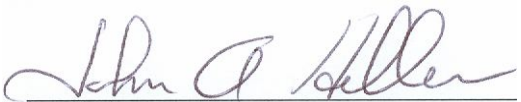


Respectfully submitted,

PLUNKETT & GIBSON, INC.

By: 

John A. Heller.

State Bar No. 09394600

Renaissance Plaza

70 N.E. Loop 410, Suite 1100

San Antonio, Texas 78216

Telephone No.: (210) 734-7092

TelecopierNo.: (210) 734-0379

ATTORNEYS FOR DEFENDANT,
LINDA LITOWSKY

CERTIFICATE OF SERVICE

This is to certify that on the 11th day of September 2009, a copy of the foregoing document has been forwarded by certified mail, return receipt requested, to:

David P. Griffin
P.O. Box 1013
Johnson City, TX 78636
Plaintiff Pro Se

via CMRRR #71603901984832499298

Robin Sanders
Assistant City Attorney
City of Austin Law Department
P.O. Box 1546
Austin, Texas 78767-1546
Attorney for City of Austin & Rondella Hawkins



John A. Heller

INTERROGATORIES

Defendant generally objects to "Plaintiff's Interrogatories to Defendant" in that Plaintiff has not properly propounded interrogatories under the Texas Rules of Civil Procedure. The Rule numbers that Plaintiff references do not correspond with any rules related to discovery requests. To the extent that Plaintiff has propounded discovery to Defendant under the Federal Rules of Procedure; Plaintiff fails to properly propound discovery to Defendant. Defendant is not obligated under the Rules to respond (or object) to the Interrogatories sent by Plaintiff. Should Plaintiff redirect the Interrogatories or Request for Production, Defendant will respond under the Rules of Procedure.

Defendant objects to "Plaintiff's Interrogatories to Defendant" on the grounds that any such "interrogatories" seek the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure.

Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a).

Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a)

Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and R.E. 503(b).

Defendant objects to any interrogatory seeking information or documents covered by the consulting expert exception as violating Rule 192.3(e).

Defendant objects to propounding party's definitions and instructions to the extent they purport to place duties and requirements on Respondent that exceed those required by the Rules in violation of Rule 192.3(a).

Defendant objects to the definition of "document" on the grounds that it is overly broad and exceeds the permissible scope of discovery permitted by the Rules in violation of Rule 192.3. Respondent further objects to the extent the definition seeks documents and information that are irrelevant to any material issue in this lawsuit in violation of Rule 192.3.

Defendant objects to the definition of "identify" and "identifying" on the grounds that it is overly broad and exceeds the permissible scope of discovery permitted by the Rules in violation of Rule 192.3(b).

INTERROGATORY NO.1:

State your full name, any former names or aliases, address, date of birth, marital status and social security number.

ANSWER:

Defendant objects to this Interrogatory on the grounds that the matters upon which Plaintiff is seeking information are irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3 and because it impermissibly invades the personal privacy rights of Defendant in violation of the common law of Texas, Rules 192.3 and 192.6, and the Texas Constitution. Seeking the Defendant's personal information such as date of birth, marital status, address and social security number is beyond the scope of any cause of action pled against this individual.

Subject to and without waiving any objection, Plaintiff can refer to Plaintiff's Original Petition wherein Plaintiff has recited a name and an address for this Defendant.

INTERROGATORY NO.2:

State all addresses at which you have resided for the past ten years, and the dates thereof.

ANSWER:

Defendant objects to this Interrogatory on the grounds that the matters upon which Plaintiff is seeking information are irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3 and because it impermissibly invades the personal privacy rights of Respondent in violation of the common law of Texas, Rules 192.3 and 192.6, and the Texas Constitution. Seeking the Defendant's personal information such as previous addresses is beyond the scope of any cause of action pled against this individual.

Subject to and without waiving any objection, Plaintiff can refer to Plaintiff's Original Petition wherein Plaintiff has recited a name and an address for this Defendant.

INTERROGATORY NO.3:

If anyone investigated this matter for you including, but not limited to, medical experts, private investigators or insurance adjusters, state their name(s) and addressees), and state whether such investigation was reduced to writing, and the substance of their investigation and findings. If said [sic]

ANSWER:

Defendant objects to this Interrogatory on the grounds that the term "matter" is vague and ambiguous in violation of Rule 192.3 and Respondent is thus unable to respond. Plaintiff has not defined "matter" or given any indication of to what matter he is referencing. In a suit against multiple defendants, it is not clear, in reference to any potential claim against this Defendant, what "matter" Plaintiff may be inquiring about. Plaintiff's Interrogatory

terminates in mid-sentence and therefore fails to properly set forth a valid interrogatory. Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and RE. 503(b). Defendant objects to any interrogatory seeking information or documents covered by the consulting expert exception as violating Rule 192.3(e).

