

(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

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:**

The Subpoena is directed to:

CUSTODIAN OF RECORDS FOR:

**Chesapeake Exploration, L.L.C.
c/o CT Corporation System
1999 Bryan Street, Suite 900
Dallas, Texas 75201-3136**

This Subpoena directs the Custodian of Records for CHESAPEAKE EXPLORATION, L.L.C. , to appear at **10:00 a.m. on August 29, 2014**, before a notary public at the following location:

**350 N. Saint Paul St.
Dallas, Texas 75201-4201**

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 "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 Plaintiffs, John K. Meyer, et al. The attorney of record for Plaintiff is: James L.Drought, Drought, Drought & Bobbitt, L.L.P., 112 E. Pecan St., Suite 2900, San Antonio, Texas 78205.

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 James L. Drought, attorney for Plaintiffs, on behalf of Plaintiffs.

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
State Bar No. 06135000
**ATTORNEYS FOR PLAINTIFFS,
JOHN K. MEYER, ET AL.**

RETURN

CAME ON 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 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

(Consolidated Under)
2010-CI-10977

JOHN K. MEYER, ET AL.,
Plaintiffs,

vs.

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

§
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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

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

Plaintiff, John K. Meyer, et al, will take a deposition by written questions of the Custodian of Records for **Chesapeake Exploration, L.L.C.**, at the following date, time, and place:

Date: **August 29, 2014**

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

Place: **Chesapeake Exploration, L.L.C.
350 N. Saint Paul St.
Dallas, Texas 75201-4201**

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,

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
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**ATTORNEYS FOR PLAINTIFFS,
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2900 Weston Centre
112 East Pecan Street
San Antonio, Texas 78205
(210) 225-4031 Telephone
(210) 222-0586 Telecopier

By: _____ /s/
James L. Drought
State Bar No. 06135000
**ATTORNEYS FOR PLAINTIFFS,
JOHN K. MEYER, ET AL.**

CERTIFICATE OF SERVICE

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

_____	U.S. Certified Mail, Return Receipt Requested to:
_____	Facsimile to:
_____	First Class Mail to:
_____	Hand Delivery to:
<u> √ </u>	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 8th day of August, 2014.

/s/

James L. Drought

(Consolidated Under)
2010-CI-10977

JOHN K. MEYER, ET AL.,
Plaintiffs,

vs.

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

§
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§

IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNDED UPON THE
WITNESS, CUSTODIAN OF RECORDS FOR CHESAPEAKE EXPLORATION,
L.L.C.**

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 **CHESAPEAKE EXPLORATION, L.L.C.**?

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 **CHESAPEAKE EXPLORATION, L.L.C.**?

ANSWER:

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

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
CHESAPEAKE EXPLORATION, L.L.C.

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

REQUEST FOR PRODUCTION

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 lease
-

NO. 1: Oil and Gas Lease dated November 1, 2009 between Gates Mineral Company, Ltd. and Chesapeake Exploration, L.L.C. covering 3,668 acres in Webb County, Texas.

NO. 2: Oil and Gas Lease dated February 1, 2010 between Gates Mineral Company, Ltd. and Chesapeake Exploration, L.L.C. covering 3,668 acres in Webb County, Texas.

NO. 3: Oil and Gas Lease dated February 1, 2010 between Gates Mineral Company, Ltd. and Chesapeake Exploration, L.L.C. covering 9,125.47 acres in Webb County, Texas.

NO. 4: Oil and Gas Lease dated March 16, 2010 between 4819, Ltd. and Chesapeake Exploration, L.L.C. covering 9,866.78 acres in Frio County, Texas.

NO. 5: Oil and Gas Lease dated September 9, 2010 between John B. Holdsworth, et ux. and Chesapeake Exploration, L.L.C. covering 3,928.21 acres in Zavala County, Texas.

NO. 6: Oil and Gas Lease dated September 14, 2010 between Marrs McLean Bowman and Chesapeake Exploration, L.L.C. covering 1,096.05 acres in La Salle County, Texas.

NO. 7: Oil and Gas Lease dated October 6, 2010 between Wells Fargo Bank, N.A., Trustee for the Barbara Bowman Trust and Chesapeake Exploration, L.L.C. covering 2,041.01 acres in Frio County, Texas.

NO. 8: Oil and Gas Lease dated October 6, 2010 between Margaret Bowman McMahon and Chesapeake Exploration, L.L.C. covering 4,540.50 acres in Dimmit County, Texas.

NO. 9: Oil and Gas Lease dated October 6, 2010 between Marrs McLean Bowman, et al. and Chesapeake Exploration, L.L.C. covering 4,470.80 acres in Dimmit County, Texas.

NO. 10: Oil and Gas Lease dated October 6, 2010 between Marrs McLean Bowman, et al. and Chesapeake Exploration, L.L.C. covering 1,513.93 acres in Dimmit County, Texas.

NO. 11: Oil and Gas Lease dated October 6, 2010 between Wells Fargo Bank, N.A., Trustee for the Barbara Bowman Trust and Chesapeake Exploration, L.L.C. covering 4,540.50 acres in Dimmit County, Texas.

NO. 12: Oil and Gas Lease dated October 6, 2010 between Wells Fargo Bank, N.A., Trustee for the Barbara Bowman Trust and Chesapeake Exploration, L.L.C. covering 1,652.76 acres in Dimmit County, Texas.

NO. 13: Oil and Gas Lease dated October 6, 2010 between Wells Fargo Bank, N.A., Trustee for the Barbara Bowman Trust and Chesapeake Exploration, L.L.C. covering 3,322.80 acres in Dimmit County, Texas.

NO. 14: Oil and Gas Lease dated October 6, 2010 between Wells Fargo Bank, N.A., Trustee for the Barbara Bowman Trust and Chesapeake Exploration, L.L.C. covering 1,501.87 acres in Dimmit County, Texas.

NO. 15: Oil and Gas Lease dated October 6, 2010 between Wells Fargo Bank, N.A., Trustee for the Barbara Bowman Trust and Chesapeake Exploration, L.L.C. covering 1,076.50 acres in Dimmit County, Texas.

NO. 16: Oil and Gas Lease dated October 6, 2010 between Wells Fargo Bank, N.A., Trustee for the Barbara Bowman Trust and Chesapeake Exploration, L.L.C. covering 1,258.64 acres in Dimmit County, Texas.

NO. 17: Oil and Gas Lease dated October 6, 2010 between Wells Fargo Bank, N.A., Trustee for the Barbara Bowman Trust and Chesapeake Exploration, L.L.C. covering 4,540.50 acres in Dimmit County, Texas.

NO. 18: Oil and Gas Lease dated October 6, 2010 between Wells Fargo Bank, N.A., Trustee for the Barbara Bowman Trust and Chesapeake Exploration, L.L.C. covering 4,457.55 acres in Dimmit County, Texas.

NO. 19: Oil and Gas Lease dated October 6, 2010 between Margaret Bowman McMahon and Chesapeake Exploration, L.L.C. covering 4,540.50 acres in Dimmit County, Texas.

NO. 20: Oil and Gas Lease dated October 6, 2010 between Margaret Bowman McMahon and Chesapeake Exploration, L.L.C. covering 155.42 acres in Dimmit County, Texas.

NO. 21: Oil and Gas Lease dated October 22, 2010 between Margaret Bowman McMahon and Chesapeake Exploration, L.L.C. covering 116.32 acres in Dimmit County, Texas.

NO. 22: Oil and Gas Lease dated April 1, 2011 between Wells Fargo Bank, N.A., Trustee for the Barbara Bowman Trust and Chesapeake Exploration, L.L.C. covering 2,410.77 acres in Dimmit County, Texas.

(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

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:**

The Subpoena is directed to:

CUSTODIAN OF RECORDS FOR:

**SM Energy Company
Corporation Service Company d/b/a CDC-Lawyers Incorporating
Service Company
211 E. 7th Street, Ste. 620
Austin, Texas 78701**

This Subpoena directs the Custodian of Records for SM ENERGY COMPANY, to appear at **10:00 a.m. on August 29, 2014**, before a notary public at the following location:

**1776 Lincoln Street, Ste. 700
Denver, CO 80203**

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 "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 Plaintiffs, John K. Meyer, et al. The attorney of record for Plaintiff is: James L. Drought, Drought, Drought & Bobbitt, L.L.P., 112 E. Pecan St., Suite 2900, San Antonio, Texas 78205.

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 James L. Drought, attorney for Plaintiffs, on behalf of Plaintiffs.

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
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**ATTORNEYS FOR PLAINTIFFS,
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State Bar No. 20064000

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State Bar No. 0474200
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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
State Bar No. 06135000
**ATTORNEYS FOR PLAINTIFFS,
JOHN K. MEYER, ET AL.**

RETURN

CAME ON 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 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

(Consolidated Under)
2010-CI-10977

JOHN K. MEYER, ET AL.,
Plaintiffs,

vs.

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

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

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

Plaintiff, John K. Meyer, et al, will take a deposition by written questions of the Custodian of Records for **SM Energy Company**. at the following date, time, and place:

Date: **August 29, 2014**

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

Place: **SM Energy Company
1776 Lincoln Street, Ste. 700
Denver, CO 80203**

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,

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
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State Bar No. 20064000
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2900 Weston Centre
112 East Pecan Street
San Antonio, Texas 78205
(210) 225-4031 Telephone
(210) 222-0586 Telecopier

By: _____ /s/
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:
 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 8th day of August, 2014.

/s/

James L. Drought

(Consolidated Under)
2010-CI-10977

JOHN K. MEYER, ET AL.,
Plaintiffs,

vs.

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

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNDED UPON THE
WITNESS, CUSTODIAN OF RECORDS FOR SM ENERGY COMPANY**

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 **SM ENERGY COMPANY**?

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 **SM ENERGY COMPANY**?

ANSWER:

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

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
SM ENERGY COMPANY

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

REQUEST FOR PRODUCTION

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 lease
-

NO. 1: Oil and Gas Lease dated April 24, 2008 between Briscoe Ranch, Inc. and St. Mary Land & Exploration Company covering 7,287.96 acres in Webb County, Texas.

NO. 2: Oil and Gas Lease dated September 28, 2008 between Briscoe Ranch, Inc. and St. Mary Land & Exploration Company covering 370.10 acres in Webb County, Texas.

NO. 3: Oil and Gas Lease dated October 1, 2008 between Briscoe Ranch, Inc. and St. Mary Land & Exploration Company covering 3,573.66 acres in Webb County, Texas.

NO. 4: Oil and Gas Lease dated May 1, 2009 between Briscoe Ranch, Inc. and St. Mary Land & Exploration Company covering 2,928.62 acres in Webb County, Texas.

NO. 5: Oil and Gas Lease dated December 10, 2009 between Briscoe Ranch, Inc. and St. Mary Land & Exploration Company covering 2,617.33 acres in Webb County, Texas.

NO. 6: Oil and Gas Lease dated March 2, 2010 between Briscoe Ranch, Inc. and St. Mary Land & Exploration Company covering 2,846.15 acres in Webb County, Texas.

NO. 7: Oil and Gas Lease dated May 1, 2010 between Briscoe Ranch, Inc. and St. Mary Land & Exploration Company covering 18,303.34 acres in Webb County, Texas.

NO. 8: Oil and Gas Lease dated May 31, 2010 between Briscoe Ranch, Inc. and St. Mary Land & Exploration Company covering 2,846.15 acres in Webb County, Texas.

(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

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:**

The Subpoena is directed to:

CUSTODIAN OF RECORDS FOR:

**Segundo Navarro Drilling, Ltd.
c/o Lew is Petro Properties
10101 Reunion Plaza, Suite 1000
San Antonio, Texas 78216**

This Subpoena directs the Custodian of Records for SEGUNDO NAVARRO DRILLING, LTD., to appear at **10:00 a.m. on August 29, 2014**, before a notary public at the following location:

**10101 Reunion Plaza, Suite 1000
San Antonio, Texas 78216**

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 "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 Plaintiffs, John K. Meyer, et al. The attorney of record for Plaintiff is: James L. Drought, Drought, Drought & Bobbitt, L.L.P., 112 E. Pecan St., Suite 2900, San Antonio, Texas 78205.

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 James L. Drought, attorney for Plaintiffs, on behalf of Plaintiffs.

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
State Bar No. 06135000
**ATTORNEYS FOR PLAINTIFFS,
JOHN K. MEYER, ET AL.**

RETURN

CAME ON 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
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

(Consolidated Under)
2010-CI-10977

JOHN K. MEYER, ET AL.,
Plaintiffs,

vs.

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

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

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

Plaintiff, John K. Meyer, et al, will take a deposition by written questions of the Custodian of Records for **Segundo Navarro Drilling, Ltd.** at the following date, time, and place:

Date: **August 29, 2014**

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

Place: **Segundo Navarro Drilling, Ltd.
10101 Reunion Plaza, Suite 1000
San Antonio, Texas 78216**

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,

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

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

on this the 8th day of August, 2014.

/s/

James L. Drought

(Consolidated Under)
2010-CI-10977

JOHN K. MEYER, ET AL.,
Plaintiffs,

vs.

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

§
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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNDED UPON THE
WITNESS, CUSTODIAN OF RECORDS FOR SEGUNDO NAVARRO DRILLING,
LTD.**

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 **SEGUNDO NAVARRO DRILLING, LTD.**?

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 **SEGUNDO NAVARRO DRILLING, LTD**?

ANSWER:

9. Was it the regular practice of the business activity of **SEGUNDO NAVARRO DRILLING, LTD** to make the memorandum, report, record or data compilation reflected in these documents and records?

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
SEGUNDO NAVARRO DRILLING, LTD

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

REQUEST FOR PRODUCTION

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 lease
-

NO. 1: Oil and Gas Lease dated August 4, 2006 between Gates Mineral Company, Ltd. and Segundo Navarro Drilling, Ltd. covering 5,532.95 acres in Webb County, Texas.

NO. 2: Oil and Gas Lease dated June 30, 2007 between Gates Mineral Company, Ltd. and Segundo Navarro Drilling, Ltd. covering 3,000 acres in Webb County, Texas.

NO. 3: Oil and Gas Lease dated December 23, 2011 between Gates Mineral Company, Ltd. and Segundo Navarro Drilling, Ltd. covering 5,000 acres in Dimmit County, Texas.

NO. 4: Oil and Gas Lease dated December 23, 2011 between Gates Mineral Company, Ltd. and Segundo Navarro Drilling, Ltd. covering 5,000 acres in Dimmit County, Texas, memorandum reflecting said lease recorded at Vol. 3202, p. 0434 of the Webb County Deed Records.

NO. 5: Oil and Gas Lease dated December 23, 2011 between Gates Mineral Company, Ltd. and Segundo Navarro Drilling, Ltd. covering 5,000 acres in Dimmit County, Texas, memorandum reflecting said lease recorded at Vol. 3196, p. 0303 of the Webb County Deed Records.

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
11 Hewit Drive
Corpus Christi, Texas 78404**

This Subpoena directs the Custodian of Records for TEXAS LONE STAR PETROLEUM CORP., to appear at **10:00 a.m. on August 29, 2014**, before a notary public at the following location:

**11 Hewit Drive
Corpus Christi, Texas 78404**

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 29, 2014**

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

Place: **TEXAS LONE STAR PETROLEUM CORP.
11 Hewit Drive
Corpus Christi, Texas 78404**

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 August 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.,
Plaintiffs

v.

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

§
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IN THE DISTRICT COURT

BEXAR COUNTY, TEXAS

225th JUDICIAL DISTRICT

PIONEER NATURAL RESOURCES USA, INC.'S OBJECTIONS AND RESPONSES TO
DEFENDANT'S DEPOSITION SUBPOENA DUCES TECUM TO PRODUCE
DOCUMENTS ISSUED IN THE NAME OF THE STATE OF TEXAS AND
DEPOSITION ON WRITTEN QUESTIONS PROPOUNDED UPON THE WITNESS
CUSTODIAN OF RECORDS FOR PIONEER NATURAL RESOURCES USA, INC.

TO: Defendant JP Morgan Chase Bank, N.A., by and through its counsel of record, Patrick K. Sheehan, Rudy A. Garza, and David Jed Williams, Hornberger Sheehan Fuller & Garza Incorporated, The Quarry Heights Building, 7373 Broadway, Suite 300, San Antonio, Texas 78209.

Pursuant to Texas Rules of Civil Procedure 176, 191, 193, 196, and 205, Pioneer Natural Resources USA, Inc. ("Pioneer") hereby submits its Objections and Responses to Defendant's Deposition Subpoena Duces Tecum to Produce Documents Issued in the Name of the State of Texas and Deposition on Written Questions Propounded upon the Witness Custodian of Records for Pioneer Natural Resources USA, Inc.

Respectfully submitted,



John Matthew Sjoberg

State Bar No. 18451480

Mark Domel

State Bar No. 24003636

JACKSON, SJOBERG, MCCARTHY & TOWNSEND, LLP

711 W. 7th Street

Austin TX 78701

(512) 472-7600

(512) 225-5565 Fax

ATTORNEYS FOR PIONEER NATURAL
RESOURCES USA, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the above and foregoing was sent via electronic service on this the 8th day of August, 2014.

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

Michael S. Christian
Zelle Hofmann Voelbel & Mason LLP
44 Montgomery Street, Suite 3400
San Francisco, California 94104

George Spencer, Jr.
Clemens & Spencer, P.C.
112 E. Pecan St., Suite 1300
San Antonio, Texas 78205

Fred W. Stumpf
Glast, Phillips & Murray
Nine Greenway Plaza, Suite 3100
Houston, Texas 77046

James L. Drought
Drought Drought & Bobbitt, LLP
112 E. Pecan St., Suite 2900
San Antonio, Texas 78205

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

Richard Tinsman
Tinsman & Sciano, Inc.
10107 McAllister Freeway
San Antonio, Texas 78205

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

John B. Massopust
Zelle Hofmann Voelbel & Mason LLP
500 Washington Avenue South, Suite 4000
Minneapolis, Minnesota 55415-1152



Mark Domel

**OBJECTIONS AND RESPONSES TO DEFENDANT'S DEPOSITION SUBPOENA
DUCES TECUM TO PRODUCE DOCUMENTS ISSUED IN THE NAME OF THE
STATE OF TEXAS AND DEPOSITION ON WRITTEN QUESTIONS PROPOUNDED
UPON THE WITNESS CUSTODIAN OF RECORDS FOR PIONEER NATURAL
RESOURCES USA, INC.**

A. Objections to Subpoena and Deposition on Written Questions

Pioneer objects that the requested documents contain Pioneer's confidential and/or proprietary information. All documents produced by Pioneer are subject to the Agreed Protective Order (dated November 14, 2011) and the Agreed Order (dated February 13, 2014). All documents produced by Pioneer shall be marked "confidential," and shall be treated by all parties as "confidential" under the Agreed Protective Order and the Agreed Order.

