

CAUSE NO. 22-00105

CSD VAN ZANDT LLC \$ IN THE DISTRICT COURT
 Plaintiff
v. \$ 294TH JUDICIAL DISTRICT

UDO BIRNBAUM \$ VAN ZANDT COUNTY, TX
 Defendant

**DEFENDANT’S RESPONSE TO PLAINTIFF’S
MOTION FOR DISCOVERY CONTROL PLAN
AND RCP 220 and RCP 504.1(c) NON-AGREE TO BENCH TRIAL**
(this response for the “hearing by submission” at 3:30 pm, May 5, 2023)

**This response is to more fraud by Flowers Davis PLLC lawyers
More fraud upon Defendant, their own client, and this Court**

*“Men in the game are blind to what men looking on can see clearly”
old Chinese proverb*

AND SO, this fresh non-surprise, by FLOWERS DAVIS PLLC lawyers:

- April 10, 2023 - Notice of Trial Setting – for June 16, 2023
- April 19, 2023 - Notice of Hearing by Submission – for May 8, 2023
- April 19, 2023 - Plaintiff’s Motion for Entry of Discovery Control Plan and Scheduling Order – (Strange, on April 19, 2023, in submitted ORDER a request for TRIAL date, **which had already been set 9 days earlier**, i.e. April 10, 2023 Notice of Trial Setting, as above)

ALSO, BEFORE THIS COURT, lots of Defendant’s un-addressed matters:

- Nov. 3, 2022 – Response in Opposition to this Court’s Setting for Hearing by Submission of Plaintiff’s MSJ for Nov. 14, 2022
- **Dec. 5, 2022 - Defendant’s Motion for Summary Judgment RCP Rule 166a(i) No Evidence to CSD Claim of Title**
- **Dec. 12, 2022 – MOTION FOR RCP 190.4 LEVEL 3 DISCOVERY CONTROL PLAN**
- Jan. 1, 2023 – Motion for Sanctions and Criminal Refer
- April 11, 2023 – Motion for Judicial Notice of Fraud by Flowers Davis Lawyers upon own client and this Court
- April 19, 2023 - Motion to Compel, Sanction, and Criminal Refer

AND SO, AS AN INTRO into these curious matters, here is the essence of Plaintiff’s vs. Defendant’s versions of the facts:

Plaintiff's "take"

As in Plaintiff's Motion for Discovery Control Plan:

This case concerns a **civil dispute** in which Plaintiff has pled for declaratory judgment, trespass to try to title in the alternative, and petitioned the court to quiet title to the property at subject. **Defendant has filed an Answer that generally denied Plaintiff's claims.** This case is set for bench trial on June 16, 2023 at 9:00 a.m. (emphasis added)

Defendant's "take"

As in Defendant's Second Amended Answer, Counter etc, complaining of **\$850,000 first degree felony theft** upon the elderly, by a real estate deed fraud theft ring, and making a **\$850,000 counterclaim**:

III. A MASSIVE REAL ESTATE DEED FRAUD UPON THE ELDERLY

Plaintiff borrows \$850,000 from Sanger Bank to buy air from a Lisa Girot and by bulldozer and lock and chain starts "land development" of a 150 acres by tearing out 3000 feet of fences and evict 85 year old as "squatter" as "living on a portion of the property" out of his 37 year lived in 2200 square foot brick house. A classical real estate deed fraud - except their victim not so feeble as expected.

This whole matter is a real estate deed fraud plain and simple, with a LISA L. GIROT of Sulphur, Louisiana as the instant initiator, preying on and among a chain of participants/victims, wafting smell of title and tale of me, UDO BIRNBAUM, at 85 years being ready for plucking as she had plucked my buddy LOUIS THIBODEAUX, by getting herself LISA L. GIROT be made guardian of LOUIS THIBODEAUX through her charity, LOUIS THIBODEAUX being in a Louisiana veterans home, then getting such LOUIS THIBODEAUX to will everything to such LISA L. GIROT in 2018, LOUIS THIBODEAUX dying in 2019, and such LISA L. GIROT then hawking LOUIS THIBODEAUX's entitlement of the estate of his oil and property rich wife GWENDOLYN WRIGHT THIBODEAUX, and my supposed lack of a mental state kind of mind, to a ROBERT O. DOW, owner of Dallas Remarkable Land LLC, such

ROBERT O. DOW just this April 12, 2022 machinating himself a fresh new CSD VAN ZANDT LLC, for pulling it off, and using his freshly minted CSD VAN ZANDT LLC to rob both ME and SANGER BANK, by cat-burying his crime under color of law, i.e. with this very lawsuit against me.

Those identified above are among those responsible, as participants, even as negligent victims among each other, all of it facilitated by derelict white collar law enforcement policy of VAN ZANDT COUNTY in this instance, under such policy refusing to get an active BULLDOZER off my possession.

Details in the following pleadings

SO, HEREWITH – without more, and more, and more words. Key details are presented to this Court in Defendant’s Attach “A” – Attach “C”, more in abundant pleadings and motions:

Attach “A”: (by reference only)

SECOND AMENDED ANSWER, COUNTER, CROSS, TRESPASS TRY TITLE, INJUNCTION, LAW LICENSES, CRIMINAL REFER

Attach “B”:

MOTION FOR JUDICIAL NOTICE OF FRAUD BY FLOWERS DAVIS LAWYERS UPON OWN CLIENT AND THIS COURT

Attach “C”:

MOTION TO COMPEL, SANCTION, AND CRIMINAL REFER
Re a Flowers Davis PLLC Van Zandt Real Estate Deed Fraud Ring

SUMMARY

*“Men in the game are blind to what men looking on can see clearly”
old Chinese proverb*

This is a plain and simple real estate deed fraud being perpetrated before this Court’s nose. Originally either BY the Plaintiff, UPON the Plaintiff, or BOTH, but certainly NOW, before this Court, by Plaintiff’s Flowers Davis LAWYERS, ALL THREE, FOUR, OR FIVE OF THEM.

PRAYER

May this Court see and act accordingly. The purpose of this Court is not Process, but Justice.

Also, both sides have demanded trial by jury, the jury fee has been paid long ago, and Defendant per RCP 220 and RCP 504.1(c) NON-AGREES to now setting of trial by Bench Trial.