INTERROGATORY NO.4:

[sic] investigators obtained any signed, recorded, transcribed or oral statement from any individual, identify the person who gave the statement and the present custodian of such statement. Identify each person interviewed concerning the incident. For each such person state the date of the interview; the substance of the interview and if the interview was recorded and/or transcribed.

ANSWER:

Defendant objects to this Interrogatory on the grounds that the term "incident" is vague and ambiguous in violation of Rule 192.3 and Respondent is thus unable to respond. Plaintiff has not defined "incident" or given any indication of what incident he is referencing. In a suit against multiple defendants, it is not clear, in reference to any potential claim against this defendant, what "incident" Plaintiff may be inquiring about. Plaintiff's Interrogatory commences in mid-sentence and therefore fails to properly set forth a valid interrogatory. Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and RE. 503(b). Defendant objects to any interrogatory seeking information or documents covered by the consulting expert exception as violating Rule 192.3(e).

INTERROGATORY NO.5:

Please furnish all reports that you personally have made to the board concerning Public Access Community Television (PACT) and this matter.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on

the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and RE. 503(b). Defendant objects to this Interrogatory on the grounds that the term "matter" is vague and ambiguous in violation of Rule 192.3 and Respondent is thus unable to respond. Plaintiff has not defined "matter" or given any indication of what issue he is referencing. In a suit against multiple defendants, it is not clear, in reference to any potential claim against this Defendant, what "matter" Plaintiff may be inquiring about.

INTERROGATORY NO.6:

Please explain what you know about the reason for Garry Wilkison no longer being with Public Access Community Television (PACT).

ANSWER:

Defendant objects to this Interrogatory on the grounds that the response is irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3 and because it impermissibly invades the personal privacy rights of Respondent and Defendant Wilkison in violation of the common law of Texas, Rules 192.3 and 192.6, and the Texas Constitution. Plaintiff has not articulated any cause of action in which the details of Garry Wilkison's separation from employment would be relevant or would lead to information relevant to any cause of action as pled by the Plaintiff. This Defendant was not the employer of Garry Wilkison and this request is more properly addressed to Defendant PACT, his employer.

INTERROGATORY NO.7:

Please furnish all documents from VSA Arts of Texas concerned with work for hire and/or freelance work with Public Access Community Television (PACT).

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3.

Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and R.E. 503(b). This Defendant is not Defendant PACT and this request is more properly addressed to PACT. Although this Defendant may have access to some such documents, it is not under this Defendant's control for purposes of producing such documents. Defendant further objects on the grounds that information regarding any relationship or business dealings between PACT and VSA Arts is confidential between the parties.

INTERROGATORY NO.8:

Please explain why Public Access Television changed their name and reorganized on June 30, 2008.

ANSWER:

Defendant objects to this Interrogatory on the grounds that the interrogatory is irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3 and because it impermissibly invades the personal privacy rights of Defendant PACT in violation of the common law of Texas, Rules 192.3 and 192.6. Plaintiff has not articulated any cause of action in which the details of a change of name for Defendant PACT or its reorganization would be relevant or would lead to information relevant to any cause of action as pled by the Plaintiff. This request is more properly addressed to Defendant PACT.

INTERROGATORY NO.9:

Please produce a list and/or log of all employees employed by Public Access Community Television (PACT) from January 1, 2006 to present, including their name, address, phone numbers and position of employment.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in

violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it impermissibly invades the personal privacy rights of individuals not a party to this litigation in violation of the common law of Texas, Rules 192.3 and 192.6, and the Texas Constitution. Plaintiff has not articulated any cause of action in which personal information of non-parties would be relevant or would lead to information relevant to any cause of action as pled by the Plaintiff. This Defendant is not Defendant PACT and this request is more properly addressed to PACT. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents. Defendant further objects to any requests for Defendant to create documents not already in existence and as such, is unduly burdensome in violation of Rule 192.6(b) and is not required by the Rules in violation of Rule 192.3(b). *See In re Colonial Pipeline Co.*, 968 S.W.2d 938, 942 (Tex. 1998); *McKinney v. National Union Fire Ins. Co.*, 772 S.W.2d 72, 73 n.2 (Tex. 1989); *Smith v. O'Neal*, 850 S.W.2d 797, 799 (Tex. App.-Houston [14th Dist.] 1993, no writ). Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and RE. 503(b).