Pioneer objects that Defendant has made no provision for the payment to Pioneer of its costs associated with Plaintiffs' document requests. "A party requiring production of documents by a nonparty must reimburse the nonparty's reasonable costs of production." *See* TEX. R. CIV. P. 205.3(f).

B. Objections and Responses to Exhibit "A"

REQUEST FOR PRODUCTION IN DEFENDANT'S 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 4/1/2007 from H. Harlan Bethune, as Grantor, to PIONEER NATURAL RESOURCES USA, INC., as Grantee, recorded in Volume 97 Page 217 Oil and Gas Lease Records Live Oak County, Texas, comprising 6,458.00 acres of land, more or less, in such county.

2. Memorandum of Lease, dated 4/8/2007 from Lucila Hamilton, et al., as Grantor, to PIONEER NATURAL RESOURCES USA, INC., as Grantee, recorded in Volume 89 Page 553 Oil and Gas Lease Records Live Oak County, Texas, comprising 6,458.00 acres of land, more or less, in such county.

RESPONSE: Pioneer objects to this request for production on the ground that it seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Pioneer further objects to this request on the ground that it is overbroad. Pioneer further objects to this request on the ground that it is vague and ambiguous with respect to several undefined terms, including the terms “letters of intent to lease,” “side agreements,” “lease data sheets,” and “Lease Purchase Report.” Pioneer further objects that this request seeks documents that contain confidential and/or proprietary information. Subject to and without waiving the foregoing objections, Pioneer will produce documents in its possession that are responsive to this request, if any, subject to the Agreed Protective Order (dated November 14, 2011) and the Agreed Order (dated February 13, 2014). All documents produced by Pioneer shall be marked “confidential” and shall be treated as such by all parties under the Agreed Protective Order and the Agreed Order.



CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL.

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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

CRT

**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:

**DEWBRE PETROLEUM CORP.
c/o Jerry C. Dewbre
802 N. Carancahua, Suite 1800
Corpus Christi, Texas 78470**

BY Antonia Palacios DEPUTY

2014 AUG 5 PM 4:17

FILED
DONNA KAY HEKINNEY
DISTRICT CLERK
BEXAR COUNTY

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

**802 N. Carancahua, Suite 1800
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 **JERRY C. DEWBRE**, 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)

**AFFIDAVIT
ATTACHED**

SWORN TO THIS _____ DAY OF _____ 2014.

Notary Public, State of Texas

AFFIDAVIT OF SERVICE

State of Texas

County of Bexar

225th District Court

Case Number: 2010-CI-10977 Court Date: 8/4/2014 10:00 am



Plaintiff:
John K. Meyer, Et Al

vs.

Defendant:
**JPMorgan Chase Bank, N.A. Individually/Corporately and as Trustee of the South Texas
Syndicate Trust and Gary P. Aymes**

Received these papers on the 15th day of July, 2014 at 9:38 am to be served on **Dewbre Petroleum Corp c/o Jerry C. Dewbre, 1
Shoreline Plaza, Suite 400 North, Corpus Christi, Nueces County, TX 78401.**

I, Ray Kershaw, being duly sworn, depose and say that on the **28th day of July, 2014 at 2:40 pm, I:**

EXECUTED by delivering to, Dewbre Petroleum Corp, a true copy of the **Deposition Subpoena Duces Tecum to Produce
Documents with Notice of Intention to Take Deposition by Written Questions with Duces Tecum and \$11.00 Witness Fee** with
the date of service endorsed thereon by me, to: **Jerry C Dewbre**, **Authorized** at the address of: **1 Shoreline Plaza, Suite 400
North, Corpus Christi, Nueces County, TX 78401**, who is authorized to accept service for **Dewbre Petroleum Corp.**

Description of Person Served: Age: 50s, Sex: M, Race/Skin Color: White, Height: 6'0", Weight: 200, Hair: Grey, Glasses: Y

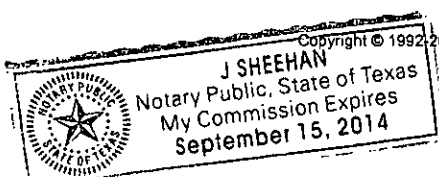
I am over eighteen, not a party to nor interested in the outcome of the above numbered suit and that I am Authorized to serve process
in the State of Texas.

Subscribed and Sworn to before me on the 28th day
of July, 2014 by the affiant who is
personally known to me.

NOTARY PUBLIC

Ray Kershaw
SCH-5024 Exp: 4-30-2015

Our Job Serial Number: ALN-2014005466
Ref: 00057544.1



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JOHN K. MEYER, ET. AL. § IN THE DISTRICT COURT
 §
VS. §
 §
JPMORGAN CHASE BANK, N.A. § 225TH 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 **DEWBRE PETROLEUM CORP.**, at the following date, time, and place:

Date: **August 4, 2014**
Time: **10:00 a.m.**
Place: **DEWBRE PETROLEUM CORP.**
 802 N. Carancahua, Suite 1800
 Corpus Christi, Texas 78470

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.
Mr. Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan St., Suite 1300
San Antonio, Texas 78205

VIA EMAIL

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

VIA EMAIL

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

VIA EMAIL

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

VIA EMAIL

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

VIA EMAIL

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

VIA EMAIL

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

VIA EMAIL

s/David Jed Williams
David Jed Williams

JOHN K. MEYER, ET. AL.

VS.

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

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**DEPOSITION ON WRITTEN QUESTIONS PROPOUNED UPON THE WITNESS,
CUSTODIAN OF RECORDS FOR DEWBRE 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 **DEWBRE 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 **DEWBRE PETROLEUM CORP.**?

ANSWER:

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

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
DEWBRE 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 3/23/2008 from Cauley-Barker, Ltd., as Grantor, to DEWBRE PETROLEUM CORP., as Grantee, recorded in Volume 2599 Page 392 Oil and Gas Lease Records Webb County, Texas, comprising 9,369.80 acres of land, more or less, in such county.

(Consolidated Under)
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 and
GARY P. AYMES

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IN THE DISTRICT COURT

225TH
~~255th~~ JUDICIAL DISTRICT OF

BEXAR COUNTY, TEXAS

**NON-PARTY LAREDO ENERGY IV, L.P.'S
MOTION TO QUASH AND FOR PROTECTIVE ORDER**

Non-Party, Laredo Energy L.P. (“Laredo Energy”) files this Motion to Quash and for Protective Order (“Motion to Quash”) from the Deposition on Written Questions and Subpoena Duces Tecum (“DWQ-SDT”) purporting to require that Laredo Energy appear and produce documents at 10 a.m. on August 6, 2014. In support of this Motion to Quash, Laredo Energy shows:

1. The DWQ-SDT was served on Laredo Energy by Defendant JPMorgan Chase Bank, N.A. (“JPMorgan”). A true and correct copy of the DWQ-SDT is attached as Exhibit 1. The DWQ-SDT purports to require that Laredo Energy produce leases which Laredo Energy holds in Webb County, Texas, and other documents related to such leases (the “Lease Records”).

2. The claims in the instant action are not based or related to the Lease Records. Instead, Plaintiffs’ claims relate to oil and gas leases, and minerals located, in LaSalle and McMullen Counties. As mentioned above, Laredo Energy’s Leases are located in Webb County, Texas. There is no relevance of these records to the matters at issue in this case and any requirement that Laredo Energy

have to locate and produce said records would cause substantial burden, harassment, and expense that far outweighs any alleged relevance that the documents may have in this case.

3. Additionally, the Lease Records contain confidential and proprietary information belonging to Laredo Energy. These documents are not filed in the public records and are deliberately maintained private and confidential. The value of the information, and the advantage or benefit that Laredo Energy realizes by maintaining such information private and confidential, will be undermined if the Lease Records are produced in this case.

4. Laredo Energy has asserted objections to the separate requests. A copy of such objections is attached as Exhibit 2.

WHEREFORE, Laredo Energy requests that the Court quash the DWQ-SDT and/or enter a protective order in favor of Laredo Energy, designed to confer maximum protection to Laredo Energy's confidential and proprietary information, along with all other and further relief to which it may be justly entitled.

Respectfully submitted,

CAMPERO & ASSOCIATES, P.C.



Adolfo Campero, Jr.
Texas State Bar. No. 00793454
Christopher B. Payne (Of Counsel)
Texas State Bar No. 24046600
315 Calle Del Norte, Suite 207
Laredo, Texas 78041
(956) 796-0330
(956) 796-0399 – Fax

ATTORNEYS FOR
NON-PARTY LAREDO ENERGY IV, L.P.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served pursuant to TRCP 21(a) on the 5th day of August, 2014, via facsimile as indicated below.

David Jed Williams
Patrick K. Sheehan
Rudy A. Garza
HORNBERGER SHEEHAN FULLER & GARZA
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, Texas 78209

Via Facsimile: 210-271-1730

Charles A. Gall
John C. Eichman
HUNTON & WILLIAMS LLP
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202

Via Facsimile: 214-8800011

George Spencer, Jr.
Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan Street, Suite 1300
San Antonio; Texas 78205

Via Facsimile: 210-227-0732

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

Via Facsimile: 210-222-0586

Richard Tinsman
Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205

Via Facsimile: 210-225-6235

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

Via Facsimile: 214-572-1717

John B. Massopust
Matthew Gellinger
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, Minnesota 55415

Via Facsimile: 612-336-9100

Michael S. Christian
ZELLE HOFMANN VOELBEL & MASON LLP
44 Montgomery Street, Suite 3400
San Francisco, California 94104

Via Facsimile: 415-693-0770

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

Via Facsimile: 972-419-8329

Shayne D. Moses
Timothy D. Howell
MOSES, PALMER & HOWELL, L.L.P.
309 W. 7TH Street, Suite 815
Forth Worth, Texas 76102

Via Facsimile: 817-255-9199



ADOLFO CAMPERO, JR.

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL.

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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 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:

**LAREDO ENERGY IV, L.P.
c/o William E. Deupree
1600 Smith, Suite 4250
Houston, Texas 77002**

This Subpoena directs the Custodian of Records for LAREDO ENERGY IV, L.P., to appear at **10:00 a.m. on August 6, 2014**, before a notary public at the following location:

**1600 Smith, Suite 4250
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

{00057546.1}

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 **WILLIAM E. DEUPREE**, 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

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

**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 **LAREDO ENERGY IV, L.P.**, at the following date, time, and place:

Date: **August 6, 2014**

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

Place: **LAREDO ENERGY IV, L.P.
1600 Smith, Suite 4250
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 10, 2014:

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

s/David Jed Williams
David Jed Williams

JOHN K. MEYER, ET. AL.

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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 LAREDO ENERGY IV, 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 **LAREDO ENERGY IV, 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 **LAREDO ENERGY IV, L.P.**?

ANSWER:

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

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
LAREDO ENERGY IV, 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. Memorandum of Lease, dated 8/1/2008 from Robert H. Summers, as Grantor, to LAREDO ENERGY IV, L.P., as Grantee, recorded in Volume 2657 Page 524 Oil and Gas Lease Records Webb County, Texas, comprising 9,783.57 acres of land, more or less, in such county.
 2. Memorandum of Lease, dated 8/18/2008 from Falcon International Bank, Trustee, as Grantor, to LAREDO ENERGY IV, L.P., as Grantee, recorded in Volume 2634 Page 568 Oil and Gas Lease Records Webb County, Texas, comprising 6,132.06 acres of land, more or less, in such county.
 3. Memorandum of Lease, dated 12/4/2008 from G B Minerals, Ltd., as Grantor, to LAREDO ENERGY IV, L.P., as Grantee, recorded in Volume 2685 Page 616 Oil and Gas Lease Records Webb County, Texas, comprising 11,503.90 acres of land, more or less, in such county.

(Consolidated Under)
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 and
GARY P. AYMES

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IN THE DISTRICT COURT

255th JUDICIAL DISTRICT OF

BEXAR COUNTY, TEXAS

**NON-PARTY LAREDO ENERGY IV, L.P.'S
OBJECTIONS TO SUBPOENA DUCES TECUM**

Non-Party, Laredo Energy L.P.'s ("Laredo Energy") objects to the Deposition on Written Questions and Subpoena Duces Tecum ("DWQ-SDT") served by JPMorgan Chase Bank, N.A.'s ("JP Morgan") and shows as follows:

OBJECTIONS TO REQUESTS

1. The executed leases.

Objection: This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

2. Any option agreements, letters of intent to lease or side agreements relative to the leases.

Objection: This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Furthermore, this request is vague and ambiguous to the extent that the term "side agreements" is not defined.

3. Any agreements relative to amendment, modification or extension of the leases.

Objection(s): This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

4. Any lease data sheets relative to the lease.

Objection(s): This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Furthermore, this request is vague and ambiguous as the term "lease data sheets" is undefined.

5. Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre).

Objection(s): This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

6. Any Lease Purchase Report ("LPR").

Objection(s): This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is also vague and ambiguous because the term "lease purchase report" is undefined.

7. Any receipt or paid draft relative to the leases.

Objection(s): This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Respectfully submitted,

CAMPERO & ASSOCIATES, P.C.



Adolfo Campero, Jr.
Texas State Bar. No. 00793454
Christopher B. Payne (Of Counsel)
Texas State Bar No. 24046600
315 Calle Del Norte, Suite 207
Laredo, Texas 78041
(956) 796-0330
(956) 796-0399 – Fax

ATTORNEYS FOR NON-PARTY
LAREDO ENERGY IV, L.P.'S

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served pursuant to
TRCP 21(a) on the 5th day of August, 2014:

David Jed Williams
Patrick K. Sheehan
Rudy A. Garza
HORNBERGER SHEEHAN FULLER & GARZA
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, Texas 78209

Via Facsimile: 210-271-1730

Charles A. Gall
John C. Eichman
HUNTON & WILLIAMS LLP
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202

Via Facsimile: 214-8800011

George Spencer, Jr.
Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan Street, Suite 1300
San Antonio; Texas 78205

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James L. Drought
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Shayne D. Moses
Timothy D. Howell
MOSES, PALMER & HOWELL, L.L.P.
309 W. 7TH Street, Suite 815
Forth Worth, Texas 76102

Via Facsimile: 817-255-9199



ADOLFO CAMPERO, JR.

(Consolidated Under)
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 and
GARY P. AYMES

§
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§

IN THE DISTRICT COURT

225TH

~~255~~th JUDICIAL DISTRICT OF

BEXAR COUNTY, TEXAS

**NON-PARTY LAREDO ENERGY IV, L.P.'S
OBJECTIONS TO SUBPOENA DUCES TECUM**

Non-Party, Laredo Energy L.P.'s ("Laredo Energy") objects to the Deposition on Written Questions and Subpoena Duces Tecum ("DWQ-SDT") served by JPMorgan Chase Bank, N.A.'s ("JP Morgan") and shows as follows:

OBJECTIONS TO REQUESTS

1. The executed leases.

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5. Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre).

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6. Any Lease Purchase Report ("LPR").

Objection(s): This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is also vague and ambiguous because the term "lease purchase report" is undefined.

7. Any receipt or paid draft relative to the leases.

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Respectfully submitted,

CAMPERO & ASSOCIATES, P.C.



Adolfo Campero, Jr.
Texas State Bar. No. 00793454
Christopher B. Payne (Of Counsel)
Texas State Bar No. 24046600
315 Calle Del Norte, Suite 207
Laredo, Texas 78041
(956) 796-0330
(956) 796-0399 – Fax

ATTORNEYS FOR NON-PARTY
LAREDO ENERGY IV, L.P.'S

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served pursuant to
TRCP 21(a) on the 5th day of August, 2014:

David Jed Williams
Patrick K. Sheehan
Rudy A. Garza
HORNBERGER SHEEHAN FULLER & GARZA
The Quarry Heights Building
7373 Broadway, Suite 300
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Forth Worth, Texas 76102

Via Facsimile: 817-255-9199



ADOLFO CAMPERO, JR.

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

JOHN K. MEYER, ET AL.	§	IN THE DISTRICT COURT
	§	
	§	
v.	§	
	§	
	§	255th JUDICIAL DISTRICT OF
	§	
	§	
JPMORGAN CHASE BANK, N.A.	§	
INDIVIDUALLY/CORPORAELY	§	
AND AS TRUSTEE OF THE SOUTH	§	
TEXAS SYNDICATE TRUST and	§	
GARY P. AYMES	§	BEXAR COUNTY, TEXAS

NON-PARTY JESSE E. HINES'
MOTION TO QUASH AND FOR PROTECTIVE ORDER

Non-Party, Jesse E. Hines (“Hines”) files this Motion to Quash and for Protective Order (“Motion to Quash”) from the Deposition on Written Questions and Subpoena Duces Tecum (“DWQ-SDT”) purporting to require that Hines appear and produce documents at 10:00 a.m. on August 6, 2014. In support of this Motion to Quash, Hines shows:

1. The DWQ-SDT was served on Hines by Defendant JPMorgan Chase Bank, N.A. (“JPMorgan”). A true and correct copy of the DWQ-SDT is attached as Exhibit 1. The DWQ-SDT purports to require that Hines produce a lease which Hines acquired in Webb County, Texas, and other documents related to such leases (the “Lease Records”).

2. The claims in the instant action are not based or related to the Lease Records. Instead, Plaintiffs’ claims relate to oil and gas leases, and minerals located, in LaSalle and McMullen Counties. As mentioned above, the lease acquired by Hines is located in Webb County, Texas. There is no relevance of these records to the matters at issue in this case and any requirement that Hines have to

locate and produce said records would cause substantial burden, harassment, and expense that far outweighs any alleged relevance that the documents may have in this case.

3. Additionally, the Lease Records contain confidential and proprietary information belonging to Hines. These documents are not filed in the public records and are deliberately maintained private and confidential. The value of the information, and the advantage or benefit that Hines realizes by maintaining such information private and confidential, will be undermined if the Lease Records are produced in this case.