UDO BIRNBAUM, *Pro Se*
540 VZ County Road 2916
Eustace, TX 75124
903 802-9669
BRNBM@AOL.COM

Attach "A": (by reference only)

SECOND AMENDED ANSWER, COUNTER, CROSS, TRESPASS
TRY TITLE, INJUNCTION, LAW LICENSES, CRIMINAL REFER

Attach "B":

MOTION FOR JUDICIAL NOTICE OF FRAUD BY FLOWERS
DAVIS LAWYERS UPON OWN CLIENT AND THIS COURT

Attach "C":

MOTION TO COMPEL, SANCTION, AND CRIMINAL REFER
Re a Flowers Davis PLLC Van Zandt Real Estate Deed Fraud Ring

Certificate of Service

Today May 1, 2023, by Certified Mail 7021 0350 0002 3247 7896 to
Katryna R. Watkins, Flowers Davis, 1021 ESE Loop 323, Suite 200, Tyler,
Texas 75701

CAUSE NO. 22-00105

CSD VAN ZANDT LLC \$ IN THE DISTRICT COURT
 Plaintiff
v. \$ 294TH JUDICIAL DISTRICT

UDO BIRNBAUM \$ VAN ZANDT COUNTY, TX
 Defendant

**MOTION FOR JUDICIAL NOTICE OF FRAUD BY FLOWERS
DAVIS LAWYERS UPON OWN CLIENT AND THIS COURT**

“Men in the game are blind to what men looking on can see clearly”
old Chinese proverb

TO THIS HONORABLE COURT:

COMES NOW Defendant UDO BIRNBAUM, complaining of
extrinsic fraud, (i.e. by lawyer officers of this Court), to wit:

1. This evil lawsuit is being peddled to this Court by FLOWERS
DAVIS PLLC lawyers, as a bona fide trespass to try title, upon a 150 acres
in Van Zandt County, upon title supposedly out of the 2006 estate of a
certain GWENDOLYN WRIGHT THIBODEAUX. Such 150 acres,
however, were never in that estate, no actual land title ever came out of
that probate, never administration of that estate, etc. etc. as detailed by
Defendant’s pleadings and evidence.

2. The evidence, however, shows that these lawyers KNEW
from the beginning, and certainly know, after all the paper thrown, that no
such title came out of that estate, aside from never having been in there in
the first place, simply by reason of there never having been administration
of that estate, by simple reason of 15 year belated probate, well outside the

four (4) year statute of limitation on administration, **all such by simply looking at the very documents they attached to their own pleadings.**

3. Defendant's pleadings detail fraud by Flowers Davis lawyers upon their own client, a ROBERT O. DOW of CSD Van Zandt LLC, by treating both him and this Court like a mushroom, i.e. keeping him in the dark and feeding sh—t, both to Dow and this Court. Evidence thereof as follows:

**I.
scam “mediation” – the latest Flowers Davis sh---t**

4. At just now “mediation”, March 27, 2023 in Canton, Texas, at East Texas Title, arranged by owner of such, CELIA C. FLOWERS, verily one of the THREE lawyers on this case, through her Jennifer Wallace, her paralegal, initial and final settlement offer was a ridiculous \$5000.

5. Such offer more like in the nature of “buying off” a pesky tenant to just go away. If Flowers Davis lawyers had kept their client ROBERT O. DOW, of CSD Van Zandt LLC, informed of the true development of this mess he was in, like informed him that he had been swindled “*to borrow \$850,000 from Sanger Bank, to buy air from a LISA GIROT*”, as in Defendant's pleadings, and been countersued \$850,000, DOW certainly would not have pushed for “mediation”, and tossed out a measly \$5,000, and sat there like an about to explode puffer fish, not my words, but by the ones who accompanied me to “mediation”, with DOW mad at me, when I am not his problem, his lawyers are, with the arranged “mediator”, Senior Litigation Counsel STEVE MASON, curiously also of FLOWERS DAVIS, not wanting to convey my counter offer of

\$1,500,000, and probably did not, calling it ridiculous, yet pushing on me that ridiculous \$5000 offer.

6. MR. MASON was as much in the dark as was DOW, as were Dow’s way down on the Flowers Davis totem pole newbie lawyers, KATRYNA WATKINS and AMANDA DUPUIS, in the other room with MR. DOW.

7. And Mr. MASON, surely, would not have been a part of anything that had ALREADY been \$850,000 first degree felony theft by unlawfully “bringing about the transfer or purported transfer of title to or other nonpossessary interest in property”. Penal 31.03 definition “appropriate” 31.01(4)(A). Details in Defendant’s First Amended Answer etc.

Plaintiff final offer: \$5,000

Defendant final asking: \$1,500,000

Intermediate Summary: DOW kept in, and still is, totally in the dark.

II.

The lawyer screw up that started it all – Dow’s Corey Kellam, else Dow himself, getting Dow to fall for a genuine deed fraud scheme

8. As detailed by Defendant, at first appearance of Dow’s COREY KELLAM, by phone, he was blind as a bat as to what was going on, desperately probing what me, the cows, and the hay were doing here, clear indication to KELLAM that something was amiss, me getting KELLAM ticked off at me, and instead of KELLAM inquiring, proceeded to evict me, UDO BIRNBAUM, as a tenant at will, out of my own 37 year lived in house, but then NOT follow thru with JP eviction, for the simple

reason that he just discovered, else someone told him, that immediate eviction is not upon TITLE at all, but by the one in POSSESSION, and that was clearly me, UDO BIRNBAUM.

9. There is of course no reason whatsoever to believe that DOW would have proceeded with skid steer bulldozer if DOW was aware, nor would DOW have initiated Trespass to try Title upon me, if KELLAM, else DOW himself, would have inquired then and there and noticed the swindle by such LISA GIROT, street hawking what was not hers, and someone falling for GIROT’S crap else infecting it straight onto some newbie at East Texas Title.

Intermediate Summary: DOW kept in, and still is, totally in the dark.

