

BAT WORLD SANCTUARY and  
AMANDA LOLLAR,

Plaintiffs,

vs.

MARY CUMMINS,

Defendant Pro se

IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

352nd JUDICIAL DISTRICT

**DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DISCOVERY  
DOCUMENTS FROM PLAINTIFFS AND REQUEST FOR SANCTIONS**

TO THE HONORABLE JUDGE OF SAID COURT:

Mary Cummins, Defendant Pro se, files this motion to compel production of discovery documents and to request sanctions, and in support shows the following:

**I. SUMMARY**

1. November 17, 2011 Defendant served on Plaintiffs Defendant's Third Request for Production (Exhibit 1).

2. December 16, 2011 Plaintiffs sent Defendant Plaintiffs' Answers and Objections to Defendant's Third Request for Production (Exhibit 2). Plaintiffs have again refused to turn over any discovery documents for one frivolous reason or another. Defendant is legally entitled to the following discovery items. These items are needed in order to prepare for trial.

a. Defendant's request 3, "Copy of vet records for all Bat World Sanctuary animals which were seen by Dr. Tad Jarrett 2010 to present." Plaintiffs have objected stating that it would be "unduly burdensome and expensive to do so. Plaintiff will produce for inspection at her attorney's office" in "Hurst, Texas."

1 Plaintiffs and Defendant are both wildlife rehabilitators with sanctuary animals and  
2 pets. Defendant's veterinarian keeps Defendant's veterinary records in one folder in his  
3 office. A veterinarian legally must provide these documents to their client on request at  
4 no charge. There would be no expense or burden for Plaintiffs to mail a copy of these  
5 records. There would be great burden and expense for Defendant to have to fly to Texas  
6 to inspect and copy the documents. Plaintiff stated in her November 8, 2011 deposition  
7 that she would be able to provide these documents if asked.

8 Defendant has stated that Plaintiff does not provide proper veterinary care.  
9 Defendant is being sued for defamation. Plaintiff contends that they do provide proper  
10 veterinary care. Therefore it is imperative that Defendant obtain copies of Plaintiffs'  
11 veterinary records to verify if there was proper veterinary care or not.

12 b. Defendant's request 4, "Copy of receipts for purchases of drugs from Dr. Tad  
13 Jarrett." Plaintiffs have objected stating it would be "unduly burdensome and expensive  
14 to do so. Plaintiff will produce for inspection at her attorney's office" in "Hurst, Texas."

15 A veterinarian legally must provide these documents to their client on request at no  
16 charge. There would be no expense or burden for Plaintiffs to mail a copy of these  
17 records. There would be great burden and expense for Defendant to have to fly to Texas  
18 to inspect and copy the documents.

19 Defendant has stated that Plaintiffs receive drugs such as Isoflurane, baytril,  
20 clavamox, dexamethasone and other drugs from Dr. Tad Jarrett. Defendant needs to  
21 see the receipts to see if the drugs were indeed supplied legally or properly. Defendant  
22 has stated that Plaintiff Amanda Lollar is not obtaining or using drugs legally. Defendant  
23 is being sued for defamation for stating this. Plaintiff contends that they receive their  
24 drugs legally. Plaintiff stated in her November 8, 2011 that she would be able to provide  
25 these documents if asked.

1 c. Defendant's request 5, "Proof of rabies vaccination booster for the last two years  
2 for Larry Crittenden, Amanda Lollar and Jannette Villareal from Dr. Bailey." Plaintiffs  
3 have objected stating it would be "an invasion of privacy and not reasonably calculated  
4 to lead to the discovery of admissible evidence."

5 "Proof of rabies vaccination" is not private information. They are documents which  
6 one must show to authorities or others when asked if traveling abroad or working with  
7 rabies vector species such as bats. Plaintiffs asked for proof of vaccination cards from  
8 interns.

9 Defendant has stated that Defendant does not believe that Larry Crittenden, Amanda  
10 Lollar and Jannette Villareal have their rabies vaccination or booster shots. Plaintiff  
11 stated in her November 8, 2011 that she would be able to provide these documents if  
12 asked. Defendant is being sued for defamation for stating she doesn't believe they have  
13 their vaccinations. Defendant must see if Plaintiffs have proof of rabies vaccinations or  
14 not.