INTERROGATORY NO. 10:

Please produce a list and/or log of all donations and grants given to Public Access Community Television (PACT) from January 1,2006 to present and their current location.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it impermissibly invades the personal privacy rights of individuals not a party to this litigation in violation of the common law of Texas, Rules 192.3 and 192.6, and the Texas Constitution. Plaintiff has not articulated any cause of action in which personal information of non-parties would be relevant or would lead to information relevant to any cause of action as pled by the Plaintiff. This Defendant is not Defendant PACT and this request is more properly addressed to PACT. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents. Defendant further objects to any requests for Defendant to create documents not already in existence and as such, is unduly burdensome in violation of Rule 192.6(b) and is not required by the Rules in violation of Rule 192.3(b). *See In re*

Colonial Pipeline Co., 968 S.W.2d 938, 942 (Tex. 1998); *McKinney v. National Union Fire Ins. Co.*, 772 S.W.2d 72, 73 n.2 (Tex. 1989); *Smith v. O'Neal*, 850 S.W.2d 797, 799 (Tex. App.-Houston [14th Dist.] 1993, no writ). Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and R.E. 503(b).

INTERROGATORY NO. 11:

Please produce a list and/or log of all assets sold by Public Access Community Television (PACT) from January 1, 2006.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it impermissibly invades the personal privacy rights of individuals not a party to this litigation in violation of the common law of Texas, Rules 192.3 and 192.6, and the Texas Constitution. Plaintiff has not articulated any cause of action in which personal information of non-parties would be relevant or would lead to information relevant to any cause of action as pled by the Plaintiff. This Defendant is not Defendant PACT and this request is more properly addressed to PACT. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents. Defendant further objects to any requests for Defendant to create documents not already in existence and as such, is unduly burdensome in violation of Rule 192.6(b) and is not required by the Rules in violation of Rule 192.3(b). *See In re Colonial Pipeline Co.*, 968 S.W.2d 938, 942 (Tex. 1998); *McKinney v. National Union Fire Ins. Co.*, 772 S.W.2d 72,73 n.2 (Tex. 1989); *Smith v. O'Neal*, 850 S.W.2d 797, 799 (Tex. App.-Houston [14th Dist.] 1993, no writ). Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and R.E. 503(b).

INTERROGATORY NO. 12:

Please produce a list and/or log of all donations that you have personally given to Public Access Community Television (PACT) from January 1, 2006.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it impermissibly invades the personal privacy rights of individuals not a party to this litigation in violation of the common law of Texas, Rules 192.3 and 192.6, and the Texas Constitution. Plaintiff has not articulated any cause of action in which personal information of this Defendant or non-parties would be relevant or would lead to information relevant to any cause of action as pled by the Plaintiff. Defendant further objects to any requests for Defendant to create documents not already in existence and as such, is unduly burdensome in violation of Rule 192.6(b) and is not required by the Rules in violation of Rule 192.3(b). *See In re Colonial Pipeline Co.*, 968 S.W.2d 938, 942 (Tex. 1998); *McKinney v. National Union Fire Ins. Co.*, 772 S.W.2d 72, 73 n.2 (Tex. 1989); *Smith v. O'Neal*, 850 S.W.2d 797, 799 (Tex. App.-Houston [14th Dist.] 1993, no writ). Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Defendant in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and R.E. 503(b).

INTERROGATORY NO. 13:

Please produce a list of all work for hire/freelance work that you have done while working for Public Access Community Television from January 1, 2006 to present.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in

violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it impermissibly invades the personal privacy rights of individuals not a party to this litigation in violation of the common law of Texas, Rules 192.3 and 192.6, and the Texas Constitution. Plaintiff has not articulated any cause of action in which personal information of this Defendant or non-parties would be relevant or would lead to information relevant to any cause of action as pled by the Plaintiff. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents. Defendant further objects to any requests for Defendant to create documents not already in existence and as such, is unduly burdensome in violation of Rule 192.6(b) and is not required by the Rules in violation of Rule 192.3(b). See *In re Colonial Pipeline Co.*, 968 S.W.2d 938, 942 (Tex. 1998); *McKinney v. National Union Fire Ins. Co.*, 772 S.W.2d 72, 73 n.2 (Tex. 1989); *Smith v. O'Neal*, 850 S.W.2d 797, 799 (Tex. App.-Houston [14th Dist.] 1993, no writ). Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and RE. 503(b).