III.
Plaintiff’s Motion for Summary Judgment
- a pure fraud both on their own client and this Court

10. This was a full month after my excruciatingly detailed First Amended showing **exactly** why it was **impossible** for such GIROT to have title to convey, for, among other:

“ 1. Defendant UDO BIRNBAUM pleads statute of limitation claim preclusion against any and all claims by reason of 41 years peaceable possession of cultivating, using, and enjoying the 150 acre premises at issue. And specifically peaceable and adverse possession against CSD Van Zandt LLC claim of title based on a Gwendolyn Wright Thibodeaux title of April 12, 2002, that 10 year clock started then:

Sec. 16.030. TITLE THROUGH ADVERSE POSSESSION. (a) If an action for the recovery of real property is barred under this chapter, the person who holds the property in peaceable and adverse possession **has full title, precluding all claims.**

Sec. 16.026. ADVERSE POSSESSION: 10-YEAR LIMITATIONS PERIOD. (a) A person must bring suit not later than 10 years after the day the cause of action accrues to recover real property held in peaceable and adverse possession

by another who cultivates, uses, or enjoys the property.” First Amended Answer, Counter, Cross, Trespass to try Title, Injunction, Law Licenses, Criminal Refer

11. If these lawyers had informed DOW of such counter, DOW would NOT have moved for summary judgment, rather sought some kind of settlement, and certainly not have pitched a measly \$5,000. Dow firmly believed. Only someone truly believing he owned the property, and told that I was just some pesky tenant who was bent on holding him up, would have made such measly \$5,000 buyout attempt. It was his lawyers keeping him in the dark, inciting him against me, to CYA themselves, and continue milking him for legal fees.

12. Such supposed conveyance of title to Girot arising out of the estate of such GWENDOLYN WRIGHT THIBODEAUX is impossible for such property **never was in that estate.**

13. No actual Executor’s or Administrator’s Deed to any land did come out of or could have come out of that estate for the simple reason that such estate **never was administrated nor could have been administrated** because belated probate in 2021 upon death in 2006 was outside the four (4) year statute of limitations for the probate court to appoint to do any administration, and indeed make any determination as to what was actually inside, outside, sideways, or crossways in that estate. That simple.

IV.

Flowers Davis lawyer’s answers to interrogatories show exactly HOW their client ROBERT DOW being kept in the dark

14. Attached interrogatories into CSD Van Zandt LLC claim of “via regular chain of title”, specifically calling out the requirement that

ANSWER be by the PARTY, not an attorney, came back without reference to such specific Notice, and instead gobbledygook by the lawyers, verified thereto by DOW, de facto covering up their concealing their knowledge of LISA GIROT fraud from Dow, with deceiving Dow, into making that very “Verification”, to cover up for what these lawyers were then and there, doing to DOW, i.e. hiding that they certainly KNEW then and there, that DOW had been deceived into “borrowing \$850,000 from Sanger Bank, to buy air from LISA GIROT”, i.e. no “chain of title” whatsoever. PATHETIC.

V.

Flowers Davis lawyer’s reply to Request for Production shows exactly HOW their client ROBERT DOW is being kept in the dark

15. Attached Request for Production, and Flowers Davis lawyers Response, re production of claimed “via regular chain of title”, came back complaining that it was not specific enough to determine what title was being inquired into, which probate, etc.

16. They themselves having attached those very documents to their lawsuit, pretending not to be able to figure out which THIBODEAUX, which probate, their suit is all about. PATHETIC AGAIN.

17. These lawyers, in spite of their lawyer oath, as on the back of their very bar card, swearing to “demean themselves honestly”, pulling such sh---t on MR. DOW, THIS COURT, and of course me, UDO BIRNBAUM, not only by paper, but by skid steer BULLDOZER, trespassing to tear out 3000 feet of internal fences, etc, evict me out of my 37 year lived in home as a supposed tenant at will, then as a “squatter with permission”, what the hell is that? PLUM PATHETIC.

Summary

“Men in the game are blind to what men looking on can see clearly”
old Chinese proverb

18. This is a plain and simple real estate deed fraud being perpetrated before this Court’s nose. Either BY the Plaintiff, UPON the Plaintiff, or BOTH, but certainly NOW, before this Court, by Plaintiff’s Flowers Davis LAWYERS, ALL THREE, FOUR, OR FIVE OF THEM.

PRAYER

May this Court see and act accordingly.

UDO BIRNBAUM, *Pro Se*
540 VZ County Road 2916
Eustace, TX 75124
903 802-9669
BRNBM@AOL.COM

Attach:

Interrogatory: To identify documents showing “regular chain of title”

Answer: Lawyer gobbledygook - **verified by Dow**

Production: For production of claimed “regular chain of title”

Response: Lawyer gobbledygook - **claiming not to understand**

Certificate of Service

Today April 11, 2023, by Certified Mail 7021 2720 0002 2602 3299 to CSD
VAN ZANDT LLC, 6115 Owens St Ste 201, Dallas, TX 75235

INTERROGATORY
To identify documents
showing "regular chain of title"

CAUSE NO. 22-00105

CSD VAN ZANDT LLC
Plaintiff/Counter Defendant

v. \$ IN THE DISTRICT COURT

UDO BIRNBAUM
Defendant/Cross Plaintiff

\$
\$ 294TH JUDICIAL DISTRICT

v.

\$
\$ VAN ZANDT COUNTY, TX

ROBERT O. DOW
COREY KELLAM
CELIA C. FLOWERS
VAN ZANDT COUNTY
Cross Defendants

\$

FIRST SET OF INTERROGATORIES TO CSD VAN ZANDT LLC

PLEASE NOTE: Standard rules apply: responses to be verified, answers to be preceded by the question, 30 days, etc. Also RCP 197.2 Response to Interrogatories (d) Verification required; A responding party - **not an agent or attorney** as otherwise permitted by Rule 14 - must sign the answers under oath

INTERROGATORY NO. 1:

IDENTIFY the document of title conveying legal capacity to such LISA LEGER GIROT to bring about such transfer of title (Plaintiff Attachment 1)

INTERROGATORY NO. 2:

IDENTIFY the document of title conveying legal capacity to such PATRICIA MOORE BARCLAY to bring about such transfer of title (Plaintiff Attachment 1)

INTERROGATORY NO. 3:

IDENTIFY the document of title conveying legal capacity to such JAMES T. MOORE III to bring about such transfer of title (Plaintiff Attachment 1).

UDO BIRNBAUM, *Pro Se*
540 VZ County Road 2916
Eustace, TX 75124
903 802-9669
BRNBM@AOL.COM

Certificate of Service Oct. 10, 2022
CMRR 7021 2720 0002 2602 3244
Katryna R. Watkins, Flowers Davis
1021 ESE Loop 323, Suite 200
Tyler, TX 75701

INTERROGATORY ANSWER:
Lawyer gobbledygook
- verified by Dow. PATHETIC

CAUSE NO. 22-00105

CSD VAN ZANDT LLC
Plaintiff

§
§
§
§
§
§
§

IN THE DISTRICT COURT

v.

