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

JOHN K. MEYER, ET AL,)	
)	IN THE DISTRICT COURT
Plaintiffs,)	
)	
vs.)	
)	
JPMorgan CHASE BANK, N.A.,)		
INDIVIDUALLY/CORPORATELY AND)		225TH JUDICIAL DISTRICT
AS TRUSTEE OF THE SOUTH)		
TEXAS SYNDICATE TRUST AND)		
GARY P. AYMES,)	
)	
Defendants.)	BEXAR COUNTY, TEXAS

REPORTER'S CERTIFICATE

ORAL AND VIDEOTAPED DEPOSITION OF
DEBRA ROUND
OCTOBER 16, 2013

I, PAMELA SUE PETERSON, Certified Shorthand
Reporter in and for the State of Texas, hereby
certify to the following:

That the witness, DEBRA ROUND, was duly
sworn by the officer and that the transcript of the
deposition is a true record of the testimony given by
the witness;

That the deposition transcript was
submitted on 11-05-13, 2013 to the witness

FILED
DUNNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY
2013 DEC -4 P 2:42
DEPUTY
By Antonia K. [Signature]

1 or to the attorney for the witness for examination,
 2 signature and return to me by 11-25-13,
 3 2013;

4 That the amount used by each party at the
 5 deposition is as follows:

- 6 JAMES L. DROUGHT (00h45m)
 Attorney for Plaintiff
- 7 IAN T. BOLDEN (00h00m)
 Attorney for Plaintiff
- 8 RICHARD TINSMAN (00h00m)
 Attorney for Plaintiff
- 9 AARON VALADEZ (00h00m)
 Attorney for Plaintiff
- 10 RUDY GARZA (00h00m)
 Attorney for Defendant

11
 12 That pursuant to information given to the
 13 deposition officer at the time said testimony was
 14 taken, the following includes counsel for all parties
 15 of record:

- 16 MR. JAMES L. DROUGHT, Attorney for Plaintiff;
- 17 MR. IAN T. BOLDEN, Attorney for Plaintiff;
- 18 MR. RICHARD TINSMAN, Attorney for Plaintiff;
- 19 MR. AARON VALADEZ, Attorney for Plaintiff;
- 20 MR. RUDY GARZA, Attorney for Defendant;

21 I further certify that I am neither counsel
 22 for, related to, nor employed by any of the parties
 23 or attorneys to the action in which this proceeding
 24 was taken, and further that I am not financially or
 25 otherwise interested in the outcome of this action.

Further certification requirements pursuant

1 to Rule 203 of TRCP will be certified to after they
 2 have occurred.

3 Certified to by me on this 24th day of
 4 October, 2013.

5 *Pamela Sue Peterson*



6 PAMELA SUE PETERSON, CSR
 Texas CSR 8924 - Expires 12-31-14
 Firm Registration No. 631
 7 Kim Tindall & Associates, LLC
 8 645 Lockhill-Selma, Suite 200
 San Antonio, Texas 78216
 (210) 697-3400

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FURTHER CERTIFICATION UNDER RULE 203 TRCP?

The original deposition ~~was~~ was not returned to the deposition officer on

11-25-13;

If returned, the attached Changes and Signature page contains any changes and the reasons therefore;

If returned, the original deposition was delivered to MR. JAMES L. DROUGHT, Custodial Attorney;

That \$ 332.50 is the deposition officer's charges to the Plaintiff, JOHN K. MEYER, ET AL, for preparing the original deposition transcript and any copies of exhibits.

That the deposition transcript was delivered in accordance with Rule 203.3, and that a copy of this certificate was served on all parties shown herein on 11-25-13 and filed with the Clerk.

Certified to by me this 25th day of Nov., 2013.

By BW

Pamela Sue Peterson
PAMELA SUE PETERSON, CSR
Texas CSR 8924 - Expires 12-31-14
Firm Registration No. 631
Kim Tindall & Associates, LLC
645 Lockhill-Selma, Suite 200
San Antonio, Texas 78216

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ERRATA SHEET

CHANGES AND SIGNATURE

Oral Deposition of: DEBRA ROUND

Date: OCTOBER 16, 2013

PAGE LINE	CHANGE	REASON
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I, DEBRA ROUND, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above.

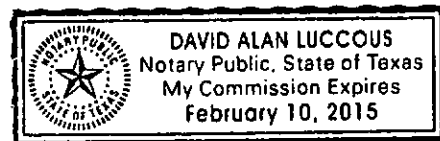
Debra Round
DEBRA ROUND

STATE OF TEXAS:
 DALLAS
COUNTY OF ~~DEXAR~~:

Before me, David Luccous,
on this day personally appeared DEBRA ROUND, known to me, or proved to me under oath or through ID or other document, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this
15th day of November, A.D., 2013.

David Luccous
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



My Commission Expires: _____

225th District Court of BEXAR County, Texas

100 DOLOROSA ST #200 SAN ANTONIO TX 78205

Case #: 2010CI10977

JOHN K. MEYER, ET AL.

Handwritten signature
CRT



Handwritten signature: Joanne D. Meyer

2013 NOV 27 AM 10:20
DEPUTY

FILED
DONNA KAY KIRKNEY
DISTRICT CLERK
BEXAR COUNTY

Plaintiff

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

Defendant

RETURN OF SERVICE

I, Norrissa A Abram, make statement to the fact;
That I am a competent person more than 18 years of age or older and not a party to
this action, nor interested in outcome of the suit. That I received the documents
stated below on 11/13/13 12:42 pm, instructing for same to be delivered upon
Bluestone Natural Resources, LLC By Delivering To It's Registered Agent CT
Corporation System.

That I delivered to : Bluestone Natural Resources, LLC By Delivering To It's Registered
Agent CT Corporation System. By Delivering to MARIE GARCIA, CORP
OP SPECIALIST

the following : PLAINTIFF'S SUBPOENA TO NON-PARTY TO PRODUCE DOCUMENTS INCLUDING
ELECTRONIC AND/OR MAGNETIC DATA; EXHIBIT A

at this address : 350 N. St. Paul St., Ste 2900
Dallas, Dallas County, TX 75201

Manner of Delivery : by PERSONALLY delivering the document(s) to the person above.

Delivered on : November 13, 2013 2:35 pm

My name is Norrissa A Abram, my date of birth is September 9th, 1990, and my address
is Professional Civil Process Dallas, Inc., 2206 Century Center Blvd., Irving TX
75062, and U.S.A. I declare under penalty of perjury that the foregoing is true and
correct.

Executed in Dallas County, State of Texas, on the 14 day of

NOV, 2013:

Handwritten signature: Norrissa A Abram
Declarant

Norrissa A Abram

Texas Certification#: SCH-10067 Exp. 12/31/15

Private Process Server
Professional Civil Process Dallas, Inc.
2206 Century Center Blvd. Irving TX 75062
(214) 748-8866

PCP Inv. #D13B01487



+ Service Fee: 65.00
Witness Fee: 11.00
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pisculli

Bobbitt, Calhoun

Document
scanned as filed.

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

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

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

THE STATE OF TEXAS

TO: C T. Corporation System
350 N. St. Paul St. Ste. 2900
Dallas, Texas 75201

Registered Agent for:
Bluestone Natural Resources, LLC
2199 South Utica, Suite 200
Tulsa, Oklahoma 74114

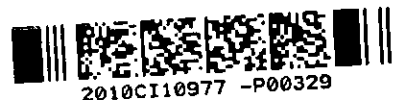
Greetings:

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 November 1, 2013. The requested documents, including electronic and/or magnetic data, are to be produced on November 25, 2013 at the following time and place:

Time: 10:00 a.m.
Place: Drought, Drought & Bobbitt, L.L.P.
2900 Weston Centre, 112 East Pecan Street
San Antonio, Texas, 78205

225th District Court of BEXAR County, Texas

100 DOLOROSA ST #200 SAN ANTONIO TX 78205



Case #: 2010CI10977

JOHN K. MEYER, ET AL.

CRX

Plaintiff

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

Defendant

RETURN OF SERVICE

I, Norrisa A Abram, make statement to the fact; That I am a competent person more than 18 years of age or older and not a party to this action, nor interested in outcome of the suit. That I received the documents stated below on 11/06/13 14:09 pm, instructing for same to be delivered upon SWEPI LP By Delivering Care/Of CT CORPORATION SYSTEM.

That I delivered to : SWEPI LP By Delivering Care/Of CT CORPORATION SYSTEM. By
: Delivering to Marie Garcia, Corp Ops Specialist

the following : PLAINTIFF'S SUBPOENA TO NON-PARTY TO PRODUCE DOCUMENTS INCLUDING
: ELECTRONIC AND/OR MAGNETIC DATA; EXHIBIT A

at this address : 350 N. St. Paul St., Ste 2900
: Dallas, Dallas County, TX 75201

Manner of Delivery : by PERSONALLY delivering the document(s) to the person above.

Delivered on : November 6, 2013 10:30 am

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY
10:51 AM
2013 DEC -3
BY *Donna Kay McKinney*

My name is Norrisa A Abram, my date of birth is September 9th, 1990, and my address is Professional Civil Process Dallas, Inc., 2206 Century Center Blvd., Irving TX 75062, and U.S.A. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas, on the 18 day of

NOV, 2013.

Norrisa A Abram
Declarant

Norrisa A Abram

Texas Certification#: SCH-10067 Exp. 12/31/15

Private Process Server
Professional Civil Process Dallas, Inc.
2206 Century Center Blvd. Irving TX 75062
(214) 748-8866

PCP Inv. #D13B00465



+ Service Fee: 65.00
Witness Fee: 11.00
Mileage Fee: .00

joels

Bobbitt, Calhoun

DOCUMENT
SCANNED
AS FILED

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

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

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

THE STATE OF TEXAS

TO: SWEPI LP
c/o CT Corporation System
350 N. St. Paul Street, Suite 2900
Dallas, Texas 75201-4234

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 October 31, 2013. The requested documents, including electronic and/or magnetic data, are to be produced on November 26, 2013 at the following time and place:

Time: 10:00 a.m.
Place: Drought, Drought & Bobbitt, L.L.P.
2900 Weston Centre, 112 East Pecan Street
San Antonio, Texas, 78205

★ ★ ★
LOEWINSOHN FLEGLE DEARY
L · L · P

Filed
13 November 26 P4:28
Donna Kay McKinney
District Clerk
Bexar District
Accepted by:
Kimberley Kennedy

November 26, 2013

VIA ELECTRONIC FILING

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

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

Dear Ms. Contreras:

Attached is a proposed Order Granting Plaintiff's Motion to Quash and for Protective Order.

Thank you for your attention to this matter.

Very truly yours,



Michael J. Donley
Direct Dial: (214) 572-1728
Email: michaeld@LFDlaw.com

MJD/arh
Enclosure

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL.,

Plaintiffs,

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

Defendants.

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IN THE DISTRICT COURT OF

225th JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**ORDER GRANTING PLAINTIFF'S MOTION TO QUASH
AND FOR PROTECTIVE ORDER**

On the ____ day of _____, 2013, came on to be heard Plaintiff's Motion to Quash and for Protective Order (the "Motion"). After reviewing the pleadings, the evidence and argument of counsel, the Court finds that such motion should be granted

IT IS THEREFORE ORDERED, that Plaintiff's Motion to Quash and for Protective Order is GRANTED.

Signed this ____ day of _____, 2013.

PRESIDING JUDGE

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL.,

Plaintiffs,

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

Defendants.