4. Hines has asserted objections to the separate requests. A copy of such objections is attached as Exhibit 2.

WHEREFORE, Hines requests that the Court quash the DWQ-SDT and/or enter a protective order in favor of Hines, designed to confer maximum protection to Hines's confidential and proprietary information, along with all other and further relief to which it may be justly entitled.

Respectfully submitted,

CAMPERO & ASSOCIATES, P.C.



Adolfo Campero, Jr.
Texas State Bar. No. 00793454
Christopher B. Payne (Of Counsel)
Texas State Bar No. 24046600
315 Calle Del Norte, Suite 207
Laredo, Texas 78041
(956) 796-0330
(956) 796-0399 – Fax

ATTORNEYS FOR
NON-PARTY JESSE E. HINES

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served pursuant to TRCP 21(a) on the 5th day of August, 2014, via facsimile as indicated below.

David Jed Williams
Patrick K. Sheehan
Rudy A. Garza
HORNBERGER SHEEHAN FULLER & GARZA
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, Texas 78209

Via Facsimile: 210-271-1730

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ADOLFO CAMPERO, JR.

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:

**JESSE E. HINES
1505 Calle Del Norte, Suite 200
Laredo, Texas 78041**

This Subpoena directs the Custodian of Records for JESSE E. HINES to appear at 10:00 a.m. on August 6, 2014, before a notary public at the following location:

**1505 Calle Del Norte, Suite 200
Laredo, Texas 78041**

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 **JESSE E. HINES**, A TRUE COPY OF THIS SUBPOENA UPON WHICH I
ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO EXECUTE THIS
SUBPOENA IS _____.

TOTAL FEES: \$ _____

WEBB 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 **JESSE E. HINES**, at the following date, time, and place:

Date: **August 6, 2014**
Time: **10:00 a.m.**
Place: **JESSE E. HINES
1505 Calle Del Norte, Suite 200
Laredo, Texas 78041**

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
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(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 10, 2014:

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

Mr. Richard Tinsman
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Mr. John B. Massopust
Mr. Matthew Gollinger
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500 Washington Avenue South, Suite 4000
Minneapolis, MN 55415-1152

VIA ELECTRONIC SERVICE

Mr. Michael S. Christian
ZELLE HOFMANN VOELBEL & MASON
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VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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 JESSE E. HINES**

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 **JESSE E. HINES**?

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 **JESSE E. HINES**?

ANSWER:

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

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
JESSE E. HINES

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 7/30/2008 from Virginia R. Wynn, as Grantor, to JESSE E. HINES, as Grantee, recorded in Volume 2630 Page 756 Oil and Gas Lease Records Webb County, Texas, comprising 12,155.65 acres of land, more or less, in such county.

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

JOHN K. MEYER, ET AL.

§
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§

IN THE DISTRICT COURT

v.

255th JUDICIAL DISTRICT OF

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

BEXAR COUNTY, TEXAS

**NON-PARTY JESSE E. HINES’
OBJECTIONS TO SUBPOENA DUCES TECUM**

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Objection: This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

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Respectfully submitted,

CAMPERO & ASSOCIATES, P.C.



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Christopher B. Payne (Of Counsel)
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(956) 796-0399 – Fax

ATTORNEYS FOR
NON-PARTY JESSE E. HINES

CERTIFICATE OF SERVICE

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TRCP 21(a) on the 5th day of August, 2014:

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Patrick K. Sheehan
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Charles A. Gall
John C. Eichman
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Via Facsimile: 214-8800011

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James L. Drought
Ian Bolden
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Via Facsimile: 210-222-0586

Richard Tinsman
Sharon C. Savage
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10107 McAllister Freeway
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Via Facsimile: 210-225-6235

David R. Deary
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Shayne D. Moses
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MOSES, PALMER & HOWELL, L.L.P.
309 W. 7TH Street, Suite 815
Forth Worth, Texas 76102

Via Facsimile: 817-255-9199



ADOLFO CAMPERO, JR.

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

JOHN K. MEYER, ET AL.

v.

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

§
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§

IN THE DISTRICT COURT

225TH
~~255th~~ JUDICIAL DISTRICT OF

BEXAR COUNTY, TEXAS

NON-PARTY JESSE E. HINES'
OBJECTIONS TO SUBPOENA DUCES TECUM

Non-Party, Jesse E. Hines (“Hines”) objects to the Deposition on Written Questions and Subpoena Duces Tecum (“DWQ-SDT”) served by JPMorgan Chase Bank, N.A.’s (“JP Morgan”) and shows as follows:

OBJECTIONS TO REOUESTS

1. The executed leases.

Objection: This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

2. Any option agreements, letters of intent to lease or side agreements relative to the leases.

Objection: This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Furthermore, this request is vague and ambiguous to the extent that the term “side agreements” is not defined.

3. Any agreements relative to amendment, modification or extension of the leases.

Objection(s): This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

4. Any lease data sheets relative to the lease.

Objection(s): This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Furthermore, this request is vague and ambiguous as the term "lease data sheets" is undefined.

5. Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre).

Objection(s): This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

6. Any Lease Purchase Report ("LPR").

Objection(s): This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is also vague and ambiguous because the term "lease purchase report" is undefined.

7. Any receipt or paid draft relative to the leases.

Objection(s): This request seeks documents with confidential and proprietary information. Additionally, this request seeks documents with information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Respectfully submitted,

CAMPERO & ASSOCIATES, P.C.



Adolfo Campero, Jr.
Texas State Bar. No. 00793454
Christopher B. Payne (Of Counsel)
Texas State Bar No. 24046600
315 Calle Del Norte, Suite 207
Laredo, Texas 78041
(956) 796-0330
(956) 796-0399 – Fax

ATTORNEYS FOR
NON-PARTY JESSE E. HINES

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served pursuant to
TRCP 21(a) on the 5th day of August, 2014:

David Jed Williams
Patrick K. Sheehan
Rudy A. Garza
HORNBERGER SHEEHAN FULLER & GARZA
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, Texas 78209

Via Facsimile: 210-271-1730

Charles A. Gall
John C. Eichman
HUNTON & WILLIAMS LLP
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202

Via Facsimile: 214-8800011

George Spencer, Jr.
Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan Street, Suite 1300
San Antonio; Texas 78205

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James L. Drought
Ian Bolden
DROUGHT DROUGHT & BOBBITT, LLP
112 East Pecan Street, Suite 2900
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Via Facsimile: 210-222-0586

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Sharon C. Savage
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10107 McAllister Freeway
San Antonio, Texas 78205

Via Facsimile: 210-225-6235

David R. Deary
Jim L. Flegle
LOEWINSOHN FLEGLE DEARY, L.L.P.
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Dallas, Texas 75251

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John B. Massopust
Matthew Gellinger
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500 Washington Avenue South, Suite 4000
Minneapolis, Minnesota 55415

Via Facsimile: 612-336-9100

Michael S. Christian
ZELLE HOFMANN VOELBEL & MASON LLP
44 Montgomery Street, Suite 3400
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Nine Greenway Plaza, Suite 3100
Houston, Texas 77046

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Shayne D. Moses
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309 W. 7TH Street, Suite 815
Forth Worth, Texas 76102

Via Facsimile: 817-255-9199



ADOLFO CAMPERO, JR.

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 27, 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 27, 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 August 5, 2014:

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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
	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	
	§	
JP MORGAN CHASE BANK, N.A.,	§	225TH JUDICIAL DISTRICT
INDIVIDUALLY/CORPORATELY	§	
AND AS TRUSTEE OF THE SOUTH	§	
TEXAS SYNDICATE TRUST,	§	
	§	
<i>Defendants.</i>	§	
	§	BEXAR COUNTY, TEXAS

**CERTIFICATE OF SERVICE OF TEXAS FINANCE CODE NOTICE
ON NON-PARTY BHP BILLITON PETROLEUM PROPERTIES (N.A.), LP**

Plaintiffs file this certificate of service in accordance with Texas Finance Code section 59.006(c) indicating that BHP Billiton Petroleum Properties (N.A.), LP has been served with the notice and a copy of the record request from Plaintiffs' 10th Set of Requests for Production to JP Morgan Chase Bank, N.A. (notice and record request are attached as "Exhibit A"). Plaintiffs served BHP Billiton's counsel, William W. Russell, who agreed accept service on behalf of BHP Billiton via email. Through this filing, Plaintiffs also serve Defendant JP Morgan Chase Bank, N.A. with the notice.

DATE: July 30, 2014.

Respectfully submitted,

John B. Massopust (*pro hac vice*)
Matthew J. Gollinger (*pro hac vice*)
ZELLE HOFMANN VOELBEL & MASON
LLP
500 Washington Avenue South, Suite 5000
Minneapolis, Minnesota 55415
Telephone: (612) 339-2020
Facsimile: (612) 336-9100
**ATTORNEYS FOR INTERVENOR-
PLAINTIFFS, LINDA ALDRICH, ET AL.**

Richard Tinsman
Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205
Telephone: (210) 225-3121
Facsimile: (210) 225-6235

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

James L. Drought
DROUGHT DROUGHT & BOBBITT, LLP
112 E. Pecan St., Suite 2900
San Antonio, Texas 78205
Telephone: (210) 225-4031
Facsimile: (210) 222-0586
**ATTORNEYS FOR PLAINTIFFS,
JOHN K. MEYER, ET AL.**

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

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

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 e-filing on this 30th day of July 2014:

**HORNBERGER SHEEHAN FULLER
BEITER WITTENBERG & GARZA INC.**

Patrick K. Sheehan, Esq.
psheehan@hsfblaw.com
David Jed Williams, Esq.
jwilliams@hsfblaw.com
Kevin M. Beiter, Esq.
kveiter@hsfblaw.com
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, TX 78209
Telephone: (210) 271-1700
Facsimile: (210) 271-1740

HUNTON & WILLIAMS LLP

Charles A. Gall, Esq.
cgall@hunton.com
John E. Eichman, Esq.
jeichman@hunton.com
1445 Ross Avenue, Suite 3700
Dallas, TX 75202
Telephone: (214) 979-3000
Facsimile: (214) 880-0011

BOYER SHORT, PC

Fred W. Stumpf, Esq.
fstumpf@gpm-law.com
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Houston, TX 77046
Telephone: (713) 237-2111
Facsimile: (713) 237-3202

JACKSON WALKER LLP

Mark T. Josephs, Esq.
mjosephs@jw.com
Sara Hollan Chelette
schelette@jw.com
901 Main Street, Suite 6000
Dallas, TX 75202
Telephone: (214) 953-6000
Facsimile: (214) 953-5822

**SCHIRRMEISTER DIAZ-ARRASTIA
BREM LLP**

William W. Russell
Pennzoil Place – North Tower
700 Milam, 10th Floor
Houston, Texas 77002
wrussell@sdablaw.com
Counsel for BHP Billiton
(served via email)

/s/ Jim L. Flegle

Jim L. Flegle

CAUSE NO. 2010-CI-10977

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

Motion for Protective Order to the Deposition on Written Questions and Subpoena Duces Tecum of JPMorgan Chase Bank, N.A.

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES EOG Resources, Inc. (“EOG”), and moves this Court for a protective order preventing or otherwise limiting discovery of confidential and proprietary information related to the business of EOG responsive to the subpoena duces tecum filed by JPMorgan Chase Bank, N.A. and for cause would show the Court as follows:

I.

On July 7, 2014, JPMorgan Chase Bank, (the “Bank”) served on EOG a Deposition on Written Questions and a Subpoena Duces Tecum. EOG is serving its written response and objections to this discovery with this Motion. A copy of that response is attached to this Motion as **Exhibit 1**.

II.

The Bank’s discovery request seeks documents related to the leasing of properties located in Atascosa, LaSalle, and Webb Counties, Texas. The leases identified in the subpoena are: (1) a Lease between Alonzo Peeler, Jr., et. al. to EOG Resources, Inc. dated July 23, 2009, covering 7,546.36 acres of land; (2) a Lease between Alonzo Peeler, Jr., e.t al. to EOG Resources, Inc.

dated July 23, 2009, covering 7,471.97 acres of land; (3) a Lease between E. L. Ranch Family Partnership to EOG Resources, Inc. dated November 10, 2009, covering 6.056.57 acres of land; (4) a Lease between Donnell Minerals, L.P. to EOG Resources, Inc. dated November 16, 2009, covering 10,225.40 acres of land; (5) a Lease between Martindale Land and Cattle Company, Ltd. to EOG Resources, Inc. dated November 27, 2009, covering 7,722.83 acres of land; (6) a Lease between B. Naylor Morton Trust to EOG Resources, Inc. dated July 15, 2009, covering 37,000.00 acres of land; and (7) a Lease between Broadway National Bank to EOG Resources, Inc. dated February 28, 2008, covering 15,483.20 acres of land. The Bank's discovery requests include, the amounts EOG paid as lease bonus payments on the leases, executed copies of the leases, lease data sheets, and any option agreement related to the leases. EOG considers this information confidential and proprietary as this information could provide EOG's competitors an advantage by knowing the terms and conditions EOG is willing to lease property in this surrounding area. Such information is not in the public domain and EOG treats this information as confidential.

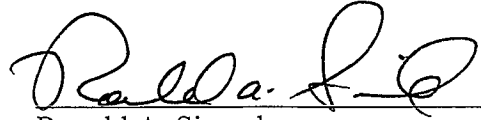
III.

EOG seeks an order from this Court preventing the discovery of the information sought by the Bank in its subpoena served on EOG. Alternatively, should the Court deem some of the information discoverable, EOG requests that this Court enter appropriate orders limiting the disclosure and the dissemination of this information relative to the leases on terms necessary to protect the legitimate business interest of EOG.

WHEREFORE, PREMISES CONSIDERED, EOG Resources, Inc. prays that this Court sustain the Motion for Protective Order of EOG and for such other relief that is necessary to protect the interest of EOG.

Respectfully submitted:

SCHAUER & SIMANK, P.C.



Ronald A. Simank
State Bar No. 18359400
615 North Upper Broadway, Suite 700
Corpus Christi, Texas 78401
Telephone: 361.884.2800
Facsimile: 361.884.2822
rsimank@cctlaw.com

ATTORNEYS FOR EOG RESOURCES, INC.

CERTIFICATE OF SERVICE

I do hereby certify that on the 30th day of July, 2014, a true and correct copy of the above and foregoing instrument was deposited in the United States mail, postage prepaid to the following:

via Certified Mail, RRR

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

via Certified Mail, RRR

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

George Spencer, Jr.
Robert Rosenbach
Clemens & Spencer
112 East Pecan St., Suite 1300
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James L. Drought
Ian Bolden
Drought Drought & Bobbitt LLP
112 East Pecan St., Suite 2900
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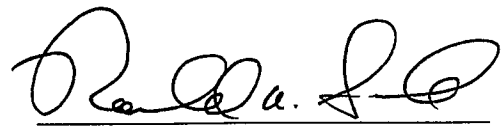
Richard Tinsman
Sharon C. Savage
Tinsman & Sciano, Inc.
10107 McAllister Freeway
San Antonio, TX 78205

David R. Deary
Jim L. Flegle
Loewinsohn Flegle Deary, LLP
12377 Merit Drive, Suite 900
Dallas, TX 75251

John B. Massopust
Matthew Gollinger
Zelle Hofmann Voelbel & Mason LLP
500 Washington Ave. South, Suite 4000
Minneapolis, MN 55415-1152

Michael S. Christian
Zelle Hofmann Voelbel & Mason
44 Montgomery Street, Suite 3400
San Francisco, CA 94104

Fred W. Stumpf
Glast, Phillips & Murray
Nine Greenway Plaza, Suite 3100
Houston, TX 77046



Ronald A. Simank

JOHN K. MEYER, ET AL

VS.

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

§
§
§
§
§
§
§
§

IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

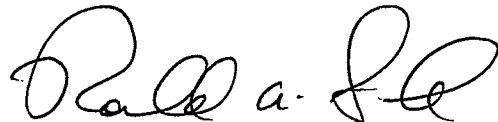
**OBJECTIONS AND RESPONSE OF EOG RESOURCES, INC.
TO JPMORGAN CHASE BANK, N.A.'s DEPOSITION ON WRITTEN QUESTIONS
AND SUBPOENA DUCES TECUM**

COMES NOW, EOG Resources, Inc. ("EOG") who makes and files this its Objections and Response pursuant to Rule 176.6 and 196 of the Texas Rules of Civil Procedure to the Deposition on Written Questions and Subpoena Duces Tecum to Produce Documents filed by JPMorgan Chase Bank, N.A.

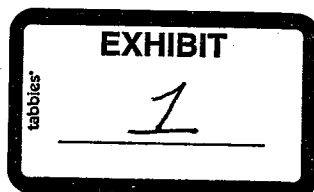
Exhibit A attached to the Deposition on Written Questions request documents concerning the leases described in items 1 – 7 of Exhibit A attached to the subpoena. EOG objects to the production of documents described in Exhibit A as the documents are both proprietary and confidential to EOG. Additionally, as the requested is not limited as to time, the subpoena is overlybroad and is objectionable.

Respectfully submitted:

SCHAUER & SIMANK, P.C.



Ronald A. Simank
State Bar No. 18359400
615 North Upper Broadway, Suite 700
Corpus Christi, Texas 78401



Telephone: 361.884.2800
Facsimile: 361.884.2822
rsimank@cctlaw.com

ATTORNEYS FOR EOG RESOURCES, INC..

CERTIFICATE OF SERVICE

I do hereby certify that on the 30th day of July, 2014, a true and correct copy of the above and foregoing instrument was deposited in the United States mail, postage prepaid to the following:

via Certified Mail, RRR

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

via Certified Mail, RRR

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

George Spencer, Jr.
Robert Rosenbach
Clemens & Spencer
112 East Pecan St., Suite 1300
San Antonio, TX 78205

James L. Drought
Ian Bolden
Drought Drought & Bobbitt LLP
112 East Pecan St., Suite 2900
San Antonio, TX 78205

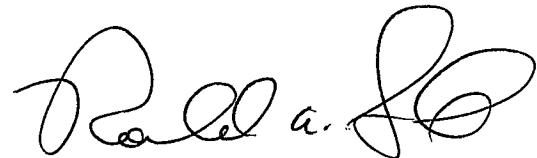
Richard Tinsman
Sharon C. Savage
Tinsman & Sciano, Inc.
10107 McAllister Freeway
San Antonio, TX 78205

David R. Deary
Jim L. Flegle
Loewinsohn Flegle Deary, LLP
12377 Merit Drive, Suite 900
Dallas, TX 75251

John B. Massopust
Matthew Gollinger
Zelle Hofmann Voelbel & Mason LLP
500 Washington Ave. South, Suite 4000
Minneapolis, MN 55415-1152

Michael S. Christian
Zelle Hofmann Voelbel & Mason
44 Montgomery Street, Suite 3400
San Francisco, CA 94104

Fred W. Stumpf
Glast, Phillips & Murray
Nine Greenway Plaza, Suite 3100
Houston, TX 77046

A handwritten signature in black ink, appearing to read "Ronald A. Simank". The signature is written in a cursive style with large, flowing loops.

