

CAUSE NO. 2022-68307

MARK BURKE

Plaintiff.

vs.

HCA HOUSTON HEALTHCARE
KINGWOOD

Defendant.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

234TH JUDICIAL DISTRICT

**DEFENDANT HCA HOUSTON HEALTHCARE KINGWOOD'S OBJECTION AND
RESPONSE TO PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS AND
PRODUCTION FOR MADISON J. ADDICKS**

TO: Plaintiff, Mark Burke, Plaintiff Pro Se, 46 Kingwood Greens Drive, Kingwood, Texas 77339.

Pursuant to the Texas Rules of Civil Procedure, Defendant, **HCA HOUSTON HEALTHCARE KINGWOOD**, serves its Objections and Responses to Plaintiff's First Request for Admissions and Production for Madison J. Addicks.

[SIGNATURE ON FOLLOWING PAGE]

Respectfully submitted,

SERPE | ANDREWS, PLLC

By: /s/ Nicole G. Andrews

Nicole Andrews
Texas Bar No. 00792335
nandrews@serpeandrews.com
Ben E. Hamel
Texas Bar No. 24103198
bhamel@serpeandrews.com
Madison J. Addicks
Texas Bar No. 24132017
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America Tower
2929 Allen Parkway, Suite 1600
Houston, TX 77019
(713) 452-4400 - Telephone
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**ATTORNEYS FOR DEFENDANT,
HCA HOUSTON HEALTHCARE KINGWOOD**

CERTIFICATE OF SERVICE

This will certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record pursuant to the Texas Rules of Civil Procedure on the 16th day of February, 2023.

Mark Burke
46 Kingwood Greens Dr
Kingwood, Texas 77339
Plaintiff Pro Se

via e-service

/s/ Nicole G. Andrews

**DEFENDANT'S OBJECTIONS AND RESPONSES TO
PLAINTIFF'S REQUESTS FOR ADMISSIONS RE PLAINTIFF'S ORIGINAL
PETITION FOR MADISON JOHANNA ADDICKS aka MADISON J. ADDICKS**

1. REQUEST FOR ADMISSION

Admit your name is Madison J. Addicks and you are licensed to practice law in the State of Texas, and in Harris County District Court.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac. & Rem. Code § 74.351(s).

2. REQUEST FOR ADMISSION

Admit you joined HCA Lawyers in Sept. 2022 as an 'associate'.

RESPONSE: Defendant objects that this request is unduly burdensome, vague as to the term "HCA Lawyers," not reasonably calculated to lead to the discovery of admissible evidence, and harassing. Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac. & Rem. Code § 74.351(s).

3. REQUEST FOR ADMISSION

Admit you recently passed the Bar exam and your State Bar of Bar Card Number: 24132017, with TX License Date: 10/17/2022.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac. & Rem. Code § 74.351(s).

4. REQUEST FOR ADMISSION

Admit your resume, credentials and bibliography per your firm website at serpeandrews.com is accurate.

See; <https://www.serpeandrews.com/our-team/madison-j-addicks/>, last visited Jan 16, 2023 and Exhibit "Serpe Andrew Team per Website as at Dec 8, 2022", Bates No. SA012TEAM, filed onto docket on Dec. 27, 2022.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac. & Rem. Code § 74.351(s).

5. REQUEST FOR ADMISSION

Admit this is the first HCA lawsuit in Harris County District Court you have been assigned to as co-counsel with Partner Nicole G. Andrews, Exhibit "Serpe Andrew Team per Website as at Dec 8, 2022", Bates No. SA002TEAM, filed onto docket on Dec. 27, 2022.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac. & Rem. Code § 74.351(s). Defendant further objects as this request seeks privileged information.

6. REQUEST FOR ADMISSION

Admit you have read the following;

“Tex. R. Civ. P. 192 (“(f) Indemnity and insuring agreements. Except as otherwise provided by law, a party may obtain discovery of the existence and contents of any indemnity or insurance agreement under which any person may be liable to satisfy part or all of a judgment rendered in the action or to indemnify or reimburse for payments made to satisfy the judgment. Information concerning the indemnity or insurance agreement is not by reason of disclosure admissible in evidence at trial.”)”.