15 d. Defendant's request 6, "name of all interns at Bat World Sanctuary in 2010 with  
16 exact dates when they arrived and departed including email address, home address  
17 and phone numbers." Plaintiffs have objected stating "this request is vague, over broad  
18 and does not sufficiently identify the particular documents or tangible things being  
19 requested."

20 Defendant needs the names of the other interns who attended the summer 2010  
21 internship which Defendant attended. Defendant needs to identify these witnesses who  
22 may have also witnessed what Defendant witnessed at Bat World Sanctuary. Plaintiff  
23 stated in her November 8, 2011 deposition that she would be able to provide this  
24 information if asked. Each intern had to fill out an application form with all of their  
25 contact information. Defendant needs these forms.

1 e. Defendant's request 7, "list of everyone who was at Bat World Sanctuary May 25,  
2 2010 and had access to Bat World Sanctuary's ISP and/or computers." Plaintiffs have  
3 objected stating "it is vague, over broad, and does not sufficiently identify the particular  
4 documents or tangible things being requested."

5 Defendant was extorted via the Internet May 25, 2011 by someone using the ISP, IP  
6 and computer at Bat World Sanctuary. Defendant needs to know who was at Bat World  
7 Sanctuary at that time to try to identify who extorted Defendant.

8 Defendant is being sued for defamation for stating that she was extorted by someone  
9 at Bat World Sanctuary. Defendant needs the name of the person who extorted  
10 Defendant and possible witnesses. Plaintiffs have the application form of all interns.  
11 Their intern dates are circled on the form. Defendant needs these forms.

12 f. Defendant's request 8, "Copy of 1994 manual written by Amanda Lollar  
13 'Rehabilitation and captive care of Mexican free-tail bats.'" Plaintiffs have objected  
14 stating it would be "unduly burdensome and expensive to do so. Plaintiffs will produce  
15 for inspection at her attorney's office at" "Hurst, Texas."

16 Plaintiffs' manual is supposedly a 53 page pdf file or 53 pages printed. It would not  
17 be "unduly burdensome and expensive" to email the pdf file or mail a 53 page  
18 document. There would be great burden and expense for Defendant to have to fly to  
19 Texas to inspect and copy the documents.

20 Defendant is being sued for defamation for stating that Plaintiff has committed  
21 animal cruelty and neglect. In Plaintiffs' manual she recommends freezing bats to death.  
22 The American Veterinary Medical Association and Minimum Standards for Wildlife  
23 Rehabilitation have both stated that freezing animals to death is inhumane animal  
24 cruelty. Plaintiffs manual is out of print. A copy can only be obtained from Plaintiff. In  
25

1 Plaintiff's November 8, 2011 deposition Plaintiff stated she would be able to provide a  
2 copy to Defendant.

3 g. Defendant's request 9, "Copy of physical evidence mentioned by Amanda Lollar in  
4 her November 8, 2011 deposition which shows that 'Mary Cummins was convicted of  
5 crimes.'" Plaintiffs have objected stating "it is vague, over broad, and does not  
6 sufficiently identify the particular documents or tangible things being requested."

7 In Plaintiff's November 8, 2011 deposition Plaintiff stated that she had physical  
8 evidence which showed that Defendant had been convicted of crimes. Plaintiff stated  
9 she would be able to provide this information, data, documents if asked by Defendant.

10 h. Defendant's request 10, "Copy of physical evidence mentioned by Amanda Lollar  
11 in her November 8, 2011 deposition which shows that 'Mary Cummins hacked the email  
12 of Suzy.'" Plaintiffs have objected stating "it is vague, over broad, and does not  
13 sufficiently identify the particular documents or tangible things being requested."

14 In Plaintiff's November 8, 2011 deposition Plaintiff stated that she had physical  
15 evidence to show that Defendant "hacked the email of Suzy." Plaintiff stated she would  
16 be able to provide this information, data, document if asked by Defendant.

17 i. Defendant's request 11, "Photos of bats taken at Bat World Sanctuary which show  
18 bats with white substance on their bodies which were sent to Donna Robbins of the City  
19 of Mineral Wells." Plaintiffs have objected stating "it is unduly burdensome and  
20 expensive to do so. Plaintiff will produce for inspection at her attorney's office" at "Hurst,  
21 Texas."