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IN THE DISTRICT COURT OF

225th JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

MOTION TO QUASH AND FOR PROTECTIVE ORDER

Pursuant to Rules 199.4 and 192.6 of the Texas Rules of Civil Procedure, Plaintiff, Emilie Blaze, moves to quash Defendants' Notice of Intention to Take Oral/Videotaped Deposition of Emilie Blaze ("Notice") and would respectfully show as follows:

OVERVIEW

In this case, one hundred seventy-two (172) of the two hundred and sixty-six (266) beneficiaries of the South Texas Syndicate Trust ("STS Trust") have brought claims against the current Trustee of the STS Trust, JP Morgan Chase Bank, N.A. ("JP Morgan"). These claims allege a pattern of neglect, mismanagement and tortious behavior that has caused significant damage to the STS Trust assets and estate.

Emilie Blaze is one of the one hundred seventy-two plaintiffs in this case. Emilie Blaze's husband, John Blaze, has a power of attorney to act on her behalf in matters related to her interest in the STS Trust. On June 5, 2013, through counsel, John and Emilie Blaze agreed with JP Morgan to produce John Blaze for a deposition in San Antonio (even though he is not a plaintiff in this case and he would be travelling from the Blaze's residence in Baltimore,

Maryland to San Antonio at his own expense) in exchange for JP Morgan's agreement not to depose Emilie Blaze. Emilie and John Blaze performed their part of the agreement and on September 5, 2013, John Blaze was deposed in this action in San Antonio. JP Morgan now demands that Emilie Blaze be deposed in San Antonio as well. This is despite the further representation by Plaintiffs that Emilie Blaze will not be called as a witness at trial.

This Court should grant Emilie Blaze's Motion for Protection for three reasons: (1) Emilie Blaze made an agreement with JP Morgan to produce her husband as a deposition witness on her behalf and fulfilled her commitment; (2) Emilie Blaze's deposition is duplicative and unnecessary, as John Blaze had all contact and communications with JP Morgan, pursuant to a power of attorney; and (3) Emilie Blaze's deposition is sought purely for the purposes of harassment and annoyance. In the alternative, Plaintiffs request that the Court enter an order limiting the time allowed for Emilie Blaze's deposition to no more than three hours and order that her deposition be taken in Baltimore, Maryland or by video conference.

I.

BACKGROUND FACTS

A. The Instant Lawsuit

Plaintiffs have alleged a pattern of neglect, mismanagement and tortious behavior that has caused significant harm to the STS Trust assets and estate, for which Plaintiffs see damages. Plaintiffs also seek a statutory accounting, and the removal of Defendants as Trustee. Plaintiffs further see judicial reformation of the STS Trust instrument to protect the beneficiaries' interests in the future, provide transparency, define the duties and responsibilities of the trustee, and ensure the efficient and proper administration of the STS Trust, among other things.

B. Emilie Blaze's Involvement in This Case

Emilie Blaze's husband, John Blaze, has a power of attorney to act on her behalf in matters related to her interest in the STS Trust. Emilie Blaze will not be called by Plaintiffs to testify at the trial of this case. On June 5, 2013, counsel for Emilie Blaze had what it thought was an oral agreement with JP Morgan counsel to voluntarily produce John Blaze for deposition in San Antonio in exchange for no deposition of Emilie Blaze. Emilie and John Blaze performed their part of that agreement. On September 5, 2013, John Blaze travelled to San Antonio at his own expense and was deposed in this case. *See* Excerpt of Transcript of Deposition of John Blaze, attached hereto as Exhibit 1 to the Affidavit of Michael Donley ("Donley Aff.")

C. The Notice of Intention to Take Emilie Blaze's Deposition

On November 21, 2013, counsel for the Plaintiffs received Defendants' Notice by facsimile and email. *See* Notice, Donley Aff. at Ex. 2. The Notice specifies that the oral deposition of Emilie Blaze will be taken on December 13, 2013 in San Antonio. *Id.*

D. Emilie Blaze's Deposition Is Duplicative, Unnecessary and Requested to Harass Emilie Blaze and Plaintiffs

Emilie Blaze is one of approximately two-hundred and sixty-six beneficiaries of the STS Trust. She is one of one-hundred seventy-two Plaintiffs in this case. Emilie Blaze has no unique knowledge or information related to the claims or defenses in this case. JP Morgan has already deposed John Blaze who has a power of attorney to act on her behalf in matters related to her interest in the STS Trust. Emilie Blaze has no information beyond the information JP Morgan already received from John Blaze. *See* Donley Aff. at Ex. A. Following John Blaze's deposition, Emilie Blaze's deposition is unnecessary and duplicative.

II.

ARGUMENTS AND AUTHORITIES

A. Legal Standards

1. **Emilie Blaze's deposition is stayed by operation of the Texas Rules of Civil Procedure**

Pursuant to Texas Rule of Civil Procedure 199.4, if a party or witness files a motion for protective order “by the third business day after service of the notice of deposition, an objection to the time and place of a deposition stays the oral deposition until the motion can be determined.” JP Morgan served the Notice on Thursday, November, 21, 2013. Donley Aff. at Ex. 2. This Motion objecting to the time and place of the deposition of Emilie Blaze was filed prior to the end of the third business day thereafter. Pursuant to Tex. R. Civ. P. 199.4, Emilie Blaze's deposition is stayed until this Motion is determined.

2. **The Court has the authority to grant the protection sought by Emilie Blaze**

Rule 192.6(b) of the Texas Rules of Civil Procedure provides that “[t]o protect the movant from undue burden, unnecessary expense, harassment, annoyance, or the invasion of personal, constitutional, or property rights, the court may make any order in the interest of justice . . . that: (1) the requested discovery not be sought in whole or in part; (2) the extent or subject matter of discovery be limited; (3) the discovery not be undertaken at the time or place specified; (4) the discovery be undertaken only by such method or upon such terms and conditions or at the time and place directed by the court . . .”.

B. **The Court Should Quash the Notice and Protect Emilie Blaze from an Unnecessary and Harassing Deposition**

Emilie Blaze is one of dozens of plaintiffs and hundreds of beneficiaries in this case. *See supra* Section I.B. She has no unique knowledge or information that affects the claims or defenses in this case. *Id.* Emilie Blaze's husband, John Blaze, has already voluntarily appeared

as a witness in this case to testify on her behalf. *Id.* The Court has the authority to enter an order to prevent unnecessary expense, harassment, and annoyance. *See supra* Section II.A.2. Because the deposition of Emilie Blaze is unnecessary and harassing, the Court should grant this Motion and enter the attached order protecting Emilie Blaze from the discovery JP Morgan seeks.

Further, Emilie Blaze has a medical condition. Counsel is willing to discuss this condition with the Court, preferably in camera. Counsel for JP Morgan has been previously advised of this condition and decided to proceed with noticing the deposition anyway.

C. In the Alternative, Emilie Blaze Should Not Be Forced to Travel to Texas for an Unnecessary Deposition

Pursuant to Texas Rule of Civil Procedure 192.6, the Court also has the authority to limit the extent and subject matter of the discovery Emilie Blaze must provide and to specify the time and place of the deposition. *See supra* Section II.A.2. In the alternative, because JP Morgan has already had the opportunity to depose John Blaze, the Court should limit the time allowed for the deposition of Emilie Blaze to no more than three hours. And, because John Blaze (pursuant to his agreement with JP Morgan) travelled to San Antonio at his own expense, the deposition of Emilie Blaze should be taken near the Blaze's residence in Baltimore, Maryland or by video conference.


CONCLUSION

WHEREFORE, Plaintiff, Emilie Blaze, requests that, upon final hearing, the Court grant her a protective order and quash the Notice, and for such other and further relief to which she may show herself justly entitled. In the alternative, Plaintiff requests that the Court enter an order limiting the time allowed for Emilie Blaze's deposition to no more than three hours and order that her deposition be taken in Baltimore, Maryland or by video conference.

Dated: November 26, 2013.

Respectfully submitted,

LOEWINSOHN FLEGLE DEARY, L.L.P.



DAVID R. DEARY
State Bar No. 05624900
JIM L. FLEGLE
State Bar No. 07118600
MICHAEL J. DONLEY
State Bar No. 24045795
12377 Merit Drive, Suite 900
Dallas, Texas 75251
Telephone: (214) 572-1700
Facsimile: (214) 572-1717

ATTORNEYS FOR PLAINTIFF,
EMILIE BLAZE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument has been served on the below listed counsel of record via the method indicated, this 26th day of November 2013:

Via U.S. Mail

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

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

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

Steven J. Badger
Ashley Bennett Jones
901 Main Street, Suite 4000
Dallas, Texas 75202-3975

Via U.S. Mail

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

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

John B. Massopust
Matthew J. Gollinger
Zelle Hofmann Voelbel & Mason LLP
500 Washington Avenue South, Suite 5000
Minneapolis, Minnesota 55415



Michael J. Donley

Exhibit A

CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL.,

Plaintiffs,

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

Defendants.

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IN THE DISTRICT COURT OF

225th JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**AFFIDAVIT OF MICHAEL J. DONLEY IN SUPPORT OF
MOTION TO QUASH AND FOR PROTECTIVE ORDER**

STATE OF TEXAS

COUNTY OF DALLAS

§
§
§

BEFORE ME, on this day personally appeared Michael J. Donley, who, after being by me duly sworn, did depose on his oath and state:

1. My name is Michael J. Donley. I am over the age of eighteen (18) years, of sound mind, have never been convicted of a felony, and am fully competent to testify to the facts contained herein. I have personal knowledge of the facts contained herein, all of which are true and correct.

2. I am an attorney with the law firm, Loewinsohn Flegle Deary, LLP, representing plaintiffs, including Emilie Blaze, in the above-captioned case.

3. Attached as Exhibit 1 is a true and correct copy of Excerpt of Transcript of the Deposition of John Blaze.

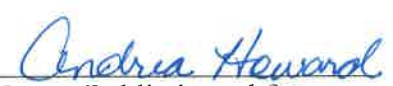
4. Attached as Exhibit 2 is a true and correct copy of Defendants' Notice of Intention to Take Oral/Videotaped Deposition of Emilie Blaze.

FURTHER AFFIANT SAYETH NOT.



Michael J. Donley

Subscribed and sworn to before the, the undersigned notary public, on November 26, 2013.



Notary Public in and for
The State of Texas

My commission expires:

9/3/16



Exhibit 1

(Consolidated Under)

CAUSE NO. 2010-CI-10977

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

VIDEO ORAL DEPOSITION

OF

JOHN BLAZE

ORAL AND VIDEOTAPED DEPOSITION of JOHN BLAZE, produced as a witness at the instance of the Defendant, and duly sworn, was taken in the above-styled and numbered cause on the 5th day of September, 2013, from 8:00 a.m. to 2:54 p.m. Central Standard Time, before Lori M. Bryant, CSR, RPR, CRR, TRR, in and for the State of Texas, reported by machine shorthand, at Tinsman & Sciano, Inc., 10107 McAllister Freeway, San Antonio, Texas 78216.

I N D E X

- 1
- 2 FOR THE PLAINTIFFS:
- 3 Mr. Jim Flegle
- 4 LOEWINSOHN FLEGLE DEARY, LLP
- 5 12377 Merit Drive
- 6 Suite 900
- 7 Dallas, Texas 75251
- 8 Mr. Robert Rosenbach
- 9 CLEMENS & SPENCER
- 10 1300 Weston Centre
- 11 112 East Pecan Street
- 12 Suite 1300
- 13 San Antonio, Texas 78205
- 14 Mr. James L. Drought
- 15 Mr. Ian T. Bolden
- 16 DROUGHT DROUGHT & BOBBITT, LLP
- 17 1300 Weston Centre
- 18 112 East Pecan Street
- 19 Suite 2900
- 20 San Antonio, Texas 78205
- 21 Mr. Richard Tinsman
- 22 TINSMAN & SCIANO, INC.
- 23 10107 McAllister Freeway
- 24 San Antonio, Texas 78205
- 25 FOR DEFENDANTS:
- Mr. Patrick K. Sheehan
- Ms. Stephanie L. Curette
- HORNBERGER SHEEHAN FULLER BEITER
- 7373 Broadway
- Suite 300
- San Antonio, Texas 78209
- ALSO PRESENT:
- John K. Meyer
- Gary P. Aymes
- THE VIDEOGRAPHER:
- Joe Roode

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I N D E X

WITNESS

JOHN BLAZE

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1 THE VIDEOGRAPHER: Today's date is
2 September 5, 2013. The time is 8:00 a.m. This is the
3 beginning of the deposition of John Blaze. We are on the
4 record. If the court reporter can swear in the witness.

