January 24, 2014 on page 21).

RESPONSE:

REQUEST FOR PRODUCTION NO. 3: Please produce your entire lease file for the 4,888 ac. lease granted by JP Morgan, as trustee on behalf of the South Texas Syndicate, originally dated June 25, 2006. (Referenced in Bill Osborn's deposition, dated January 24, 2014 on page 21).

RESPONSE:

REQUEST FOR PRODUCTION NO. 4: Please produce your entire lease file for the 1,707 ac. lease granted by JP Morgan, as trustee on behalf of the South Texas Syndicate, originally dated February 27, 2007. (Referenced in Bill Osborn's deposition, dated January 24, 2014 on page 21).

RESPONSE:

REQUEST FOR PRODUCTION NO. 5: Please produce copies of Hunt checks #6007060277 through 6007060297 written during the August 2011 time period.

RESPONSE:

REQUEST FOR PRODUCTION NO. 6: Please produce all emails between Hunt and JP Morgan regarding or relating in any way to the 683 ac., 1,707 ac., 3,094, or 4,888 ac. leases.

RESPONSE:

REQUEST FOR PRODUCTION NO. 7: Please produce correspondence with JP Morgan regarding the delay rental payment made for the 3,094 ac. Lease (Lease # HL086570-00) that was due in July 2011.

RESPONSE:

REQUEST FOR PRODUCTION NO. 8: Please produce any certified or registered mail postal service forms and receipts sent or received regarding the correspondence requested in Request for Production No. 7.

RESPONSE:

REQUEST FOR PRODUCTION NO. 9: Please produce any acknowledgments you received from JP Morgan regarding the payment of the bonus for the 3,094 ac. Lease that was due in July 2011.

RESPONSE:

CAUSE NO. 2010-CI-10977

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

**DEPOSITION SUBPOENA DUCES TECUM TO PRODUCE DOCUMENTS
ISSUED IN THE NAME OF THE STATE OF TEXAS**

**TO ANY PEACE OFFICER, CONSTABLE OF THE STATE OF TEXAS OR OTHER
PERSON DULY AUTHORIZED TO SERVE OR EXECUTE SUBPOENAS:**

This Subpoena is directed to:

CUSTODIAN OF RECORDS FOR:

ANADARKO E&P ONSHORE LLC f/k/a ANADARKO E&P CO., LP

**c/o CT Corporation
1999 Bryan Street, Suite 900
Dallas, Texas 75201-3136**

This Subpoena directs the Custodian of Records for ANADARKO E&P ONSHORE LLC f/k/a ANADARKO E&P CO., LP, to appear at **10:00 a.m. on July 31, 2014**, before a notary public at the following location:

**1201 Lake Robbins Drive
The Woodlands, TX 77380**

and answer under oath written questions to be propounded by counsel for Defendant and to produce for inspection and photocopying the documents and records described on Exhibit "A" attached to the Notice Duces Tecum of Intent to Take Deposition by Written Questions served with and attached to this Subpoena.

This Subpoena is issued at the instance and request of Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust. The attorneys of record for Defendant are: Patrick K. Sheehan and David Jed Williams, Hornberger Sheehan Fuller & Garza Incorporated, The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, Texas 78209.

THIS SUBPOENA IS ISSUED UNDER TEXAS RULE OF CIVIL PROCEDURE 176. RULE 176.8(a) STATES: FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A SUBPOENA SERVED UPON THAT PERSON MAY BE DEEMED A CONTEMPT OF THE COURT FROM WHICH THE SUBPOENA IS ISSUED OR A DISTRICT COURT IN THE COUNTY IN WHICH THE SUBPOENA IS SERVED, AND MAY BE PUNISHED BY FINE OR CONFINEMENT, OR BOTH.

This Subpoena is issued by David Jed Williams, attorney for Defendant, on behalf of Defendant.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: s/David Jed Williams
Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
(214) 979-3000 - Telephone
(214) 880-0011 - Facsimile
Charles A. Gall
State Bar No. 07281500
John C. Eichman
State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

RETURN

CAME TO HAND ON THE _____ DAY OF _____ 2014, AT _____ O'CLOCK
____.M. AND EXECUTED (NOT EXECUTED) ON THE _____ DAY OF _____ 2014, BY
DELIVERING TO CT CORPORATION A TRUE COPY OF THIS SUBPOENA UPON WHICH I
ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO EXECUTE THIS
SUBPOENA IS _____.

TOTAL FEES: \$ _____

DALLAS COUNTY, TEXAS

BY: _____

NON-PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER)

SWORN TO THIS _____ DAY OF _____ 2014.