22 Plaintiff Amanda Lollar emailed two or three digital photos to Donna Robbins of the  
23 Health Department in the City of Mineral Wells. Plaintiff thought her Mexican free-tail  
24 bats may have White Nose Syndrome even though Mexican free-tail bats migrate and  
25 do not hibernate in caves which the fungus thrives. It would not be "unduly burdensome

1 and expensive” to email the two or three digital photos in question. There would be  
2 great burden and expense for Defendant to have to fly to Texas to inspect and copy the  
3 documents.

4 In Plaintiff’s November 8, 2011 deposition Plaintiff stated that she had the photos.  
5 Plaintiff stated she would be able to provide the photos if asked by Defendant.

6 j. Defendant’s request 12, “Home/work address, phone numbers, email addresses of  
7 all members of board of directors of Bat World Sanctuary mentioned in AmandaLollar’s  
8 deposition on November 8, 2011 specifically Michelle McCaulley, Dottie Hyatt, denise  
9 Tomlinson and Kate Rugroden.” Plaintiffs have objected stating “this request is vague,  
10 overbroad, and does not sufficiently identify the particular documents or tangible things  
11 being requested.”

12 Plaintiff provided the names of Plaintiffs’ board of directors in her November 8, 2011  
13 deposition. Plaintiff stated in her deposition she would be able to provide the contact  
14 information of the board of directors if asked by Defendant. Plaintiff has the contact  
15 information of all board of directors on their Bat World Sanctuary membership  
16 applications and documents.

17 Defendant is being sued by Bat World Sanctuary for defaming Bat World Sanctuary.  
18 Defendant must know who is Bat World Sanctuary and who was supposedly defamed.

19 k. Defendant’s request 13, “receipt for purchase of human rabies vaccination booster  
20 mentioned in Amanda Lollar’s deposition taken November 8, 2011.” Plaintiffs have  
21 objected stating “it is unduly burdensome and expensive to do so. Plaintiff will produce  
22 for inspection at her attorney’s office” at “Hurst, Texas.”

23 It would not be “unduly burdensome and expensive” to copy one receipt and email or  
24 mail to Defendant. There would be great burden and expense for Defendant to have to  
25 fly to Texas to inspect and copy the document.

1 Defendant is being sued for defamation for stating that Plaintiff has/had a human  
2 rabies vaccination. Defendant needs the receipt to prove that she did order and possess  
3 it.

4 I. Defendant's request 14, "copy of deposition of Amanda Lollar in Bat World  
5 Sanctuary vs Talking Talons Youth Leadership lawsuit." Plaintiffs have objected stating  
6 "it is an invasion of privacy and not reasonably calculated to lead to the discovery of  
7 admissible evidence."

8 Plaintiff sued Talking Talons Youth Leadership over a personal spat. Plaintiff forged a  
9 contract in that lawsuit. Defendant needs this deposition in order to prove that Plaintiff  
10 has a history of filing frivolous lawsuits against people using forged documents.

11 Defendant is being sued for defamation for stating that Plaintiff has a history of filing  
12 frivolous lawsuits.

13 3. August 11, 2011 Defendant through ex-counsel Neal Callaway served on Plaintiffs  
14 a request for interrogatories.

15 4. September 16, 2011 Plaintiffs sent Defendant Plaintiffs Answers and Objections to  
16 Defendant's Third Request for Production.

17 a. Plaintiffs have refused to state net worth of Plaintiffs. Plaintiffs' response was "it is  
18 not reasonably calculated to lead to the discovery of admissible evidence" and "it is an  
19 invasion of privacy, and its sole purpose is to harass the plaintiff."

20 December 9, 2011 Plaintiffs sent to Defendant Plaintiffs' First Supplemental  
21 Response to Disclosure (Exhibit 3) which includes the "amount and method of  
22 calculating economic damages." Plaintiffs list some of their assets and revenue  
23 information. Plaintiffs state they seek "\$3,980,000 plus attorney's fees" as  
24 "compensation" in this case for "lost revenue" and the cost to sell their buildings and  
25 build new ones out of town.