294TH JUDICIAL DISTRICT

UDO BIRNBAUM
Defendant

VAN ZANDT COUNTY, TEXAS

**PLAINTIFF’S RESPONSE TO FIRST SET OF INTERROGATORIES
TO CSD VAN ZANDT LLC**

TO: Udo Birnbaum, located at 540 VZ County Road 2916, Eustace, Texas 75124.

COMES NOW, Plaintiff, CSD VAN ZANDT LLC, (hereinafter “Plaintiff”) and files its *Response to First Set of Interrogatories to CSD Van Zandt LLC* pursuant to the Texas Rules of Civil Procedure.

Respectfully submitted,

FLOWERS DAVIS, P.L.L.C.
1021 ESE Loop 323, Suite 200
Tyler, Texas 75701
(903)534-8063 Phone
(903)534-1650 Fax

/s/ Katryna R. Watkins
KATRYNA R. WATKINS
State Bar No. 24106554
krw@flowersdavis.com

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this instrument was served on all parties of record via electronic service manager on the 11th day of November 2022.

/s/ Katryna R. Watkins
KATRYNA R. WATKINS

RESPONSE TO FIRST SET OF INTERROGATORIES

INTERROGATORY NO. 1: Identify the document of title conveying legal capacity to such LISA LEGER GIROT to bring about such transfer of title (Plaintiff Attachment 1).

ANSWER:

Plaintiff objects to the foregoing interrogatory as vague and unclear, as “legal capacity” is not defined. Moreover, Plaintiff further objects to Defendant’s reference to “Plaintiff Attachment 1”, as there is no attachment. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.-Corpus Christi 1996, orig. proceeding).

INTERROGATORY NO. 2: Identify the document of title conveying legal capacity to such PATRICIA MOORE BARCLAY to bring about such transfer of title (Plaintiff Attachment 1).

ANSWER:

Plaintiff objects to the foregoing interrogatory as vague and unclear, as “legal capacity” is not defined. Moreover, Plaintiff further objects to Defendant’s reference to “Plaintiff Attachment 1”, as there is no attachment. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.-Corpus Christi 1996, orig. proceeding).

INTERROGATORY NO. 3: IDENTIFY the document of title conveying legal capacity to such JAMES T. MOORE III to bring about such transfer of title (Plaintiff Attachment 1).

ANSWER:

Plaintiff objects to the foregoing interrogatory as vague and unclear, as “legal capacity” is not defined. Moreover, Plaintiff further objects to Defendant’s reference to “Plaintiff Attachment 1,” as there is no attachment. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.-Corpus Christi 1996, orig. proceeding).

CAUSE NO. 22-00105

CSD VAN ZANDT LLC
Plaintiff

§
§
§
§
§
§
§

IN THE DISTRICT COURT

v.

294TH JUDICIAL DISTRICT

UDO BIRNBAUM
Defendant

VAN ZANDT COUNTY, TEXAS

VERIFICATION OF ROBERT O. DOW

BEFORE ME the undersigned authority personally appeared Robert O. Dow who swore or affirmed to tell the truth and stated as follows:

1. "My name is Robert O. Dow. I am over the age of eighteen, of sound mind, and capable of making this Verification. I am fully authorized to make the statements contained herein. I have personal knowledge of the facts herein stated and the same are true and correct for all purposes.

2. I have reviewed *Plaintiff's Response to First Set of Interrogatories to CSD Van Zandt LLC* and have personal knowledge of all the facts contained therein, which are true and correct. I understand that any false statements made in this Verification will subject me to penalties of perjury."

AFFIANT FURTHER SAYETH NOT.

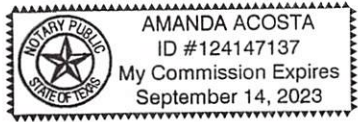
Robert O. Dow

STATE OF TEXAS

§
§
§

COUNTY OF DALLAS

SWORN and SUBSCRIBED before me, the undersigned authority on this the 10th day of November 2022 by Robert O. Dow.



Notary Public, In and for
The State of Texas
My Commission Expires:

9/14/2023

REQUEST FOR PRODUCTION:
For production of claimed
"regular chain of title"

CAUSE NO. 22-00105

CSD VAN ZANDT LLC
Plaintiff/Counter Defendant

v. \$ IN THE DISTRICT COURT

UDO BIRNBAUM
Defendant/Cross Plaintiff \$ 294TH JUDICIAL DISTRICT

v.

ROBERT O. DOW, \$
COREY KELLAM \$
CELIA C. FLOWERS \$ VAN ZANDT COUNTY, TX

VAN ZANDT COUNTY
Cross Defendants

FIRST REQUEST FOR PRODUCTION TO CSD VAN ZANDT LLC

PLEASE NOTE: Standard rules apply: responses to be verified, answers to be preceded by the question, 30 days, etc. Also RCP 197.2 Response to Interrogatories (d) Verification required; A responding party - **not an agent or attorney** as otherwise permitted by Rule 14 - must sign the answers under oath

PRODUCTION NO. 1:

Such documents as CSD Van Zandt LLC in paragraph 15 of Plaintiff's First Amended Original Petition claims show Plaintiff obtaining title to the 148.12 acre Premises "via a regular chain of conveyance from the sovereign", and specifically documents showing passage of conveyance of title through the 2021 belated probate by LISA L. GIROT of intestate GWENDOLYN WRIGHT THIBODEAUX estate of 2006, and further through the 2019 estate of LOUIS THIBODEAUX unto LISA L. GIROT.

(i.e. "15. Plaintiff obtained title to the Property via a regular chain of conveyance from the sovereign, as explained hereinabove.")

PRODUCTION NO. 2:

Such deed, if any, conveying title to LISA GIROT, to have title to convey.

PRODUCTION NO. 3:

Such deed, if any, conveying title to PATRICIA MOORE BARCLAY, to have title to convey.

PRODUCTION NO. 4:

Such deed, if any, conveying title to JAMES T. MOORE III, to have title to convey.

UDO BIRNBAUM, *Pro Se*
540 VZ County Road 2916
Eustace, TX 75124
903 802-9669

Certificate of Service Nov. 25, 2022
CMRR 7021 2720 0002 2602 3268
Katryna R. Watkins, Flowers Davis
1021 ESE Loop 323, Suite 200
Tyler, TX 75701

REQUEST FOR PRODUCTION:
RESPONSE: Lawyer gobbledygook
- claiming not to understand.
PATHETIC

CAUSE NO. 22-00105

CSD VAN ZANDT LLC
Plaintiff

§
§
§
§
§
§
§

IN THE DISTRICT COURT

v.