Notary Public, State of Texas

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

**NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTIONS
WITH DUCES TECUM**

Defendant JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST will take a deposition by written questions of the Custodian of Records for **ANADARKO E&P ONSHORE LLC f/k/a ANADARKO E&P CO., LP**, at the following date, time, and place:

Date: **July 31, 2014**

Time: **10:00 a.m.**

Place: **ANADARKO E&P ONSHORE LLC
1201 Lake Robbins Drive
The Woodlands, TX 77380**

Notice is further given that the witness shall produce at the deposition for inspection and photocopying the documents and records listed and described on the attached Exhibit "A."

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: s/David Jed Williams
Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700

Dallas, Texas 75202

(214) 979-3000 - Telephone

(214) 880-0011 -- Facsimile

Charles A. Gall

State Bar No. 07281500

John C. Eichman

State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this deposition notice was served upon the following, in the manner indicated, on July 3, 2014:

Mr. George Spencer, Jr. **VIA EMAIL**
Mr. Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan St., Suite 1300
San Antonio, Texas 78205

Mr. James L. Drought **VIA EMAIL**
Mr. Ian Bolden
DROUGHT DROUGHT & BOBBITT, LLP
112 East Pecan St., Suite 2900
San Antonio, Texas 78205

Mr. Richard Tinsman **VIA EMAIL**
Ms. Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205

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

Mr. John B. Massopust **VIA EMAIL**
Mr. Matthew Gollinger
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, MN 55415-1152

Mr. Michael S. Christian **VIA EMAIL**
ZELLE HOFMANN VOELBEL & MASON
44 Montgomery Street, Suite 3400
San Francisco, California 94104

Mr. Fred W. Stumpf **VIA EMAIL**
GLAST, PHILLIPS & MURRAY
Nine Greenway Plaza, Suite 3100
Houston, Texas 77046

s/David Jed Williams
David Jed Williams

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

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNED UPON THE WITNESS,
CUSTODIAN OF RECORDS FOR ANADARKO E&P ONSHORE LLC
F/K/A ANADARKO E&P CO., LP**

1. Please state your full name, business address, and official title.

ANSWER:

2. Did you receive a subpoena for the production of the documents and records listed and described on Exhibit "A" attached to these questions?

ANSWER:

3. Have these documents and records been produced for this deposition, bates numbered, and delivered to the officer taking this deposition?

ANSWER:

4. Are you the custodian of these documents or records for **ANADARKO E&P ONSHORE LLC f/k/a ANADARKO E&P CO., LP**?

ANSWER:

5. What is the Bates number range for the documents and records produced for this deposition?

ANSWER:

6. Are the documents and records produced for this deposition originals or photocopies of the original documents?

ANSWER:

7. Are the documents and records produced for this deposition memoranda, reports, records or data compilations of acts, events, or conditions made at or near the time by or from information transmitted by, a person with knowledge?

ANSWER:

8. Are these documents and records kept in the course of a regularly conducted business activity of **ANADARKO E&P ONSHORE LLC f/k/a ANADARKO E&P CO., LP**?

ANSWER:

9. Was it the regular practice of the business activity of **ANADARKO E&P ONSHORE LLC f/k/a ANADARKO E&P CO., LP**, to make the memorandum, report, record or data compilation reflected in these documents and records?

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
ANADARKO E&P ONSHORE LLC
f/k/a ANADARKO E&P CO., LP

I _____, a Notary Public in and for the State of Texas, do hereby certify that the forgoing answers of the witness were made by the said witness and sworn to and subscribed before me.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS ____ day of _____, 2014.

Notary Public, State of Texas

EXHIBIT "A"

Please produce the following documents relating to the leases described below:

- The executed leases;
 - Any option agreements, letters of intent to lease or side agreements relative to the leases;
 - Any agreements relative to amendment, modification or extension of the leases;
 - Any lease data sheets relative to the lease;
 - Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre);
 - Any Lease Purchase Report ("LPR") and;
 - Any receipt or paid draft relative to the leases
-

1. Memorandum of Lease, dated 12/22/2005 from Lucian A. Morrison, As Trustee, as Grantor, to Anadarko E&P Co., LP, as Grantee, recorded in Volume 332 page 650 Oil and Gas Lease Records Dimmit County, Texas, comprising 51,995.01 acres of land, more or less, in such county.
2. Lease Amendment, dated 11/11/2008 from Mary Lois Friday Hulsman, as Grantor, to Anadarko E&P Co., LP, as Grantee, recorded in Volume 353 page 449 Oil and Gas Lease Records Dimmit County, Texas, comprising 6108.90 acres of land, more or less, in such county.
3. Lease, dated 5/14/2007 from Diamond H Ranches LP, as Grantor, to Anadarko E&P Co., LP, as Grantee, recorded in Volume 344 page 6 Oil and Gas Lease Records LaSalle County, Texas, comprising 9808.57 acres of land, more or less, in such county.
4. Memorandum of Lease, dated 7/31/2007 from William West Lloyd, as Grantor, to Anadarko E&P Co., LP, as Grantee, recorded in Volume 339 page 550 Oil and Gas Lease Records Dimmit County, Texas, comprising 5709.67 acres of land, more or less, in such county.
5. Lease Amendment, dated 10/1/2008 from South Texas Children's Home, as Grantor, to Anadarko E&P Co., LP, as Grantee, recorded in Volume 353 page 453 Oil and Gas Lease Records Dimmit County, Texas, comprising 6068.90 acres of land, more or less, in such county.
6. Lease Amendment, dated 11/3/2008 from Dolph Briscoe III, as Grantor, to Anadarko E&P Co., LP, as Grantee, recorded in Volume 353 page 445 Oil and Gas Lease Records Dimmit County, Texas, comprising 6556.32 acres of land, more or less, in such county.