In conjunction with Exhibit “Email dated Fri., Jan 13, 2023 from HCA Lawyer Benjamin “Ben” Hamel”, and as co-Counsel, you admit to refusing to confirm HCA’s known indemnity and insurance agreement when requested per HCA’s initial disclosures, and which was subsequently questioned by Plaintiff via electronic communication on Dec. 28, 2022, (see RFA 7 below for transcribed copy of email), in relevant part; “(iv) Response to (7): How can you refuse to supply details of your liability insurance in the initial disclosures, including the response “if any” when the record and my responses show you have \$5m per claim coverage via HCA’s own insurance company?”

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac. & Rem. Code § 74.351(s). Defendant further objects as this request seeks privileged information.

7. REQUEST FOR ADMISSION

Admit HCA Lawyers entered into an ‘engagement letter’, ‘fee agreement’ or other similarly named contract in this case with your alleged client, HCA.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound.

Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac. & Rem. Code § 74.351(s). Defendant further objects as this request seeks privileged information.

8. REQUEST FOR ADMISSION

Admit the following content of the email sent by HCA Lawyer Benjamin Hamel, an associate, was approved by you before he hit the send button on Fri, Jan 13, 2023 at 11:45 AM.

“Mr. Burke,

1) Regarding your December 28th email, to the extent you have any issue with our discovery responses or otherwise, you are welcome to raise those issues with the Court and we will provide written responses to the extent we are obligated to do so. However, we are not your attorneys and, as such, are neither willing nor able to advise you regarding the basis for our legal positions and/or the courses of action available to you in responding. To the extent that you require greater explanation I suggest you consult with an attorney.

2) We will not provide any information outside of the processes outlined in the Texas Rules of Civil Procedure and expressly reserve the right to object and resist improper discovery requests as outlined therein. Should you feel this warrants a motion to compel that is certainly your prerogative.

3) We will continue to prosecute our counterclaim because the denial of injunctive relief is not a merits determination. Once again, to the extent you require further explanation regarding this issue I would recommend you consult with an attorney.

4) Finally, regarding all further correspondence, we will respond to correspondence which we are legally and ethically obligated to respond to. Examples of such correspondence include: scheduling matters; conferences regarding opposition or agreement on motions and other pleadings to the extent required by the Court’s local rules or the Texas Rules of Civil Procedure; and providing notice of filings and hearing dates, again to the extent required by local rules or the TRCP. Examples of correspondence that we will not respond to include: unsolicited requests to explain or otherwise discuss the propriety of legal positions taken in advancement of our clients interests; requests for information outside of the procedures outlined in the Texas rules; and requests for legal advice or explanations of legal issues.

Regards, Ben”

And admit you have read the cited-to email by Benjamin Hamel dated Dec. 28, 2022 from Plaintiff;

“Top of the morn’ to y’all

Upon initial review of your submissions via e-serve I have the following questions, which are not exhaustive, but for the purposes of this email are suffice;

(i) Why was Defendant's response and objection to Initial Disclosures not e-filed as well as e-served so it may be addressed by my reply, and include the court?

(ii) In Ms Andrews Dec. 27 response, she claimed the "office was closed" as reasoning why counsel for HCA did not respond to my email(s), including the Thursday, Dec. 22 early morning email questioning the sum and substance of the Initial Disclosures, which I find insincere. The reason I find Ms Andrew's response insincere is because any vacation time, including office closures should be noticed to the court and the parties, and to avoid surprise. The court was open when you claim your office was closed. There was no notice to Plaintiff and the court your office was closed, so clearly that argument is unavailing.

(iii) My original petition states at page 42, "Count IV, Stalking", which is wholly related to Imposter Doctor, Dr. Aguilar. Under what non-frivolous argument could you possibly claim Chapter 74 protection for a Chapter 85 claim, namely relying upon the need for a mandated medical report to refuse supplying a response (Defendant's Objection)? And furthermore, the fact that "Dr. Aguilar" is not listed in your Initial Disclosures and responses as an employee of HCA Healthcare Inc., under what premise is Plaintiff legally obliged to furnish an Expert Report regarding an "Imposter Doctor's" visits?

(iv) Response to (7): How can you refuse to supply details of your liability insurance in the initial disclosures, including the response "if any" when the record and my responses show you have \$5m per claim coverage via HCA's own insurance company?

In the abundance of caution, I also write to state on the record that I am extremely concerned about ongoing communications. In particular, since the date you filed your malicious counterclaim, Ms Madison Addicks and Ms Nicole Andrews have elected to directly respond to my emails, despite the fraudulent criminal assertions that I am "stalking and harassing", including all employees of Serpe Andrews, PLLC, and HCA, including affiliates, family et al.