Ronald A. Simank

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

JOHN K. MEYER, ET AL. § IN THE DISTRICT COURT
v. §
JPMORGAN CHASE BANK, N.A. § 255TH JUDICIAL DISTRICT OF
INDIVIDUALLY/CORPORATELY §
AND AS TRUSTEE OF THE SOUTH §
TEXAS SYNDICATE TRUST and §
GARY P. AYMES § BEXAR COUNTY, TEXAS

**NON-PARTY ANADARKO E&P ONSHORE LLC f/k/a
ANADARKO E&P CO., LP'S
MOTION TO QUASH AND FOR PROTECTIVE ORDER**

Non-party Anadarko E&P Onshore LLC f/k/a Anadarko E&P Co., LP (“Anadarko”) moves to quash and for a protective order from the attached deposition notice and subpoena duces tecum purporting to require a witness to appear for a deposition on written questions and produce documents 10:00 a.m. on July 31, 2014. In support, Anadarko shows as follows:

1. Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust (“JPMorgan”) issued and served the attached Deposition Subpoena Duces Tecum to Produce Documents and accompanying Notice of Intention to Take Deposition by Written Questions with Duces Tecum (jointly, the “Subpoena”). See **Exhibit A**. The Subpoena purports to require Anadarko to produce the following items with respect to six oil and gas leases Anadarko owns in Dimmit County and one lease it owns in LaSalle County (collectively, the “Anadarko Leases”):

1. The executed leases;
2. Any option agreements, letters of intent to lease or side agreements relative to the leases;
3. Any agreements relative to amendment, modification or extension of the leases;

4. Any lease data sheets relative to the lease;
5. Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre);
6. Any Lease Purchase Report (“LPR”); and
7. Any receipt or paid draft relative to the leases.

In essence, if Anadarko were to respond to the document requests, it would be forced to turn over most, if not all, of the contents of its internal lease files for the Anadarko Leases, including closely-guarded confidential and proprietary information.

2. Separately, Anadarko has objected to the foregoing document requests. Those objections are attached hereto as **Exhibit B** and are incorporated herein by reference. The Anadarko Leases about which JPMorgan seeks information were individually negotiated with sophisticated landowners and are specifically-tailored to the properties they cover.¹ The actual lease provisions of all but one of the Anadarko Leases are considered private, confidential and proprietary, and are maintained as such.² In order to preserve confidentiality, Anadarko has not filed the lease terms of record for the Anadarko Leases covering acreage in Dimmit County, but has instead filed placeholder memoranda of leases and/or amendments thereto.

3. Moreover, the other documents and records JPMorgan seeks by the Subpoena involve letters of intent and other documents related to the negotiation of the Anadarko Leases; “side agreements” related to the Anadarko Leases (which would encompass, for example, surface use agreements); information about confidential bonus amounts paid to the mineral

¹ By way of example but without limitation, they include individualized royalty terms, drilling obligations and/or surface use provisions (or related surface use agreements), all of which are confidential in nature and unrelated to the claims in this lawsuit.

² The Anadarko Lease identified as lease no. 3 in JPMorgan’s Subpoena is recorded of record as Document 9540 at Volume 344, Page 6 of the public records of LaSalle County, Texas. The burden of obtaining a copy of this lease is thus the same or substantially the same for JPMorgan as it is for Anadarko.

interest owners; and internal reports prepared and maintained by Anadarko to document its purchase of the Anadarko Leases and the terms of those leases. Anadarko considers all of these items to be confidential. Individually or taken in combination, these materials also constitute privileged proprietary information and/or trade secrets that are valuable to Anadarko's business and are not generally known to and are not readily ascertainable by proper means by other persons, including Anadarko's competitors and other mineral owners. For instance, the bonus amounts Anadarko has paid for the Anadarko Leases and the specific terms of those leases (and related agreements) reveal Anadarko's economic evaluation of the leased acreage. This type of information would be valuable to Anadarko's competitors in the industry, and if obtained by those competitors could place Anadarko at a competitive disadvantage.

3. In sum, the Subpoena should be quashed and/or a protective order directing that the requested discovery not be sought should be entered because the document requests invade the personal, constitutional and/or property rights of Anadarko and the lessors under the Anadarko Leases. Such relief is also necessary to protect Anadarko from undue burden, unnecessary expense, harassment and annoyance.

4. Finally, the Anadarko Leases are not at issue in this lawsuit, nor are they related to or involved with the mineral interests or oil and gas leases about which Plaintiffs' complain (i.e., the STS Trust acreage in *LaSalle and McMullen Counties* and the Petrohawk leases covering that acreage). Indeed, six of the Anadarko Leases are located in *Dimmit County*, miles away from the acreage in question. JPMorgan has failed to show that the expansive information it seeks about the Anadarko Leases is relevant in any way to this case, much less that it has relevance sufficient to outweigh the burden, expense and harm that would be incurred by Anadarko if forced to respond to the Subpoena.

5. For the foregoing reasons, Anadarko brings this motion asking the Court to quash the Subpoena and protect Anadarko from having to respond to the document requests contained therein, which would force Anadarko to reveal its confidential materials and privileged proprietary and/or trade secret information. Alternatively and at the very least, Anadarko requests entry of a protective order limiting the scope of the discovery requests and containing provisions for an “attorneys’ eyes only designation” and other protections suitable to preserve the confidential nature of any information Anadarko may be required to produce.

WHEREFORE, Anadarko requests that the Court quash the Subpoena and/or issue a protective order in favor of Anadarko, along with all other and further relief to which it may be justly entitled.

Respectfully submitted,

/s/ Timothy D. Howell

Shayne D. Moses

State Bar No. 14578980

smoses@mph-law.com

Timothy D. Howell

State Bar No. 24002315

thowell@mph-law.com

MOSES, PALMER & HOWELL, L.L.P.

309 W. 7th Street, Suite 815

Fort Worth, Texas 76102

817-255-9100 Telephone

817-255-9199 Facsimile

ATTORNEYS FOR

ANADARKO E&P ONSHORE LLC

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

CERTIFICATE OF SERVICE

This is to certify that on the 30th day of July, 2014, a true and correct copy of the above and foregoing document has been served via email as indicated below:

David Jed Williams *Via Email*
Patrick K. Sheehan
Rudy A. Garza
HORNBERGER SHEEHAN FULLER & GARZA
The Quarry Heights Building
7373 Broadway, Suite 300
San Antonio, Texas 78209

Charles A. Gall *Via Email*
John C. Eichman
HUNTON & WILLIAMS LLP
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202

George Spencer, Jr. *Via Email*
Robert Rosenbach
CLEMENS & SPENCER
112 East Pecan Street, Suite 1300
San Antonio, Texas 78205

James L. Drought *Via Email*
Ian Bolden
DROUGHT DROUGHT & BOBBITT, LLP
112 East Pecan Street, Suite 2900
San Antonio, Texas 78205

Richard Tinsman *Via Email*
Sharon C. Savage
TINSMAN & SCIANO, INC.
10107 McAllister Freeway
San Antonio, Texas 78205

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

John B. Massopust
Matthew Gollinger
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, Minnesota 55415

Via Email

Michael S. Christian
ZELLE HOFMANN VOELBEL & MASON LLP
44 Montgomery Street, Suite 3400
San Francisco, California 94104

Via Email

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

Via Email

/s/ Timothy D. Howell
Timothy D. Howell

L:\Anadarko\Meyer (subpoena)\Pleadings\Motion to Quash & Prot Ord.doc

7-7-14
2:35 PM

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL.

IN THE DISTRICT COURT

VS.

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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 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

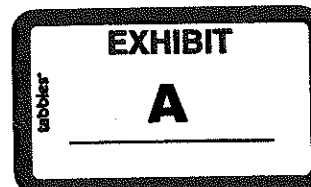
c/o CT Corporation
1999 Bryan Street, Suite 900
Dallas, Texas 75201-3136

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

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL.

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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

**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.
Mr. Robert Rosenbach
CLEMENS & SPENCER

VIA EMAIL

112 East Pecan St., Suite 1300
San Antonio, Texas 78205

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

VIA EMAIL

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

VIA EMAIL

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

VIA EMAIL

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

VIA EMAIL

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

VIA EMAIL

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

VIA EMAIL

s/David Jed Williams
David Jed Williams

JOHN K. MEYER, ET. AL.

VS.

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

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

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., L.P., 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.

(Consolidated Under)
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 and §
GARY P. AYMES §

IN THE DISTRICT COURT
255TH JUDICIAL DISTRICT OF
BEXAR COUNTY, TEXAS

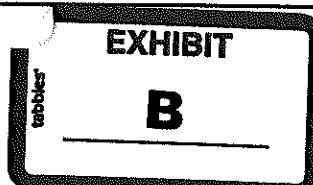
**NON-PARTY ANADARKO E&P ONSHORE LLC f/k/a ANADARKO E&P CO., LP'S
OBJECTIONS TO REQUESTS FOR PRODUCTION IN SUBPOENA DUCES TECUM**

Non-party Anadarko E&P Onshore LLC f/k/a Anadarko E&P Co., LP ("Anadarko") objects as follows to the document requests set forth on Exhibit "A" to the Notice of Intention to Take Deposition by Written Questions with Duces Tecum dated July 3, 2014, which was served with and attached to defendant JPMorgan Chase Bank, N.A.'s ("Chase Bank") Deposition Subpoena Duces Tecum to Produce Documents:

OBJECTIONS TO DEFINITIONS

1. Anadarko objects to Chase Bank's description of lease no. 2 as a "Lease Amendment, dated 11/11/2008" as being inaccurate and misleading because the actual instrument filed of record is a Memorandum of Lease Amendment dated as of October 1, 2008.

2. Anadarko objects to Chase Bank's description of lease no. 4 as a "Memorandum of Lease, dated 7/31/2007 from William West Lloyd" as being inaccurate and misleading because the actual instrument filed of record is a Memorandum of Oil and Gas Lease dated effective June 9, 2006, from William West Lloyd and three other lessors.



3. Anadarko objects to Chase Bank's description of lease no. 5 as a "Lease Amendment" as being inaccurate and misleading because the actual instrument filed of record is a Memorandum of Amendment of Oil & Gas Lease.

4. Anadarko objects to Chase Bank's description of lease no. 6 as a "Lease Amendment, dated 11/3/2008" as being inaccurate and misleading because the actual instrument filed of record is a Memorandum of Amendment of Oil & Gas Leases dated as of October 1, 2008.

5. Anadarko objects to Chase Bank's description of lease no. 7 as a "Lease Amendment, dated 12/9/2008" as being inaccurate and misleading because the actual instrument filed of record is a Memorandum of Amendment of Oil & Gas Leases dated as of November 5, 2008.

OBJECTIONS TO REQUESTS

- The executed leases.

Objection: With respect to the leases described as nos. 1-2 and 4-7, Anadarko objects on grounds that this request seeks confidential and proprietary information. As noted in Chase Bank's description of lease no. 3, said lease is filed of record as Document 9540 at Volume 344, Page 6 of the public records of LaSalle County, Texas. Anadarko thus objects to producing lease no. 3 because the burden of doing so is the same or substantially the same for Chase Bank as it is for Anadarko. Anadarko objects to this request in its entirety because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

- Any option agreements, letters of intent to lease or side agreements relative to the leases.

Objection: Anadarko objects to this request because it seeks confidential and proprietary information, is overly broad, and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Anadarko also objects to this request because the term "side agreements" is vague and ambiguous.

- Any agreements relative to amendment, modification or extension of the leases.

Objection: Anadarko objects to this request because it seeks confidential and proprietary information and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

- Any lease data sheets relative to the lease.

Objection: Anadarko objects to this request because it seeks confidential and proprietary information and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Anadarko further objects to this request because the term “lease data sheets” is vague and ambiguous.

- Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre).

Objection: Anadarko objects to this request because it seeks confidential and proprietary information and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

- Any Lease Purchase Report (“LPR”).

Objection: Anadarko objects to this request because it seeks confidential and proprietary information and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Anadarko further objects to this request because the term “Lease Purchas Report” is vague and ambiguous.

- Any receipt or paid draft relative to the leases.

Objection: Anadarko objects to this request because it seeks confidential and proprietary information and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

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

CERTIFICATE OF SERVICE

This is to certify that on the 30th day of July, 2014, a true and correct copy of the above and foregoing document has been served via facsimile as indicated below:

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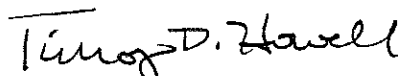
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Timothy D. Howell

Mery

JUDGE'S NOTES



CAUSE NO.: 2010CI10977

COURT: 225

DATE/TIME: 07/29/2014 08:30AM

SETTING COURT: 109

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

DISCOVERY LEVEL: 2
ATTORNEY(S) FOR CASE:
MARK RANDOLPH
JAMES DROUGHT ✓
STEVEN BADGER
MATTHEW GOLLINGER ✓
JOHN EICHMAN
MARK JOSEPHS
FRED STUMPF
DAVID BUTTERBAUGH

PATRICK SHEEHAN
JIM FLEGLE ✓
JOHN MASSOPUST
RUDY GARZA ✓
DAVID WILLIAMS ✓
RICHARD TINSMAN
IAN BOLDEN ✓

Michael Christian

Donna Kay McKinney
DEPUTY

14 JUL 29 AM 8:51

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY

THIS CASE HAS 15 OR MORE ATTORNEYS

TYPE OF MOTION OR APPLICATION:
NON-JURY RESET M/T QUASH/PROTECTIVE ORDER

CONFERRING _____ ESTIMATE HEARING TIME 1 1/2 hrs
AGREED ORDER _____ ASSIGNED COURT 374
DROP _____ RECORD TAKEN Yes, by Klarda Hogan, 335-2516
INTERPRETER _____ RESET DATE _____ TIME _____

DATE OF NOTES 7-29-14

JUDGE INITIALS KAC

- Ct. partially grants, partially overrules
M/T Quash depos. by prescribing what
topics of Q's will be allowed & which
won't, but permitting both depositions by D's.
- Ct. permits disc. the subject of P's motion
to compel, but orders P's to comply
with \$ 59,006 TX. Finance Code.
- Ct. holds in abeyance the M/T to compel
prod. of the seismographs, as the issue
may be moot.

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

DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION TO COMPEL
(10TH Requests for Production)

JPMorgan Chase Bank, N.A., Individually/Corporately and as former Trustee of the South Texas Syndicate Trust (collectively "JPMorgan"), files this Response to Plaintiffs' Motion to Compel (10th Requests for Production) as follows:

I. INTRODUCTION

JPMorgan is the former Trustee of the South Texas Syndicate Trust ("STS"). JPMorgan was sued by some of the beneficiaries of the trust who have alleged various breaches of fiduciary duty by JPMorgan as trustee of the trust. Plaintiffs filed this lawsuit nearly four years ago. It was set for trial on March 24, 2014 and Plaintiffs were ready for trial until they sought and obtained a continuance only after one of their damage models was stricken as untimely.

To date, Plaintiffs have conducted a massive amount of discovery. In the course of the extensive and exhaustive discovery in this case, JPMorgan has responded to ten (10) sets of requests for production and produced in excess of 150,000 pages of documents. 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 deposition testimony – nearly double the limit under Texas Rule of Civil Procedure 190.3(2).

Now, despite the massive discovery that JPMorgan has already provided and over four years since this case was filed and previously ready for trial, Plaintiffs still seek additional documents through this motion to compel. JPMorgan has made appropriate objections to the categories of document requests that are at issue in this motion. JPMorgan therefore asks the Court to sustain its objections and deny this motion.

II. REQUESTS FOR PRODUCTION AT ISSUE FROM 10TH SET

A. Request for Production No. 1; The 2008 “Operating Model Analysis” for specialty assets (as described in the deposition of Kevin B. Smith on October 16, 2013 (around pages 21-24).

JPMorgan appropriately objected to this request as not relevant to the subject matter of this case and overly broad. Plaintiffs have requested an “Operating Model Analysis” for the *specialty assets* department of JPMorgan. “Specialty assets” for JPMorgan includes the administration of assets such as real estate, closely held corporations, and oil and gas interests. Each of these separate

asset types is administered by a separate department. For example, the closely held group is located in Columbus, Ohio. The oil and gas group is located in Dallas/Fort Worth.

This case concerns JPMorgan's actions as trustee in administering only oil and gas interests owned by the trust. The STS trust does not contain any assets other than oil and gas interests and these assets were administered by the oil and gas group. This case does not involve administration of the other asset types that fall under Specialty Assets. However, Plaintiffs have not limited their request to information pertaining only to the oil and gas group that actually administered the STS oil and gas interests. Plaintiffs are asking for information pertaining to the entire Specialty Assets department –which has nothing to do with administration of STS. Accordingly, Plaintiffs' requests are not reasonably tailored to only obtain potentially relevant evidence. *See In Re CSX Corporation*, 124 S.W. 3d 149, 152 (Tex. 2003)(discovery requests must be reasonably tailored to include only relevant matters). JPMorgan therefore asks the Court to sustain its objections to this request and deny the motion to compel.

B. 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.

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.

1. Requests do not comply with Texas Finance Code requirements for customer records of a financial institution

JPMorgan has appropriately objected to these requests for banking records pertaining to its bank customer, Petrohawk, because Plaintiffs have failed to comply with the necessary and mandatory requirements under the Texas Finance Code to obtain discovery of a third party's banking records from a financial institution, such as JPMorgan.

TEX. FIN. CODE §59.006 provides “the exclusive method for compelled discovery of a record of a financial institution relating to one or more customers...” Before a financial institution such as JPMorgan can produce customer records of a non-party in response to a document request, the requesting party must *first*:

- (1) give notice to the customer under TEX. FIN. CODE §59.006(c)(1);
- (2) file a certificate of service indicating that the customer has been served with the notice and copy of the request; and
- (3) request the customer's written consent authorizing the financial institution to comply with the request.