INTERROGATORY NO. 14:

Please furnish all insurance documents and policies that Public Access Community Television (PACT) has had from the inception of its contract with the City of Austin to the present.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. This Defendant is not Defendant PACT and this request is more properly addressed to PACT. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents. Defendant objects to this Interrogatory on the grounds that it seeks information more properly set forth in a properly propounded Request for Disclosure. See Defendant's Responses to Plaintiff's Request for Disclosures.

INTERROGATORY NO. 15:

Please furnish all data stored in Facil including back up copies that are kept off site from January I, 2006 to present.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and RE. 503(b). This Defendant is not Defendant PACT and this request is more properly addressed to PACT. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents. Defendant also objects to the interrogatory seeking information that is personal or confidential and involving non-parties.

INTERROGATORY NO. 16:

Please furnish all financial records for Public Access Community Television from January 1, 2006 to present.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and RE. 503(b). This Defendant is not Defendant PACT and this request is more properly addressed to PACT. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes

of producing such documents. Defendant also objects to the interrogatory seeking information that is personal or confidential.

INTERROGATORY NO. 17:

Supply a copy of any letter or documents sent by you, your attorneys, representatives, employees, or any individual to the web hosting company known as Hostica.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. This Defendant is not Defendant PACT and this request is more properly addressed to PACT. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents. Defendant objects to this Interrogatory on the grounds that it is vague and fails to properly advise as to the meaning of "employee" or "representative" in that Defendant is an individual and not a business entity. Defendant objects to this Interrogatory on the grounds that it is overbroad in that it seeks documents sent by "any individual."

INTERROGATORY NO. 18:

Please list all parties including all attorneys, representatives, employees, or any individual associated for or with Public Access Community Television (PACT).

ANSWER:

Defendant objects to this Interrogatory on the grounds that the term "parties" is vague and ambiguous in violation of Rule 192.3 and Respondent is thus unable to respond. Plaintiff has not defined "parties" or given any indication of to what individual he is referencing. The term "parties" would commonly mean parties to the lawsuit; in which case the "parties" were set forth by Plaintiff in Plaintiff's Original Petition, rendering the interrogatory unnecessary and more properly addressed in Responses to Plaintiff's Request for Disclosure. (See Defendant's Response to Plaintiff's Request for Disclosures.) To the extent Plaintiff seeks to redefine "parties to include "attorneys, representatives, employees, or any individual associated for or with Public Access Community Television (PACT)" then the request is vague, ambiguous and burdensome to Defendant. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. This Defendant is not Defendant PACT and this request might more properly be addressed to PACT. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents. Defendant objects to this

Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and R.E. 503(b).

Subject to and without waiving any objection, Plaintiff should refer to Plaintiff's Original Petition and Defendant's Responses to Request for Disclosures.

INTERROGATORY NO. 19:

Please furnish all information about the Avid Editing Systems at Public Access Community Television (PACT) who uses them, and the exact amount of funds spent by Public Access Community Television (PACT) for Avid equipment, accessories, or supplies.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad, vague and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and R.E. 503(b). This Defendant is not Defendant PACT and this request is more properly addressed to PACT. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents.

INTERROGATORY NO. 20:

Please furnish a complete list of all Public Access Community Television (PACT) Producers, their full legal names, address, and phone numbers.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it impermissibly invades the personal privacy rights of individuals not a party to this litigation in violation of the common law of Texas, Rules 192.3 and 192.6, and the Texas Constitution. Plaintiff has not articulated any cause of action in which personal information of non-parties would be relevant or would lead to information relevant to any cause of action as pled by the Plaintiff. This Defendant is not Defendant PACT and this request **if** more properly addressed to PACT. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents. Defendant further objects to any requests for Defendant to create documents not already in existence and as such, is unduly burdensome in violation of Rule 192.6(b) and is not required by the Rules in violation of Rule 192.3(b). *See In re Colonial Pipeline Co.*, 968 S.W.2d 938, 942 (Tex. 1998); *McKinney v. National Union Fire Ins. Co.*, 772 S.W.2d 72, 73 n.2 (Tex. 1989); *Smith v. O'Neal*, 850 S.W.2d 797, 799 (Tex. App.-Houston [14th Dist.] 1993, no writ). Defendant objects to responding to any interrogatory seeking information or documents covered by the attorney work product privilege as violating Rule 192.5(a). Defendant objects to responding to any interrogatory seeking information or documents prepared by Respondent in anticipation of litigation and covered by the investigative privilege as violating Rule 192.5(a). Defendant objects to any interrogatory seeking information or documents covered by the attorney/client communication privilege as violating Rule 192.3 and RE. 503(b).