As such, I question herein how you have not elected to add pro hac vice counsel on the court docket to allow for an independent lawyer to broker and respond to my emails and inquiries as you continue to pursue your stalking and harassment claims, including injunctive relief?

I certainly do not wish to be deemed a "threat" by Defendant(s) for conferring, asking questions and responding to filings via email. Since I did not make these outrageous and fraudulent allegations, the legal burden is on you.

Please let me know if you wish to continue responding to the above questions and future correspondence related to these legal proceeding. If you continue to respond directly, I will view this as Defendant(s) having admitted to filing a frivolous counterclaim and applications for injunctive relief.

If you do not wish to respond directly going forward, silence is not a defense, so I anticipate a response on how you plan to timely address my questions and ability to confer, without prejudicing my case, my property and liberty, and/or causing further unnecessary delay.

Cheers, Mark Burke”

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac. & Rem. Code § 74.351(s). Defendant further objects as this request seeks privileged information.

9. REQUEST FOR ADMISSION

Admit Benjamin Hamel is not an attorney of record, as listed on the court docket, and court-approved counsel includes only two lawyers; namely yourself, and law partner Nicole G. Andrews.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac. & Rem. Code § 74.351(s). Defendant further objects as this request seeks privileged information.

10. REQUEST FOR ADMISSION

Admit you and/or your law firm have never reached out or conferred with Plaintiff prior to filing any motion, counterclaim or hearing in this case.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac. & Rem. Code § 74.351(s). Defendant further objects as this request seeks privileged information.

11. REQUEST FOR ADMISSION

Admit you never answered (iii) in the email dated Dec. 28, 2022 from plaintiff as transcribed above.

And admit you never answered the question as to ongoing representation, taking into considering the counterclaim, nor did you or your firm retain a third party to correspond with plaintiff.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac.

& Rem. Code § 74.351(s). Defendant further objects as this request seeks privileged information.

12. REQUEST FOR ADMISSION

Admit you have read the following section from the Texas Lawyer's Creed;

“III. LAWYER TO LAWYER”

And admit this section includes ‘non-prisoners’ or ‘pro se’ litigants acting as their own lawyer.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects that Plaintiff has not yet provided a sufficient expert report and, therefore, is prohibited from conducting discovery at this time pursuant to Tex. Civ. Prac. & Rem. Code § 74.351(s). Defendant further objects as this request seeks privileged information.

**DEFENDANT’S OBJECTIONS AND RESPONSE TO PLAINTIFF’S REQUEST FOR
ADMISSION RE DEFENDANT’S ORIGINAL COUNTERCLAIM WITH
APPLICATIONS FOR TEMPORARY AND PERMANENT INUNCTIVE RELIEF FOR
MADISON JOHANNA ADDICKS aka MADISON J. ADDICKS**

1. REQUEST FOR ADMISSION

Admit you approved filing a counterclaim against plaintiff requesting injunctive relief to prevent alleged ‘stalking’, ‘harassment’, and other claims as outlined in the counterclaim.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects as this request seeks privileged information.

2. REQUEST FOR ADMISSION

Admit the counterclaim included claims related to your parents, Texas lawyer Jeffrey Addicks, and Texas Lawyer Sharon Addicks, RN, JD, CPHRM, CLNC, with home residence at 4801 Palm St, Bellaire, TX 7740.

And admit it is claimed, they also require immediate ‘protection’ from Plaintiff, e.g., “that immediate and irreparable harm will occur unless Burke is restrained immediately” (citing from denied proposed Temporary Injunction Order as submitted on Jan 10, 2023).

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, harassing, and compound. Defendant further objects as this request seeks privileged information.

3. REQUEST FOR ADMISSION

Admit you did not send or request any ‘take-down’ notices to Plaintiff regarding any content on his gripe site at kingwooddr.com related to you.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and harassing.

4. REQUEST FOR ADMISSION

Admit you did not file a police report claiming harassment, stalking or a formal complaint complaining of Plaintiff as outlined in your counterclaim and applications for injunctive relief.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and harassing.

5. REQUEST FOR ADMISSION

Admit you have never physically met, seen, or verbally spoken to Plaintiff prior to filing of the counterclaim.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and harassing.

6. REQUEST FOR ADMISSION

Admit you have never physically met, seen, or verbally spoken to Plaintiff after filing of the counterclaim.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and harassing.

7. REQUEST FOR ADMISSION

Admit you have never received any direct, threatening correspondence from Plaintiff, be it letter, email, text message, phone call, or similar.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and harassing.