294TH JUDICIAL DISTRICT

UDO BIRNBAUM
Defendant

VAN ZANDT COUNTY, TEXAS

**PLAINTIFF’S RESPONSE TO FIRST REQUEST FOR PRODUCTION
TO CSD VAN ZANDT LLC**

TO: Udo Birnbaum, Pro Se, located at 540 VZ County Road 2916, Eustace, Texas 75124.

COMES NOW, Plaintiff, CSD VAN ZANDT LLC, (hereinafter “Plaintiff”) and files its *Response to First Request for Production to CSD Van Zandt LLC* pursuant to the Texas Rules of Civil Procedure.

Respectfully submitted,

FLOWERS DAVIS, P.L.L.C.
1021 ESE Loop 323, Suite 200
Tyler, Texas 75701
(903)534-8063 Phone
(903)534-1650 Fax

/s/ Katryna R. Watkins
KATRYNA R. WATKINS
State Bar No. 24106554
krw@flowersdavis.com

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this instrument was served on all parties of record via electronic service manager on the 30th day of December 2022.

/s/ Katryna R. Watkins
KATRYNA R. WATKINS

RESPONSE TO FIRST REQUEST FOR PRODUCTION

PRODUCTION NO. 1: Such documents as CSD Van Zandt LLC in paragraph 15 of Plaintiffs First Amended Original Petition claims show Plaintiff obtaining title to the 148.12 acre Premises "via a regular chain of conveyance from the sovereign", and specifically documents showing passage of conveyance of title through the 2021 belated probate by LISA L. GIROT of intestate GWENDOLYN WRIGHT THIBODEAUX estate of 2006, and further through the 2019 estate of LOUIS THIBODEAUX unto LISA L. GIROT.

(i.e. "15. Plaintiff obtained title to the Property via a regular chain of conveyance from the sovereign, as explained hereinabove.")

RESPONSE: Plaintiff objects to the foregoing request as lacking specificity as Defendant does not identify the probate causes involving Gwendolyn Thibodeaux and Louis Thibodeaux to which he refers. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.---Corpus Christi 1996, orig. proceeding). Subject thereto, all documents responsive to this request have been produced.

PRODUCTION NO. 2: Such deed, if any, conveying title to LISA GIROT, to have title to convey.

RESPONSE: Plaintiff objects to the foregoing request as vague and unclear as Plaintiff cannot determine to which property or properties the above-mentioned deed or title refer. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.---Corpus Christi 1996, orig. proceeding). Subject thereto, all documents responsive to this request have been produced.

PRODUCTION NO. 3: Such deed, if any, conveying title to PATRICIA MOORE BARCLAY, to have title to convey.

RESPONSE: Plaintiff objects to the foregoing request as vague and unclear as Plaintiff cannot determine to which property or properties the above-mentioned deed or title refer. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.---Corpus Christi 1996, orig. proceeding). Subject thereto, all documents responsive to this request have been produced.

PRODUCTION NO. 4: Such deed, if any, conveying title to JAMES T. MOORE III, to have title to convey.

RESPONSE: Plaintiff objects to the foregoing request as vague and unclear as Plaintiff cannot determine to which property or properties the above-mentioned deed or title refer. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.---Corpus Christi 1996, orig. proceeding). Subject thereto, all documents responsive to this request have been produced.

1. This evil lawsuit is being peddled to this Court by FLOWERS DAVIS PLLC lawyers, as a supposed bona fide trespass to try title, upon a 150 acres in Van Zandt County, upon title supposedly out of the 2006 estate of a certain GWENDOLYN WRIGHT THIBODEAUX. Such 150 acres, however, were never in that estate, no land title ever came out of that probate, never administration of that estate, etc. etc. as detailed by Defendant's pleadings and evidence.

2. The evidence, however, shows that these lawyers KNEW, from the beginning, and certainly know, after all the paper thrown, that no such title came out of that estate, aside from never having been in there in the first place, simply by reason of there never having been administration of that estate, by simple reason of 15 year belated probate, well outside the four (4) year statute of limitation on administration, **all such by simply looking at the very documents they attached to their own pleadings,** and specifically their Judgment Declaring Heirship, plainly stating, "*no administration is necessary*", i.e. because of the belated probate.

3. Defendant's pleadings detail fraud by Flowers Davis lawyers upon their own client, a ROBERT O. DOW of CSD Van Zandt LLC, by treating both him and this Court like a mushroom, i.e. keeping him in the dark and feeding sh---t, both to Dow and this Court. Evidence thereof as follows:

I.
scam "mediation" – the latest Flowers Davis sh---t

4. At just now "mediation", March 27, 2023 in Canton, Texas, at East Texas Title, arranged by owner of such, CELIA C. FLOWERS, verily

one of the THREE lawyers on this case, through her Jennifer Wallace, her paralegal, initial and final settlement offer was a ridiculous \$5000.

5. Such offer more like in the nature of “buying off” a pesky tenant to just go away. If Flowers Davis lawyers had kept their client ROBERT O. DOW, of CSD Van Zandt LLC, informed of the true development of this mess he was in, like informed him that he had been swindled “to borrow \$850,000 from Sanger Bank, to buy air from a LISA GIROT”, as in Defendant’s pleadings, and been countersued \$850,000, DOW certainly would not have pushed for “mediation”, and tossed out a measly \$5,000, and sat there like an about to explode puffer fish, not my words, but by the ones who accompanied me to “mediation”, with DOW mad at me, when I am not his problem, his lawyers are, with the arranged “mediator”, Senior Litigation Counsel STEVE MASON, curiously also of FLOWERS DAVIS, not wanting to convey my counter offer of \$1,500,000, and probably did not, calling it ridiculous, yet pushing on me that ridiculous \$5000 offer.

6. MR. MASON was as much in the dark as was DOW, as were Dow’s way down on the Flowers Davis totem pole newbie lawyers, KATRYNA WATKINS and AMANDA DUPUIS, in the other room with MR. DOW.

7. And Mr. MASON, surely, would not have been a part of anything that had ALREADY been \$850,000 first degree felony theft by unlawfully “bringing about the transfer or purported transfer of title to or other nonpossessary interest in property”. Penal 31.03 definition “appropriate” 31.01(4)(A). Details in Defendant’s First Amended Answer etc.