5 (The witness was sworn)

6 EXAMINATION

7 QUESTIONS BY MR. SHEEHAN:

8 Q. State your name, sir.

9 A. John Blaze.

10 Q. Where are you from, Mr. Blaze?

11 A. Baltimore, Maryland.

12 Q. And I'm going to hand you Exhibit No. 311, and
13 ask you if you've seen that. That's a deposition notice.

14 A. I have seen it.

15 Q. And you're here pursuant to that deposition
16 notice asking that you come and give us testimony under
17 oath today at 8:00 a.m. here in San Antonio, Texas, and
18 that's what you're here to do, isn't it?

19 A. Yes.

20 Q. You know you're under oath and that your
21 testimony can and presumably will be used at trial and
22 that your deposition today will be shown to the jury,
23 right?

24 A. Yes.

25 Q. Now, you've had a chance to talk to your lawyers

Exhibit 2

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

**DEFENDANTS' NOTICE OF INTENTION TO TAKE
ORAL/VIDEOTAPED DEPOSITION OF EMILIE BLAZE**

Please take notice that Defendants will take the oral deposition of Emilie Blaze at the following date, time, and place:

Date: December 13, 2013
Time: 9:00 a.m.
Place: Tinsman & Sciano, Inc.
10107 McAllister Frwy.
San Antonio, Texas 78216

The deposition will be recorded by stenographic means and will be videotaped. The deposition will continue from day to day until completed and may be used as evidence in the trial of this matter.

Respectfully submitted,

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

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

By: 

Patrick K. Sheehan
State Bar No. 18175500
Kevin M. Beiter
State Bar No. 02059065
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060
Eduardo L. Morales
State Bar No. 24027527

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this document was served upon the following, in the manner indicated, on the 21st day of November 2013:

Mr. George Spencer, Jr.
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VIA FAX and EMAIL

Mr. Richard Tinsman
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VIA FAX and EMAIL

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VIA FAX and EMAIL

Mr. Michael S. Christian
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VIA FAX and EMAIL

Mr. Fred W. Stumpf
BOYER JACOBS SHORT
Nine Greenway Plaza
Suite 3100
Houston, Texas 77046

VIA FAX and EMAIL


David Ted Williams



CAUSE NO. 2010-CI-10977

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

V.

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

§
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§

IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

NOTICE OF FILING RULE 11 AGREEMENT

Now comes JPMORGAN CHASE BANK, N.A. ("Defendant"), in the above styled and referenced cause, and files the attached Rule 11 Agreement.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER BEITER
WITTENBERG & GARZA INCORPORATED**
7373 Broadway, Suite 300
San Antonio, Texas 78209
(210) 271-1700 Telephone
(210) 271-1740 Fax

By: _____

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State Bar No. 18175500
Kevin M. Beiter
State Bar No. 02059065
Rudy A. Garza
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David Jed Williams
State Bar No. 21518060

ATTORNEYS FOR DEFENDANTS

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY

2013 DEC 11 P 3:28

DEBUTY
Antonio [Signature]

BY: _____

**DOCUMENT SCANNED
AS FILED**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing NOTICE OF FILING RULE 11 AGREEMENT was served on the following, as indicated, on this the 11th day of December 2013:

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

VIA FACSIMILE

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

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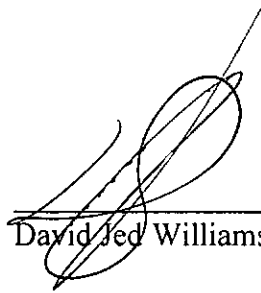
VIA FACSIMILE

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VIA FACSIMILE

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Houston, Texas 77045

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David Jed Williams



HORNBERGER SHEEHAN FULLER BEITER
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INCORPORATED

David Jed Williams
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jwilliams@hsfbllaw.com

December 10, 2013

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Dallas, Texas 75251

VIA EMAIL

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

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

Dear Counsel:

This letter confirms our agreement as follows:

1. On or before February 1, 2014, Plaintiffs shall identify to Defendants in writing all Plaintiffs that may testify as witnesses at the trial of this case and have not previously been deposed.

2. Plaintiffs agree to make any Plaintiff so identified available for deposition in San Antonio prior to the discovery deadline of February 28, 2014.



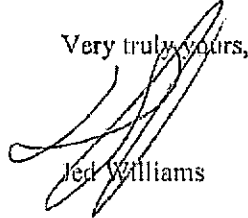
December 10, 2013

Page 2

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

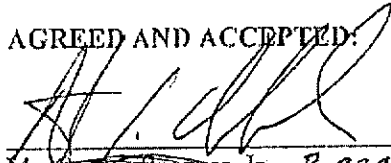
Please sign below to indicate your acceptance and agreement to the filing of this letter as a TRCP 11 agreement.

Very truly yours,

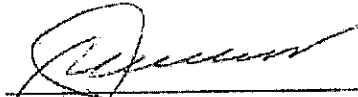


Jed Williams

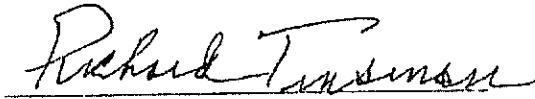
AGREED AND ACCEPTED:



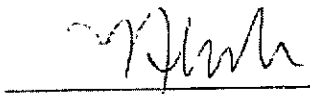
~~Mr. George Spencer, Jr.~~ ROBERT J. ROSEWBACH
CLEMENS & SPENCER



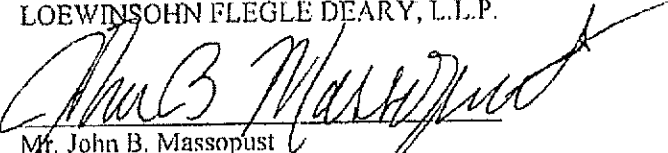
Mr. James L. Drought
DROUGHT DROUGHT & BOBBITT, LLP



Mr. Richard Tinsman
Ms. Sharon C. Savage
TINSMAN & SCIANO, INC.



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



Mr. John B. Massopust
ZELLE HOFMANN VOELBEL & MASON

December 10, 2013

Page 3

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



CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET. AL. §
VS. §
JPMORGAN CHASE BANK, N.A. §
INDIVIDUALLY/CORPORATELY §
AND AS TRUSTEE OF THE SOUTH §
TEXAS SYNDICATE TRUST §
and GARY P. AYMES §

IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

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BEXAR COUNTY
2013 DEC 11 P 4:47
DEPUTY
Antonio...

DEFENDANT'S MOTION FOR PROTECTIVE ORDER

Defendant JPMorgan Chase Bank, N.A., Individually/Corporately and as Trustee of the South Texas Syndicate Trust (collectively "J.P. Morgan") files this Motion for Protective Order against (pursuant to common law and per Rule 192.6 TRCP) with respect to discovery served upon Defendant by Plaintiffs in this case and with respect thereto, would show the Court as follows:

I.

On November 8, 2013, Plaintiffs served upon Defendant their Sixth Set of Requests for Production. A true and correct copy of this Request is attached hereto and incorporated herein as Exhibit "A".

II.

Request Nos. 3, 6 and 7 ask Defendant to produce documents containing highly confidential, proprietary and/or privileged information regarding corporate committee meeting minutes and correspondence with the Office of the Comptroller of Currency ("OCC"). Further, these documents are not relevant to the subject matter of this case for purposes of discovery. Additionally, the requested documents contain information that is protected by the attorney-client, work product and/or bank examination privileges and, accordingly, Defendant objects to the requests in addition to seeking the relief requested herein.

III.

Rule 192.6(b) of the Texas Rules of Civil Procedure provides that “[t]o protect the movant from undue burden, unnecessary expense, harassment, annoyance, or the invasion of personal, constitutional, or property rights, the court may make any order in the interest of justice...”. Defendant thus moves for a protective order under Rule 192.6(b) and under the common law to protect itself (and others affected by these discovery requests, such as third parties) from the invasion of personal and business rights of privilege, confidentiality, and privacy caused by the requested discovery, as well as the rights of privilege, confidentiality, and privacy of Defendant and other third parties having rights with respect to the requested discovery.

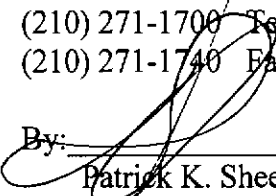
WHEREFORE, Defendant prays that the Court grant this Motion and sign a protective order in this case and grant Defendant such other and further relief to which it may be entitled.

Respectfully submitted,

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

7373 Broadway, Suite 300
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Kevin M. Beiter
State Bar No. 02059065
Rudy A. Garza
State Bar No. 07738200
David Jed Williams
State Bar No. 21518060

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this document was served upon the following on December 11, 2013, by the method indicated:

Mr. Steven J. Badger
Ms. Ashley Bennett Jones
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Mr. Jeven R. Sloan
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VIA FACSIMILE

Mr. James L. Drought
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112 East Pecan, Suite 2900
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VIA FACSIMILE

Mr. John B. Massopust
Mr. Matthew J. Gollinger
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VIA FACSIMILE

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

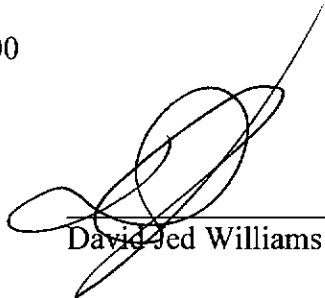
VIA FACSIMILE

Mr. Michael S. Christian
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44 Montgomery Street, Suite 3400
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VIA FACSIMILE

Mr. Fred W. Stumpf
Mr. Kelly M. Walne
Boyer Short
Nine Greenway Plaza, Suite 3100
Houston, Texas 77045

VIA FACSIMILE



David Jed Williams

EXHIBIT "A"

(Consolidated Under)
NO. 2010-CI-10977

JOHN K. MEYER, ET AL.,

Plaintiffs,

vs.

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

Defendants.

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

PLAINTIFFS' SIXTH REQUEST FOR PRODUCTION
TO DEFENDANT J.P. MORGAN CHASE BANK, N.A.

TO: Defendant, J.P. Morgan Chase Bank, N.A.,
Individually and Corporately and as Trustee
of the South Texas Syndicate Trust,
by and through its attorneys of record,
Mr. Patrick K. Sheehan
Mr. Rudy Garza
Mr. David Jed Williams
Hornberger Sheehan Fuller & Beiter, 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 in **Exhibit 1** 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.

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
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By: 

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> </u>	U.S. Certified Mail, Return Receipt Requested to:
<u> ✓ </u>	Facsimile to:
<u> </u>	First Class Mail to:
<u> </u>	Hand Delivery to:

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

Mr. John C. Eichman
 Mr. Amy S. Bowen
 Hunton & Williams LLP
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 Dallas, Texas 75202

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

on this the 8th day of November, 2013.



 James L. Drought

EXHIBIT 1**REQUESTS FOR PRODUCTION**

REQUEST FOR PRODUCTION NO. 1: Produce the standard monthly reports prepared by Bertram Hayes-Davis for the April 2008 through July 2012 time period. (See page 18 of Bert Hayes-Davis' deposition.)

