

**CAUSE NO. 18-C-3491**

**STREETS TO SHEETS ANIMAL RESCUE** § **IN THE COUNTY COURT AT LAW**  
§  
§  
v. § **NO. 1**  
§  
§  
**MUTTS & MAYHEM ANIMAL RESCUE and SELENA SCHMIDT** § **ELLIS COUNTY, TEXAS**

**NOTICE OF INTENT TO TAKE THE ORAL DEPOSITION OF TAMMI DUPAL**

**TO: Plaintiff, Streets to Sheets Animal Rescue, by and through its attorney of record Randall E. Turner, Law Offices of Randall E. Turner, PLLC, 5017 El Campo Avenue.**

Please take notice that, pursuant to TEXAS RULE OF CIVIL PROCEDURE 199 and 205 Defendants, by and through their attorney Nina L. Valdez, will take the oral deposition of Tammi Dupal as follows:

NON- PARTY WITNESS: Tammi Dupal  
DATE: Tuesday, September 25, 2018  
TIME: 10:00 a.m.  
PLACE: Cowles & Thompson, P.C.  
901 Main Street, Suite 3900  
Dallas, Texas 75202

This deposition will be taken upon oral examination before an officer who is authorized by law to take such deposition and will continue from day to day until completed. This deposition will be recorded by stenographic means and may also be videotaped. You are invited to attend and cross-examine the witness. A copy of the subpoena is attached hereto. An executed copy with proof of service will be filed with the court.

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

  
**NINA L. VALDEZ**

Texas Bar No. 24071179

**TODD J. HARLOW**

Texas Bar No. 24036724

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tharlow@cowlesthompson.com

**COWLES & THOMPSON, P.C.**

901 Main Street, Suite 3900

Dallas, TX 75202

(214) 672-2143 (Tel)

(214) 672-2343 (Fax)

***ATTORNEYS FOR MUTTS & MAYHEM***

***ANIMAL RESCUE, INC.***

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**SUBPOENA DUCES TECUM**

STATE OF TEXAS	§
	§
COUNTY OF DALLAS	§

**TO: TWISTED TAILS ANIMAL RESCUE  
309 ROACH ROAD  
BARDWELL, TEXAS 75101  
ATTN: TAMMY DUPAL, CORPORATE REPRESENTATIVE**

Greetings:

**YOU ARE HEREBY COMMANDED** to appear and give sworn testimony and deliver the documents requested on the attached Exhibit A, at the following time and place:

<b>Time:</b> September 25, 2018 10:00 a.m.	<b>Place:</b> Cowles & Thompson, P.C. 901 Main, Suite 3900 Dallas, Texas 75202 ATTN: Nina L. Valdez
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**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, any may be punished by fine or confinement, or both.**

This subpoena is issued at the request of Mutts and Mayhem Animal Rescue, Inc. whose attorneys are Nina L. Valdez and Todd J. Harlow, Cowles & Thompson, 901 Main Street, Suite 3900, Dallas, Texas 75202, telephone (214) 672-2000.

Date of Issuance: September 11, 2018.

**SUBPOENA ISSUED:**

By: 

**NINA L. VALDEZ**

Texas Bar No. 24071179

**TODD J. HARLOW**

Texas Bar No. 24036724

nvaldez@cowlesthompson.com

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Dallas, TX 75202

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***ATTORNEYS FOR MUTTS & MAYHEM  
ANIMAL RESCUE, INC.***

**PROOF OF SERVICE**

The undersigned certifies that on the \_\_\_\_ day of \_\_\_\_\_, 2018, at \_\_\_\_ o'clock \_\_M., a true and correct copy of the foregoing Subpoena was delivered via \_\_\_\_\_ to \_\_\_\_\_. By delivering to the within named witness \_\_\_\_\_, a true copy hereof, and which he/she accepted.

By: \_\_\_\_\_  
Process Server

On this day personally appeared \_\_\_\_\_, personally known to me as the person whose name is subscribed on the foregoing instrument and who has stated: "I Attest that I have executed the subpoena in the above numbered cause, as stated in the proof of service, pursuant to the Texas Rules of Civil Procedure. I am over the age of 18 years and I am not a party to or interested in the outcome of the suit."