Plaintiff final offer: \$5,000

Defendant final asking: \$1,500,000

Intermediate Summary: DOW kept in, and still is, totally in the dark.

II.

The lawyer screw up that started it all – Dow’s Corey Kellam, else Dow himself, getting Dow to fall for a genuine deed fraud scheme

8. As detailed by Defendant, at first appearance of Dow’s COREY KELLAM, by phone, he was blind as a bat as to what was going on, desperately probing what me, the cows, and the hay were doing here, clear indication to KELLAM that something was amiss, me getting KELLAM ticked off at me, and instead of KELLAM inquiring, proceeded to evict me, UDO BIRNBAUM, as a tenant at will, out of my own 37 year lived in house, but then NOT follow thru with JP eviction, for the simple reason that he just discovered, else someone told him, that immediate eviction is not upon TITLE at all, but by the one in POSSESSION, and that was clearly me, UDO BIRNBAUM.

9. There is of course no reason whatsoever to believe that DOW would have proceeded with skid steer bulldozer if DOW was aware, nor would DOW have initiated Trespass to try Title upon me, if KELLAM, else DOW himself, would have inquired then and there and noticed the swindle by such LISA GIROT, street hawking what was not hers, and someone falling for GIROT’S crap else infecting it straight onto some newbie at East Texas Title.

Intermediate Summary: DOW kept in, and still is, totally in the dark.

III.
Plaintiff's Motion for Summary Judgment
- a pure fraud both on their own client and this Court

10. This was a full month after my excruciatingly detailed First Amended showing **exactly** why it was **impossible** for such GIROT to have title to convey, for, among other:

“ 1. Defendant UDO BIRNBAUM pleads statute of limitation claim preclusion against any and all claims by reason of 41 years peaceable possession of cultivating, using, and enjoying the 150 acre premises at issue. And specifically peaceable and adverse possession against CSD Van Zandt LLC claim of title based on a Gwendolyn Wright Thibodeaux title of April 12, 2002, that 10 year clock started then:

Sec. 16.030. TITLE THROUGH ADVERSE POSSESSION. (a) If an action for the recovery of real property is barred under this chapter, the person who holds the property in peaceable and adverse possession **has full title, precluding all claims.**

Sec. 16.026. ADVERSE POSSESSION: 10-YEAR LIMITATIONS PERIOD. (a) A person must bring suit not later than 10 years after the day the cause of action accrues to recover real property held in peaceable and adverse possession by another who cultivates, uses, or enjoys the property.” First Amended Answer, Counter, Cross, Trespass to try Title, Injunction, Law Licenses, Criminal Refer

11. If these lawyers had informed DOW of such counter, DOW would NOT have moved for summary judgment, rather sought some kind of settlement, and certainly not have pitched a measly \$5,000. Dow firmly believed. Only someone truly believing he owned the property, and told that I was just some pesky tenant who was bent on holding him up, would have made such measly \$5,000 buyout attempt. It was his lawyers keeping him in the dark, inciting him against me, to CYA themselves, and continue milking him for legal fees.

12. Such supposed conveyance of title to Girot arising out of the estate of such GWENDOLYN WRIGHT THIBODEAUX is impossible for such property **never was in that estate.**

13. No actual Executor's or Administrator's Deed to any land did come out of or could have come out of that estate for the simple reason that such estate **never was administrated nor could have been administrated** because belated probate in 2021 upon death in 2006 was outside the four (4) year statute of limitations for the probate court to appoint to do any administration, and indeed make any determination as to what was actually inside, outside, sideways, or crossways in that estate. That simple.

IV.

Flowers Davis lawyer's answers to interrogatories show exactly HOW their client ROBERT DOW being kept in the dark

14. Attached interrogatories into CSD Van Zandt LLC claim of "via regular chain of title", specifically calling out the requirement that ANSWER be by the PARTY, not an attorney, came back without reference to such specific Notice, and instead gobbledygook by the lawyers, verified thereto by DOW, de facto covering up their concealing their knowledge of LISA GIROT fraud from Dow, with deceiving Dow, into making that very "Verification", to cover up for what these lawyers were then and there, doing to DOW, i.e. hiding that they certainly KNEW then and there, that DOW had been deceived into "borrowing \$850,000 from Sanger Bank, to buy air from LISA GIROT", i.e. no "chain of title" whatsoever. PATHETIC.

V.

Flowers Davis lawyer's reply to Request for Production shows exactly HOW their client ROBERT DOW is being kept in the dark

15. Attached Request for Production, and Flowers Davis lawyers Response, re production of claimed "via regular chain of title", came back complaining that it was not specific enough to determine what title was being inquired into, which probate, etc.

16. They themselves having attached those very documents to their lawsuit, pretending not to be able to figure out which THIBODEAUX, which probate, their suit is all about. PATHETIC AGAIN.

17. These lawyers, in spite of their lawyer oath, as on the back of their very bar card, swearing to "demean themselves honestly", pulling such sh---t on MR. DOW, THIS COURT, and of course me, UDO BIRNBAUM, not only by paper, but by skid steer BULLDOZER, trespassing to tear out 3000 feet of internal fences, etc, evict me out of my 37 year lived in home as a supposed tenant at will, then as a "squatter with permission", what the hell is that? PLUM PATHETIC.

Summary

"Men in the game are blind to what men looking on can see clearly"
old Chinese proverb

18. This is a plain and simple real estate deed fraud being perpetrated before this Court's nose. Either BY the Plaintiff, UPON the Plaintiff, or BOTH, but certainly NOW, before this Court, by Plaintiff's Flowers Davis LAWYERS, ALL THREE, FOUR, OR FIVE OF THEM.

Summary

“Men in the game are blind to what men looking on can see clearly”
old Chinese proverb

18. This is a plain and simple real estate deed fraud being perpetrated before this Court’s nose. Either BY the Plaintiff, UPON the Plaintiff, or BOTH, but certainly NOW, before this Court, by Plaintiff’s Flowers Davis LAWYERS, ALL THREE, FOUR, OR FIVE OF THEM.

PRAYER

May this Court see and act accordingly.