8. REQUEST FOR ADMISSION

Admit you have never seen Plaintiff driving by your office, home, or aware of any instance where Plaintiff has physically 'stalked' you.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and harassing.

9. REQUEST FOR ADMISSION

Admit the counterclaim was filed the day after the Plaintiff's original "Motion for Sanctions, to Disqualify Serpe Andrews PLLC, Nicole G. Andrews, and Madison J. Addicks and Order Release of Video Surveillance Footage to Plaintiff", namely on Thursday, Nov. 24, 2022, the eve of Thanksgiving.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and harassing.

10. REQUEST FOR ADMISSION

Admit you have read the following extract from the Texas Lawyer's Creed;

"14. I will not arbitrarily schedule a deposition, court appearance, or hearing until a good faith effort has been made to schedule it by agreement."

And admit you and HCA Lawyers violated that creed by scheduling the "Original Counterclaim and Application for Temporary Injunction and Permanent Injunction" for a hearing on Jan. 9, 2023 without a good effort to schedule it by agreement, as y'all did not contact Plaintiff at all prior to submitting the counterclaim and notice of hearing as filed on Nov. 23, 2022.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and harassing.

11. REQUEST FOR ADMISSION

Admit you attended said hearing on Jan. 9, 2023 regarding the counterclaim and applications for injunctive relief.

And Admit;

The court verbally approved the application for a Temporary Injunction at this hearing.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, compound, and harassing.

12. REQUEST FOR ADMISSION

Admit on Jan. 10, 2023 HCA Lawyers prepared and submitted a Proposed Temporary Injunction, as docketed at 10:08 am.

And Admit;

It included the following language;

“The Court finds that, unless Burke is restrained now, HCA Kingwood and its retained counsel will be exposed to a material risk of physical harm.”.

And Admit;

The Proposed Order was subsequently denied.

And Admit;

This denial was a surprise.

And Admit;

You anticipated the order being signed, granting the injunction.

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, compound, and harassing. Defendant further objects that this request seeks privileged information.

13. REQUEST FOR ADMISSION

Admit by remaining on this case as counsel of record, you are in fact in violation of the lawyer-witness rule and Tex. Disciplinary Rules Prof'l Conduct R. 3.08(a), see; BP America Production Co. v. Zaffirini, 419 S.W.3d 485, 514 (Tex. App. 2013).

RESPONSE: Defendant objects that this request is unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, compound, and harassing. Defendant further objects that this request seeks privileged information.

DEFENDANT’S OBJECTIONS AND RESPONSES TO PLAINTIFF’S REQUEST FOR PRODUCTION FOR MADISON JOHANNA ADDICKS aka MADISON J. ADDICKS

1. REQUEST FOR PRODUCTION

Produce a copy of your resume and bibliography, with supporting evidence of any accreditations, for example, university degree(s) in Marketing and Journalism, J.D., State Bar of Texas certificate of good standing, and similar.

RESPONSE: Defendant objects to this request on the basis that it is vague, ambiguous as to the term “any accreditations,” overbroad in time and scope, unduly burdensome, harassing, and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, because Plaintiff has not produced a compliant expert report per Tex. Civ. Prac. & Rem. Code § 74.351(s), this request is premature and exceeds the scope of discovery.

2. REQUEST FOR PRODUCTION

Produce supporting evidence related to Tulane’s First Amendment Clinic and those cases in which you participated, and your role therein, as identified on your website resume, which states, in relevant part; “Madison served as a Student Attorney for Tulane’s First Amendment Clinic, where she represented a variety of clients in freedom of speech and expression matters.”.

RESPONSE: Defendant objects to this request on the basis that it is vague, ambiguous as to the term “supporting evidence,” overbroad in time and scope, unduly burdensome, harassing, and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, because Plaintiff has not produced a compliant expert report per Tex. Civ. Prac. & Rem. Code § 74.351(s), this request is premature and exceeds the scope of discovery.

3. REQUEST FOR PRODUCTION

Produce a copy of your business and personal emails, mobile phone, business and home phone records pertaining to any conversation about Plaintiff with your parents, family members, partner(s), boyfriends, girlfriends, or any other individual, related to the counterclaim and applications for temporary and permanent injunctions.

RESPONSE: Defendant objects to this request on the basis that it is vague, ambiguous, overbroad in time and scope, unduly burdensome, harassing, and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, because Plaintiff has not produced a compliant expert report per Tex. Civ. Prac. & Rem. Code § 74.351(s), this request is premature and exceeds the scope of discovery.