INTERROGATORY NO. 21:

Please furnish all documentation concerning Kevin Muir, Author of the Employee Termination Guidebook.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it impermissibly invades the personal privacy rights of individuals not a party to this

litigation in violation of the common law of Texas, Rules 192.3 and 192.6, and the Texas Constitution. Plaintiff has not articulated any cause of action in which personal information of non-parties would be relevant or would lead to information relevant to any cause of action as pled by the Plaintiff. This Defendant is not Defendant PACT and this request is more properly addressed to PACT. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents. Defendant further objects to any requests for Defendant to create documents not already in existence and as such, is unduly burdensome in violation of Rule 192.6(b) and is not required by the Rules in violation of Rule 192.3(b). *See In re Colonial Pipeline Co.*, 968 S.W.2d 938, 942 (Tex. 1998); *McKinney v. National Union Fire Ins. Co.*, 772 S.W.2d 72, 73 n.2 (Tex. 1989); *Smith v. O'Neal*, 850 S.W.2d 797, 799 (Tex. App.-Houston [14th Dist.] 1993, no writ).

INTERROGATORY NO. 22:

Please explain what you know about the reason for Garry Wilkison no longer being employed with Public Access Community Television (PACT).

ANSWER:

Defendant objects to this Interrogatory on the grounds that the response is irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3 and because it impermissibly invades the personal privacy rights of Respondent in violation of the common law of Texas, Rules 192.3 and 192.6, and the Texas Constitution. Plaintiff has not articulated any cause of action in which the details of Garry Wilkison's separation from employment would be relevant or would lead to information relevant to any cause of action as pled by the Plaintiff. This Defendant was not the employer of Garry Wilkison and this request is more properly addressed to PACT, his former employer.

INTERROGATORY NO. 23:

Please supply all audio records of telephone conversations between the City of Austin and Public Access Community Television (PACT) concerning David P. Griffin that is either in your possession or that of your associates or employees or other individuals including but not limited to, Stefan Ray.

ANSWER:

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that it seeks documents irrelevant to any material issue in this lawsuit and not calculated to lead to the discovery of admissible evidence in violation of Rule 192.3. Defendant objects to this Interrogatory on the grounds that it is overly broad and global, not properly limited in time, scope, and relation to the facts at issue in this lawsuit in

violation of Rule 192.3. This Defendant is not Defendant PACT or Defendant City of Austin and this request is more properly addressed to PACT of City of Austin. Although this Defendant may have access to such documents, it is not under this Defendant's control for purposes of producing such documents. This Defendant is an individual and does not have "employees." The term "associates" is not defined and therefore as related to this Defendant is vague and ambiguous in violation of Rule 192.3 and Respondent is thus unable to respond.

INTERROGATORY NO. 24:

For any testifying expert:

- (a) the expert's name, address, and telephone number;
- (b) the subject matter on which the expert will testify;
- (c) the general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or if the expert is not retained by, employed by, or otherwise subject to control of the responding party, documents reflecting such information;
- (d) if the expert is retained by, employed by, or otherwise subject to the control of the responding party:
 - (1) all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and
 - (2) the expert's current resume and bibliography.

ANSWER:

No experts have been identified to date.

INTERROGATORY NO. 25:

Any indemnity and insuring agreements described in Rule 192.3(1) which states "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."

ANSWER:

Defendant objects to this Interrogatory on the grounds that it is more properly addressed in Responses to Plaintiff's Request for Disclosure. (See Defendant's Response to Plaintiff's Request for Disclosures.)

Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure.

INTERROGATORY NO. 26:

Any settlement agreements described in Rule 192.3(g) which states "A party may obtain discovery of the existence and contents of any relevant portions of a settlement agreement. Information concerning a settlement agreement is not by reason of disclosure admissible in evidence at trial."

ANSWER:

Defendant objects to this Interrogatory on the grounds that it is more properly addressed in Responses to Plaintiff's Request for Disclosure. (See Defendant's Response to Plaintiff's Request for Disclosures.) Defendant objects to this Interrogatory on the grounds that it seeks the production of documents which is more properly made the subject of a properly propounded request for production under the Rules of Civil Procedure. Defendant objects to this Interrogatory on the grounds that the interrogatories contain multiple questions, compound questions, and subparts that necessitate more than 25 answers to interrogatories in violation of Rule 190.2 (Level 1)/190.3 (Level II).