7. Lease Amendment, dated 12/9/2008 from Briscoe Ranch Inc., as Grantor, to Anadarko E&P Co., LP., as Grantee, recorded in Volume 354 page 503 Oil and Gas Lease Records Dimmit County, Texas, comprising 8,000.00 acres of land, more or less, in such county.

CAUSE NO. 2010-CI-10977

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

**DEPOSITION SUBPOENA DUCES TECUM TO PRODUCE DOCUMENTS
ISSUED IN THE NAME OF THE STATE OF TEXAS**

**TO ANY PEACE OFFICER, CONSTABLE OF THE STATE OF TEXAS OR OTHER
PERSON DULY AUTHORIZED TO SERVE OR EXECUTE SUBPOENAS:**

This Subpoena is directed to:

CUSTODIAN OF RECORDS FOR:

EOG RESOURCES INC.

**c/o CT Corporation
1999 Bryan Street, Suite 900
Dallas, Texas 75201-3136**

This Subpoena directs the Custodian of Records for EOG RESOURCES INC., to appear at **10:00 a.m. on July 31, 2014**, before a notary public at the following location:

**1111 Bagby Street
Houston, Texas 77002**

and answer under oath written questions to be propounded by counsel for Defendant and to produce for inspection and photocopying the documents and records described on Exhibit "A" attached to the Notice Duces Tecum of Intent to Take Deposition by Written Questions served with and attached to this Subpoena.

This Subpoena is issued at the instance and request of Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust. The attorneys of record for Defendant are: Patrick K. Sheehan and David Jed Williams, Hornberger Sheehan Fuller & Garza Incorporated, The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, Texas 78209.

**THIS SUBPOENA IS ISSUED UNDER TEXAS RULE OF CIVIL PROCEDURE 176. RULE 176.8(a)
STATES: FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A SUBPOENA SERVED**

UPON THAT PERSON MAY BE DEEMED A CONTEMPT OF THE COURT FROM WHICH THE SUBPOENA IS ISSUED OR A DISTRICT COURT IN THE COUNTY IN WHICH THE SUBPOENA IS SERVED, AND MAY BE PUNISHED BY FINE OR CONFINEMENT, OR BOTH.

This Subpoena is issued by David Jed Williams, attorney for Defendant, on behalf of Defendant.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**

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

By: *s/David Jed Williams*

Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
(214) 979-3000 - Telephone
(214) 880-0011 - Facsimile
Charles A. Gall
State Bar No. 07281500
John C. Eichman
State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

RETURN

CAME TO HAND ON THE _____ DAY OF _____ 2014, AT _____ O'CLOCK
____.M. AND EXECUTED (NOT EXECUTED) ON THE _____ DAY OF _____ 2014, BY
DELIVERING TO CT CORPORATION, A TRUE COPY OF THIS SUBPOENA UPON WHICH
I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO EXECUTE THIS
SUBPOENA IS _____.

TOTAL FEES: \$ _____

DALLAS COUNTY, TEXAS

BY: _____

NON-PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER)

SWORN TO THIS _____ DAY OF _____ 2014.

Notary Public, State of Texas

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

**NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTIONS
WITH DUCES TECUM**

Defendant JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST will take a deposition by written questions of the Custodian of Records for **EOG RESOURCES INC.**, at the following date, time, and place:

Date: **July 31, 2014**

Time: **10:00 a.m.**

Place: **EOG RESOURCES INC.**
 1111 Bagby
 Houston, Texas 77002

Notice is further given that the witness shall produce at the deposition for inspection and photocopying the documents and records listed and described on the attached Exhibit "A."