1 Defendant needs to know the true full assets, revenue and financial information of  
2 Plaintiff in order to see if Plaintiffs have any financial damages. Defendant believes that  
3 Plaintiffs have suffered no financial damages.

## 4 **II. ARGUMENT AND THEORY**

### 5 **Discovery standards in Texas**

6 The standards for determining discoverability of information under Texas law are well  
7 known to the Court, but are mentioned briefly in order to demonstrate how heavy the  
8 Plaintiffs' burden is at this stage of the proceedings to refuse to produce discovery to  
9 Defendant. The purpose of discovery is to seek the truth, so that disputes may be  
10 decided by what the facts reveal, not by what facts are concealed, *Axelson, Inc. v.*  
11 *McIlhany*, 798 S. W. 2d 550, 555 (Tex. 1990). A party may obtain discovery regarding  
12 any matter that is not privileged and is relevant to the subject matter of the pending  
13 action. The burden is on the party resisting discovery to produce evidence necessary to  
14 support the objections or claims of privilege, TEX. R. Civ. P. 193.4(a), 199.6. All items  
15 requested by Defendant are therefore discoverable.

### 16 **III. MOTION FOR SANCTIONS**

17 Defendant believes Plaintiffs should be sanctioned for failing to produce discovery  
18 items, for bad faith and abuse of the judicial process in needlessly and vexatiously  
19 increasing the cost and expense of this litigation by forcing Defendant to make this  
20 motion to compel. Pursuant to Rule 215 of the Texas Rules of Civil Procedure, the Court  
21 may sanction a party that fails to comply with proper discovery requests, Tex. R. Civ. P.  
22 215(2). Additionally, the Court may sanction a party for abusing the discovery process  
23 by resisting discovery, Tex. R. Civ. Pro. 215(3).

### 24 **IV. PRAYER**

25 **WHEREFORE**, Defendant moves this Court to order Plaintiffs to:



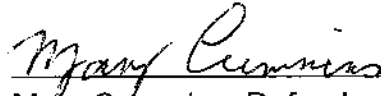
1 Produce the discovery items; and

2 Defendant further requests the Court to order such other sanctions as may be  
3 appropriate and to order such other and further relief to which Defendant may be justly  
4 entitled including legal fees (if any), air travel and hotel accommodations of Defendant.

5 Respectfully submitted,

6  
7 Mary Cummins, Defendant Pro se  
8 645 W 9<sup>th</sup> St, #110-140  
9 Los Angeles, CA 90015-1640  
10 Phone 310-877-4770  
11 Email: [Mary@AnimalAdvocates.us](mailto:Mary@AnimalAdvocates.us)

12 By:




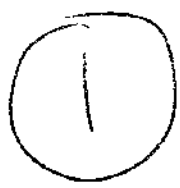
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Mary Cummins, Defendant Pro Se

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**CERTIFICATE OF SERVICE**

I, Mary Cummins, hereby certify that a TRUE COPY of the above **DEFENDANT'S MOTION TO COMPEL PRODUCTION OF DISCOVERY DOCUMENTS AND REQUEST FOR SANCTIONS** was served on the Plaintiffs' Attorney of record by FAX and by FIRST CLASS MAIL at  
Randy Turner  
Turner & McKenzie  
1800 N. Norwood Dr # 100  
Hurst, Texas 76054  
Fax: 817-268-1563  
this 19<sup>th</sup> Day of December, 2011

  
\_\_\_\_\_  
Mary Cummins, Defendant Pro se  
645 W 9<sup>th</sup> St, #110-140  
Los Angeles, CA 90015-1640  
Phone 310-877-4770



**Cause No. 352-248169-10**

**BAT WORLD SANCTUARY and  
AMANDA LOLLAR,**

**Plaintiffs,**

**vs.**

**MARY CUMMINS,**

**Defendant Pro se**

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**IN THE DISTRICT COURT**

**TARRANT COUNTY, TEXAS**

**352nd JUDICIAL DISTRICT**

**DEFENDANT MARY CUMMINS' THIRD REQUEST FOR PRODUCTION TO  
PLAINTIFFS**

To: Plaintiffs Bat World Sanctuary and Amanda Lollar by and through their attorney of record:

Randall E. Turner  
LAW OFFICE OF TURNER & MCKENZIE  
1800 N. Norwood Drive, Suite 100  
Hurst, Texas 76054

NOW COME DEFENDANT in the above entitled and numbered cause, pursuant to Rules 192 and 196, Texas Rules of Civil Procedure, and file this Request for Production on Plaintiff, Bat World Sanctuary and Amanda Lollar, to furnish for inspection, photographing and/or copying the following documents (including papers, books, accounts, drawings, graphs, charts, photographs, electronic or videotape recordings, and any other data compilations from which information can be obtained and translated, if necessary, by the person or party to whom this request is directed), or other tangible things to Defendant Pro Se Mary Cummins at 645 W. 9th St. #110-140, Los Angeles, CA 90015-1640, by hand delivery or United States Mail copies of the requested documents if such original documents are not to be inspected, photographed or copied at such offices. Please be advised that under Rule 196 that possession, custody or control of a requested item includes constructive possession such that the person or Party need not have actual physical possession. As long as the person or party to whom this Request is directed has a superior right to compel production from a third party or person (including an agency, authority or representative), the person or party to whom this Request is directed has possession, custody, or control. Rule 196 also requires reasonable supplementation to your Response to Request for Production. Defendant has substantial need of the materials being sought, as they are unable without undue hardship to obtain the substantial equivalent of the materials by other

DEFENDANT'S THIRD REQUEST FOR PRODUCTION TO PLAINTIFFS

means. An objection to any request shall be deemed a refusal to agree for purposes of satisfying any requirement for a pre-motion or pre-hearing conference under any applicable local rules, unless otherwise noted in your response.

You are hereby requested to produce the following items:

### **ITEMS TO BE PRODUCED**

1. Copy of all current insurance policies for Bat World Sanctuary, Bat World Sanctuary Directors and Officers, and the properties located at 217 N. Oak and 115 N.E. 1st St. in Mineral Wells, Texas.
2. Copy of same insurance policies which were in effect between June 18 and June 29, 2010.
3. Copy of vet records for all Bat World Sanctuary animals which were seen by Dr. Tad Jarrett 2010 to present.
4. Copy of receipts for purchases of drugs from Dr. Tad Jarrett.
5. Proof of rabies vaccination booster for the last two years for Larry Crittenden, Amanda Lollar and Jannette Villareal from Dr. Bailey.
6. Name of all interns at Bat World Sanctuary in 2010 with exact dates when they arrived and departed including email address, home address and phone numbers.
7. List of everyone who was at Bat World Sanctuary May 25, 2010 and had access to Bat World Sanctuary's ISP and/or computers.
8. Copy of 1994 manual written by Amanda Lollar "Rehabilitation and captive care of Mexican free-tail bats."
9. Copy of physical evidence mentioned by Amanda Lollar in her November 8, 2011 deposition which shows that "Mary Cummins was convicted of crimes."
10. Copy of physical evidence mentioned by Amanda Lollar in her November 8, 2011 deposition which shows that "Mary Cummins hacked the email of Suzy."
11. Photos of bats taken at Bat World Sanctuary which show bats with white substance on their bodies which were sent to Donna Robbins of the City of Mineral Wells.

12. Home/work address, phone numbers, email addresses of all members of board of directors of Bat World Sanctuary mentioned in Amanda Lollar's deposition on November 8, 2011, specifically Michelle McCaulley, Dottie Hyatt, Denise Tomlinson and Kate Rugroden.

13. Receipt for purchase of human rabies vaccination booster mentioned in Amanda Lollar's deposition taken November 8, 2011.