TEX. FIN. CODE §59.006(c)(1)-(3). Plaintiffs have failed to comply with any of these mandatory requirements. Therefore, JPMorgan's objections should be sustained and the Court should deny Plaintiffs' motion to compel.

2. Plaintiffs' ignore the federally mandated information barriers that are in place at JPMorgan

In Request Nos. 6 and 7, Plaintiffs seek to require JPMorgan to turn over documents and information relating to a non-fiduciary banking customer (Petrohawk) that are largely confidential and likely contain material non-public information. 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.¹ 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

¹ 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).

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 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, ¶ 10.² 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.

These document requests ignore 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. Accordingly, JPMorgan asks the Court to sustain its objections and to deny Plaintiffs' Motion to Compel.

C. Request for Production No. 8 Copies, electronic or otherwise, of the seismic data received by JPMorgan from Whittier, its agents or representatives, pursuant to the 2007 agreements with Whittier relating to the Trust Assets.

JPMorgan has appropriately objected to producing the seismic data requested by Plaintiffs in this request. First, Plaintiffs have failed to show how this seismic data is relevant to any of its claims in this lawsuit. Second, under the seismic

² 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.

agreement, JPMorgan may only disclose the data to its own personnel and consultants. Thus, JPMorgan is contractually prohibited from disclosing and producing this sensitive data.

Further, as of July 1, 2014, JPMorgan was no longer the trustee of the STS trust. The successor trustee is now the proper party to respond to a request for this information, not the former trustee, JPMorgan. Therefore, JPMorgan's objections should be sustained and the Court should deny Plaintiffs' motion to compel.

III. CONCLUSION AND PRAYER

JPMorgan's objections to the requested information are well founded and should be sustained. JPMorgan therefore prays that the Court sustain its objections and deny Plaintiffs' motion to compel.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER
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JPMORGAN CHASE BANK, N.A., IN
ALL CAPACITIES**

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This is to certify that a true and correct copy of the foregoing was served on the following, as indicated, on July 28, 2014:

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VIA ELECTRONIC SERVICE

/s/ David Jed Williams _____

David Jed Williams

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

JOHN K. MEYER, ET AL.	§	IN THE DISTRICT COURT
	§	
v.	§	
	§	
JPMORGAN CHASE BANK, N.A.	§	255th JUDICIAL DISTRICT
INDIVIDUALLY/CORPORATELY	§	
AND AS TRUSTEE OF THE SOUTH	§	
TEXAS SYNDICATE TRUST and	§	
GARY P. AYMES	§	BEXAR COUNTY, TEXAS

**NON-PARTY SM ENERGY COMPANY'S
MOTION TO QUASH AND FOR PROTECTIVE ORDER**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW SM Energy Company ("SM"), a non-party, and moves to quash and for a protective order from the attached deposition notice and subpoena duces tecum purporting to require a witness to appear for a deposition on written questions and produce documents 10:00 a.m. on August 6, 2014, and as grounds therefore, would respectfully shows as follows:

1. Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust ("JPMorgan") issued and served the attached Deposition Subpoena Duces Tecum to Produce Documents and accompanying Notice of Intention to Take Deposition by Written Questions with Duces Tecum (jointly, the "Subpoena"). *See Exhibit A.* The Subpoena purports to require SM to produce the following items with respect to eight oil and gas leases SM owns in Webb and Dimmit Counties (collectively, the "SM Leases"):

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

In essence, if SM were to respond to the document requests, it would be forced to turn over most, if not all, of the contents of its internal lease files for the SM Leases, including closely-guarded confidential and proprietary information.

2. Separately, SM has objected to the foregoing document requests. Those objections are attached hereto as **Exhibit B** and are incorporated herein by reference. The SM Leases about which JPMorgan seeks information were individually negotiated with sophisticated landowners and are specifically tailored to the properties they cover.¹ The actual lease provisions of all but one of the SM Leases are considered private, confidential and proprietary, and are maintained as such.² In order to preserve

¹ By way of example but without limitation, they include individualized royalty terms, drilling obligations and/or surface use provisions (or related surface use agreements), all of which are confidential in nature and unrelated to the claims in this lawsuit.

² The SM Lease identified as lease no. 6 in JPMorgan's Subpoena is recorded at Volume 2501, Page 750 of the public records of Webb County, Texas. The burden of obtaining a copy of this lease is thus the same or substantially the same for JPMorgan as it is for SM.

confidentiality, SM has not filed the lease terms of record for the SM Leases covering acreage in Dimmit County, but has instead filed memoranda of leases and/or amendments thereto.

3. Moreover, the other documents and records JPMorgan seeks by the Subpoena involve letters of intent and other documents related to the negotiation of the SM Leases; "side agreements" related to the SM Leases (which would encompass, for example, surface use agreements); information about confidential bonus amounts paid to the mineral interest owners; and internal reports prepared and maintained by SM to document its purchase of the SM Leases and the terms of those leases. SM considers all of these items to be confidential. Individually or taken in combination, these materials also constitute privileged proprietary information and/or trade secrets that are valuable to SM's business and are not generally known to and are not readily ascertainable by proper means by other persons, including its competitors and other mineral owners. For instance, the bonus amounts SM has paid for the SM Leases and the specific terms of those leases (and related agreements) reveal SM's economic evaluation of the leased acreage. This type of information would be valuable to SM 's competitors in the industry, and if obtained by those competitors could place SM at a competitive disadvantage.

4. In sum, the Subpoena should be quashed and/or a protective order directing that the requested discovery not be sought should be entered because the document requests invade the personal, constitutional and/or property rights of SM and the lessors under the SM Leases. Such relief is also necessary to protect SM from undue burden, unnecessary expense, harassment and annoyance.

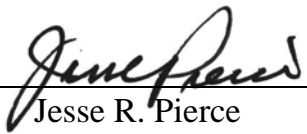
4. Finally, the SM Leases are not at issue in this lawsuit, nor are they related to or involved with the mineral interests or oil and gas leases about which Plaintiffs complain (i.e., the STS Trust acreage in *LaSalle and McMullen Counties* and the Petrohawk leases covering that acreage). Indeed, all of the SM Leases are located in *Webb County* and *Dimmit County*, miles away from the acreage in question. JPMorgan has failed to show that the expansive information it seeks about the SM Leases is relevant in any way to this case, much less that it has relevance sufficient to outweigh the burden, expense and harm that would be incurred by SM if it is forced to respond to the Subpoena.

5. For the foregoing reasons, SM brings this motion asking the Court to quash the Subpoena and protect SM from having to respond to the document requests contained therein, which would force SM to reveal its confidential materials and privileged proprietary and/or trade secret information. Alternatively and at the very least, SM requests entry of a protective order limiting the scope of the discovery requests and containing provisions for an "attorneys' eyes only designation" and other protections suitable to preserve the confidential nature of any information SM may be required to produce.

WHEREFORE, SM requests that the Court quash the Subpoena and/or issue a protective order in favor of SM, along with all other and further relief to which it may be justly entitled.

Respectfully submitted,

PIERCE & O'NEILL, LLP

By: 

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ATTORNEY FOR MOVANT
SM ENERGY COMPANY

CERTIFICATE OF SERVICE

This is to certify that on the 7th day of August, 2014, a true and correct copy of the above and foregoing document has been served via electronic service:

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Jesse R. Pierce

2010CI10977

EXHIBIT A

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

McH 7-11-14

CAUSE NO. 2010-CI-10977

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 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:

SM ENERGY COMPANY f/k/a ST. MARY'S LAND & EXPLORATION CO.

**c/o CSC-Lawyers Incorporating Service Co.
211 E. 7th Street, Suite 620
Austin, Texas 78701**

This Subpoena directs the Custodian of Records for SM ENERGY COMPANY f/k/a ST. MARY'S LAND & EXPLORATION CO., to appear at 10:00 a.m. on August 6, 2014, before a notary public at the following location:

**777 N. Eldridge Pkwy, Suite 1000
Houston, TX 77079**

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**

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David Jed Williams
State Bar No. 21518060

HUNTON & WILLIAMS LLP

1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
(214) 979-3000 - Telephone
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Charles A. Gall
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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 CSC-LAWYERS INCORPORATING SERVICE, A TRUE COPY OF THIS
SUBPOENA UPON WHICH I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE
TO EXECUTE THIS SUBPOENA IS _____.

TOTAL FEES: \$ _____

TRAVIS 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

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

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 SM ENERGY COMPANY f/k/a ST. MARY'S LAND & EXPLORATION CO., at the following date, time, and place:

Date: **August 6, 2014**

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

Place: **SM ENERGY COMPANY
777 N. Eldridge Pkwy, Suite 1000
Houston, TX 77079**

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
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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 10, 2014:

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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 SM ENERGY COMPANY
F/K/A ST. MARY'S LAND & EXPLORATION 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 **SM ENERGY COMPANY f/k/a ST. MARY'S LAND & EXPLORATION 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 **SM ENERGY COMPANY f/k/a ST. MARY'S LAND & EXPLORATION CO.?**

ANSWER:

9. Was it the regular practice of the business activity of **SM ENERGY COMPANY f/k/a ST. MARY'S LAND & EXPLORATION CO.**, to make the memorandum, report, record or data compilation reflected in these documents and records?

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
**SM ENERGY COMPANY f/k/a ST. MARY'S LAND &
EXPLORATION CO.**

I _____, a Notary Public in and for the State of Colorado, 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 Colorado

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 4/24/2008 from Briscoe Ranch, Inc., as Grantor, to St. Mary's Land & Exploration Company, as Grantee, recorded in Volume 2583 Page 182 Oil and Gas Lease Records Webb County, Texas, comprising 8,240.00 acres of land, more or less, in such county.
2. Memorandum of Lease, dated 11/10/2008 from Diana M. Stumberg, et al., as Grantor, to St. Mary's Land & Exploration Company, as Grantee, recorded in Volume 354 page 177 Oil and Gas Lease Records Dimmit County, Texas, comprising 6,880.00 acres of land, more or less, in such county.
3. Memorandum of Lease, dated 3/1/2009 from Worthey Properties, Ltd., as Grantor, to St. Mary's Land & Exploration Company, as Grantee, recorded in Volume 2750 page 95 Oil and Gas Lease Records Webb County, Texas, comprising 5,470.07 acres of land, more or less, in such county.
4. Memorandum of Lease, dated 4/24/2008 from Briscoe Ranch, Inc., as Grantor, to St. Mary's Land & Exploration Company, as Grantee, recorded in Volume 2583 page 188 Oil and Gas Lease Records Webb County, Texas, comprising 7,287.96 acres of land, more or less, in such county.
5. Memorandum of Lease, dated 4/24/2008 from Briscoe Ranch, Inc., as Grantor, to St. Mary's Land & Exploration Company, as Grantee, recorded in Volume 2583 page 185 Oil and Gas Lease Records Webb County, Texas, comprising 9,600.00 acres of land, more or less, in such county.
6. Lease, dated 11/1/07 from Mae Louis S. Carruth Trust (Bank of America), as Grantor, to St. Mary's Land & Exploration Company, as Grantee, recorded in Volume 2501 page 750 Oil and Gas Lease Records Webb County, Texas, comprising 5,040.00 acres of land, more or less, in such county.

7. Memorandum of Lease, dated 10/27/2008 from The Ed Rachal Foundation, as Grantor, to St. Mary's Land & Exploration Company, as Grantee, recorded in Volume 2680 page 180 Oil and Gas Lease Records Webb County, Texas, comprising 64,828.44 acres of land, more or less, in such county.

8. Memorandum of Lease, dated 10/29/2009 from Light Mineral Trust, et al., as Grantor, to St. Mary's Land & Exploration Company, as Grantee, recorded in Volume 379 page 825 Oil and Gas Lease Records Dimmitt County, Texas, comprising 15,200.00 acres of land, more or less, in such county.

2010CI10977

EXHIBIT B

**NON-PARTY SM ENERGY COMPANY'S OBJECTIONS
TO REQUESTS FOR PRODUCTION IN
SUBPOENA DUCES TECUM**

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

JOHN K. MEYER, ET AL.	§	IN THE DISTRICT COURT
	§	
v.	§	
	§	
JPMORGAN CHASE BANK, N.A.	§	255th JUDICIAL DISTRICT
INDIVIDUALLY/CORPORATELY	§	
AND AS TRUSTEE OF THE SOUTH	§	
TEXAS SYNDICATE TRUST and	§	
GARY P. AYMES	§	BEXAR COUNTY, TEXAS

**NON-PARTY SM ENERGY COMPANY'S OBJECTIONS TO
REQUESTS FOR PRODUCTION IN SUBPOENA DUCES TECUM**

Non-party SM Energy Company ("SM") objects as follows to the document requests set forth on Exhibit "A" to the Notice of Intention to Take Deposition by Written Questions with Duces Tecum dated July 10, 2014, which was served with and attached to defendant JPMorgan Chase Bank, N .A.' s ("Chase Bank") Deposition Subpoena Duces Tecum to Produce Documents:

OBJECTIONS TO REQUESTS

- The executed leases.

Objection: With respect to the lease described as no.'s 1-5 and 7-8, SM objects on grounds that this request seeks confidential and proprietary information.

Objection: With respect to lease no. 6, the lease is filed of record as at Volume 2501, Page 750 of the public records of Webb County, Texas. SM thus objects to producing this lease because the burden of doing so is the same or substantially the same for Chase Bank as it is for SM.

Objection: SM objects to this request in its entirety because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

- Any option agreements, letters of intent to lease or side agreements relative to the leases.

Objection: SM objects to this request because it seeks confidential and proprietary information, is overly broad, and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. SM also objects to this request because the term "side agreements" is vague and ambiguous.

- Any agreements relative to amendment, modification or extension of the leases.

Objection: SM objects to this request because it seeks confidential and proprietary information and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

- Any lease data sheets relative to the lease.

Objection: SM objects to this request because it seeks confidential and proprietary information and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. SM further objects to this request because the term "lease data sheets" is vague and ambiguous.

- Sufficient documents to identify the bonus paid for the lease (total bonus and bonus per net mineral acre).

Objection: SM objects to this request because it seeks confidential and proprietary information and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.


- Any Lease Purchase Report ("LPR").

Objection: SM objects to this request because it seeks confidential and proprietary information and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. SM further objects to this request because the term "Lease Purchas Report" is vague and ambiguous.

- Any receipt or paid draft relative to the leases.

Objection: SM objects to this request because it seeks confidential and proprietary information and because the documents sought are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

PIERCE & O'NEILL, LLP

By: 

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ATTORNEY FOR
SM ENERGY COMPANY

CERTIFICATE OF SERVICE

This is to certify that on the 7th day of August, 2014, a true and correct copy of the above and foregoing document has been served via fax as indicated below:

David Jed Williams
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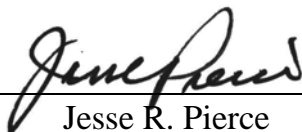
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Jesse R. Pierce

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

JOHN K. MEYER, ET AL.,	§	IN THE DISTRICT COURT OF
	§	
<i>Plaintiffs,</i>	§	
	§	
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

**PLAINTIFFS’ MOTION TO COMPEL PRODUCTION
FROM NON-PARTY HARRISON INTERESTS, LTD.**

1. Plaintiffs move to compel production of one document—an oil and gas lease (the “HIL Lease”)—from nonparty Harrison Interests, Ltd. (“HIL”). The HIL Lease is responsive to a subpoena that Plaintiffs properly noticed and served on HIL. HIL nevertheless refused to produce the HIL Lease and instead objected that the lease is a trade secret and irrelevant to Plaintiffs’ claims.

2. The HIL Lease is “reasonably calculated to lead to the discovery of material evidence” and is therefore relevant. *Jampole v. Touchy*, 673 S.W.2d 569, 573 (Tex. 1984) *disapproved of on other grounds by Walker v. Packer*, 827 S.W.2d 833 (Tex. 1992). Plaintiffs are beneficiaries of a trust (the “STS Trust”). They claim that from 2008 through 2012 Defendant JP Morgan Chase Bank, N.A. (“JP Morgan”), as trustee, mismanaged the STS Trust by, among other things, entering into imprudent leases of the trust’s mineral interests in the Eagle Ford Shale. In 2010, the HIL Lease conveyed mineral interests in the Eagle Ford Shale located 30 miles west of the STS Trust’s mineral interests. The HIL Lease is therefore highly probative of prudent lease terms and valuations for the STS Trust’s mineral interests. It is more than merely relevant for

discovery purposes; the HIL Lease is admissible evidence. *See id.* (relevance standards for admissibility higher than those for discoverability).

3. The HIL Lease is not a trade secret. It is an ordinary commercial lease of mineral interests. And even if the HIL Lease were a trade secret, the protective order entered in this case provides more than adequate protection of HIL's interests. HIL's relevance and trade secret objections are without merit, and the relief to which HIL has availed itself—the complete suppression of admissible evidence—is not supported by HIL's confidentiality concerns. This Court should therefore enter an order compelling HIL to produce the HIL Lease.

I.

BACKGROUND

4. Plaintiffs' claims against JP Morgan turn on, among other things, its mismanagement of several lease transactions conveying mineral interests owned by the STS Trust. *See* Sixth Amendment Petition ("Petition") ¶¶ 132-200. The main asset of the STS Trust is an undivided interest to mineral rights in 132,000 contiguous acres in La Salle and McMullen Counties, Texas. *See id.* ¶ 126. La Salle and McMullen counties lie in a geological formation known as the Eagle Ford. Plaintiffs allege that JP Morgan's mismanagement resulted in exceedingly low bonus compensation to the STS Trust and unfavorable lease terms, such as inadequate development requirements. *See id.* ¶¶ 132-139. JP Morgan has since been removed as Trustee of the STS Trust.