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER & GARZA
INCORPORATED**
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, TX 78209
Tel: (210) 271-1700
Fax: (210) 271-1730

By: s/David Jed Williams
Patrick K. Sheehan
State Bar No. 18175500
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700

Dallas, Texas 75202

(214) 979-3000 - Telephone

(214) 880-0011 – Facsimile

Charles A. Gall

State Bar No. 07281500

John C. Eichman

State Bar No. 06494800

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this deposition notice was served upon the following, in the manner indicated, on July 3, 2014:

Mr. George Spencer, Jr. **VIA EMAIL**
Mr. Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan St., Suite 1300
San Antonio, Texas 78205

Mr. James L. Drought **VIA EMAIL**
Mr. Ian Bolden
DROUGHT DROUGHT & BOBBITT, LLP
112 East Pecan St., Suite 2900
San Antonio, Texas 78205

Mr. Richard Tinsman **VIA EMAIL**
Ms. Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205

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

Mr. John B. Massopust **VIA EMAIL**
Mr. Matthew Gollinger
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, MN 55415-1152

Mr. Michael S. Christian **VIA EMAIL**
ZELLE HOFMANN VOELBEL & MASON
44 Montgomery Street, Suite 3400
San Francisco, California 94104

Mr. Fred W. Stumpf **VIA EMAIL**
GLAST, PHILLIPS & MURRAY
Nine Greenway Plaza, Suite 3100
Houston, Texas 77046

s/David Jed Williams
David Jed Williams

JOHN K. MEYER, ET. AL.

§
§
§
§
§
§
§
§

IN THE DISTRICT COURT

VS.

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

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNED UPON THE WITNESS,
CUSTODIAN OF RECORDS FOR EOG RESOURCES INC.**

1. Please state your full name, business address, and official title.

ANSWER:

2. Did you receive a subpoena for the production of the documents and records listed and described on Exhibit "A" attached to these questions?

ANSWER:

3. Have these documents and records been produced for this deposition, bates numbered, and delivered to the officer taking this deposition?

ANSWER:

4. Are you the custodian of these documents or records for **EOG RESOURCES INC.**?

ANSWER:

5. What is the Bates number range for the documents and records produced for this deposition?

ANSWER:

6. Are the documents and records produced for this deposition originals or photocopies of the original documents?

ANSWER:

7. Are the documents and records produced for this deposition memoranda, reports, records or data compilations of acts, events, or conditions made at or near the time by or from information transmitted by, a person with knowledge?

ANSWER:

8. Are these documents and records kept in the course of a regularly conducted business activity of **EOG RESOURCES INC.**?

ANSWER:

9. Was it the regular practice of the business activity of **EOG RESOURCES INC.**, to make the memorandum, report, record or data compilation reflected in these documents and records?

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
EOG RESOURCES INC.

I _____, a Notary Public in and for the State of Texas, do hereby certify that the forgoing answers of the witness were made by the said witness and sworn to and subscribed before me.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS ____ day of _____, 2014.

Notary Public, State of Texas

EXHIBIT "A"

Please produce the following documents relating to the leases described below:

- The executed leases;
- Any option agreements, letters of intent to lease or side agreements relative to the leases;
- Any agreements relative to amendment, modification or extension of the leases;
- Any lease data sheets relative to the lease;
- Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre);
- Any Lease Purchase Report ("LPR") and;
- Any receipt or paid draft relative to the leases

-
1. Memorandum of Lease, dated 7/23/2009 from Alonzo Peeler Jr., et al., as Grantor, to EOG Resources Inc., as Grantee, recorded in Volume 106960 Oil and Gas Lease Records Atascosa County, Texas, comprising 7,546.36 acres of land, more or less, in such county.
 2. Memorandum of Lease, dated 7/23/2009 from Alonzo Peeler Jr., et al., as Grantor, to EOG Resources Inc., as Grantee, recorded in Volume 10961 Oil and Gas Lease Records Atascosa County, Texas, comprising 7,471.97 acres of land, more or less, in such county.
 3. Memorandum of Lease, dated 11/10/2009 from E L Ranch Family Partnership, as Grantor, to EOG Resources Inc., as Grantee, recorded in Volume 109349 Oil and Gas Lease Records Atascosa County, Texas, comprising 6,056.57 acres of land, more or less, in such county.
 4. Memorandum of Lease, dated 11/16/2009 from Donnell Minerals, L.P., as Grantor, to EOG Resources Inc., as Grantee, recorded in Volume 481 page 224 Oil and Gas Lease Records LaSalle County, Texas, comprising 10,225.40 acres of land, more or less, in such county.
 5. Memorandum of Lease, dated 11/27/2009 from Martindale Land and Cattle Company, Ltd., as Grantor, to EOG Resources Inc., as Grantee, recorded in Volume 496 page 462 Oil and Gas Lease Records LaSalle County, Texas, comprising 7,722.83 acres of land, more or less, in such county.
 6. Memorandum of Lease, dated 7/15/2009 from B. Naylor Morton Trust, as Grantor, to EOG Resources Inc., as Grantee, recorded in Volume 484 page 274 Oil and Gas Lease Records LaSalle County, Texas, comprising 37,000.00 acres of land, more or less, in such county.