4. REQUEST FOR PRODUCTION

Produce all your evidence to support the claim made regarding “physical harm” in the prepared Temporary Injunction, as submitted on your behalf to the court;

“The Court finds that, unless Burke is restrained now, HCA Kingwood and its retained counsel will be exposed to a material risk of physical harm.”.

RESPONSE: Defendant objects to this request on the basis that it is vague, ambiguous, overbroad in time and scope, unduly burdensome, harassing, and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, because Plaintiff has not produced a compliant expert report per Tex. Civ. Prac. & Rem. Code § 74.351(s), this request is premature and exceeds the scope of discovery. Defendant further objects that this request seeks privileged information.

5. REQUEST FOR PRODUCTION

Produce exhibits presented in support of your applications for injunctive relief at the Jan. 9, 2023 hearing before Judge Lauren Reeder – with metadata intact – and which Plaintiff did not attend, as forewarned.

RESPONSE: Defendant objects to this request on the basis that it is vague, ambiguous, overbroad in time and scope, unduly burdensome, harassing, and not reasonably calculated to lead to the discovery of admissible evidence. Additionally, Defendant objects as it invades the attorney work product privilege. Furthermore, because Plaintiff has not produced a compliant expert report per Tex. Civ. Prac. & Rem. Code § 74.351(s), this request is premature and exceeds the scope of discovery.

6. REQUEST FOR PRODUCTION

Produce the ‘engagement letter’, ‘fee agreement’ or other similarly named contract – with original metadata intact - in this case with your alleged client, HCA, and which is not privileged nor exempt from production.

And Produce the engagement letter, fee agreement or other similarly named contract – with original metadata intact – in this case with your alleged client(s), your parents, namely Jeffery and Sharon Addicks.

And Produce the ‘engagement letter’, ‘fee agreement’ or other similarly named contract – with original metadata intact - in this case with your alleged client(s), namely the employees, directors, officers, representatives, current and former attorneys, affiliates, entities and others as defined in your counterclaim and applications for injunctive relief who required and entered into such legal advice and requested protection.

RESPONSE: Defendant objects to this request on the basis that it is vague, ambiguous, overbroad in time and scope, unduly burdensome, harassing, and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, because Plaintiff has not produced a compliant expert report per Tex. Civ. Prac. & Rem. Code § 74.351(s), this request is premature and exceeds the scope of discovery. Defendant further objects that this request seeks privileged information.

7. REQUEST FOR PRODUCTION

Produce a letter, email or notice – with original metadata intact - confirming HCA Lawyers, trading as Serpe Andrews, PLLC, office in Houston was “closed” for what period of time over Thanksgiving period in November 2022.

RESPONSE: Defendant objects to this request on the basis that it is vague, ambiguous, overbroad in time and scope, unduly burdensome, harassing, and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, because Plaintiff has not produced a compliant expert report per Tex. Civ. Prac. & Rem. Code § 74.351(s), this request is premature and exceeds the scope of discovery. Defendant further objects that this request seeks privileged information.

8. REQUEST FOR PRODUCTION

Produce a letter, email and/or notice – with original metadata intact - confirming HCA Lawyers, trading as Serpe Andrews, PLLC, office in Houston was “closed” for what period of time over the Christmas – New Year period in December/January 2022.

RESPONSE: Defendant objects to this request on the basis that it is vague, ambiguous, overbroad in time and scope, unduly burdensome, harassing, and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, because Plaintiff has not produced a compliant expert report per Tex. Civ. Prac. & Rem. Code § 74.351(s), this request is premature and exceeds the scope of discovery. Defendant further objects that this request seeks privileged information.#

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 72856759
Status as of 2/16/2023 7:06 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Nicole G.Andrews		nandrews@serpeandrews.com	2/16/2023 7:05:41 PM	SENT
Priscilla Martinez		pmartinez@serpeandrews.com	2/16/2023 7:05:41 PM	SENT
Amanda Johnson		ajohnson@serpeandrews.com	2/16/2023 7:05:41 PM	SENT
Benjamin Hamel		bhamel@serpeandrews.com	2/16/2023 7:05:41 PM	SENT
Madison Addicks		maddicks@serpeandrews.com	2/16/2023 7:05:41 PM	SENT
Mark Burke		browserweb@gmail.com	2/16/2023 7:05:41 PM	SENT