5. JP Morgan's mismanagement spans several lease transactions. Specifically, Plaintiffs allege that in 2008 JP Morgan's commercial client Petrohawk approached JP Morgan about leasing all available STS acreage (approximately 79,524.77 acres). *See id.* ¶ 132. At the time Petrohawk approached JP Morgan, Petrohawk was a well-known unconventional shale player. *See id.* Because Petrohawk was well-known, its involvement in a play, if known

publically, would cause bonus payments for acreage in that play to rise. *See id.* For this reason, Petrohawk used a “stealth” land acquisition strategy at the time it contacted JP Morgan. *See id.* As part of its stealth acquisition strategy, Petrohawk also used a Corpus Christi entity (First Rock) to act as lessee for Eagle Ford acreage. *See id.* But, even though Petrohawk had been using First Rock to lease acreage from other Eagle Ford mineral owners, it openly approached JP Morgan. *See id.* JP Morgan agreed to keep Petrohawk’s interest in STS acreage confidential, and subsequently leased over 79,000 STS acres to Petrohawk in three lease transactions spanning March to December 2008. *See id.*

6. JP Morgan executed the 2008 leases to Petrohawk without any competitive bidding and without conducting any due diligence. *See id.* The imprudent and rushed leasing process for the 2008 Petrohawk leases resulted in bonus compensation to the STS Trust of \$150-\$200 per acre. *See id.* ¶ 134. Experts in this case have opined that the proper exercise of diligence and prudence in this case would have required holding back 60,000 of the STS acres leased to Petrohawk in 2008. Half of these 60,000 STS acres would then have been leased no earlier than October 1, 2009 with the remaining half leased no earlier than May 1, 2010.

7. After Petrohawk acquired the approximately 80,000 acres of mineral interests from the STS Trust, BHP Billiton acquired Petrohawk for \$15.1 billion in July 2011. *See id.* ¶143. The undeveloped STS Trust acreage was valued at \$12,125 per acre in that sale, or approximately \$970 million. *See id.* The STS Trust received only \$14.9 million in bonus compensation for those same mineral interests. *See id.* ¶ 144.

8. JP Morgan also mismanaged the four leases to Hunt Oil Company (“Hunt”) of approximately 10,000 acres of STS mineral interests. For instance, Plaintiffs allege that JP Morgan failed to pursue STS acreage leased by Hunt that should have been released due to Hunt’s failure

to develop the acreage. *See id.* ¶ 153. If JP Morgan had pursued this acreage, the acreage would have been available to bring to market in 2010. *See id.* Plaintiffs further allege that in 2012 JP Morgan allowed Hunt to extend, for little or no consideration, two leases that had recently expired. *See id.* ¶ 156. In one case, JP Morgan extended an expired Hunt lease of STS acreage for \$175,000. *See id.* It extended the other lease for \$700 per acre, valued on only half of the acreage at issue. *See id.* At the time it renewed these leases, JP Morgan knew that Eagle Ford acreage was valued much higher. *See id.* ¶ 157.

9. The HIL Lease conveys the mineral interests in over 100,000 Eagle Ford acres from a property known as the Harrison Ranch. *See id.* ¶¶ 135-38. It was executed in 2010 and involves a property 30 miles west of the STS acreage. *See id.* Like the mineral interests held by the STS Trust, the Harrison Ranch is subject to a single point of control—HIL.

II.

THE SUBPOENA TO HIL

10. On May 20, 2014, Plaintiffs filed a Notice of Request for Production of Documents to Dan J. Harrison, III. (“DJH Notice”) *See* DJH Notice (attached as Exhibit 1). After the required 10-day waiting period, on May 29, 2014, Dan J. Harrison, III accepted service of the Subpoena served on him requesting the HIL Lease (“DJH Subpoena”). *See* DJH Subpoena (attached as Exhibit 2). The Request for Production in the DJH Subpoena requested the HIL Lease. *See id.* On June 20, 2014, Dan J. Harrison, III responded to the DJH Subpoena by objecting on relevance and trade secrets grounds, and by claiming that he lacked legal authority to produce the lease. *See* DJH Response (attached as Exhibit 3).

11. Without conceding the validity of Dan J. Harrison, III’s assertion that he lacked authority to produce the HIL Lease, Plaintiffs filed a second Notice of Subpoena Duces Tecum Compelling the Production of Documents Pursuant to Texas Rule of Civil Procedure 205 to HIL

(“HIL Notice”) on June 24, 2014. *See* HIL Notice (attached as Exhibit 4). After the required 10-day waiting period, on July 7, 2014, HIL accepted service of the Subpoena served on it (“HIL Subpoena”). *See* HIL Subpoena (attached as Exhibit 5). Other than the recipient, the HIL Subpoena is virtually identical to the DJH Subpoena, and it also requests the HIL Lease. *See id.* HIL responded to the HIL Subpoena on July 11, 2014 (“HIL Response”) by asserting the same general, relevance, and trade secret objections as Dan J. Harrison, III. *See* HIL Response (attached as Exhibit 6).

III.

ARGUMENTS AND AUTHORITIES

12. Under Texas law, a party is entitled to “obtain discovery on any matter that is not privileged and is relevant to the subject matter of the pending action or reasonably calculated to lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3, 196.1; *see, e.g., In re K.L. & J. Ltd.*, 336 S.W.3d 286, 290 (Tex. App.—San Antonio 2010, no pet.). Rule 192.3(b) provides:

A party may obtain discovery of the existence, description, nature, custody, condition, location, and contents of documents and tangible things . . . that constitute or contain matters relevant to the subject matter of the action. A person is required to produce a document or tangible thing that is within the person’s possession, custody, or control.

A party can obtain documents from a nonparty using a subpoena. *Id.* 205.1.

A. None of the information requested is a trade secret.

13. The HIL Lease is not a trade secret. A trade secret is “any formula, pattern, device, or compilation of information which is used in one’s business and presents an opportunity to obtain an advantage over competitors who do not know or use it.” *In re Bass*, 113 S.W.3d 735, 739 (Tex. 2003). HIL has the burden to show that the requested information is a trade secret under Texas Rule of Evidence 507. *See In re Continental Gen. Tire, Inc.*, 979 S.W.2d 609, 610 (Tex. 1998);

Boeing Co. v. Abbott, 412 S.W.3d 1, 10 (Tex. App.—Austin 2012, pet. filed). Courts consider and weigh six factors in making a trade secret determination:

- (1) the extent to which the information is known outside the business;
- (2) the extent to which it is known by employees and others involved in the business;
- (3) the extent of the measures taken to guard the secrecy of the information;
- (4) the value of the information to the business and its competitors;
- (5) the amount of effort or money expended in developing the information; and
- (6) the ease or difficulty with which the information could be acquired or duplicated by others.

In re Bass, 113 S.W.3d at 740.

14. At least one Texas court has held that leasing information is not a trade secret. *Boeing*, 412 S.W.3d at 11-12. In *Boeing*, an allegedly disgruntled former employee of Boeing sought production of a lease concerning a property at a former Air Force base in San Antonio, Texas under a Texas Public Information Act (“PIA”) request. *Id.* at 5. The lease at issue was negotiated over a number of years between Boeing and the Port Authority of San Antonio. *Id.* Boeing used the property to service various aircraft for the United States Air Force. *Id.* at 6. Boeing considered the lease a trade secret. *Id.* at 9. Boeing objected, first, to the Texas Attorney General, and then, sued the Attorney General when he denied Boeing’s request to exclude the lease from production. *Id.* Boeing, through its trial witnesses, argued that the lease was a trade secret because, among other things—

- it was kept in a file cabinet at Boeing’s offices and was accessible only to senior staff members,
- Boeing was concerned about the financial terms included in the lease falling into the hands of a competitor,

- a competitor could use the information contained in the lease to submit a more favorable bid with the U.S. government in future leases and contracts, and
- the lease information was highly valuable to Boeing.

Id. at 10-12.

15. The trial court disagreed with Boeing's trade secret contentions and ordered that Boeing produce the lease. In affirming the trial court's order, the court of appeals held that Boeing did not meet factor (3) because "[t]here was no evidence that the Port was contractually obligated to Boeing to protect the Lease information, such as through a confidentiality agreement." *Id.* at 11. The court also noted that "there [was] no evidence that Boeing informed the Port at the time it entered into the Lease that it considered the Lease information confidential or a trade secret." *Id.* Likewise, the court held that Boeing did not satisfy factor (4) because Boeing's "argument fail[ed] to take into account the myriad of other factors that might influence the cost of any lease a competitor might obtain from other municipalities, such as size and location of the property." *Id.*

16. Similarly, here, HIL has failed to adequately show that the HIL Lease is a trade secret. First, the oil and gas lease was negotiated between HIL and the lessee in an arm's length transaction (i.e., an adversarial setting). There is nothing to suggest the lessee signed a confidentiality agreement in connection with the lease or otherwise agreed to keep the information secret. To the contrary, the lessees in oil and gas leases are typically free to discuss the terms of their leases. Second, as to factors (4) and (5), there is no evidence that the terms used in the oil and gas lease were developed by the effort behind a trade secret. Terms like royalty and bonus payments, while valuable to HIL, are hardly any more valuable than the financial information contained in the leases in *Boeing*. The present case is much more similar to *Boeing*—because it

involves leases negotiated at arm's length—than the price list and customer report cases cited in HIL's Response. HIL has not carried its burden to show that the leases are trade secrets.

B. The Protective Order currently in place adequately protects any allegedly confidential information.

17. Even assuming the HIL Lease is a trade secret, any confidentiality concerns raised by HIL can be resolved through the Protective Order currently in place in this action. *See In re Continental General Tire, Inc.*, 979 S.W.2d 609, 613 (Tex. 1998). The Texas Supreme Court has held that when a discovery respondent has established a trade secret “[t]he burden then shifts to the requesting party to establish that the information is necessary for a fair adjudication of its claims.” *Id.* If the requesting party meets this burden, “the trial court should ordinarily compel disclosure of the information, subject to an appropriate protective order.” *Id.*

18. Plaintiffs need access to the HIL Lease for a fair adjudication of their case against JP Morgan. The HIL Lease shares significant geographical, temporal, and circumstantial similarities with the Petrohawk and Hunt leases at issue here. HIL's Harrison Ranch property, which is the subject property of the HIL Lease, is located 30 miles west of the STS Trust. HIL and the trustee of the STS Trust each provide a single point of control over their respective acreages. Both the Harrison Ranch and the STS Trust are situated in the Eagle Ford. Both the Harrison Ranch and the STS Trust comprise over 100,000 undivided acres. The conduct that Plaintiffs challenge focuses on JP Morgan's actions in 2008, 2010, and 2012. HIL leased the Harrison Ranch under the HIL Lease in 2010. Simply put, the Plaintiffs are entitled to discovery on comparable lease transactions to show market valuations and market lease terms during the 2008-2012 timeframe. Production of the HIL Lease is necessary to obtain a fair adjudication on the issues of liability and damages for Plaintiffs' breach of fiduciary duty claims against JP

Morgan. The HIL Lease is comparable to the STS leases entered by JP Morgan for establishing appropriate market valuation and lease terms.

19. A protective order will adequately protect HIL's interests. HIL complains in its Response that "[p]roduction of the requested Lease would disclose the manner in which HIL approaches oil and gas lease negotiations, how HIL structures these types of transactions, and the provisions in these types of agreements on which HIL places a premium." HIL Response at 4. HIL's concerns are overstated on their face because the HIL Lease would only reveal the outcome of HIL's negotiations with one lessee—not the process and priorities that produced this outcome. But even if HIL's concerns were valid, HIL still has not, and cannot, show how an appropriate protective order would not safeguard HIL's interests.

C. The HIL Subpoena is narrow in scope and directly relevant to the claims in this action.

20. The same factors that establish the HIL Lease to be necessary for a fair adjudication of Plaintiffs' claims also show the HIL Lease to be relevant to those claims. HIL nevertheless contends that the HIL Lease is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. *See* HIL Response at 4. It reaches this conclusion by asserting that Plaintiffs' claims and the HIL Lease concern "among other things, unrelated individuals; an unrelated trust with different trustees, duties, terms, purposes, and beneficiaries; and a lease of unrelated minerals, during a different time period, with different geological and reservoir characteristics." *Id.*

21. HIL's contentions should be denied. Complete similarity between comparable transactions, including a complete identity of parties and matching seller motivations, is not the test in Texas for determining whether discovery should proceed. Indeed market data is the "the most common method of determining market value." *Religious of Sacred Heart of Texas v. City*

of *Houston*, 836 S.W.2d 606, 617 (Tex. 1992). Comparable sales evidence is one of the “four main types of evidence that are allowed to be introduced into evidence as bearing upon the hypothetical market issues.” *See id.* at 616. Market data like the HIL Lease is not only discoverable, it is admissible as evidence. *Jampole*, 673 S.W.2d at 573 (“[D]iscovery is not limited to information that will be admissible at trial [T]he law circumscribes a significantly larger class of discoverable evidence to include anything reasonably calculated to lead to the discovery of material evidence.”)

D. HIL’s general objections should be overruled.

22. HIL asserts four general objections at the outset of the HIL Response. *See* HIL Response at 3. These objections should all be overruled. None of them are specific and the objections based on privilege are improperly presented.

23. A respondent to a subpoena under the Texas Rules of Civil Procedure must “comply with the command stated [in the subpoena] unless discharged by the court or by the party summoning such witness.” Tex. R. Civ. P. 176.6(a). However, a respondent may serve “written objections to producing any or all of the designated materials.” Tex. R. Civ. P. 176.6(d). Upon lodging an objection, “[a] person need not comply with the part of a subpoena to which objection is made.” *Id.* Further, “[a] person may withhold material or information claimed to be privileged but must comply with Rule 193.3.” Tex. R. Civ. P. 176.6(c). Rule 193.3 requires the respondent asserting privilege to serve a written response stating “(1) information or material responsive to the request has been withheld, (2) the request to which the information or material relates, and (3) the privilege or privileges asserted.” If the respondent produces documents it “must produce documents as they are kept in the usual course of business or must organize and label them to correspond with the categories in the demand.” Tex. R. Civ. P. 176.6(c).

24. The General Objections in the HIL Response do not indicate what responsive information HIL is withholding from Plaintiffs and on what grounds. The HIL Subpoena requests the HIL Lease and metadata relating to the lease. But HIL produced neither the metadata nor the Lease. Plaintiffs cannot decipher which responsive information was withheld based on the privileges and objections asserted. For instance, one of HIL's General Objections objects to the extent the HIL Subpoena imposes obligations on HIL that are beyond those contemplated by the Texas Rules of Civil Procedure. But HIL never explains how Plaintiffs' requests reach beyond the Texas Rules of Civil Procedure. Additionally, HIL objects generally to producing documents in their native format, but the Texas Rules of Civil Procedure specifically contemplate the production of "documents as they are kept in the usual course of business." Tex. R. Civ. P. 176.6(c).

25. HIL also asserts attorney-client, work product, and trade-secret privileges in the HIL Response, but does not indicate that "information or material responsive to the request has been withheld." Tex. R. Civ. P. 193.3. HIL simply states in its General Objections that it will withhold responsive, privileged information, but does not indicate whether any responsive, privileged information exists. Rule 193.3 requires HIL to clarify whether any responsive information "has been withheld." Tex. R. Civ. P. 193.3.

IV.

CONCLUSION AND PRAYER

The Subpoena seeks relevant information for use in proving many key facts at issue in this case. The HIL Lease is not a trade secret. Any confidential information can be protected through the Protective Order currently in place. As such, this Court should GRANT this Motion, compel HIL to produce the HIL Lease, and award Plaintiffs any other such relief as justice requires.

DATE: August 1, 2014.

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Telephone: (210) 225-4031
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**ATTORNEYS FOR PLAINTIFFS,
JOHN K. MEYER, ET AL.**

Respectfully submitted,

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Matthew J. Gollinger (*pro hac vice*)
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PLAINTIFFS, LINDA ALDRICH, ET AL.**

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David R. Deary
Tyler M. Simpson
John McKenzie
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Facsimile: (214) 572-1717
**ATTORNEYS FOR PLAINTIFFS,
EMILIE BLAZE**

By: /s/ Jim L. Flegle

Jim L. Flegle

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-Service and email on August 1, 2014:

John W. Porter
Baker Botts LLP
One Shell Plaza
900 Louisiana Street
Houston, TX 77002

Via Email

Patrick K. Sheehan
David Jed Williams
Hornberger Sheehan Fuller & Garza Inc.
The Quarry Heights Building
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San Antonio, TX 78209

Via e-Service and Email

Kevin Beiter
McGinnis Lochridge
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Austin, TX 78701

Via e-Service and Email

John Eichman
Hunton & Williams
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Dallas, TX 75202

Via e-Service and Email

Fred W. Stumpf
Boyer Short
Nine Greenway Plaza, Suite 3100
Houston, TX 77046

Via e-Service and Email

/s/ John McKenzie

John McKenzie

(Consolidated Under)
2010-CI-10977

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

**PLAINTIFFS' NOTICE OF REQUEST FOR PRODUCTION
OF DOCUMENTS TO DAN J. HARRISON III**

Plaintiffs serve upon:

**Mr. Dan J. Harrison III
c/o John W. Porter, Senior Partner
Baker Botts L.L.P.
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002-4995**

Pursuant to Rule 205 of the Texas Rules of Civil Procedure, Plaintiffs request that Dan J. Harrison III produce for inspection and copying all documents responsive to the Requests attached hereto at **9:00 a.m. on June 23, 2014** at the offices of Baker Botts L.L.P., One Shell Plaza, 910 Louisiana Street, Houston, Texas 77002-4995 (or another mutually agreed upon location). Plaintiffs will serve a Subpoena upon Dan J. Harrison III 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*)
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**ATTORNEYS FOR INTERVENOR-PLAINTIFFS,
LINDA ALDRICH, ET AL.**

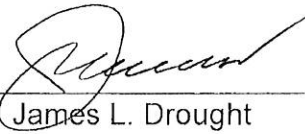
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(210) 222-0586 Telecopier

By



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:
 ✓ E-filing Service to:

Mr. Patrick K. Sheehan
Mr. David Jed Williams
Hornberger Sheehan Fuller Beiter Wittenberg & 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 20th day of May, 2014.



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

An Agreed Order has been entered in this case 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 a 105,937.48 acres of land, more or less, situated in Dimmit, Webb and La Salle Counties ("the Lease").

RESPONSE:

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

JOHN K. MEYER, ET AL.
Plaintiffs,

vs.