7. Lease Amendment, dated 2/28/2008 from Broadway National Bank, as Grantor, to EOG Resources Inc., as Grantee, recorded in Volume 2571 page 467 Oil and Gas Lease Records Webb County, Texas, comprising 15,483.20 acres of land, more or less, in such county.

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, <i>et al.</i> ,	§	IN THE DISTRICT COURT
	§	
<i>Plaintiffs,</i>	§	
	§	
vs.	§	
	§	
JP MORGAN CHASE BANK, N.A.,	§	
INDIVIDUALLY/CORPORATELY AND	§	225 th JUDICIAL DISTRICT
AS TRUSTEE OF THE SOUTH TEXAS	§	
SYNDICATE TRUST,	§	
	§	
<i>Defendant.</i>	§	BEXAR COUNTY, TEXAS

**NOTICE OF SUBPOENA DUCES TECUM
COMPELLING THE PRODUCTION OF DOCUMENTS
PURSUANT TO TEXAS RULE OF CIVIL PROCEDURE 205**

**TO: Harrison Interests, Ltd.
By and through its Counsel,
John W. Porter, Esq.
Baker Botts L.L.P.
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002**

Plaintiffs in the above-captioned cause hereby serve notice that they will serve, after the expiration of ten (10) days from the service of this Notice, a subpoena upon **HARRISON INTERESTS, LTD.** requesting that Harrison Interests, Ltd. produce for inspection and photocopying all documents and records responsive to the Requests attached hereto as Exhibit "A" at the following date, time, and place:

Date: July 14, 2014
Time: 9:00 a.m.
Place: Baker Botts L.L.P
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002

DATE: June 24, 2014

CLEMENS & SPENCER, P.C.

GEORGE SPENCER, JR.
spencer@clemens-spencer.com
State Bar No. 18921001
112 E. Pecan St., Suite 1300
San Antonio, Texas 78205
Telephone: (210) 227-7121
Facsimile: (210) 227-0732

DROUGHT DROUGHT & BOBBITT, LLP

JAMES L. DROUGHT
jld@ddb-law.com
State Bar No. 06135000
112 E. Pecan St., Suite 2900
San Antonio, Texas 78205
Telephone: (210) 225-4031
Facsimile: (210) 222-0586

TINSMAN & SCIANO, INC.

RICHARD TINSMAN
rtinsman@tsslawyers.com
State Bar No. 20064000
10107 McAllister Freeway
San Antonio, Texas 78205
Telephone: (210) 225-3121
Facsimile: (210) 225-6235

Respectfully submitted,

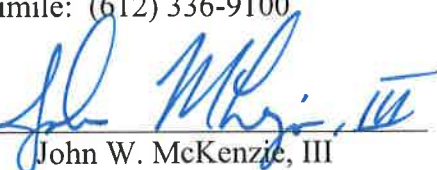
LOEWINSOHN FLEGLE DEARY, L.L.P.

DAVID R. DEARY
davidd@lfdlaw.com
State Bar No. 05624900
JIM L. FLEGLE
jimf@lfdlaw.com
State Bar No. 07118600
CAROL E. FARQUHAR
Texas Bar No. 06828300
carolf@lfdlaw.com
JOHN W. MCKENZIE, III
Texas Bar No. 24065723
johnm@lfdlaw.com
12377 Merit Drive, Suite 900
Dallas, Texas 75251
Telephone: (214) 572-1700
Facsimile: (214) 572-1717

ZELLE HOFMANN VOELBEL & MASON LLP

JOHN B. MASSOPUST (pro hac vice)
jmassopust@zelle.com
MICHAEL CHRISTIAN (pro hac vice)
mchristian@zelle.com
MATTHEW J. GOLLINGER (pro hac vice)
mgollinger@zelle.com
500 Washington Avenue South, Suite 5000
Minneapolis, Minnesota 55415
Telephone: (612) 339-2020
Facsimile: (612) 336-9100

By:


John W. McKenzie, III

ATTORNEYS FOR PLAINTIFFS

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 e-filing this 24th day of June 2014:

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

Charles A. Gall
John C. Eichman
Hunton & Williams LLP
1445 Ross Avenue, Suite 3700
Dallas, TX 75202

Mark T. Josephs
Sara Hollan Chelette
Jackson Walker, LLP
901 Main Street, Suite 6000
Dallas, TX 75202

Fred W. Stumpf
Kelly M. Walne
Boyer Short, PC
Nine Greenway Plaza, Suite 3100
Houston, TX 77046

Kevin Beiter
McGinnis Lochridge
600 Congress Avenue, Suite 2100
Austin, TX 78701

By:

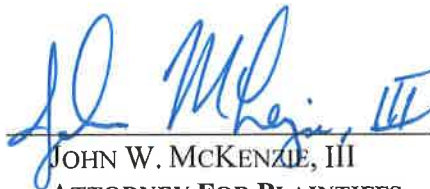

JOHN W. MCKENZIE, III
ATTORNEY FOR PLAINTIFFS

EXHIBIT A

INSTRUCTIONS

1. For any requested information about a document that no longer exists or cannot be located, identify the document, state how and when it passed out of existence, or when it could no longer be located, and the reason(s) for the disappearance. Also, identify each person having knowledge about the disposition or loss and identify each document evidencing the existence or nonexistence of each document that cannot be located.
2. Each Request below includes a request for production of data and/or information that exists in electronic and/or magnetic form. All responsive data and/or information that exists in electronic or magnetic form should be: (i) copied to a CD-ROM, DVD-ROM, or other external storage device in its native format (i.e., the format in which such data and/or information that exists in electronic and/or magnetic form was created, maintained, and/or used in the ordinary course of business) with all metadata intact; and (ii) produced in bates numbered form either (a) printed on paper or (b) electronically in either PDF or TIFF format. If any electronic or magnetic data requested cannot be produced in the form requested, please state the form in which information is regularly kept and/or can be produced.

NOTICE

An Agreed Order has been entered whereby documents produced in the case can be designated confidential.

REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Produce a copy of the May 12, 2010 Harrison Interests, Ltd. lease with P Ranch Working Interest, LLC of 105,937.48 acres of land, more or less, situated in Dimmit, Webb, and La Salle Counties (“the Lease”).

RESPONSE:

FILED
6/23/2014 11:37:37 AM
Donna Kay McKinney
Bexar County District Clerk
Accepted By: Roxanne Huron



HUNTON & WILLIAMS LLP
FOUNTAIN PLACE
1445 ROSS AVENUE
SUITE 3700
DALLAS, TEXAS 75202-2799

TEL 214 • 979 • 3000
FAX 214 • 880 • 0011

JOHN C. EICHMAN
DIRECT DIAL: 214 • 468 • 3321
EMAIL: jeichman@hunton.com

FILE NO: 70031.000008

June 23, 2014

VIA E-FILING

Ms. Jennifer Contreras, Court Clerk
225th Judicial District Court
Bexar County Courthouse
100 Dolorosa
San Antonio, Texas 78205

Re: Cause No. 2010-CI-10977, *John K. Meyer, et al. v. JPMorgan Chase bank, N.A., Individually / Corporately and as Trustee of the South Texas Syndicate Trust*; in the 225th Judicial District Court of Bexar County, Texas

Dear Ms. Contreras:

I will be on vacation from June 26, 2014 – July 8, 2014. I request that no hearings or depositions be set during that period.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "John C. Eichman".

John C. Eichman

cc: All Counsel of Record

CAUSE NO. 2010-CI-10977

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

**PLAINTIFFS' MOTION TO COMPEL
(RYDER SCOTT WORKPAPERS AND MAPS)**

Plaintiffs, John K. Meyer, et al., move to compel Defendant JP Morgan Chase Bank, N.A. (“JP Morgan”) to produce certain documents relevant to two Ryder Scott studies regarding the mineral acreage owned by the South Texas Syndicate Trust (“STS”).

INTRODUCTION

1. JP Morgan was the trustee of the South Texas Syndicate Trust. It was ordered to resign by court order dated July 19, 2013. A successor has been selected and approved and will become trustee effective July 1, 2014.

2. Plaintiffs are STS beneficiaries and have alleged that JP Morgan breached its fiduciary duties by failing to prudently manage the trust mineral interests, among other things. Plaintiffs have sought to obtain material information regarding the STS assets through discovery, but JP Morgan continues to refuse to provide the following information:

3. Ryder Scott prepared two reserve studies regarding the STS mineral interests at the request of JP Morgan. One was prepared in 2011 and one was prepared in 2013. The reserve studies were produced to JP Morgan. Plaintiffs obtained copies of the studies and certain other

documents and information in discovery. Plaintiffs have requested, and JP Morgan has refused to produce, the work notes of Mr. Stell at Ryder Scott for the 2011 report and the work maps, with annotated allocations of wells, for both the 2011 Ryder Scott report and the 2013 Ryder Scott report. Ryder Scott has offered to produce all of its files to “authorized parties,” of which JP Morgan is one. Ryder Scott has failed to produce the documents to Plaintiffs directly, though asked. Apparently some or all of this information was previously provided to a third-party, Macquarie Capital (USA) Inc. for use in making a bid to act as investment banking advisor indirectly for STS (at JP Morgan’s request).

4. JP Morgan should be ordered to obtain and produce these documents. In refusing to obtain these documents, JP Morgan is further breaching its fiduciary duties to the STS beneficiaries.

5. The requested documents are responsive to Plaintiffs’ Seventh Request for Production of Documents. A copy of JP Morgan’s Objections and Responses to the Seventh Request is attached as Exhibit A.