RESPONSE:

REQUEST FOR PRODUCTION NO. 2: Produce the STS Tax Opinion prepared by Cox & Smith.

RESPONSE:

REQUEST FOR PRODUCTION NO. 3: Produce the Fiduciary Governance Committee Minutes for the years 2008, 2009, and 2010.

RESPONSE:

REQUEST FOR PRODUCTION NO. 4: Produce all audits of the STS Trust prepared by Cameiro Chumney.

RESPONSE:

REQUEST FOR PRODUCTION NO. 5: Produce all audits of the STS Trust prepared by any other accounting firm.

RESPONSE:

REQUEST FOR PRODUCTION NO. 6: Produce all documents sent or received regarding the OCC's Conflict of Interest examination (See DEFENDANTS_137997).

RESPONSE:

REQUEST FOR PRODUCTION NO. 7: Produce all correspondence between the OCC and JPM regarding the specialty asset group from 2007-2010.

RESPONSE:

REQUEST FOR PRODUCTION NO. 8: Produce the "set of guidelines and policies" Patricia Schultz-Ormond needed to adhere to. (See page 53 of Patricia Schultz-Ormond's June 10, 2013 deposition.)

RESPONSE:

REQUEST FOR PRODUCTION NO. 9: Produce all invoices submitted by Robert Buehler regarding the STS Trust during the 2007-2010 time period.

RESPONSE:

REQUEST FOR PRODUCTION NO. 10: Produce all correspondence and checks made payable to Robert Buehler in payment of invoices referenced in Request for Production No. 9 above.

RESPONSE:

REQUEST FOR PRODUCTION NO. 11: Produce all agreements between STS and Robert Buehler.

RESPONSE:

REQUEST FOR PRODUCTION NO. 12: Produce all meeting agendas referring to or mentioning the STS Trust. (See page 69 of Patricia Schultz-Ormond's June 10, 2013 deposition.)

RESPONSE:

REQUEST FOR PRODUCTION NO. 13: Produce the list of transactions submitted to the National Mineral Manager. (See page 69 of Patricia Schultz-Ormond's June 10, 2013 deposition.)

RESPONSE:

REQUEST FOR PRODUCTION NO. 14: Produce the JPM internal database regarding bonuses for the 2007-2010 time period. (See page 72 of Patricia Schultz-Ormond's deposition.)

RESPONSE:

REQUEST FOR PRODUCTION NO. 15: Produce all materials developed to market the Eagle Ford shale strategy discussed by Mr. Minter in his deposition in connection with Exhibits 654 and 655. (Page reference from deposition will be supplemented upon receipt of Minter's deposition.)

RESPONSE:

REQUEST FOR PRODUCTION NO. 16: Produce all written documentation pertaining to the 2 to 3 presentations Petrohawk made to Pattie Ormond at the JPM offices in 2008 which were described by Bob Buehler in his deposition. (Page reference from deposition will be supplemented upon receipt of Minter's deposition.)

RESPONSE:



(Consolidated Under)
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

DEPUTY

2013
DEC - 8 P 1:52

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY

Kingston Moore

MOTION TO APPOINT SUCCESSOR TRUSTEE AND MOTION FOR SEVERANCE

Thomas L. Warner, William Piper, John C. Piper, John Q. Piper, Addison Piper, David McLean, Mary McLean Evans and Catherine Masucci, as beneficiaries of the South Texas Syndicate Trust (the "Trust") (the "Movant-Beneficiaries) file this Motion to Appoint Successor Trustee and Motion for Severance and would show the Court as follows:

I. Background

1. JPMorgan Chase Bank, N.A. ("JPMorgan") is currently serving as trustee of the Trust.
2. On July 19, 2013, this Court entered an Order Granting Plaintiffs' Motion for Partial Summary Judgment Regarding Trustee Resignation (the "Resignation Order") by which the Court ordered JPMorgan to resign as trustee of the Trust effective on the selection and appointment of a successor trustee. The Court further ordered that JPMorgan "shall transition its role and shall convey and deliver all of the then trust property to such successor as the beneficiaries, or the Court in which proceedings may be had for the appointment of a successor, shall appoint."
3. The Movant-Beneficiaries believe that action by the Court is the most effective method to appoint a successor trustee and transition the Trust to the new trustee.

II. Recommendation of Successor Trustee

4. A number of the beneficiaries of the Trust, including the Movant-Beneficiaries, have for a number of months been engaged in the search for a potential successor trustee. After a lengthy process involving multiple candidates, those beneficiaries unanimously recommended BOKF, N.A., dba Bank of Texas, with its principal offices in Houston, Texas ("Bank of Texas") as successor trustee. A vast majority of the other beneficiaries of the Trust were notified of this

recommendation. To date, beneficiaries representing in excess of 70% of the beneficial interests in the Trust have indicated their approval in writing of the appointment of Bank of Texas as successor trustee of the Trust. Bank of Texas has indicated its willingness to accept its appointment as successor trustee of the Trust.

III. Request for Appointment of Successor Trustee

5. This Court has jurisdiction and venue over this matter pursuant to Texas Property Code §§ 115.001 and 115.002.

6. This Court has the power to appoint a successor trustee of the Trust under Texas Property Code § 113.083(a) because no successor trustee has been selected pursuant to the terms of the governing instrument of the Trust.

7. The Movant-Beneficiaries ask this Court to determine the appropriate method for providing notice of this Motion to each of the beneficiaries of the Trust not already a party to this action.

8. After notice has been made in the manner prescribed by the Court, the Movant-Beneficiaries ask that the Court appoint Bank of Texas as successor trustee of the Trust, effective on its written acceptance of such appointment (the "Effective Date").

9. The Movant-Beneficiaries believe that it is in the best interests of the Trust and its beneficiaries that the successor trustee be focused on the future administration of the Trust. Accordingly, the Movant-Beneficiaries ask that the Court order that Bank of Texas, as successor trustee of the Trust, shall be released from (i) any and all duty and responsibility to investigate or review the acts of any former trustee, to redress any breaches of fiduciary duty which may have been committed by any former trustee, or otherwise to take any action or make any investigation concerning the administration of the Trust prior to the Effective Date, and (ii) any and all liability, including but not limited to liability which otherwise might be imposed on such successor trustee as successor trustee under the laws of any jurisdiction for, relating to, or arising out of transactions occurring prior to the Effective Date.

10. Further, the Movant-Beneficiaries ask that the Court order that JPMorgan (i) immediately following the date of this Court's order appointing a successor trustee, be authorized and ordered to provide detailed information regarding the Trust, the Trust's beneficiaries and the Trust's assets to Bank of Texas (even though Bank of Texas may not have yet accepted the position of successor trustee), and (ii) upon the Effective Date, deliver the original books and records of the Trust, along with the then Trust property, to Bank of Texas.

11. The Movant-Beneficiaries have incurred reasonable and necessary attorneys' fees, expenses and costs in connection with this Motion for the benefit of all the beneficiaries, present and future, of the Trust and request that the Court authorize the payment of those fees, expenses and costs out of the Trust, as charges against trust income.

IV. Request for Severance

12. The Movant-Beneficiaries believe a severance under Rule 41 of the Texas Rules of Civil Procedure of the issues related to (i) the appointment by the Court of a successor trustee, (ii) the mechanics of the corresponding resignation of JPMorgan and delivery of all the then trust property to the successor trustee appointed by the Court, and (iii) such other issues as may be directly related to the appointment of a successor trustee and the resignation of JPMorgan (together such issues are referred to below as the "Successor Trustee Appointment Issues") would allow for the most efficient and expedient transition to a successor trustee.

13. Severance is proper where (i) the controversy involves more than one cause of action, (ii) the severed cause of action is one that would be the proper subject of a lawsuit if independently asserted, and (iii) the severed cause of action is not so interwoven with the remaining action that they involve the same facts or issues. *See F.F.P. Oper. Partners v. Duenez*, 237 S.W.3d 680, 693 (Tex. 2007). The controlling reasons to allow severance are "avoiding prejudice, doing justice and increasing convenience." *Id.*

14. The other issues remaining in this case primarily relate to claims for breaches of fiduciary duty made against JPMorgan by various beneficiaries of the Trust. The Successor Trustee Appointment Issues can be resolved separately without waiting for resolution of these claims, comprises a complete cause of action in and of itself, and can stand alone as a separate lawsuit (*see* Paragraphs 5 and 6 above). Moreover, the Successor Trustee Appointment Issues are not so interwoven with the other claims in this action that two trials will involve the same facts and legal issues.

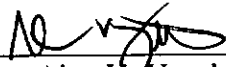
15. Severing the Successor Trustee Appointment Issues will allow for the prompt appointment of a successor trustee and transition of the Trust to its new trustee. Accordingly, the Movant-Beneficiaries respectfully move the Court to sever and make the subject of a separate action the Successor Trustee Appointment Issues.

WHEREFORE, the Movant-Beneficiaries pray that this Court (i) provide for the appropriate mechanism for providing notice of this Motion to the beneficiaries of the Trust not already party to this action, (ii) appoint Bank of Texas as Successor Trustee of the Trust subject

to the releases described herein, (iii) order that JPMorgan deliver the books and records of the Trust and the Trust property to Bank of Texas, in its capacity as the successor trustee of the Trust, (iv) authorize that the reasonable and necessary attorneys' fees of Movant-Beneficiaries may be paid from the Trust and charged against trust income, (v) order that the Successor Trustee Appointment Issues be severed, made the subject of a separate suit, and assigned its own docket number on the docket of this court, and (vi) grant Movant-Beneficiaries such other and further relief to which they may be entitled.

Respectfully Submitted,

YTTERBERG DEERY KNULL LLP

By  _____
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J. Graham Kenney
State Bar No. 24041235

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

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Mr. Rudy A. Garza
Mr. David Jed Williams
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(VIA FACSIMILE)

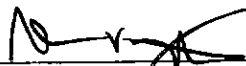
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(VIA FACSIMILE)

On this 5th day of December, 2013.



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Ytterberg Deery Knull LLP

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PARTNER
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December 5, 2013

BY FEDERAL EXPRESS

Ms. Donna Kay McKinney
Bexar County District Clerk
Paul Elizondo Tower
101 W. Nueva, Suite 217
San Antonio, Texas 78205-3411

Re: 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 (Consolidated Under) Cause No. 2010-CI-10977 in the District Court 225th Judicial District of Bexar County, Texas

Dear Ms. McKinney:

Attached for filing in the above-referenced cause is a Motion to Appoint Successor Trustee and Motion for Severance. Please place your file stamp on the attached copy of the Motion and return it to the undersigned in the enclosed postage paid return envelope.

Thank you for your assistance in this matter.

Very truly yours,



Alan V. Ytterberg

AVY/lid

Enclosure

cc: Attorneys listed on Certificate of Service (via facsimile)

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY
2013 DEC -6 P 1:52
DEPUTY
BY: *Kimberly Moreno*

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Page 1 of 2

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Dept #

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Alan V Ybarbergo
Ybarbergo Dairy & Cereal LLP
3555 Timmons Lane, Suite 1000
Houston, TX 77027

Origin ID: HQUA



J1301306290326

BILL SENDER

SHIP TO: (210) 335-2621
Donna Kay McKinney
Bexar County District Clerk
101 W NUEVA
STE 217
SAN ANTONIO, TX 78205

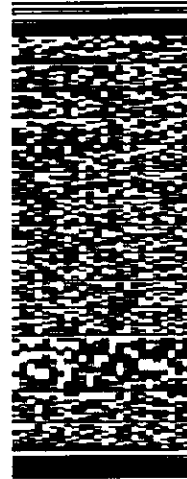
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DISTRICT CLERK
BEXAR COUNTY
2013 DEC -6 P 1:51
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2010CI10977 -P00344

CAUSE NO. 2010-CI-10977

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

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IN THE DISTRICT COURT

V.