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

§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**PLAINTIFFS' SUBPOENA TO NON-PARTY TO PRODUCE
DOCUMENTS INCLUDING ELECTRONIC AND/OR MAGNETIC DATA**

THE STATE OF TEXAS

TO: Mr. Dan J. Harrison III

c/o John W. Porter, Senior Partner
Baker Botts L.L.P.
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002-4995

Greetings:

YOU ARE COMMANDED to produce and permit inspection and copying of the documents, including electronic and/or magnetic data, as identified in the Notice attached hereto as **Exhibit A**, which was served on all parties and the person/organization to whom this subpoena is addressed on May 20, 2014. The requested documents, including electronic and/or magnetic data, are to be produced on June 23, 2014 at the following time and place:

Time: 9:00 a.m.
Place: Baker Botts L.L.P.
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002-4995

DUTIES OF PERSON SERVED WITH SUBPOENA

You are advised under Texas Rules of Civil Procedure 176, a person served with a discovery subpoena has certain rights and obligations. Rule 176.6 provides:

(a) *Compliance required.* Except as provided in this subdivision, a person served with a subpoena must comply with the command stated in the subpoena unless discharged by the court or by the party summoning such witness. A person commanded to appear and give testimony must remain at the place of deposition, hearing, or trial from day to day until discharged by the court or by the party summoning the witness.

(b) *Organizations.* If a subpoena commanding testimony is directed to a corporation, partnership, association, governmental agency, or other organization, and the matters on which examination is requested are described with reasonable particularity, the organization must designate one or more persons to testify on its behalf as to matters known or reasonably available to the organization.

(c) *Production of documents or tangible things.* A person commanded to produce documents or tangible things need not appear in person at the time and place of production unless the person is also commanded to attend and give testimony, either in the same subpoena or a separate one. A person must produce documents as they are kept in the usual course of business or must organize and label them to correspond with the categories in the demand. A person may withhold material or information claimed to be privileged but must comply with Rule 193.3. A non-party's production of a document authenticates the document for use against the non-party to the same extent as a party's production of a document is authenticated for use against the party under Rule 193.7.

(d) *Objections.* A person commanded to produce and permit inspection and copying of designated documents and things may serve on the party requesting issuance of the subpoena--before the time specified for compliance--written objections to producing any or all of the designated materials. A person need not comply with the part of a subpoena to which objection is made as provided in this paragraph unless ordered to do so by the court. The party requesting the subpoena may move for such an order at any time after an objection is made.

(e) *Protective orders.* A person commanded to appear at a deposition, hearing, or trial, or to produce and permit inspection and copying of designated documents and things may move for a protective order under Rule 192.6(b)--before the time specified for compliance--either in the court in which the action is pending or in a district court in the county where the subpoena was served. The person must serve

the motion on all parties in accordance with Rule 21a. A person need not comply with the part of a subpoena from which protection is sought under this paragraph unless ordered to do so by the court. The party requesting the subpoena may seek such an order at any time after the motion for protection is filed.

WARNING

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 at the request of Plaintiffs, whose attorneys of record are John B. Massopust and Matthew J. Gollinger of Zelle Hoffman Voelbel & Mason LLP, Jim L. Flegle of Loewinsohn Flegle Deary, L.L.P., Daniel J.T. Sciano, Richard Tinsman, and Sharon C. Savage of Tinsman & Sciano, Inc., George H. Spencer, Jr. and Robert Rosenbach of Clemens & Spencer, P.C., and James L. Drought of Drought, Drought & Bobbitt, L.L.P.

Date of issuance: May 29, 2014.


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Matthew J. Gollinger (*pro hac vice*)
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(612) 336-9100 - Facsimile
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DROUGHT, DROUGHT & BOBBITT, LLP
2900 Weston Centre
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San Antonio, Texas 78205
(210) 225-4031 Telephone
(210) 222-0586 Telecopier

By 
James L. Drought
State Bar No. 06135000
**ATTORNEYS FOR PLAINTIFFS,
JOHN K. MEYER, ET AL.**

RETURN OF SUBPOENA

I certify that I served the annexed Subpoena by delivering a copy together with a fee of \$11.00 to the authorized agent who will accept service for Mr. Dan H. Harrison III, in person: John W. Porter, Senior Partner, Baker Botts L.L.P., One Shell Plaza, 910 Louisiana Street, Houston, Texas 77002-4995, on the _____ day of June, 2014.

Signature

Print Name

Title

STATE OF TEXAS

§
§
§

COUNTY OF _____

This instrument was acknowledged before me on this the _____ day of _____, 2014.

Notary Public, State of Texas

(Consolidated Under)
2010-CI-10977

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

PLAINTIFFS' NOTICE OF REQUEST FOR PRODUCTION
OF DOCUMENTS TO DAN J. HARRISON III

Plaintiffs serve upon:

Mr. Dan J. Harrison III
c/o John W. Porter, Senior Partner
Baker Botts L.L.P.
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002-4995

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EXHIBIT A

Respectfully submitted,

John B. Massopust (*pro hac vice*)
Matthew J. Gollinger (*pro hac vice*)
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**ATTORNEYS FOR INTERVENOR-PLAINTIFFS,
LINDA ALDRICH, ET AL.**

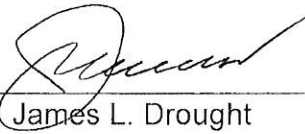
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(210) 222-0586 Telecopier

By



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:
 E-filing Service to:


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

Kevin M. Beiter
McGinnis Lochridge
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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 20th day of May, 2014.



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

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RESPONSE:

Respectfully submitted,

BAKER BOTTS L.L.P.


By: 

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Maria Wyckoff Boyce
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Telephone: 713.229.1922
Facsimile: 713.229.2722

ATTORNEYS FOR
DAN J. HARRISON III

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served by facsimile and/or certified mail, return receipt request, on all counsel of record on this 20th day of June, 2014.


John W. Porter

**INTRODUCTORY STATEMENT AND OBJECTIONS
TO DEFINITIONS AND INSTRUCTIONS**

1. "HIL" refers to Harrison Interests Ltd.
2. Harrison objects to this request because it purports to create and/or impose obligations upon Harrison beyond those contemplated by the Texas Rules of Civil Procedure. Harrison's responses will be given without prejudice to further supplementation and will be made solely for the purpose of this lawsuit.
3. Harrison objects to the instructions and definitions to the extent that they impose requirements that exceed those of the Texas Rules of Civil Procedure. Harrison will comply with the Texas Rules of Civil Procedure.
4. With respect to Instruction 2, Harrison makes the following objections:
 - a. Harrison objects to the production of metadata associated with the electronically stored information produced in response to these requests, as production of all metadata for all electronically stored information is overbroad and unduly burdensome and may contain privileged information. Harrison will produce electronically stored information responsive to these requests in single page Group IV .tif format with extracted text for the following data fields: Beg Doc #; End Doc #, From, To, CC, BCC, Subject, Date Created, Date Sent, Body, Doc Type, Attachments (Beg Attach, End Attach), Page Count, Doc Type, Doc Title, Author, Create Date, Create Time, Last Modified Date, Last Modified Time, Application Type, File Name, Parent ID, and Attach ID.
 - b. Harrison objects to the production of electronically stored documents or information in native format, as production in this format precludes the use of Bates numbers or other methods of specifically marking electronic documents for identification and authentication purposes, precludes the parties' ability to redact privileged information from electronic documents to be produced, and does not permit the application of proper confidentiality designations.
5. Harrison will withhold from production any responsive documents that are protected by the attorney-client, work product, and/or trade secret privileges.
6. The foregoing general objections and responses are hereby incorporated in the attached responses.

OBJECTIONS AND RESPONSES

REQUEST FOR PRODUCTION NO. 1:

Produce a copy of the May 12, 2010 Harrison Interests, Ltd. lease with P Ranch Working Interest, L.L.C. of a 105,937.48 acres of land, more or less, situated in Dimmit, Webb and LaSalle Counties ("the Lease").

RESPONSE:

Harrison objects to this request on the grounds that it requests a document not within his possession, custody, or control. Harrison Interests, Ltd. is a party to the Lease requested; Harrison is not. Accordingly, in his individual capacity, Harrison has neither physical possession of the requested documents, nor any legal right to obtain physical possession of or produce the Lease. *See In re Kuntz*, 124 S.W.3d 179, 183-184 (Tex. 2003).

Harrison also objects to this request because the Lease is private and proprietary information that is neither relevant, nor is its production reasonably calculated to lead to the discovery of admissible evidence in the above-styled lawsuit. The Lease concerns the development of minerals below a certain 105,937.48 acres of land, more or less, situated in Dimmit, Webb and LaSalle Counties—the negotiation of which concluded in 2010. The geological characteristics of those minerals and the terms of the Lease are directly related and are unique to the subject property. The Lease and its provisions have no bearing or relation to the causes of action and defenses at issue in the above-styled lawsuit, which concerns, among other things, unrelated individuals; an unrelated trust with different trustees, duties, terms, purposes and beneficiaries; and a lease of unrelated minerals, during a different time period, with different geological and reservoir characteristics.

Harrison further objects to this request on the grounds that it seeks the disclosure of HIL's privileged trade secrets and requiring disclosure of the requested Lease would constitute an invasion of HIL's personal and property rights. TEX. R. EVID. 507; TEX. R. CIV. P. 192.6(b). Production of the requested Lease would disclose the manner in which HIL approaches oil and gas lease negotiations, how HIL structures these types of transactions, and the provisions in these types of agreements on which HIL places a premium. This information (i) is not publicly available, (ii) is not known outside of the persons involved in the negotiation, operation, or assignment of the Lease, (iii) has been protected by HIL, and (iv) cannot be properly acquired by others. HIL is, therefore, legally protected from disclosure of the Lease. *See Tex. Integrated Conveyor Sys., Inc. v. Innovative Conveyor Concepts, Inc.*, 300 S.W.3d 348, 367 (Tex. App.—Dallas 2009, pet. denied) ("Customer lists, pricing information, client information, customer preferences, buyer contacts, blueprints, market strategies, and drawings have all been recognized as trade secrets."); *Waste Mgmt. of Tex., Inc. v. Abbott*, 406 S.W.3d 626, (Tex. App.—Eastland 2013, pet. filed) (concluding that pricing and volume information contained in tickets (or receipts) prepared by Waste Management constituted trade secrets); *Nixon v. Warner Comm'ns.*, 435 U.S. 589, 598 (1978) ("[C]ourts have refused to permit their files to serve as . . . sources of business information that might harm a litigant's competitive standing.") (citations omitted); *F.T.C. v. OSF Healthcare Sys.*, No. 11-CV-503-EL, 2012 WL 1144620, at *3 (N.D. Ill. April 5, 2012) ("[W]here contract terms have economic value and are not generally known in the industry

they may qualify as a trade secrets.”); *Delta Med. Sys. v. Mid Am Med. Sys., Inc.*, 772 N.E.2d 768, 783 (Ill. App. 2002) (holding that contract terms with economic value that are not generally known in the industry are protectable trade secrets); *Star Scientific, Inc. v. Carter*, 204 F.R.D. 410, 415 (S.D. Ind. 2001) (“[S]ales techniques are protectable trade secrets since the information is created to enhance their business and give them a competitive edge.”).

DATE: June 24, 2014

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Respectfully submitted,

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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
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Mark T. Josephs
Sara Hollan Chelette
Jackson Walker, LLP
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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:

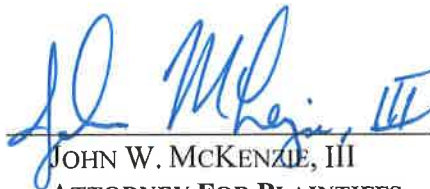

JOHN W. MCKENZIE, III
ATTORNEY FOR PLAINTIFFS

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:

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

**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:

**Harrison Interests, Ltd.
c/o John W. Porter, Esq.
Baker Botts L.L.P.
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002**

You are hereby commanded to produce and permit inspection and copying of the documents and tangible things requested in Exhibit A, which is attached hereto and was served, pursuant to the notice requirements of Texas Rule of Civil Procedure 205, on all parties and the person/organization to whom this subpoena is addressed on June 24, 2014.

TO APPEAR:	DATE:	July 14, 2014
	TIME:	9:00 a.m.
	PLACE:	Baker Botts L.L.P One Shell Plaza 910 Louisiana Street Houston, Texas 77002

This Subpoena is issued at the instance and request of Plaintiffs. The attorneys of record for Plaintiffs are John B. Massopust and Matthew J. Gollinger of Zelle Hoffman Voelbel & Mason LLP; Jim L. Flegle, Carol E. Farquhar, Tyler M. Simpson, and John W. McKenzie, III of

Loewinsohn Flegle Deary, L.L.P.; Daniel J.T. Sciano, Richard Tinsman, and Sharon C. Savage of Tinsman & Sciano, Inc.; George H. Spencer, Jr. and Robert Rosenbach of Clemens & Spencer, P.C.; and James L. Drought of Drought, Drought & Bobbitt, L.L.P.

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.

DATE OF ISSUANCE: July 7, 2014

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Respectfully submitted,

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Telephone: (214) 742-3000
Facsimile: (214) 760-8994

By: 
JOHN W. MCKENZIE, III
ATTORNEYS FOR PLAINTIFFS

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 JOHN W. PORTER, A TRUE COPY OF THIS SUBPOENAS
UPON WHICH I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO
EXECUTE THIS SUBPOENA IS _____.

TOTAL FEES: \$ 11.00

HARRIS COUNTY, TEXAS

BY: _____

NON-PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER)

SWORN TO THIS _____ DAY OR _____, 2014.

Notary Public, State of Texas

MEMORANDUM OF ACCEPTANCE OF SERVICE OF SUBPOENA

The undersigned acknowledges receipt and accepts service of this Subpoena on behalf of the Witness.

SIGNED on this _____ day of _____, 2014.

John W. Porter, Esq.
Baker Botts L.L.P.
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002

ATTORNEY FOR WITNESS

EXHIBIT A

INSTRUCTIONS

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RESPONSE:

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 77002-2539
 HOUSTON, TX
 77056-4799

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 F 713.229.1201
 www.bakerbotts.com

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 DENVER
 LOS ANGELES
 NEW YORK

HOUSTON
 5500 WEST
 LOOP SOUTH
 SUITE 2000
 HOUSTON, TX
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 www.bakerbotts.com

fax message will not be delivered by phone unless requested.

FROM Justin Lipe on behalf of John Porter
 DATE July 11, 2014
 PAGES cover+6

VOICE NO. 713.229.1312
 FAX NO. 713.229.7912
 RETURN TO same

TO	John B. Massopust, Michael Christian and Matthew J. Gollinger Zelle Hofmann Voelbel & Mason LLP	FAX NO.	612.336.9100
		VOICE NO.	612.339.2020
	David R. Deary, Jim L. Flegle, Carole E. Farquhar, John W. McKenzie, III	FAX NO.	214.572.1717
	Loewensohn Flegle Deary, L.L.P.	VOICE NO.	214.572.1700
	Richard Tinsman	FAX NO.	210.225.6235
	Tinsman & Sciano, Inc.	VOICE NO.	210.225.3121
	George H. Spencer, Jr.	FAX NO.	210.227.0732
	George H. Spencer, P.C.	VOICE NO.	210.227.7121
	James L. Drought	FAX NO.	210.222.0586
	Drought, Drought & Bobbitt, LLP	VOICE NO.	210.225.4031
	Patrick K. Sheehan, Rudy A. Garza, and David Jed Williams	FAX NO.	210.271.1740
	Hornberger Sheehan Fuller Beiter Wittenberg & Garza Inc.	VOICE NO.	210.271.1700
	Charles A. Gall and John C. Eichman	FAX NO.	214.880.0011
	Hunton & Williams LLP	VOICE NO.	214.979.3000
	Mark T. Josephs and Sara Hollan Chelette	FAX NO.	214.953.5822
	Jackson Walker, LLP	VOICE NO.	214.953.6000
	Fred W. Stumpf and Kelly M. Walne	FAX NO.	713.871.2024
	Boyer Short, PC	VOICE NO.	713.871.2025
	Kevin Beiter	FAX NO.	512.495.6093
	McGinnis Lochridge	VOICE NO.	512.495.6000

MESSAGE**Notice of Confidentiality**

The information contained in and transmitted with this facsimile is: 1. Subject to the Attorney-client Privilege, 2. Attorney Work Product; or 3. Confidential. It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is unauthorized and strictly prohibited. If you have received this facsimile in error, please notify Baker Botts LLP by telephone at 713.229.1730 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail or, if authorization is granted by the sender, destroyed.

if you do not receive all pages please call: 713.229.1730 or 713.229.1621 for assistance

Exhibit 6

BAKER BOTTS LLP

200 W. BETHOVEN
SUITE 2000
HOUSTON, TEXAS
77002-4596

ALBUQUERQUE
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July 11, 2014

080518.0103

VIA FACSIMILE

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2900 Weston Centre, 112 East Pecan Street
San Antonio, Texas 78205

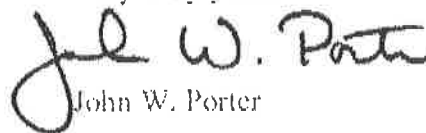
Re: *John K. Meyer, et al. vs. JP Morgan Chase Bank, N.A. Individually/Corporately and as Trustee of the South Texas Syndicate Trust; (Consolidated Under) Cause No. 2010-CI-10977; In the 190th Judicial District Court of Bexar County, Texas.*

Dear Counsel:

Attached please find third-party Harrison Interests, Ltd.'s response to the third-party subpoena served in the above-referenced matter.

Please let me know if you have any questions.

Very truly yours,


John W. Porter

JWP:91293
Attachment

Counsel

- 2 -

July 11, 2014

cc: 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, Texas 78209

Charles A. Gall
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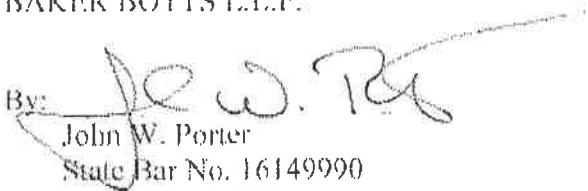
Fred W. Stumpf
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Kevin Beiter
McGinnis Lochridge
600 Congress Avenue, Suite 2100
Austin, Texas 78701

Respectfully submitted.

BAKER BOTTS L.L.P.

By:


John W. Porter

State Bar No. 16149990

Maria Wyckoff Boyce

State Bar No. 22095050

One Shell Plaza

910 Louisiana Street

Houston, Texas 77002-4995

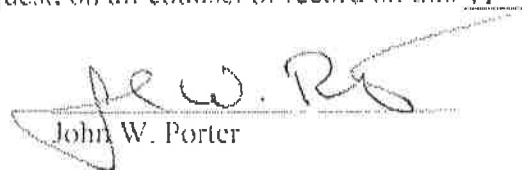
Telephone: 713.229.1922

Facsimile: 713.229.2722

ATTORNEYS FOR HARRISON INTERESTS, LTD.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served by facsimile and/or certified mail, return receipt request, on all counsel of record on this 11th day of July, 2014.