UDO BIRNBAUM, *Pro Se*
540 VZ County Road 2916
Eustace, TX 75124
903 802-9669
BRNBM@AOL.COM

Attach:

Interrogatory: To identify documents showing “regular chain of title”

Answer: Lawyer gobbledygook - **verified by Dow**

Production: For production of claimed “regular chain of title”

Response: Lawyer gobbledygook - **claiming not to understand**

Certificate of Service

Today April 19, 2023 by CMRR 7021 2720 0002 2602 3282 to Katryna R. Watkins, Flowers Davis, 1021 ESE Loop 323, Suite 200, Tyler, Texas 75701. Also, by email attach to Celia C. Flowers, Katryna Watkins, Tucker Royall, Steve Mason, and Corey Kellam, all of Flowers Davis. Also Van Zandt District Judge Chris Martin, Court at Law Judge Jonathan Wintters, County Judge Andy Reese, District Attorney Tonda Curry, and Sheriff Joe Carter. All both separately and communally. Also Regular Mail to each. Repeat to any or all as necessary.

INTERROGATORY
To identify documents
showing "regular chain of title"

CAUSE NO. 22-00105

CSD VAN ZANDT LLC
Plaintiff/Counter Defendant

v. \$ IN THE DISTRICT COURT

UDO BIRNBAUM
Defendant/Cross Plaintiff \$

\$ 294TH JUDICIAL DISTRICT

v. \$

ROBERT O. DOW
COREY KELLAM \$ VAN ZANDT COUNTY, TX

CELIA C. FLOWERS
VAN ZANDT COUNTY \$
Cross Defendants

FIRST SET OF INTERROGATORIES TO CSD VAN ZANDT LLC

PLEASE NOTE: Standard rules apply: responses to be verified, answers to be preceded by the question, 30 days, etc. Also RCP 197.2 Response to Interrogatories (d) Verification required; A responding party - **not an agent or attorney** as otherwise permitted by Rule 14 - must sign the answers under oath

INTERROGATORY NO. 1:

IDENTIFY the document of title conveying legal capacity to such LISA LEGER GIROT to bring about such transfer of title (Plaintiff Attachment 1)

INTERROGATORY NO. 2:

IDENTIFY the document of title conveying legal capacity to such PATRICIA MOORE BARCLAY to bring about such transfer of title (Plaintiff Attachment 1)

INTERROGATORY NO. 3:

IDENTIFY the document of title conveying legal capacity to such JAMES T. MOORE III to bring about such transfer of title (Plaintiff Attachment 1).

UDO BIRNBAUM, *Pro Se*
540 VZ County Road 2916
Eustace, TX 75124
903 802-9669
BRNBM@AOL.COM

Certificate of Service Oct. 10, 2022
CMRR 7021 2720 0002 2602 3244
Katryna R. Watkins, Flowers Davis
1021 ESE Loop 323, Suite 200
Tyler, TX 75701

INTERROGATORY ANSWER:
Lawyer gobbledygook
- verified by Dow. PATHETIC

CAUSE NO. 22-00105

CSD VAN ZANDT LLC
Plaintiff

§
§
§
§
§
§
§

IN THE DISTRICT COURT

v.

294TH JUDICIAL DISTRICT

UDO BIRNBAUM
Defendant

VAN ZANDT COUNTY, TEXAS

PLAINTIFF'S RESPONSE TO FIRST SET OF INTERROGATORIES
TO CSD VAN ZANDT LLC

TO: Udo Birnbaum, located at 540 VZ County Road 2916, Eustace, Texas 75124.

COMES NOW, Plaintiff, CSD VAN ZANDT LLC, (hereinafter "Plaintiff") and files its *Response to First Set of Interrogatories to CSD Van Zandt LLC* pursuant to the Texas Rules of Civil Procedure.

Respectfully submitted,

FLOWERS DAVIS, P.L.L.C.
1021 ESE Loop 323, Suite 200
Tyler, Texas 75701
(903)534-8063 Phone
(903)534-1650 Fax

/s/ Katryna R. Watkins
KATRYNA R. WATKINS
State Bar No. 24106554
krw@flowersdavis.com

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this instrument was served on all parties of record via electronic service manager on the 11th day of November 2022.

/s/ Katryna R. Watkins
KATRYNA R. WATKINS

RESPONSE TO FIRST SET OF INTERROGATORIES

INTERROGATORY NO. 1: Identify the document of title conveying legal capacity to such LISA LEGER GIROT to bring about such transfer of title (Plaintiff Attachment 1).

ANSWER:

Plaintiff objects to the foregoing interrogatory as vague and unclear, as “legal capacity” is not defined. Moreover, Plaintiff further objects to Defendant’s reference to “Plaintiff Attachment 1”, as there is no attachment. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.-Corpus Christi 1996, orig. proceeding).

INTERROGATORY NO. 2: Identify the document of title conveying legal capacity to such PATRICIA MOORE BARCLAY to bring about such transfer of title (Plaintiff Attachment 1).

ANSWER:

Plaintiff objects to the foregoing interrogatory as vague and unclear, as “legal capacity” is not defined. Moreover, Plaintiff further objects to Defendant’s reference to “Plaintiff Attachment 1”, as there is no attachment. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.-Corpus Christi 1996, orig. proceeding).

INTERROGATORY NO. 3: IDENTIFY the document of title conveying legal capacity to such JAMES T. MOORE III to bring about such transfer of title (Plaintiff Attachment 1).

ANSWER:

Plaintiff objects to the foregoing interrogatory as vague and unclear, as “legal capacity” is not defined. Moreover, Plaintiff further objects to Defendant’s reference to “Plaintiff Attachment 1,” as there is no attachment. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.-Corpus Christi 1996, orig. proceeding).

CAUSE NO. 22-00105

CSD VAN ZANDT LLC
Plaintiff

§
§
§
§
§
§
§

IN THE DISTRICT COURT

v.

294TH JUDICIAL DISTRICT

UDO BIRNBAUM
Defendant

VAN ZANDT COUNTY, TEXAS

VERIFICATION OF ROBERT O. DOW

BEFORE ME the undersigned authority personally appeared Robert O. Dow who swore or affirmed to tell the truth and stated as follows:

1. "My name is Robert O. Dow. I am over the age of eighteen, of sound mind, and capable of making this Verification. I am fully authorized to make the statements contained herein. I have personal knowledge of the facts herein stated and the same are true and correct for all purposes.

2. I have reviewed *Plaintiff's Response to First Set of Interrogatories to CSD Van Zandt LLC* and have personal knowledge of all the facts contained therein, which are true and correct. I understand that any false statements made in this Verification will subject me to penalties of perjury."

AFFIANT FURTHER SAYETH NOT.