225TH JUDICIAL DISTRICT

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

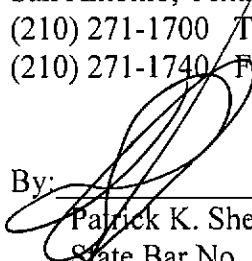
BEXAR COUNTY, TEXAS

NOTICE OF FILING RULE 11 AGREEMENT

Now comes JPMORGAN CHASE BANK, N.A. ("Defendant"), in the above styled and referenced cause, and files the attached Rule 11 Agreement.

Respectfully submitted,

**HORNBERGER SHEEHAN FULLER BEITER
WITTENBERG & GARZA INCORPORATED**
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State Bar No. 18175500
Kevin M. Beiter
State Bar No. 02059065
Rudy A. Garza
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David Jed Williams
State Bar No. 21518060

ATTORNEYS FOR DEFENDANTS

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY

2010 DEC 11 P 1:39

DEPUTY
Antonio Morales

BY: _____

Document
scanned as filed.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing NOTICE OF FILING RULE 11 AGREEMENT was served on the following, as indicated, on this the 11th day of December 2013:

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VIA FACSIMILE

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Ms. Sharon C. Savage
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VIA FACSIMILE

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Mr. Jim L. Flegle
Mr. Jeven R. Sloan
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VIA FACSIMILE

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Mr. Matthew J. Gollinger
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VIA FACSIMILE

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Ms. Ashley Bennett Jones
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Dallas, Texas 75202-3975

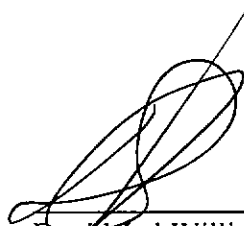
VIA FACSIMILE

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VIA FACSIMILE

Mr. Fred W. Stumpf
Mr. Kelly M. Walne
Boyer Short
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Houston, Texas 77045

VIA FACSIMILE

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

David Jed Williams



HORNBERGER SHEEHAN FULLER BEITER

WITTENBERG & GARZA

David Jed Williams INCORPORATED
Direct Line: (210) 271-1731
jwilliams@hsfblaw.com

December 9, 2013

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

VIA EMAIL

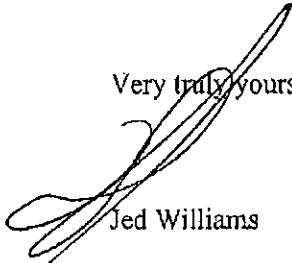
Re: Cause No. 2010-CI-10977, *John K. Meyer, et al. vs. JP Morgan Chase Bank, N.A., et al.*, in the 225th Judicial District Court of Bexar County, Texas

Dear Jim:

This letter confirms our agreement under TRCP 11 that Defendants' deadline to respond to Plaintiffs' Request for Admissions and Interrogatories is extended until Friday, December 13, 2013.

Please confirm by signing below and returning a copy of this letter to me for filing with the Court.

Very truly yours,


Jed Williams

AGREED:


James L. Drought
Drought & Drought



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

JOHN K. MEYER, ET AL.
Plaintiffs,

vs.

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

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IN THE DISTRICT COURT

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: Capital Corporate Services, Inc.
800 Brazos, Suite 400
Austin, Texas 78701

Registered Agent for:
StatOil Texas Onshore Properties, LLC
2101 City West Boulevard, Building 4, 8th Floor
Houston, Texas 77042

DEPUTY

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY
2013 DEC - 6 P 2:12

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 November 4, 2013. The requested documents, including electronic and/or magnetic data, are to be produced on November 25, 2013 at the following time and place:

Time: 10:00 a.m.
Place: Drought, Drought & Bobbitt, L.L.P.
2900 Weston Centre, 112 East Pecan Street
San Antonio, Texas, 78205

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., Richard Tinsman of Tinsman & Sciano, Inc. and James L. Drought of Drought, Drought & Bobbitt, L.L.P.

Date of issuance: November 12, 2013.


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,
EMILIE BLAZE, ET AL.**

Richard Tinsman
State Bar No. 20064000
Sharon C. Savage
State Bar No. 0474200
TINSMAN & SCIANO, INC.
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Facsimile: (210) 225-6235

George H. Spencer, Jr.
State Bar No. 18921001
Robert Rosenbach
State Bar No. 17266400
CLEMENS & SPENCER, P.C.
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San Antonio, Texas 78205
Telephone: (210) 227-7121
Facsimile: (210) 227-0732

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

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

(Consolidated Under)
2010-CI-10977

JOHN K. MEYER, ET AL.,
Plaintiff,

vs.

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

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IN THE DISTRICT COURT

225TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

PLAINTIFFS' NOTICE OF REQUESTS FOR PRODUCTION
OF DOCUMENTS TO STATOIL TEXAS ONSHORE PROPERTIES, LLC

Plaintiffs serve upon:

Capital Corporate Services, Inc.
800 Brazos, Suite 400
Austin, Texas 78701

Registered Agent for:

StatOil Texas Onshore Properties, LLC
2101 City West Boulevard, Building 4, 8th Floor
Houston, Texas 77042

BY: _____

DEPUTY

2013 NOV - 6 A 10:13

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY

Pursuant to Rule 205 of the Texas Rules of Civil Procedure, Plaintiffs request StatOil Texas Onshore Properties, LLC produce for inspection and copying all documents responsive to the Requests attached hereto at 10:00 a.m. on November 23, 2013 at the law offices of Drought, Drought, & Bobbitt, L.L.P (or another mutually agreed upon location), 112 E. Pecan St., Suite 2900, San Antonio, Texas 78205. Plaintiffs will serve a Subpoena upon StatOil Texas Onshore Properties, LLC after

EXHIBIT A

the expiration of ten (10) days from service of this Notice.

Respectfully submitted,

John B. Massopust (*pro hac vice*)
Matthew J. Gollinger (*pro hac vice*)
ZELLE HOFMANN VOELBEL & MASON LLP
500 Washington Avenue South, Suite 4000
Minneapolis, Minnesota 55415-1152
(612) 339-2020 - Telephone
(612) 336-9100 - Facsimile
**ATTORNEYS FOR INTERVENOR-PLAINTIFFS,
LINDA ALDRICH, ET AL.**


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

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State Bar No. 20064000
Sharon C. Savage
State Bar No. 0474200
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San Antonio, Texas 78216
Telephone: (210) 225-3121
Facsimile: (210) 225-6235

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State Bar No. 18921001
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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: 
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.

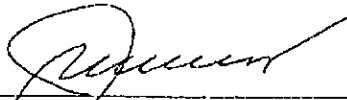
U.S. Certified Mail, Return Receipt Requested to:
 Facsimile to:
 First Class Mail to:
 Hand Delivery to:

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

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

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

on this the 4 day of November, 2013.



James L. Drought

INSTRUCTIONS

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

NOTICE OF PROTECTIVE ORDER

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

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Please produce the Assignment of Oil and Gas Lease between Talisman Energy USA, Inc. (Assignor) and StatOil Texas Onshore Properties, LLC (Assignee) dated on or about November 23, 2010 conveying an interest in the "STS Extension Lease", more particularly described as the lease between the South Texas Syndicate (Lessor) and BB-II Operating LP and Whittier Energy Company (Lessees) dated January 29, 2009 but effective February 1, 2009 covering 9,416 acres in LaSalle County, Texas.

RESPONSE:

REQUEST FOR PRODUCTION NO. 2: Please produce documentation reflecting the consideration paid for the Assignment of Oil and Gas Lease between Talisman Energy USA, Inc. (Assignor) and StatOil Texas Onshore Properties, LLC (Assignee) dated on or about November 23, 2010 conveying an interest in the "STS Extension Lease", more particularly described as the lease between the South Texas Syndicate (Lessor) and BB-II Operating LP and Whittier Energy Company (Lessees) dated January 29, 2009 but effective February 1, 2009 covering 9,416 acres in LaSalle County, Texas

RESPONSE:

REQUEST FOR PRODUCTION NO. 3: Please produce the Assignment of Oil and Gas Lease between Talisman Energy USA, Inc. (Assignor) and StatOil Texas Onshore Properties, LLC (Assignee) dated on or about November 23, 2010 conveying an interest in the "STS A Lease", more particularly described as the lease between South Texas Syndicate (Lessor) and Petrohawk Properties, LP (Lessee) dated December 12, 2008 dated covering 15,456.66 acres in LaSalle and McMullen Counties, Texas.

RESPONSE:

REQUEST FOR PRODUCTION NO. 4: Please produce documentation reflecting the consideration paid for the Assignment of Oil and Gas Lease between Talisman Energy USA, Inc. (Assignor) and StatOil Texas Onshore Properties, LLC (Assignee)

dated on or about November 23, 2010 conveying an interest in the "STS A Lease", more particularly described as the lease between South Texas Syndicate (Lessor) and Petrohawk Properties, LP (Lessees) dated December 12, 2008 dated covering 15,456.66 acres in LaSalle and McMullen Counties, Texas.

RESPONSE:



Case #: 2010CI10977

Handwritten signature
CPT

JOHN K. MEYER, ET AL

Plaintiff

vs

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

Defendant

RETURN OF SERVICE

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY
2013 DEC -6 P 2:12
DEPUTY
Handwritten signature

I, Floyd J Boudreaux, make statement to the fact; That I am a competent person more than 18 years of age or older and not a party to this action, nor interested in outcome of the suit. That I received the documents stated below on 11/13/13 11:02 am, instructing for same to be delivered upon STATOIL TEXAS ONSHORE PROPERTIES, BY DELIVERING TO CAPITAL CORPORATE SERVICES, INC..

That I delivered to : STATOIL TEXAS ONSHORE PROPERTIES, BY DELIVERING TO CAPITAL CORPORATE SERVICES, INC.. By Delivering to Andy Erwin, authorized to accept

the following : PLAINTIFF'S SUBPOENA; EXHIBIT A;

at this address : 800 BRAZOS, STE 400
: AUSTIN, Travis County, TX 78701

Manner of Delivery : by PERSONALLY delivering the document(s) to the person above.
: By Delivering to Andy Erwin, authorized to accept

Delivered on : NOV 13, 2013 12:20 pm

My name is Floyd J Boudreaux, my date of birth is JAN 10th, 1943, and my address is Professional Civil Process Downtown, 2211 S. IH 35, Suite 203, Austin TX 78741, and U.S.A. I declare under penalty of perjury that the foregoing is true and correct. Executed in Travis County, State of Texas, on the 13 day of

NOV, 2013.

Handwritten signature of Floyd J Boudreaux
Declarant
Floyd J Boudreaux

Texas Certification#: SCH-3506 Exp. 02/28/14

Private Process Server
Professional Civil Process Downtown
2211 S. IH 35, Suite 203 Austin TX 78741
(512) 477-3500

PCP Inv. #Z13B00202

+ Service Fee: 65.00
Witness Fee: 11.00
Mileage Fee: .00

tomcat

AX02213800202

Bobbitt, Calhoun

Document scanned as filed.

RETURN OF SUBPOENA

I certify that I served the annexed Subpoena by delivering a copy together with a fee of \$11.00 to ANDY ERWIN in person, Capital Corporate Services, Inc., 800 Brazos, Suite 400, Austin, Texas 78701, on the 13 day of NOV, 2013.