6. Further, Judge Baldwin previously ordered JP Morgan to give written consent to certain actions by Ryder Scott, after JP Morgan refused to give such requested consent. A copy of that order is attached as Exhibit B.

WHEREFORE, Plaintiffs pray that this Court set this matter for hearing and that upon hearing hereof, enter an order requiring JP Morgan’s production of the requested documents, and granting any other additional relief to which Plaintiffs may be justly entitled.

DATE: June 11, 2014.

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Respectfully submitted,

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By: /s/ Jim L. Flegle
Jim L. Flegle

CERTIFICATE OF CONFERENCE

I hereby certify that an attempt was made with counsel for Defendant to resolve this matter. As of the date of filing this Motion, this matter has not been resolved. Accordingly, it is requested that the Court determine the matters at hand.

/s/ Jim L. Flegle

Jim L. Flegle

FIAT

Plaintiffs' Motion to Compel is hereby set for hearing on June 25, 2014 at 8:30 a.m. in the Presiding Judicial District Court, Room 109, Bexar County, San Antonio, Texas.

SIGNED this 11 day of June, 2014.

Cathleen M. Stryker
Presiding Judge

JUDGE PRESIDING
224th District Court

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 email and facsimile on this 11th day of June 2014:

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/s/ Jim L. Flegle

Jim L. Flegle

CAUSE NO. 2010-CI-10977

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

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'S OBJECTIONS AND RESPONSES TO PLAINTIFFS' SEVENTH
REQUEST 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 Plaintiffs' Seventh Request for Production.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER BEITER
WITTENBERG & GARZA INCORPORATED**

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this document was served upon the following on January 13, 2014 by the method indicated:

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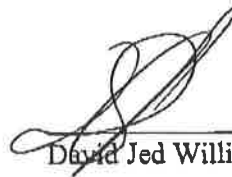
VIA FACSIMILE

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VIA FACSIMILE



David Jed Williams

**DEFENDANT'S OBJECTIONS AND RESPONSES TO PLAINTIFFS' SEVENTH
REQUEST FOR PRODUCTION**

REQUEST FOR PRODUCTION NO. 1: Produce the underlying database, methodology, and all input variables used by Ryder Scott Company in the appraisal of the STS Trust minerals dated April 11, 2011. We understand that Ryder Scott utilized ARIES Economic System in their April 11, 2011 valuation.

OBJECTIONS:

Defendant objects to this Request on the following bases:

1. This Request seeks confidential, private, and/or proprietary information pertaining to Defendant and/or the STS Trust.

RESPONSE:

Subject to and without waiving this objection, Defendant will produce information responsive to this Request.

REQUEST FOR PRODUCTION NO. 2: Produce the underlying database, methodology and all input variables used by Ryder Scott Company in the appraisal of the STS Trust minerals dated January 1, 2013. We understand that Ryder Scott utilized *PHDWin* Economic System in their January 1, 2013 valuation.

Defendant objects to this Request on the following bases:

1. This Request seeks confidential, private, and/or proprietary information pertaining to Defendant and/or the STS Trust.

RESPONSE:

Subject to and without waiving this objection, Defendant will produce information responsive to this Request.

REQUEST FOR PRODUCTION NO. 3: Produce all documents provided to Lazard Freres Co, LLC from Ryder Scott Company used in connection with preparation of Lazard's report for the South Texas Syndicate mineral assets, including but not limited to drilling schedules, GIS maps, and any other maps, and all shape files related to such maps.

RESPONSE:

Documents requested are not in the possession, custody or control of Defendant.

REQUEST FOR PRODUCTION NO. 4: Produce all engagement letters between JP Morgan and Ryder Scott Company, LP in relation to the South Texas Syndicate Trust.

OBJECTIONS:

Defendant objects to this Request on the following bases:

1. This Request seeks confidential, private, and/or proprietary information pertaining to Defendant and/or the STS Trust.

RESPONSE:

Subject to and without waiving this objection, Defendant will produce documents responsive to this Request, if any.

REQUEST FOR PRODUCTION NO. 5: Produce all engagement letters between Jackson Walker and Ryder Scott Company, LP in relation to the South Texas Syndicate Trust.

RESPONSE:

There are no documents responsive to this request.

REQUEST FOR PRODUCTION NO. 6: Produce all instructions from JP Morgan to Ryder Scott Company relating to evaluations or analysis of the South Texas Syndicate mineral assets.

OBJECTIONS:

Defendant objects to this Request on the following bases:

1. This Request seeks confidential, private, and/or proprietary information pertaining to Defendant and/or the STS Trust.

RESPONSE:

Subject to and without waiving this objection, Defendant will produce documents responsive to this Request, if any.

REQUEST FOR PRODUCTION NO. 7: Produce all instructions from Jackson Walker to Ryder Scott Company relating to evaluations or analysis of the South Texas Syndicate mineral assets.