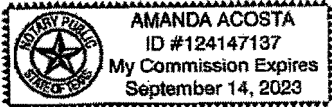
Robert O. Dow

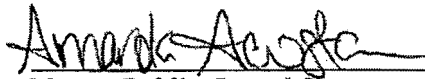
STATE OF TEXAS

§
§
§

COUNTY OF DALLAS

SWORN and SUBSCRIBED before me, the undersigned authority on this the 10th day of November 2022 by Robert O. Dow.




Notary Public, In and for
The State of Texas
My Commission Expires: 9/14/2023

REQUEST FOR PRODUCTION:
For production of claimed
"regular chain of title"

CAUSE NO. 22-00105

CSD VAN ZANDT LLC
Plaintiff/Counter Defendant

v. \$ IN THE DISTRICT COURT

UDO BIRNBAUM
Defendant/Cross Plaintiff \$ 294TH JUDICIAL DISTRICT

v.

ROBERT O. DOW, \$
COREY KELLAM \$
CELIA C. FLOWERS \$ VAN ZANDT COUNTY, TX
VAN ZANDT COUNTY
Cross Defendants

FIRST REQUEST FOR PRODUCTION TO CSD VAN ZANDT LLC

PLEASE NOTE: Standard rules apply: responses to be verified, answers to be preceded by the question, 30 days, etc. Also RCP 197.2 Response to Interrogatories (d) Verification required; A responding party - **not an agent or attorney** as otherwise permitted by Rule 14 - must sign the answers under oath

PRODUCTION NO. 1:

Such documents as CSD Van Zandt LLC in paragraph 15 of Plaintiff's First Amended Original Petition claims show Plaintiff obtaining title to the 148.12 acre Premises "via a regular chain of conveyance from the sovereign", and specifically documents showing passage of conveyance of title through the 2021 belated probate by LISA L. GIROT of intestate GWENDOLYN WRIGHT THIBODEAUX estate of 2006, and further through the 2019 estate of LOUIS THIBODEAUX unto LISA L. GIROT.

(i.e. "15. Plaintiff obtained title to the Property via a regular chain of conveyance from the sovereign, as explained hereinabove."

PRODUCTION NO. 2:

Such deed, if any, conveying title to LISA GIROT, to have title to convey.

PRODUCTION NO. 3:

Such deed, if any, conveying title to PATRICIA MOORE BARCLAY, to have title to convey.

PRODUCTION NO. 4:

Such deed, if any, conveying title to JAMES T. MOORE III, to have title to convey.

UDO BIRNBAUM, *Pro Se*
540 VZ County Road 2916
Eustace, TX 75124
903 802-9669

Certificate of Service Nov. 25, 2022
CMRR 7021 2720 0002 2602 3268
Katryna R. Watkins, Flowers Davis
1021 ESE Loop 323, Suite 200
Tyler, TX 75701

REQUEST FOR PRODUCTION:
RESPONSE: Lawyer gobbledygook
- claiming not to understand.
PATHETIC

CAUSE NO. 22-00105

CSD VAN ZANDT LLC
Plaintiff

§
§
§
§
§
§
§

IN THE DISTRICT COURT

v.

294TH JUDICIAL DISTRICT

UDO BIRNBAUM
Defendant

VAN ZANDT COUNTY, TEXAS

**PLAINTIFF'S RESPONSE TO FIRST REQUEST FOR PRODUCTION
TO CSD VAN ZANDT LLC**

TO: Udo Birnbaum, Pro Se, located at 540 VZ County Road 2916, Eustace, Texas 75124.

COMES NOW, Plaintiff, CSD VAN ZANDT LLC, (hereinafter "Plaintiff") and files its *Response to First Request for Production to CSD Van Zandt LLC* pursuant to the Texas Rules of Civil Procedure.

Respectfully submitted,

FLOWERS DAVIS, P.L.L.C.
1021 ESE Loop 323, Suite 200
Tyler, Texas 75701
(903)534-8063 Phone
(903)534-1650 Fax

/s/ Katryna R. Watkins
KATRYNA R. WATKINS
State Bar No. 24106554
krw@flowersdavis.com

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this instrument was served on all parties of record via electronic service manager on the 30th day of December 2022.

/s/ Katryna R. Watkins
KATRYNA R. WATKINS

RESPONSE TO FIRST REQUEST FOR PRODUCTION

PRODUCTION NO. 1: Such documents as CSD Van Zandt LLC in paragraph 15 of Plaintiffs First Amended Original Petition claims show Plaintiff obtaining title to the 148.12 acre Premises "via a regular chain of conveyance from the sovereign", and specifically documents showing passage of conveyance of title through the 2021 belated probate by LISA L. GIROT of intestate GWENDOLYN WRIGHT THIBODEAUX estate of 2006, and further through the 2019 estate of LOUIS THIBODEAUX unto LISA L. GIROT.

(i.e. "15. Plaintiff obtained title to the Property via a regular chain of conveyance from the sovereign, as explained hereinabove."

RESPONSE: Plaintiff objects to the foregoing request as lacking specificity as Defendant does not identify the probate causes involving Gwendolyn Thibodeaux and Louis Thibodeaux to which he refers. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.--Corpus Christi 1996, orig. proceeding). Subject thereto, all documents responsive to this request have been produced.

PRODUCTION NO. 2: Such deed, if any, conveying title to LISA GIROT, to have title to convey.

RESPONSE: Plaintiff objects to the foregoing request as vague and unclear as Plaintiff cannot determine to which property or properties the above-mentioned deed or title refer. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.--Corpus Christi 1996, orig. proceeding). Subject thereto, all documents responsive to this request have been produced.

PRODUCTION NO. 3: Such deed, if any, conveying title to PATRICIA MOORE BARCLAY, to have title to convey.

RESPONSE: Plaintiff objects to the foregoing request as vague and unclear as Plaintiff cannot determine to which property or properties the above-mentioned deed or title refer. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.--Corpus Christi 1996, orig. proceeding). Subject thereto, all documents responsive to this request have been produced.

PRODUCTION NO. 4: Such deed, if any, conveying title to JAMES T. MOORE III, to have title to convey.

RESPONSE: Plaintiff objects to the foregoing request as vague and unclear as Plaintiff cannot determine to which property or properties the above-mentioned deed or title refer. *See Davis v. Pate*, 915 S.W.2d 76, 79 n.2 (Tex. App.--Corpus Christi 1996, orig. proceeding). Subject thereto, all documents responsive to this request have been produced.