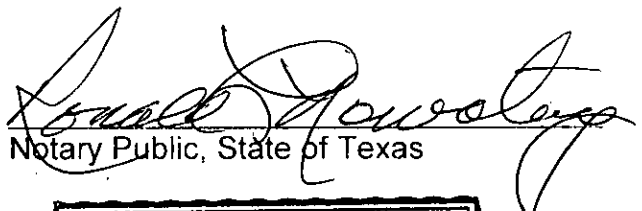

Signature

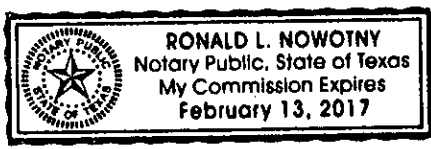
FLOYD J. BOORDREAK
Print Name

PROCESS SERVER
Title

STATE OF TEXAS §
 §
COUNTY OF Travis §

This instrument was acknowledged before me on this the 13th day of November, 2013.


Notary Public, State of Texas



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

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

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

THE STATE OF TEXAS

TO: Capital Corporate Services, Inc.
800 Brazos, Suite 400
Austin, Texas 78701

Registered Agent for:
StatOil Texas Onshore Properties, LLC
2101 City West Boulevard, Building 4, 8th Floor
Houston, Texas 77042

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 November 4, 2013. The requested documents, including electronic and/or magnetic data, are to be produced on November 25, 2013 at the following time and place:

Time: 10:00 a.m.
Place: Drought, Drought & Bobbitt, L.L.P.
2900 Weston Centre, 112 East Pecan Street
San Antonio, Texas, 78205

225th District Court of BEXAR County, Texas

100 DOLOROSA ST #200 SAN ANTONIO TX 78205



Case #: 2010CI10977

JOHN K. MEYER, ET AL.

Handwritten signature
CRT

Plaintiff

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

Defendant

RETURN OF SERVICE

I, Norrissa A Abram, make statement to the fact; That I am a competent person more than 18 years of age or older and not a party to this action, nor interested in outcome of the suit. That I received the documents stated below on 11/13/13 12:41 pm, instructing for same to be delivered upon Talisman Energy USA, Inc. By Delivering To It's Registered Agent CT Corporation System.

That I delivered to : Talisman Energy USA, Inc. By Delivering To It's Registered Agent : CT Corporation System. By Delivering to MARIE GARCIA, CORP OP : SPECIALIST

the following : PLAINTIFF'S SUBPOENA TO NON-PARTY TO PRODUCE DOCUMENTS INCLUDING : ELECTRONIC AND/OR MAGNETIC DATA; EXHIBIT A

at this address : 350 N. St. Paul St., Ste 2900 : Dallas, Dallas County, TX 75201

Manner of Delivery : by PERSONALLY delivering the document(s) to the person above

Delivered on : November 13, 2013 2:35 pm

Handwritten signature: Dawn McKinney
DEPUTY
2013 NOV 27 AM 10:20
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY

My name is Norrissa A Abram, my date of birth is September 9th, 1990, and my address is Professional Civil Process Dallas, Inc., 2206 Century Center Blvd., Irving TX 75062, and U.S.A. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas, on the 14 day of NOV, 2013.

Handwritten signature: Norrissa A Abram
Declarant

Norrissa A Abram

Texas Certification#: SCH-10067 Exp. 12/31/15

Private Process Server
Professional Civil Process Dallas, Inc. PCP Inv. #D13B01489
2206 Century Center Blvd. Irving TX 75062
(214) 748-8866



+ Service Fee: 65.00
Witness Fee: 11.00
Mileage Fee: .00

pisculli

Bobbitt, Calhoun

Document scanned as filed.

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

JOHN K. MEYER, ET AL.
Plaintiffs,

vs.

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

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IN THE DISTRICT COURT

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: C T Corporation System
350 N. St. Paul St. Ste. 2900
Dallas, Texas 75201

Registered Agent for:
Talisman Energy USA, Inc.
337 Daniel Zenker Drive
Horseheads, NY 14845

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 November 1, 2013. The requested documents, including electronic and/or magnetic data, are to be produced on November 25, 2013 at the following time and place:

Time: 10:00 a.m.
Place: Drought, Drought & Bobbitt, L.L.P.
2900 Weston Centre, 112 East Pecan Street
San Antonio, Texas, 78205

225th District Court of BEXAR County, Texas

100 DOLOROSA ST #200 SAN ANTONIO TX 78205



Case #: 2010CI10977

JOHN K. MEYER, ET AL.

Handwritten signature
CRT

Plaintiff

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

Defendant

RETURN OF SERVICE

I, Norrissa A Abram, make statement to the fact; That I am a competent person more than 18 years of age or older and not a party to this action, nor interested in outcome of the suit. That I received the documents stated below on 11/13/13 12:42 pm, instructing for same to be delivered upon WM TX ENERGY RESOURCES, LLC By Delivering To It's Registered Agent CT Corporation System.

That I delivered to : WM TX ENERGY RESOURCES, LLC By Delivering To It's Registered Agent : CT Corporation System. By Delivering to MARIE GARCIA, CORP OP : SPECIALIST

the following : PLAINTIFF'S SUBPOENA TO NON-PARTY TO PRODUCE DOCUMENTS INCLUDING : ELECTRONIC AND/OR MAGNETIC DATA; EXHIBIT A

at this address : 350 N. St. Paul St., Ste 2900 : Dallas, Dallas County, TX 75201

Manner of Delivery : by PERSONALLY delivering the document(s) to the person about

Delivered on : November 13, 2013 2:35 pm

BY
Donna Kay Rekinney
DEPUTY
2013 NOV 27 AM 10:20
DONNA KAY REKINNEY
DISTRICT CLERK
BEXAR COUNTY

My name is Norrissa A Abram, my date of birth is September 9th, 1990, and my address is Professional Civil Process Dallas, Inc., 2206 Century Center Blvd., Irving TX 75062, and U.S.A. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas, on the 14 day of

NOV, 2013.

Norrissa A Abram
Declarant

Norrissa A Abram

Texas Certification#: SCH-10067 Exp. 12/31/15

Private Process Server
Professional Civil Process Dallas, Inc. PCP Inv. #D13B01488
2206 Century Center Blvd. Irving TX 75062
(214) 748-8866



+ Service Fee: 65.00
Witness Fee: 11.00
Mileage Fee: .00

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Bobbitt, Calhou

Document scanned as filed.

(Consolidated Under)
CAUSE NO. 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	§	
and GARY P. AYMES,	§	
Defendants.	§	BEXAR COUNTY, TEXAS

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

THE STATE OF TEXAS

TO: C T Corporation System
350 N. St. Paul St. Ste. 2900
Dallas, Texas 75201

Registered Agent for:
WM TX Energy Resources, LLC
1001 Fannin, Suite 4000
Houston, Texas 77002

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 November 4, 2013. The requested documents, including electronic and/or magnetic data, are to be produced on November 25, 2013 at the following time and place:

Time: 10:00 a.m.
Place: Drought, Drought & Bobbitt, L.L.P.
2900 Weston Centre, 112 East Pecan Street
San Antonio, Texas, 78205

225th District Court of BEXAR County, Texas

100 DOMOROSA ST #200 SAN ANTONIO TX 78205



2010CI10977 -P00340

Case #: 2010CI10977

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JOHN K. MEYER, ET AL.

Plaintiff

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

Defendant

RETURN OF SERVICE

I, Norrissa A Abram, make statement to the fact; That I am a competent person more than 18 years of age or older and not a party to this action, nor interested in outcome of the suit. That I received the documents stated below on 11/13/13 12:41 pm, instructing for same to be delivered upon BP AMERICAN PRODUCTION COMPANY By Delivering To It's Registered Agent CT Corporation System.

That I delivered to : BP AMERICAN PRODUCTION COMPANY By Delivering To It's Registered Agent CT Corporation System. By Delivering to MARIE GARCIA, CORP : OP SPECIALIST

the following : PLAINTIFF'S SUBPOENA TO NON-PARTY TO PRODUCE DOCUMENTS INCLUDING : ELECTRONIC AND/OR MAGNETIC DATA; EXHIBIT A

at this address : 350 N. St. Paul St., Ste 2900 : Dallas, Dallas County, TX 75201

Manner of Delivery : by PERSONALLY delivering the document(s) to the person above

Delivered on : November 13, 2013 2:35 pm

2013 NOV 27 AM 10:20
DONNA KAY HEKINNEY
DISTRICT CLERK
BEXAR COUNTY
DEPUTY
Donna Kay Hekinney

My name is Norrissa A Abram, my date of birth is September 9th, 1990, and my address is Professional Civil Process Dallas, Inc., 2206 Century Center Blvd., Irving TX 75062, and U.S.A. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas, on the 14 day of

NOV, 2013.

Norrissa A Abram
Declarant

Norrissa A Abram

Texas Certification#: SCH-10067 Exp. 12/31/15

Private Process Server
Professional Civil Process Dallas, Inc. PCP Inv. #D13B01490
2206 Century Center Blvd. Irving TX 75062
(214) 748-8866



+ Service Fee: 65.00
Witness Fee: 11.00
Mileage Fee: .00

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Bobbitt, Calhoun

Document scanned as filed.

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

JOHN K. MEYER, ET AL.
Plaintiffs,

vs.

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

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IN THE DISTRICT COURT

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: C T Corporation System
350 N. St. Paul St. Ste. 2900
Dallas, Texas 75201

Registered Agent for:
BP American Production Company
P.O. Box 1036
Warrenville, Illinois 60555

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 November 4, 2013. The requested documents, including electronic and/or magnetic data, are to be produced on November 25, 2013 at the following time and place:

Time: 10:00 a.m.
Place: Drought, Drought & Bobbitt, L.L.P.
2900 Weston Centre, 112 East Pecan Street
San Antonio, Texas, 78205

JAMES E. TRAHAN
Constable, Precinct Four
Jefferson County, Texas
19217 Hwy. 365
Beaumont, Tx 77705



POSTAGE WILL BE PAID BY ADDRESSEE
03 DEC 2013 PM 3:1

BY: _____

Donna Kay McKinney
Bexar County District Clerk
101 W. Nueva, Suite 217
San Antonio, TX 78205

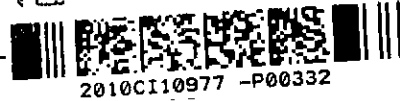
DEPUTY

2013 DEC - 5 P 4: 14

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY

78205541167

A standard postal barcode consisting of vertical bars of varying heights.



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NO. 2010-CI-10977

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

FILED
 DONNA KAY MCKINNEY
 DISTRICT CLERK
 BEXAR COUNTY
 2013 DEC - 4 P 2:43
 DEPUTY
 Barbara Kay Griffin
 CPT

REPORTER'S CERTIFICATION
 DEPOSITION OF GARY AYMES
 SEPTEMBER 26, 2013

I, Barbara Kay Griffin, Certified Shorthand Reporter in and for the State of Texas, hereby certify to the following:

That the witness, GARY AYMES, was duly sworn by the officer and that the transcript of the oral deposition is a true record of the testimony given by the witness;

That the deposition transcript was submitted on 10-21-13 to the attorney for Defendants for examination, signature, and return to me by 11-12-13;

That the amount of time used by each party at the deposition is as follows:

- Michael S. Christian - 02:23
- James L. Drought - 00:31

Document scanned as filed.

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That pursuant to information given to the deposition officer at the time said testimony was taken, the following includes counsel for all parties of record:

Michael S. Christian, James L. Drought, Robert Rosenbach, Richard Tinsman and Sharon Savage, Attorneys for Plaintiff(s)

Rudy Garza, Attorney for Defendant(s)

I further certify that I am neither counsel for, related to, nor employed by any of the parties or attorneys in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action.

Further certification requirements pursuant to Rule 203 of TRCP will be certified to after they have occurred.

Certified to by me this 11 day of October, 2013.