14. Copy of deposition of Amanda Lollar in Bat World Sanctuary vs Talking Talons Youth Leadership lawsuit.

Respectfully submitted,

Mary Cummins, Defendant Pro se  
645 W 9<sup>th</sup> St, #110-140  
Los Angeles, CA 90015-1640  
Phone 310-877-4770  
Email: [Mary@AnimalAdvocates.us](mailto:Mary@AnimalAdvocates.us)

By:




Mary Cummins, Defendant Pro Se

**CERTIFICATE OF SERVICE**

I, Mary Cummins, hereby certify that a TRUE COPY of the above **DEFENDANT'S THIRD REQUEST FOR PRODUCTION TO PLAINTIFF** was served on the Plaintiffs' Attorney of record by FAX and by FIRST CLASS MAIL. at

Randy Turner  
Turner & McKenzie  
1800 N. Norwood Dr # 100  
Hurst, Texas 76054  
Fax: 817-268-1563  
this 17<sup>th</sup> Day of November, 2011

  
\_\_\_\_\_  
Mary Cummins, Defendant Pro se  
645 W 9<sup>th</sup> St, #110-140  
Los Angeles, CA 90015-1640  
Phone 310-877-4770

(2)

**TURNER & MCKENZIE, PC**  
ATTORNEYS AT LAW

- \* Randall E. Turner
- \*\* Thomas W. McKenzie
- \* Board Certified in Personal Injury Trial Law and Civil Trial Law by the Texas Board of Legal Specialization
- \* Civil Trial Specialist by the National Board of Legal Specialization
- \* Also Licensed in Colorado
- \*\* Also Licensed in Oklahoma

1800 Norwood Dr.  
Suite 100  
Hurst, Texas 76054  
Tel: (817) 262-3558  
Fax: (817) 268-1568  
[www.turnermckenzie.com](http://www.turnermckenzie.com)

December 16, 2011

Via Facsimile Only: 310.494.9395  
Mary Cummins/Pro Se  
645 W. 9th Street, #110-140a  
Los Angeles, CA 90015

Re: *Bat World Sanctuary, et al. vs. Mary Cummins*; Cause No: 352-248169-10

Dear Ms. Cummins:

Attached please find Plaintiffs' Answers and Objections to Defendant's Third Request for Production along with Certificate of Written Discovery.

If you have any questions, please feel free to contact our office.

Sincerely,



Kelly Bozeman  
Paralegal to Randall E. Turner  
[kelly@turnermcknezie.com](mailto:kelly@turnermcknezie.com)

**CAUSE NO. 352-248169-10**

|                                |   |                                |
|--------------------------------|---|--------------------------------|
| <b>BAT WORLD SANCTUARY and</b> | § | <b>IN THE DISTRICT COURT</b>   |
| <b>AMANDA LOLLAR,</b>          | § |                                |
| <i>Plaintiffs</i>              | § |                                |
|                                | § |                                |
| <b>v.</b>                      | § | <b>TARRANT COUNTY, TEXAS</b>   |
|                                | § |                                |
|                                | § |                                |
| <b>MARY CUMMINS,</b>           | § |                                |
| <i>Defendant</i>               | § | <b>352nd JUDICIAL DISTRICT</b> |

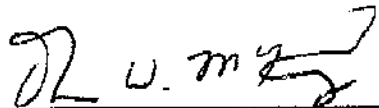
**PLAINTIFFS' CERTIFICATE OF WRITTEN DISCOVERY**

Plaintiff's, by and through their attorney of record, states under local rule 1.07 that the following documents have been served on Defendant, MARY CUMMINS, Pro Se, 645 W. 9<sup>th</sup> St., 110-140, Los Angeles California 90015.

1. Plaintiffs' Answers and Objections to Defendant's Third Request for Production.

Respectfully submitted,

LAW OFFICE OF  
 TURNER & MCKENZIE  
 1800 N. Norwood Ste 100  
 Hurst TX 76054  
 817-282-3868 Phone  
 817-268-1563 Facsimile

By:   
 \_\_\_\_\_  
 Randall E. Turner  
 SBN: 20328310  
 Thomas W. McKenzie  
 SBN: 007899789  
 Attorney for Plaintiffs



CAUSE NO. 352-248169-10

BAT WORLD SANCTUARY and  
AMANDA LOLLAR,  
*Plaintiffs*

v.

MARY CUMMINS,  
*Defendant*

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IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

352nd JUDICIAL DISTRICT

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PLAINTIFFS' ANSWERS AND OBJECTIONS TO  
DEFENDANT'S THIRD REQUEST FOR PRODUCTION

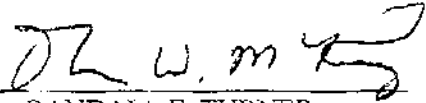
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To: MARY CUMMINS, DEFENDANT, PRO SE 645 W. 9<sup>th</sup> St., #110-140, Los Angeles, California 90015.