RESPONSE:

There are no documents responsive to this request.

REQUEST FOR PRODUCTION NO. 8: Produce all documents pertaining to any development plans or proposed development plans provided to JP Morgan by any lessee of oil, gas or minerals owned by the South Texas Syndicate.

OBJECTIONS:

Defendant objects to this Request on the following bases:

1. This Request seeks confidential, private, and/or proprietary information pertaining to Defendant and/or the STS Trust.

RESPONSE:

Subject to and without waiving this objection, Defendant has produced and/or will produce documents responsive to this Request, if any.

REQUEST FOR PRODUCTION NO. 9: Produce all documents pertaining to any development plans or proposed development plans provided to Jackson Walker by any lessee of oil, gas or minerals owned by the South Texas Syndicate.

OBJECTIONS:

Defendant objects to this Request on the following bases:

1. This Request seeks confidential, private, and/or proprietary information pertaining to Defendant and/or the STS Trust.

RESPONSE:

Subject to and without waiving this objection, Defendant has produced and/or will produce documents responsive to this Request, if any.

REQUEST FOR PRODUCTION NO. 10: Produce all documents supporting the decision to add contingent reserves or modify recoverable categories in the Ryder Scott Company appraisal of the South Texas Syndicate mineral assets dated January 1, 2013.

OBJECTIONS:

Defendant objects to this Request on the following bases:

1. This Request seeks confidential, private, and/or proprietary information pertaining to Defendant and/or the STS Trust.

RESPONSE:

Subject to and without waiving this objection, Defendant has produced and/or will produce documents responsive to this Request, if any.

REQUEST FOR PRODUCTION NO. 11: Produce all communications exchanged between any lessee and Ryder Scott Company, or provided to JP Morgan by any lessee which was intended for Ryder Scott Company, in relation to preparation of the Ryder Scott appraisals dated April 1, 2011 and January 1, 2013.

OBJECTIONS:

Defendant objects to this Request on the following bases:

1. This Request seeks confidential, private, and/or proprietary information pertaining to Defendant and/or the STS Trust.

RESPONSE:

Subject to and without waiving this objection, Defendant will produce documents provided to JP Morgan responsive to this Request, if any. Communications between any lessee and Ryder Scott Company are not in the possession, custody or control of Defendant.

(Consolidated Under)
2010-CI-10977

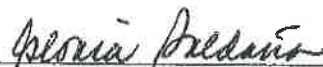
JOHN K. MEYER, ET AL.	§	IN THE DISTRICT COURT
	§	
V.	§	
	§	
JP MORGAN CHASE BANK, N.A.,	§	225 TH JUDICIAL DISTRICT
INDIVIDUALLY/CORPORATELY	§	
AND AS TRUSTEE OF THE SOUTH	§	
TEXAS SYNDICATE TRUST	§	
AND GARY P. AYMES	§	BEXAR COUNTY, TEXAS

ORDER ON PLAINTIFFS' MOTION TO COMPEL
(Ryder Scott)

On February 28, 2014, came on for hearing Plaintiffs' Motion to Compel. The Court, after considering the pleadings, evidence and argument of counsel, is of the opinion that same should be GRANTED.

IT IS THEREFORE ORDERED that Defendant JP Morgan give written consent to Ryder Scott Company, L.P. authorizing it to use the program and database for its 2013 Report to JP Morgan (Exhibit 801) to calculate values based on the drill plan marked as Exhibit 806 to Michael Stell's deposition. Such consent shall be given no later than 5:00 p.m. on ~~February 28~~ ^{MARCH 4}, 2014.

SIGNED this 28 day of February, 2014.



PRESIDING JUDGE

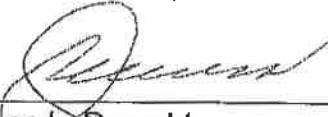
AGREED AND APPROVED AS TO FORM:

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June 5, 2014

Via Certified Mail, Return Receipt Requested

Presiding Court
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San Antonio, Texas 78205

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

Dear Clerk:

Enclosed please find the proposed Order Granting Jackson Walker L.L.P.'s Motion to Withdraw. The Motion was filed on April 23, 2014. Please present this proposed Order to the Judge for consideration and possible execution.

If you have any questions, please do not hesitate to contact me. Thank you for your attention to the foregoing.

Sincerely,

Kimberly Sparks
Legal Administrative Assistant
To Sara Hollan Chelette

CRT

Enclosure

cc: All Counsel

Document
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Kimberly Sparks

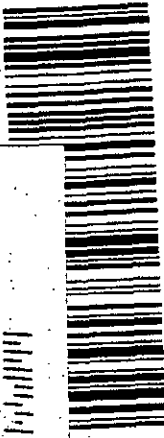
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Bexar County Courthouse
San Antonio, Texas 78205

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