SUBSCRIBED to before me this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public in and for  
Dallas County, Texas

## EXHIBIT A

### REQUEST FOR PRODUCTION OF DOCUMENTS

#### DEFINITIONS:

Unless conclusively negated by the context, the following definitions are to be considered applicable to each request for production:

1. **“You”** or **“your”** refers to the party(ies) to whom these requests are directed, their agents, partners, employees, representatives, and anyone acting on their behalf.
2. **“Writings”** and **“recordings”** means, but is not limited to letters, words or numbers of their equivalent, set down by handwriting, typewriting, printing, photostating, photocopying, magnetic impulse, mechanical or electronic recording or other form of data compilation. The phrase refers to both originals and all duplicates thereof.
3. **“Photographs”** means, but are not limited to, still photographs, x-ray film, videotapes, and motion pictures. The term refers to originals and all duplicates thereof.
4. **“Persons”** means any individual, association, partnership, corporation, joint venture, or any other type of entity or institution, whether formed for business purposes or any other purpose.
5. **“With respect to”** or **“relating to”** means with regard to, respecting or concerning, to bring into or establish by association, connection or relation, either direct or indirect. It includes alluding to, responding to, concerning, connecting with, commenting on, regarding, discussing, describing, evidencing, or pertaining to.
6. **“Identify,”** when used in reference to a document, means to state its date, its subject and substance, its author, the type of document or, if the above information is not available, some other means of identifying it and its present location and the name of each of its present custodians.

7. **“Document”** or **“documents”** shall have their customary, broad meaning and shall include, without limitation, any and all manner of written, typed, printed, reproduced, filmed or recorded material, data compilations, and all photographs, pictures, plans or other representations of any kind of anything pertaining, describing, referring or relating, directly or indirectly, in whole or in part, to the subject matter of each paragraph of each request, and from which information can be obtain. The term also includes any former written communication, whether sent or received, and all non-identical copies of originals.
8. **“Communications”** means any verbal communication, whether in person or by other means or written communications, including but not limited to letters, *social media messages, social media posts, emails, text messages*, telegrams, memoranda, notes, teletypes, electronic or electrical messages, or any other record of a communication.
9. **“Representative”** or **“representatives”** used in reference to a person means (a) officers, directors, partners, associates, employees, servants, agents, subsidiaries, and affiliates of such person; and (b) other persons or legal or business entities acting on behalf of or in concert with, such person, including without limitation, consultants, advisors, lawyers, accountants and any other person of any description retained or employed for business or financial reasons of any kind.
10. **“And”** and **“or”** are to be construed whether conjunctively or disjunctively as necessary to bring within the scope of the specification all materials that might otherwise be construed to be outside its scope; and **“any”** and **“all”** as used herein means **“each and every.”** The use of the term “including” shall be construed to mean “without limitation.”
11. **“Statements”** means any statement previously made. A statement previously made is (a) a written statement, signed or otherwise adopted or approved by the person making it,

and/or (b) a stenographic, mechanical, electrical, or other type of recording, or any transaction thereof, which is substantially a verbatim recital of a statement made by the person and contemporaneously recorded.



## **REQUESTS FOR PRODUCTION OF DOCUMENTS**

**REQUEST NO. 1:** All documents, in whatever form, that reference, demonstrate, or explain any alleged agreement or plan between Twisted Tails and Streets to Sheets regarding Twisted Tails acting as an agent for Streets to Sheets in any capacity.

**RESPONSE:**

**REQUEST NO. 2:** All documents, in whatever form, identifying any type of agreement between Twisted Tails and Streets to Sheets regarding the capture of Hobo.

**RESPONSE:**

**REQUEST NO. 3:** All documents, in whatever form, identifying any type of agreement between Twisted Tails and Streets to Sheets regarding any arrangement for custody of Hobo after his capture.

**REQUEST NO. 4:** All documents, in whatever form, reflecting communications between you and any representative of Mutts and Mayhem Animal Rescue regarding Hobo from May 1, 2018 to present.

**RESPONSE:**

**REQUEST NO. 5:** All documents, in whatever form, showing any communications between you and any representative of Streets to Sheets, including Mysti Boehler, from May 1, 2018 to present regarding Hobo.

**RESPONSE:**