COMES NOW, Plaintiffs, Bat World Sanctuary and Amanda Lollar and files these responses to Defendant's Third Request for Production.

Respectfully submitted,

Turner & McKenzie, PC  
1800 N. Norwood, Suite 100  
Hurst, Texas 76054  
Tel. 817-282-3868  
Fax 817-268-1563

By:   
RANDALL E. TURNER  
SBN: 20328310  
Attorney for Plaintiffs

**PLAINTIFFS' ANSWERS AND OBJECTIONS TO  
DEFENDANT'S THIRD REQUEST FOR PRODUCTION**

1. Copy of all current insurance policies for Bat World Sanctuary, Bat World Sanctuary Directors and Officers, and the properties located at 217 N. Oak and 115 N.E. 1st St. in Mineral Wells, Texas.

**RESPONSE:** Plaintiff objects to this request because it is an invasion of privacy and not reasonably calculated to lead to the discovery of admissible evidence.

2. Copy of same insurance policies which were in effect between June 18 and June 29, 2010.

**RESPONSE:** Plaintiff objects to this request because it is an invasion of privacy and not reasonably calculated to lead to the discovery of admissible evidence.

3. Copy of vet records for all Bat World Sanctuary animals which were seen by Dr. Tad Jarrett 2010 to present.

**RESPONSE:** Plaintiff objects to producing the above requested items to Pro se Defendant Mary Cummins at 645 W. 9<sup>th</sup> St., #110-140, Los Angeles, California 90015 as it is unduly burdensome and expensive to do so. Plaintiff will produce for inspection at her attorney's office at 1800 Norwood Drive, suite 100, Hurst Texas 76054 at mutually agreed time.

4. Copy of receipts for purchases of drugs from Dr. Tad Jarrett.

**RESPONSE:** Plaintiff objects to producing the above requested items to Pro se Defendant Mary Cummins at 645 W. 9<sup>th</sup> St., #110-140, Los Angeles, California 90015 as it is unduly burdensome and expensive to do so. Plaintiff will produce for inspection at her attorney's office at 1800 Norwood Drive, suite 100, Hurst Texas 76054 at mutually agreed time.

5. Proof of rabies vaccination booster for the last two years for Larry Crittenden, Amanda Lollar and Jannette Villareal from Dr. Bailey.

**RESPONSE:** Plaintiff objects to this request because it is an invasion of privacy and not reasonably calculated to lead to the discovery of admissible evidence.

6. Name of all interns at Bat World Sanctuary in 2010 with exact dates when they arrived and departed including email address, home address and phone numbers.

**RESPONSE:** Plaintiff objects to this request because it is vague, overbroad, and does not sufficiently identify the particular documents or tangible things being requested.

7. List of everyone who was at Bat World Sanctuary May 25, 2010 and had access to Bat World Sanctuary's ISP and/or computers.

**RESPONSE: Plaintiff objects to this request because it is vague, overbroad, and does not sufficiently identify the particular documents or tangible things being requested.**

8. Copy of 1994 manual written by Amanda Lollar "Rehabilitation and captive care of Mexican free-tail bats."

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9. Copy of physical evidence mentioned by Amanda Lollar in her November 8, 2011 deposition which shows that "Mary Cummins was convicted of crimes."

**RESPONSE: Plaintiff objects to this request because it is vague, overbroad, and does not sufficiently identify the particular documents or tangible things being requested**

10. Copy of physical evidence mentioned by Amanda Lollar in her November 8, 2011 deposition which shows that "Mary Cummins hacked the email of Suzy."

**RESPONSE: Plaintiff objects to this request because it is vague, overbroad, and does not sufficiently identify the particular documents or tangible things being requested.**

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**RESPONSE: Plaintiff objects to producing the above requested items to Pro se Defendant Mary Cummins at 645 W. 9<sup>th</sup> St., #110-140, Los Angeles, California 90015 as it is unduly burdensome and expensive to do so. Plaintiff will produce for inspection at her attorney's office at 1800 Norwood Drive, suite 100, Hurst Texas 76054 at mutually agreed time.**

12. Home/work address, phone numbers, email addresses of all members of board of directors of Bat World Sanctuary mentioned in Amanda Lollar's deposition on November 8, 2011, specifically Michelle McCaulley, Dottie Hyatt, Denise Tomlinson and Kate Rugroden.