Barbara Kay Griffin

BARBARA KAY GRIFFIN, Texas CSR
Expiration Date: 12/31/14
Firm Registration No. 631
645 Lockhill Selma, Suite 200
San Antonio, Texas 78216
(210) 697-3400



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FURTHER CERTIFICATION UNDER RULE 203 TRCP

The original deposition was ~~was not~~ returned to the deposition officer on 11-12-13;

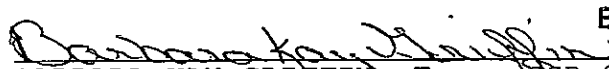
If returned, the attached Changes and Signature page contains any changes and the reasons therefor;

If returned, the original deposition was delivered to MICHAEL S. CHRISTIAN, Custodial Attorney;

That \$118.00 is the deposition officer's charges to the Plaintiffs for preparing the original deposition transcript and any copies of exhibits;

That the deposition was delivered in accordance with Rule 203.3, and that a copy of this certificate was served on all parties shown herein and filed with the Clerk.

Certified to by me this ~~25th~~ day of Nov., 2013.

 By BW
BARBARA KAY GRIFFIN, Texas CSR 2494
Expiration Date: 12/31/14
Firm Registration No. 631
645 Lockhill Selma, Suite 200
San Antonio, Texas 78216
(210) 697-3400

CHANGES AND SIGNATURE

WITNESS: GARY AYMES

DATE OF DEPOSITION: 9/26/13

PAGE	LINE	CHANGE	REASON
1	13	the to an	
1	25	"to" to "as"	
19	18	balance to balanced	
21	22	that to what	
40	14	from to "to"	
60	24	truster on to trusts owning	
63	23	investment or not to investment, we are not	
88	2	basically to basis	
113	1	lien to legal	
98	11	rule to pool	

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I, GARY AYMES, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above.

Gary Aymes
GARY AYMES, Witness

THE STATE OF Texas)
COUNTY OF Bexar)

Before me, _____, on this day personally appeared GARY AYMES, known to me (or proved to me under oath or through _____) (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 14th day of November, 2013.

Shep Harrison
Notary Public in and for the State of Texas



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CAUSE NO. 2010-CI-10977

JOHN K. MEYER, ET AL) IN THE DISTRICT COURT
)
vs.) BEXAR COUNTY, TEXAS

JP MORGAN CHASE BANK, N.A.)
INDIVIDUALLY/CORPORATELY)
AND AS TRUSTEE OF THE)
SOUTH TEXAS SYNDICATE)
TRUST and GARY P. AYMES) 225th JUDICIAL DISTRICT

FILED
DONNA KAY HEKINNEY
DISTRICT CLERK
BEXAR COUNTY
2013 DEC -11 P 2:43
DEPUTY
BY: *Shauna Foreman*
CPT

REPORTER'S CERTIFICATE

ORAL VIDEOTAPED DEPOSITION OF STAN CODDOU

October 10, 2013

I, Shauna Foreman, Certified Shorthand Reporter
in and for the State of Texas, hereby certify to the
following:

That the witness, STAN CODDOU, was duly sworn
and that the transcript of the deposition is a true
record of the testimony given by the witness;

That examination and signature of the witness to
the deposition transcript was waived by the witness
with the agreement of the parties at the time of the
deposition;

That the original deposition was delivered to
Jim L. Flegle, Custodial Attorney.

\$ 885.75 is the deposition officer's charges to
the Plaintiff for preparing the original deposition

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1 and any copies of exhibits;

2 That pursuant to information given to the
3 deposition officer at the time said testimony was
4 taken, the following includes all parties of record
5 and the amount of time used by each party at the time
6 of the deposition:

7 Jim L. Flegle (3h15m)
Attorney for Plaintiff
8 Kevin M. Beiter (0h18m)
Attorney for Defendant
9

10 That a copy of this certificate was served on
11 all parties shown herein on 11-27-13
12 and filed with the Clerk pursuant to Rule 203.3.

13 I further certify that I am neither counsel for,
14 related to, nor employed by any of the parties in the
15 action in which this proceeding was taken, and
16 further that I am not financially or otherwise
17 interested in the outcome of this action.

18 Certified to by me on this 11th day of October,
19 2013.



Shauna Foreman

22 Shauna Foreman, CSR
Texas CSR 3786
23 Expiration: 12/31/2014
Kin Tindall & Associates, LLC
24 645 Lockhill Selma, Suite 200
San Antonio, Texas 78216
25 (210) 697-3400

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CAUSE NO. 2010-CI-10977

JOHN K. MEYER) IN THE DISTRICT COURT
)
VS.)
)
JP MORGAN 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

REPORTER'S CERTIFICATION
ORAL AND VIDEOTAPED DEPOSITION OF COLLEEN W. DEAN
OCTOBER 9, 2013

I, JOANNA M. MARTINEZ, Certified Shorthand Reporter
in and for the State of Texas, hereby certify to the
following:

That the witness, COLLEEN W. DEAN, was duly sworn by
the officer and that the transcript of the ORAL AND
VIDEOTAPED DEPOSITION is a true record of the testimony
given by the witness;

That the deposition transcript was submitted on
10-25-13 to the attorney for the witness
for examination, signature, and return to me by
11-14-13;

That the amount of time used by each party at the
deposition is as follows:

- Mr. Robert Rosenbach - 2 Hours: 32 Minutes
- Mr. Matthew J. Gollinger - 13 Minutes

That pursuant to information given to the deposition
officer at the time said testimony was taken, the
following includes counsel for all parties of record:

FOR THE PLAINTIFFS, JOHN K. MEYER, JOHN MEYER, JR,
THEODORE MEYER:

- Mr. Ian T. Bolden
- Mr. Robert Rosenbach

FOR THE PLAINTIFF INTERVENORS:

- Mr. Matthew J. Gollinger

FILED
CORNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY
2013 DEC 4 P 2:42
DEPUTY
Martinez

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1 FOR THE DEFENDANT, J.P. MORGAN CHASE BANK, N.A.
 2 INDIVIDUALLY AND CORPORATELY AND AS TRUSTEE OF THE STS
 3 TRUST:

4 Mr. Rudy Garza

5 I further certify that I am neither counsel for,
 6 related to, nor employed by any of the parties or
 7 attorneys in the action in which this proceeding was
 8 taken, and further that I am not financially or
 9 otherwise interested in the outcome of the action.

10 Further certification requirements pursuant to Rule
 11 203 of TRCP will be certified to after they have
 12 occurred.

13 Certified to by me this 17th day of October, 2013.



14 *Joanna M. Martinez*

15 JOANNA M. MARTINEZ, CSR, RPR, RMR
 16 Texas CSR 3574
 17 Expiration date: 12/31/14

18 Kim Tindall & Associates, Inc.
 19 Firm Registration No. 631
 20 645 Lockhill Selma, Suite 200
 21 San Antonio, Texas 78216
 22 (210) 697-3400

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CAUSE NO. 2010-CI-10977

JOHN K. MEYER) IN THE DISTRICT COURT
)
VS.)
)
JP MORGAN 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

FURTHER CERTIFICATION UNDER RULE 203 TRCP
ORAL AND VIDEOTAPED DEPOSITION OF COLLEEN W. DEAN
OCTOBER 9, 2013

The original deposition was / was not returned to
the deposition officer on 11-14-13 ;

If returned, the attached Changes and Signature page
contains any changes and the reasons therefor;

If returned, the original deposition was delivered
to MR. IAN T. BOLDEN, Custodial Attorney;

That \$ 855.45 is the deposition officer's
charges to the Plaintiffs for preparing the original
deposition transcript and any copies of exhibits;

That the deposition was delivered in accordance with
Rule 203.3, and that a copy of this certificate was
served on all parties shown herein and filed with the
Clerk.

Certified to by me this 2nd day of Nov.,
2013.

Joanna M. Martinez By BW
JOANNA M. MARTINEZ, CSR, RPR, RMR
(Texas CSR 3574
Expiration date: 12/31/14

Kim Tindall & Associates, Inc.
Firm Registration No. 631
645 Lockhill Selma, Suite 200
San Antonio, Texas 78216
(210) 697-3400

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CHANGES AND SIGNATURE

PAGE	LINE	CHANGE	REASON
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I, COLLEEN W. DEAN, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above.

Colleen W. Dean
COLLEEN W. DEAN

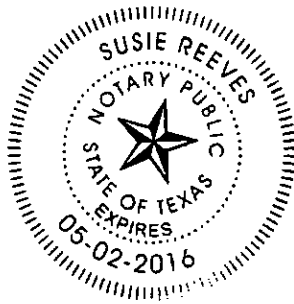
THE STATE OF TEXAS)
COUNTY OF BEVAR)

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Before me, SUSIE REEVES, on this day personally appeared COLLEEN W. DEAN, known to me or proved to me under oath or through _____, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 14th day of November, 2013.

Susie Reeves
Notary Public in and for
the State of Texas.





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CAUSE NO. 2010-CI-10977

JOHN K. MEYER) IN THE DISTRICT COURT
)
VS.)
)
JP MORGAN 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

REPORTER'S CERTIFICATION
ORAL AND VIDEOTAPED DEPOSITION OF SHERRY HARRISON
OCTOBER 9, 2013

I, JOANNA M. MARTINEZ, Certified Shorthand Reporter
in and for the State of Texas, hereby certify to the
following:

That the witness, SHERRY HARRISON, was duly sworn by
the officer and that the transcript of the ORAL AND
VIDEOTAPED DEPOSITION is a true record of the testimony
given by the witness;

That the deposition transcript was submitted on
10-25-13 to the attorney for the witness
for examination, signature, and return to me by
11-14-13;

That the amount of time used by each party at the
deposition is as follows:

Mr. Matthew J. Gollinger - 1 Hour: 46 Minutes

That pursuant to information given to the deposition
officer at the time said testimony was taken, the
following includes counsel for all parties of record:

FOR THE PLAINTIFFS, JOHN K. MEYER, JOHN MEYER,
THEODORE MEYER:

Mr. Ian T. Bolden
Mr. Robert J. Rosenbach

FOR THE PLAINTIFF INTERVENORS:
Mr. Matthew J. Gollinger

Handwritten signature

DEPUTY

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY
2013
DEC - 4 P 2:42

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FOR THE DEFENDANT, J.P. MORGAN CHASE BANK, N.A.
INDIVIDUALLY AND CORPORATELY AND AS TRUSTEE OF THE STS
TRUST:

Mr. Rudy Garza

I further certify that I am neither counsel for,
related to, nor employed by any of the parties or
attorneys in the action in which this proceeding was
taken, and further that I am not financially or
otherwise interested in the outcome of the action.

Further certification requirements pursuant to Rule
203 of TRCP will be certified to after they have
occurred.

Certified to by me this 17th day of October, 2013.



JOANNA M. MARTINEZ, CSR, RPR, RMR
Texas CSR 3574
Expiration date: 12/31/14

Kim Tindall & Associates, Inc.
Firm Registration No. 631
645 Lockhill Selma, Suite 200
San Antonio, Texas 78216
(210) 697-3400

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CAUSE NO. 2010-CI-10977

JOHN K. MEYER) IN THE DISTRICT COURT
)
VS.)
)
JP MORGAN 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

FURTHER CERTIFICATION UNDER RULE 203 TRCP
ORAL AND VIDEOTAPED DEPOSITION OF SHERRY HARRISON
OCTOBER 9, 2013

The original deposition ~~was~~ was not returned to
the deposition officer on 11-14-13;

If returned, the attached Changes and Signature page
contains any changes and the reasons therefor;

If returned, the original deposition was delivered
to MR. IAN T. BOLDEN, Custodial Attorney;

That \$ 598.65 is the deposition officer's
charges to the Plaintiffs for preparing the original
deposition transcript and any copies of exhibits;

That the deposition was delivered in accordance with
Rule 203.3, and that a copy of this certificate was
served on all parties shown herein and filed with the
Clerk.