John W. Porter

**INTRODUCTORY STATEMENT AND OBJECTIONS
TO DEFINITIONS AND INSTRUCTIONS**

1. "HIL" refers to Harrison Interests Ltd.
2. HIL objects to this request because it purports to create and/or impose obligations upon HIL beyond those contemplated by the Texas Rules of Civil Procedure. HIL's responses will be given without prejudice to further supplementation and will be made solely for the purpose of this lawsuit.
3. With respect to Instruction 2, HIL makes the following objections:
 - a. HIL objects to the production of metadata associated with the electronically stored information produced in response to these requests, as production of all metadata for all electronically stored information is overbroad and unduly burdensome and may contain privileged information. HIL will produce electronically stored information responsive to these requests in single page Group IV .tif format with extracted text for the following data fields: Beg Doc #; End Doc #, From, To, CC, BCC, Subject, Date Created, Date Sent, Body, Doc Type, Attachments (Beg Attach, End Attach), Page Count, Doc Type, Doc Title, Author, Create Date, Create Time, Last Modified Date, Last Modified Time, Application Type, File Name, Parent ID, and Attach ID.
 - b. HIL objects to the production of electronically stored documents or information in native format, as production in this format precludes the use of Bates numbers or other methods of specifically marking electronic documents for identification and authentication purposes, precludes the parties' ability to redact privileged information from electronic documents to be produced, and does not permit the application of proper confidentiality designations.
4. HIL will withhold from production any responsive documents that are protected by the attorney-client, work product, and/or trade secret privileges.
5. The foregoing general objections and responses are hereby incorporated in the attached responses.

OBJECTIONS AND RESPONSES

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Produce a copy of the May 12, 2010 Harrison Interests, Ltd. lease with P Ranch Working Interest, L.L.C. of a 105,937.48 acres of land, more or less, situated in Dimmit, Webb and LaSalle Counties ("the Lease").

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CAUSE NO. 2010-CI-10977

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

NON-PARTY SOLO ENERGY, L.P.'S MOTION TO QUASH
SUBPOENA FOR PRODUCTION OF DOCUMENTS
AND FOR PROTECTIVE ORDER

TO: Defendant, JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST, by and through their attorney of record, Patrick K. Sheehan and David Jed Williams, HORNBERGER SHEEHAN FULLER & GARZA INCORPORATED, 7373 Broadway, Suite 300, San Antonio, TX 78209

COMES NOW Non-Party SOLO ENERGY, L.P. ("Movant") and files this, his Motion to Quash Defendant, JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST's Deposition Subpoena Duces Tecum to Produce Documents, and for Protective Order, and would show as follows:

I.

1. On July 7, 2014, counsel for JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST ("Defendant") served their Deposition Subpoena Duces Tecum to Produce Documents ("Subpoena") on Non-Party SOLO ENERGY, L.P. directing it to appear on August 4, 2014 at 10:00am and which demanded SOLO ENERGY, L.P. to produce the following:

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

- The executed lease;
- Any option agreements, letters of intent to lease or side agreements relative to the leases:
- Any agreement 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.”

A true and correct copy of the Subpoena is attached hereto as Exhibit “A”.

II.

2. SOLO ENERGY, L.P. moves for a Protective Order on the Subpoena as follows:

3. The Subpoena request constitutes an invasion of the constitutional and proprietary property rights of Movant and others under both the Texas and Federal Constitutions. See Tex. R. Civ. P. 192.6(b).

4. Movant also objects to this Subpoena request because it creates an undue burden, unnecessary expense, harassment and annoyance to Movant. See Tex. R. Civ. P. 192.6(b).

5. Furthermore, the documents requested seek discovery of matters, things and information which Movant believes are not relevant or material to the subject matter in the pending action to which Movant is not a party, nor are the documents sought reasonably calculated to lead to the discovery of admissible evidence.

6. A trial court has broad discretion to protect a party with a Protective Order. Movant files this request for Protective Order pursuant to TEX. R. CIV. P. 192.6 and asks the Court to exercise its discretion and grant a Protective Order to protect Movant from undue burden, unnecessary expense, harassment, annoyance, or invasion of personal, constitutional and property rights.

7. Therefore, Movant requests that this Court quash the subpoena for production of documents and issue a protective order.

8. This Motion is not sought for the purposes of delay, but so that Justice may be done.

PRAYER

For the reasons stated above, Non-Party SOLO ENERGY, L.P. asks the Court to set this Motion to Quash and for Protective Order for hearing and, after the hearing, to quash Defendant's Deposition Subpoena Duces Tecum to Produce Documents and issue a Protective Order regarding same, award Movant the reasonable costs of this Motion including attorney's fees, together with other relief as this Court may find appropriate.

Respectfully submitted,

THE NUNLEY FIRM, PLLC
1580 South Main Street, Suite 200
Boerne, TX 78006
Telephone: (830) 816-3333
Facsimile: (830) 816-3388

By: /s/ Andrew J. Aelvoet
ANDREW J. AELVOET
State Bar No. 00798025
aaelvoet@nunleyfirm.com

**ATTORNEY FOR NON-PARTY,
SOLO ENERGY, L.P.**

CERTIFICATE OF SERVICE

I certify that I have served a copy of the above and foregoing via electronic service pursuant to the Texas Rules of Civil Procedure on this the 1st day of August, 2014 as follows:

<p>Mr. Patrick K. Sheehan Mr. David Jed Williams HORNBERGER SHEEHAN FULLER & GARZA INCORPORATED 7373 Broadway, Suite 300 San Antonio, TX 78209</p> <p>Mr. George Spencer, Jr. Mr. Robert Rosenbach CLEMENS & SPENCER 112 East Pecan St., Suite 1300 San Antonio, Texas 78205</p> <p>Mr. James L. Drought Mr. Ian Bolden DROUGHT DROUGHT & BOBBITT, LLP 112 East Pecan St., Suite 2900 San Antonio, Texas 78205</p> <p>Mr. Richard Tinsman Ms. Sharon C. Savage TINSMAN & SCIANO, INC. 10107 McAllister Freeway San Antonio, Texas 78205</p>	<p>Mr. David R. Deary Mr. Jim L. Flegle LOEWINSOHN FLEGLE DEARY, L.L.P. 12377 Merit Drive, Suite 900 Dallas, Texas 75251</p> <p>Mr. John B. Massopust Mr. Matthew Gollinger ZELLE HOFMANN VOELBEL & MASON LLP 500 Washington Avenue South, Suite 4000 Minneapolis, MN 55415-1152</p> <p>Mr. Michael S. Christian ZELLE HOFMANN VOELBEL & MASON 44 Montgomery Street, Suite 3400 San Francisco, California 94104</p> <p>Mr. Fred W. Stumpf GLAST, PHILLIPS & MURRAY Nine Greenway Plaza, Suite 3100 Houston, Texas 77046</p>
---	---

/s/ Andrew J. Aelvoet
Andrew J. Aelvoet

MUN

7-09-14

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL.

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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 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**

(00057554.1)



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

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL.

VS.

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

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

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.

VS.

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

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

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:

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.	§	225TH JUDICIAL DISTRICT
	§	
JPMORGAN CHASE BANK, N.A.	§	
INDIVIDUALLY/CORPORATELY	§	
AND AS TRUSTEE OF THE SOUTH	§	
TEXAS SYNDICATE TRUST	§	
and GARY P. AYMES	§	BEXAR COUNTY, TEXAS

NON-PARTY EDWARD G. VAUGHAN'S MOTION TO QUASH
SUBPOENA FOR PRODUCTION OF DOCUMENTS
AND FOR PROTECTIVE ORDER

TO: Defendant, JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST, by and through their attorney of record, Patrick K. Sheehan and David Jed Williams, HORNBERGER SHEEHAN FULLER & GARZA INCORPORATED, 7373 Broadway, Suite 300, San Antonio, TX 78209

COMES NOW Non-Party EDWARD G. VAUGHAN ("Movant") and files this, his Motion to Quash Defendant, JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST's Deposition Subpoena Duces Tecum to Produce Documents, and for Protective Order, and would show as follows:

I.

1. On July 11, 2014, counsel for JPMORGAN CHASE BANK, N.A. INDIVIDUALLY/CORPORATELY AND AS TRUSTEE OF THE SOUTH TEXAS SYNDICATE TRUST ("Defendant") served their Deposition Subpoena Duces Tecum to Produce Documents ("Subpoena") on Non-Party EDWARD G. VAUGHAN directing him to appear on August 6, 2014 at 10:00am and which demanded EDWARD G. VAUGHAN to produce the following:

“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 1/2/2007 from Briscoe Ranch, Inc., as Grantor, to EDWARD G. VAUGHAN, as Grantee, recorded in Volume 2484 Page 238 Oil and Gas Lease Records Webb County, Texas, comprising 6,453.75 acres of land, more or less, in such county.”

A true and correct copy of the Subpoena is attached hereto as Exhibit “A”.

II.

2. EDWARD G. VAUGHAN moves for a Protective Order on the Subpoena as follows:

3. The Subpoena request constitutes an invasion of the personal, constitutional and property rights of Movant and others under both the Texas and Federal Constitutions. See Tex. R. Civ. P. 192.6(b).

4. Movant also objects to this Subpoena request because it creates an undue burden, unnecessary expense, harassment and annoyance to Movant. See Tex. R. Civ. P. 192.6(b).

5. Furthermore, the documents requested seek discovery of matters, things and information which Movant believes are not relevant or material to the subject matter in the pending action to which Movant is not a party, nor are the documents sought reasonably calculated to lead to the discovery of admissible evidence.

6. Finally, Movant has no documents related to a lease comprised of 6,453.75 acres of land in Webb County, Texas.

7. A trial court has broad discretion to protect a party with a Protective Order. Movant files this request for Protective Order pursuant to TEX. R. CIV. P. 192.6 and asks the Court to exercise its discretion and grant a Protective Order to protect Movant from undue burden, unnecessary expense, harassment, annoyance, or invasion of personal, constitutional and property rights.

8. Therefore, Movant requests that this Court quash the subpoena for production of documents and issue a protective order.

9. This Motion is not sought for the purposes of delay, but so that Justice may be done.

PRAYER

For the reasons stated above, Non-Party EDWARD G. VAUGHAN asks the Court to set this Motion to Quash and for Protective Order for hearing and, after the hearing, to quash Defendant's Deposition Subpoena Duces Tecum to Produce Documents and issue a Protective Order regarding same, award Movant the reasonable costs of this Motion including attorney's fees, together with other relief as this Court may find appropriate.

Respectfully submitted,

THE NUNLEY FIRM, PLLC
1580 South Main Street, Suite 200
Boerne, TX 78006
Telephone: (830) 816-3333
Facsimile: (830) 816-3388

By: /s/ Andrew J. Aelvoet
ANDREW J. AELVOET
State Bar No. 00798025
aaelvoet@nunleyfirm.com

**ATTORNEY FOR NON-PARTY,
EDWARD G. VAUGHAN**

CERTIFICATE OF SERVICE

I certify that I have served a copy of the above and foregoing via electronic service pursuant to the Texas Rules of Civil Procedure on this the 1st day of August, 2014 as follows:

<p>Mr. Patrick K. Sheehan Mr. David Jed Williams HORNBERGER SHEEHAN FULLER & GARZA INCORPORATED 7373 Broadway, Suite 300 San Antonio, TX 78209</p> <p>Mr. George Spencer, Jr. Mr. Robert Rosenbach CLEMENS & SPENCER 112 East Pecan St., Suite I300 San Antonio, Texas 78205</p> <p>Mr. James L. Drought Mr. Ian Bolden DROUGHT DROUGHT & BOBBITT, LLP 112 East Pecan St., Suite 2900 San Antonio, Texas 78205</p> <p>Mr. Richard Tinsman Ms. Sharon C. Savage TINSMAN & SCIANO, INC. 10107 McAllister Freeway San Antonio, Texas 78205</p>	<p>Mr. David R. Deary Mr. Jim L. Flegle LOEWINSOHN FLEGLE DEARY, L.L.P. 12377 Merit Drive, Suite 900 Dallas, Texas 75251</p> <p>Mr. John B. Massopust Mr. Matthew Gollinger ZELLE HOFMANN VOELBEL & MASON LLP 500 Washington Avenue South, Suite 4000 Minneapolis, MN 55415-1152</p> <p>Mr. Michael S. Christian ZELLE HOFMANN VOELBEL & MASON 44 Montgomery Street, Suite 3400 San Francisco, California 94104</p> <p>Mr. Fred W. Stumpf GLAST, PHILLIPS & MURRAY Nine Greenway Plaza, Suite 3100 Houston, Texas 77046</p>
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/s/ Andrew J. Aelvoet
Andrew J. Aelvoet

MGM 7-11-14
CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL. § IN THE DISTRICT COURT
VS. §
§
JPMORGAN CHASE BANK, N.A. § 225TH 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:

**EDWARD G. VAUGHAN
1580 S. Main Street, Suite 200
Boerne, Texas 78006**

This Subpoena directs the Custodian of Records for EDWARD G. VAUGHAN to appear at
10:00 a.m. on August 6, 2014, before a notary public at the following location:

**1580 S. Main Street, Suite 200
Boerne, Texas 78006**

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**

{00057694.1}



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 **EDWARD G. VAUGHAN**, A TRUE COPY OF THIS SUBPOENA UPON
WHICH I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO EXECUTE THIS
SUBPOENA IS _____.

TOTAL FEES: \$ _____

KENDALL 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

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL.

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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

**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 EDWARD G. VAUGHAN, at the following date, time, and place:

Date: August 6, 2014
Time: 10:00 a.m.
Place: EDWARD G. VAUGHAN
1580 S. Main Street, Suite 200
Boerne, 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 10, 2014:

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

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

VIA ELECTRONIC SERVICE

s/David Jed Williams
David Jed Williams

JOHN K. MEYER, ET. AL.

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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 EDWARD G. VAUGHAN**

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 EDWARD G. VAUGHAN?

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 **EDWARD G. VAUGHAN**?

ANSWER:

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

ANSWER:

WITNESS, CUSTODIAN OF RECORDS FOR
EDWARD G. VAUGHAN

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 1/2/2007 from Briscoe Ranch, Inc., as Grantor, to EDWARD G. VAUGHAN, as Grantee, recorded in Volume 2484 Page 238 Oil and Gas Lease Records Webb County, Texas, comprising 6,453.75 acres of land, more or less, in such county.

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LOEWINSOHN FLEGLE DEARY
L · L · P

July 30, 2014

EXHIBIT A

Via Email

BHP Billiton Petroleum Properties (N.A.), LP
c/o Mr. William W. Russell
Schirrmeister Diaz-Arrastia Brem LLP
Pennzoil Place – North Tower
700 Milam, 10th Floor
Houston, Texas 77002
wrussell@sdblaw.com

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

Mr. Russell:

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

In the Litigation, our clients have requested discovery of records of JP Morgan relating to BHP Billiton Petroleum Properties (N.A.), LP as a customer of the financial institution. A copy of our 10th Set of Requests for Production to J.P. Morgan Chase Bank, N.A. is attached. The requests for production that potentially involve customer information concerning BHP Billiton are Requests Nos. 6 and 7.

Pursuant to section 59.006, Texas Finance Code, you are hereby given notice of your rights as a customer under section 59.006(e). You, as a customer, bear the burden of preventing or limiting the financial institution’s compliance with a record request subject to section 59.006 by seeking an appropriate remedy, including filing a motion to quash the record request or a motion for a protective order. Any motion filed shall be served on the financial institution and the requesting party before the date that compliance with the request is required. If we have not received your consent form, as requested below, by August 25, 2014, we will file a motion seeking

BHP Billiton Petroleum Properties (N.A.), LP

July 30, 2014

Page 2

an in camera inspection of the documents. The service address for JP Morgan, the financial institution, is:

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

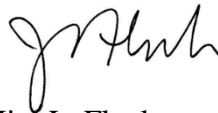
The service address for Plaintiff, the requesting party, is:

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

Further, our clients request your written consent authorizing JP Morgan to comply with the request. A consent form is enclosed. If you wish to consent to the release of the records our clients have requested, please execute the attached consent form and return it to the undersigned as soon as possible, but no later than August 25, 2014.

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

Very truly yours,



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

JLF/mlj

Consent for JP Morgan to Release Banking Records

I, _____, have capacity to act on behalf of BHP Billiton Petroleum Properties (N.A.), LP consents to the release of the records requested by the Plaintiffs' 10th Set of Requests For Production to J.P. Morgan Chase Bank, N.A. and hereby authorizes JP Morgan to comply with the Requests and provide any documents covered by the Requests to the Plaintiffs.

BHP Billiton Petroleum Properties (N.A.), LP.

By: _____

Printed Name: _____

Title: _____

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,

Defendant.

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IN THE DISTRICT COURT

225th JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**PLAINTIFFS' TENTH SET OF REQUESTS FOR PRODUCTION
TO DEFENDANT 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 attorneys of record, Patrick K. Sheehan, David Jed Williams, Hornberger Sheehan Fuller & Garza, Inc., 7373 Broadway, Suite 300, San Antonio, TX 78209

Pursuant to Rule 196 of the Texas Rules of Civil Procedure, you are hereby requested to produce and permit Plaintiffs to inspect and/or copy the documents designated and identified below to the extent any of said documents are in your actual or constructive possession, custody, or control. This request specifically encompasses all documents stored in electronic form, and you are requested to produce e-mail, electronic calendars, voice mail, and billing and accounting files in hard copy and electronically, together with software required to access the same (Microsoft Office, Outlook, Outlook Express, Word, and WordPerfect documents may be produced on diskette or CD-ROM without underlying software). Defendant must produce all requested documents, as they are kept in the ordinary course of business or segregated according to each request, for inspection and copying, not more than 30 days after service. The place of production shall be at the law offices of Drought, Drought & Bobbitt, L.L.P., 2900 Weston Centre, 112 East Pecan Street, San Antonio, Texas 78205.

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.

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Matthew J. Gollinger (*pro hac vice*)
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PLAINTIFFS, LINDA ALDRICH, ET AL.**

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Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFFS,
EMILIE BLAZE, ET AL.**

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

Via Facsimile and Email

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

Via Facsimile and Email

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Tyler M. Simpson