**RESPONSE: Plaintiff objects to this request because it is vague, overbroad, and does not sufficiently identify the particular documents or tangible things being requested.**

13. Receipt for purchase of human rabies vaccination booster mentioned in Amanda Lollar's deposition taken November 8, 2011.

**RESPONSE:** Plaintiff objects to producing the above requested items to Pro se Defendant Mary Cummins at 645 W. 9<sup>th</sup> St., #110-140, Los Angeles, California 90015 as it is unduly burdensome and expensive to do so. Plaintiff will produce for inspection at her attorney's office at 1800 Norwood Drive, suite 100, Hurst Texas 76054 at mutually agreed time.

14. Copy of deposition of Amanda Lollar in Bat World Sanctuary vs Talking Talons Youth Leadership lawsuit.

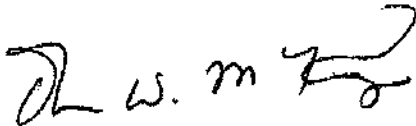
**RESPONSE:** Plaintiff objects to this request because it is an invasion of privacy and not reasonably calculated to lead to the discovery of admissible evidence.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument has been served upon the Attorney of record (or Pro Se Defendant) of all parties to the above-entitled and numbered cause in accordance with TEX. R. CIV. P. 21a, on this 10<sup>th</sup> day of December, 20 11, by the following method:

- personal delivery
- telephonic document transfer (fax)
- certified mail
- courier receipted delivery

Via Facsimile Only: (310)494-9395  
Defendant, Mary Cummins  
645 W. 9<sup>th</sup> St., #110-140  
Los Angeles, California 90015

  
\_\_\_\_\_  
RANDALL E. TURNER

FIRST SUPPLEMENTAL RESPONSE TO DISCLOSURE

a. The correct names of the parties to the lawsuit.

Response: Parties named correctly.

b. The name, address, and telephone number of any potential parties.

Response: Plaintiffs' are unaware of other potential parties.

c. The legal theories and, in general, the factual bases of the responding party's claims or defenses (the responding party need not marshal all evidence that may be offered at trial).

Response: The defendant breached her contract with the plaintiffs' by publishing photographs, videotapes and information on the internet concerning Bat Worlds' techniques, results, data and anecdotal information with Bat World's permission. The defendant committed defamation by posting on the internet false statements of facts concerning the plaintiffs'

d. The amount and method of calculating economic damages.

Response: Plaintiffs' seek \$3,980,000.00 plus attorney's fees at \$300.00 per hour.

\$2m in lost revenue over the next 10 years (\$200,000 per year x 10 yrs)  
\$2m dollars to build a new Bat World. This includes the land and buildings.  
Defendant has made it impossible for Plaintiffs' to remain in Mineral Wells because of her rampage of complaints to the city and the health dept. We had 2 buildings to house BWS in Mineral Wells. The worth of those buildings, minus the mortgages that we had to take out to stay afloat, is \$70,000, \$50,000 for a new wild sanctuary to relocate the wild population

|                  |                           |
|------------------|---------------------------|
| \$2,000,000      | lost revenue              |
| \$2,000,000      | new Bat World             |
| <u>\$ 50,000</u> | wild sanctuary            |
| \$4,050,000.00   |                           |
| -70,000.00       | sale of property          |
| \$3,980,000.00   | FINAL COMPENSATION figure |

It was necessary for Plaintiffs' to secure the services of Randall E. Turner, a licensed attorney, to preserve and protect the Plaintiffs rights. Defendant should be ordered to pay reasonable attorney's fees, expenses, and costs through trial and appeal, and a judgment should be rendered in favor of this attorney and against Defendant. Plaintiff requests postjudgment interest as allowed by law.

e. The name, address, and telephone number of persons having knowledge of relevant facts, and brief statements of each identified person's connection with the case.

Response: Amanda Lorraine Lollar