Certified to by me this 22nd day of Nov,
2013.

Joanna M. Martinez By BW
JOANNA M. MARTINEZ, CSR, RPR, RMR
Texas CSR 3574
Expiration date: 12/31/14
Kim Tindall & Associates, Inc.
Firm Registration No. 631
645 Lockhill Selma, Suite 200
San Antonio, Texas 78216
(210) 697-3400

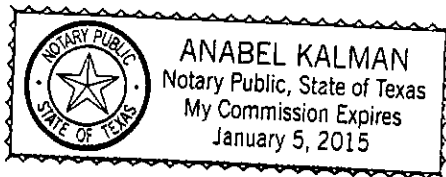
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Before me, Anabel Kalman, on this day personally appeared SHERRY HARRISON, known to me or proved to me under oath or through _____, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 13th day of November, 2013.

Anabel Kalman

Notary Public in and for the State of Texas.



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

JOHN K. MEYER, ET AL,)	
)	IN THE DISTRICT COURT
Plaintiffs,)	
)	
vs.)	
)	
JPMorgan CHASE BANK, N.A.,)		
INDIVIDUALLY/CORPORATELY AND)		225TH JUDICIAL DISTRICT
AS TRUSTEE OF THE SOUTH)		
TEXAS SYNDICATE TRUST AND)		
GARY P. AYMES,)	
)	
Defendants.)	BEXAR COUNTY, TEXAS

REPORTER'S CERTIFICATE
ORAL AND VIDEOTAPED DEPOSITION OF
AARON REBER
OCTOBER 15, 2013

FILED
DONNA KAY HEKINNEY
DISTRICT CLERK
BEXAR COUNTY

2013 DEC -4 P 2:42

DEPUTY
Audrey K. [unclear]

BY: [unclear]

I, PAMELA SUE PETERSON, Certified Shorthand
Reporter in and for the State of Texas, hereby
certify to the following:

That the witness, AARON REBER, was duly
sworn by the officer and that the transcript of the
deposition is a true record of the testimony given by
the witness;

That the deposition transcript was
submitted on 10-30-13, 2013 to the witness

1 or to the attorney for the witness for examination,
 2 signature and return to me by 11-22-13,
 3 2013;

4 That the amount used by each party at the
 5 deposition is as follows:

- 6 JIM L. FLEGLE (02h28m)
 Attorney for Plaintiff
- 7 JAMES L. DROUGHT (00h31m)
 Attorney for Plaintiff
- 8 RICHARD TINSMAN (00h00m)
 Attorney for Plaintiff
- 9 SHARON C. SAVAGE (00h00m)
 Attorney for Plaintiff
- 10 PATRICK K. SHEEHAN (00h00m)
 Attorney for Defendant

11
 12 That pursuant to information given to the
 13 deposition officer at the time said testimony was
 14 taken, the following includes counsel for all parties
 15 of record:

- 16 MR. JIM L. FLEGLE, Attorney for Plaintiff;
- 17 MR. JAMES L. DROUGHT, Attorney for Plaintiff;
- 18 MR. RICHARD TINSMAN, Attorney for Plaintiff;
- 19 MS. SHARON C. SAVAGE, Attorney for Plaintiff;
- 20 MR. PATRICK K. SHEEHAN, Attorney for Defendant;

21 I further certify that I am neither counsel
 22 for, related to, nor employed by any of the parties
 23 or attorneys to the action in which this proceeding
 24 was taken, and further that I am not financially or
 25 otherwise interested in the outcome of this action.

Further certification requirements pursuant

1 to Rule 203 of TRCP will be certified to after they
 2 have occurred.

3 Certified to by me on this 24th day of
 4 October, 2013.

5 *Pamela Sue Peterson*



6 PAMELA SUE PETERSON, CSR
 7 Texas CSR 8924 - Expires 12-31-14
 8 Firm Registration No. 631
 9 Kim Tindall & Associates, LLC
 10 645 Lockhill-Selma, Suite 200
 11 San Antonio, Texas 78216
 12 (210) 697-3400

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FURTHER CERTIFICATION UNDER RULE 203 TRCP?

The original deposition ~~was~~ was not returned to the deposition officer on

11-20-13;

If returned, the attached Changes and Signature page contains any changes and the reasons therefore;

If returned, the original deposition was delivered to MR. JIM L. FLEGLE, Custodial Attorney;

That \$ 866.90 is the deposition officer's charges to the Plaintiff, EMILIE BLAZE, for preparing the original deposition transcript and any copies of exhibits.

That the deposition transcript was delivered in accordance with Rule 203.3, and that a copy of this certificate was served on all parties shown herein on 11-23-13 and filed with the Clerk.

Certified to by me this 25th day of Nov., 2013.

Pamela Sue Peterson By BW
PAMELA SUE PETERSON, CSR
Texas CSR 8924 - Expires 12-31-14
Firm Registration No. 631
Kim Tindall & Associates, LLC
645 Lockhill-Selma, Suite 200
San Antonio, Texas 78216
(210) 697-3400

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ERRATA SHEET

CHANGES AND SIGNATURE

Oral Deposition of: AARON REBER

Date: OCTOBER 15, 2013

PAGE LINE	CHANGE	REASON

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I, AARON REBER, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above.


Aaron Reber
AARON REBER

STATE OF ~~TEXAS~~: *Ohio*
COUNTY OF ~~BEXAR~~: *Franklin*

Before me, *Denise Chamberlain*, on this day personally appeared AARON REBER, known to me, or proved to me under oath or through ID or other document, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

18th Given under my hand and seal of office this day of *November*, A.D., 2013.

Denise Chamberlain
NOTARY PUBLIC IN AND FOR
THE STATE OF ~~TEXAS~~ *Ohio*

My Comm. Expires: *9-25-2017*




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

JOHN K. MEYER, ET AL,)	
)	IN THE DISTRICT COURT
Plaintiffs,)	
)	
vs.)	
)	
JPMorgan CHASE BANK, N.A.,)	
INDIVIDUALLY/CORPORATELY AND)	225TH JUDICIAL DISTRICT
AS TRUSTEE OF THE SOUTH)	
TEXAS SYNDICATE TRUST AND)	
GARY P. AYMES,)	
)	
Defendants.)	BEXAR COUNTY, TEXAS

SPT

REPORTER'S CERTIFICATE

ORAL AND VIDEOTAPED DEPOSITION OF
KEVIN R. SMITH
OCTOBER 16, 2013

BY: *Pamela Peterson*
DEPUTY

2013 DEC -4 P 2:42

FILED
DONNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY

I, PAMELA SUE PETERSON, Certified Shorthand
Reporter in and for the State of Texas, hereby
certify to the following:

That the witness, KEVIN R. SMITH, was duly
sworn by the officer and that the transcript of the
deposition is a true record of the testimony given by
the witness;

That the deposition transcript was
submitted on 10-30-13, 2013 to the witness

1 or to the attorney for the witness for examination,
2 signature and return to me by 11-28-13,
3 2013;

4 That the amount used by each party at the
5 deposition is as follows:

6 JIM L. FLEGLE (03h31m)
Attorney for Plaintiff
7 JAMES L. DROUGHT (01h25m)
Attorney for Plaintiff
8 RICHARD TINSMAN (00h00m)
Attorney for Plaintiff
9 SHARON C. SAVAGE (00h00m)
Attorney for Plaintiff
10 PATRICK K. SHEEHAN (00h00m)
Attorney for Defendant
11

12 That pursuant to information given to the
13 deposition officer at the time said testimony was
14 taken, the following includes counsel for all parties
15 of record:

16 MR. JIM L. FLEGLE, Attorney for Plaintiff;
17 MR. JAMES L. DROUGHT, Attorney for Plaintiff;
18 MR. RICHARD TINSMAN, Attorney for Plaintiff;
19 MS. SHARON C. SAVAGE, Attorney for Plaintiff;
20 MR. PATRICK K. SHEEHAN, Attorney for Defendant;

21 I further certify that I am neither counsel
22 for, related to, nor employed by any of the parties
23 or attorneys to the action in which this proceeding
24 was taken, and further that I am not financially or
25 otherwise interested in the outcome of this action.

Further certification requirements pursuant

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to Rule 203 of TRCP will be certified to after they
have occurred.

Certified to by me on this 24th day of
October, 2013.

Pamela Sue Peterson

PAMELA SUE PETERSON, CSR
Texas CSR 8924 - Expires 12-31-14
Firm Registration No. 631
Kim Tindall & Associates, LLC
645 Lockhill-Selma, Suite 200
San Antonio, Texas 78216
(210) 697-3400



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FURTHER CERTIFICATION UNDER RULE 203 TRCP?

The original deposition ~~was~~ was not returned to the deposition officer on 11-25-13;

If returned, the attached Changes and Signature page contains any changes and the reasons therefore;

If returned, the original deposition was delivered to MR. JIM L. FLEGLE, Custodial Attorney;

That \$ 1660.70 is the deposition officer's charges to the Plaintiff, EMILIE BLAZE, for preparing the original deposition transcript and any copies of exhibits.

That the deposition transcript was delivered in accordance with Rule 203.3, and that a copy of this certificate was served on all parties shown herein on 11-25-13 and filed with the Clerk.

Certified to by me this 25th day of Nov., 2013.

Pamela Sue Peterson

By BW

PAMELA SUE PETERSON, CSR
Texas CSR 8924 - Expires 12-31-14
Firm Registration No. 631
Kim Tindall & Associates, LLC
645 Lockhill-Selma, Suite 200
San Antonio, Texas 78216
(210) 697-3400

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ERRATA SHEET

CHANGES AND SIGNATURE

Oral Deposition of: KEVIN R. SMITH

Date: OCTOBER 16, 2013

PAGE LINE	CHANGE	REASON
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Pg 16, line 8: Pooling arrangements, not coding ^{wrong word recorded}

Pg 25, line 18: I don't believe interactive is the wrong word

Pg 27, line 15: ^{change to:} "her role and that of her Managers" ^{worded in correctly}

Pg 42, line 1: I think "day-to-day duties" is replicated ^{from previous page}

Pg 44, line 22: Should read "No, I just want you to be specific ^{about what you are asking me}"

Pg 91, line 5: change the word "not" to the word "or" ^{in correct word reported}

Pg 145, line 14: change word "assistance" to the word "assistants" ^{wrong word recorded}

Pg 144, line 6: change word "center" to the word "indicator" ^{wrong word recorded}

Pg 155, line 20: should read "Office of the Comptroller of the Currency"

Pg 167, line 21: delete the word "of"

Pg 176, line 21: change word "assistants" to "assistance"

Pg 178, line 2: I believe the name "Kravik" should be "Ormond"

Pages 179-181: I believe the names Melkam and Rates ^{are misspelled}

Pg 189, line 2: insert "for" between "looking" and "people"

Pg 195, line 1: insert "with" between "that" and "somebody"

Pg 195, line 14: before the word "foreclosures" replace the word "and" with the word "with"

Date

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I, KEVIN R. SMITH, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above.

Kevin R. Smith
KEVIN R. SMITH

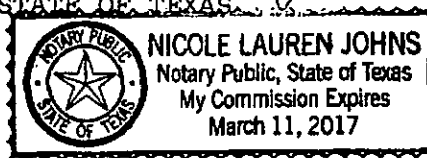
STATE OF TEXAS:

COUNTY OF ~~BEXAR~~: DENTON

Before me, NICOLE L. JOHNS, on this day personally appeared KEVIN R. SMITH, known to me, or proved to me under oath or through ID or other document, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 25th day of November, A.D., 2013.

Nicole Lauren Johns
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



My Commission Expires: MARCH 11, 2017