

**SUBPOENA
THE STATE OF TEXAS**

CAUSE NO. 2014-40964

**Eric Torres, Adam Sinn, XS Capital
Management, L.P. and Aspire Commodities, L.P.**

In The District Court of

vs.

Harris County, Texas

Craig Taylor and Atlas Commodities, L.L.C.

157th Judicial District

CAUSE NO. 2015-49014

Eric Torres

In The District Court of

vs.

Harris County, Texas

S. James Marshall

157th Judicial District

To any Sheriff or any constable of the State of Texas or any other persons authorized to serve and execute Subpoenas as provided by Rule 176 of the Texas Rules of Civil Procedure, greeting:

You are hereby commanded to Subpoena and summon the following Witness **Adam Sinn** by and through his attorneys of record, **Kenneth Krock or Matthew Buschi of Rapp & Krock, P.C., 1980 Post Oak Blvd., Suite 1200, Houston, Texas 77056**, a resident of **Harris County, Texas** or wherever he may be found and who is represented to reside within 150 miles of the court house of Harris County, Texas, in which the above suit is pending, or who may be found within such distance at the time of the trial, to be and appear at the **157th Judicial District, Harris County, 201 Caroline St., 11th Floor, Houston, Texas 77002, at 8:30 a.m. on the 24th day of October, 2016**, to testify as a witness on behalf of the Defendant(s), in the above styled civil action, to attend from day to day until lawfully discharged.

Texas Rules of Civil Procedure 176.8 Enforcement of Subpoena (a) contempt. Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed in contempt of the court from which the subpoena is issued or a district court in the county in which the subpoena is served, and may be punished by fine or confinement, or both.

GIVEN AND ISSUED UNDER MY OFFICIAL HAND AND SEAL OF OFFICE this the 10th day of October, 2016

Geoffrey Berg
Geoffrey Berg, STATE BAR NUMBER 0079330

CAME TO HAND THE 10th day of October, 2016 and executed the 11th day of October, 2016 by handing the above-named a true copy of this subpoena and by tendering the above-named witness for of which he/she. Returned this 11th day of October, 2016

ACCEPTANCE OF SERVICE OF SUBPOENA
BY WITNESS PER RULE 178 T.R.C.P.
I hereby accept service of the attached
Subpoena and will appear at said place.
Date and time directed in the subpoena.

FEE _____
MILEAGE _____
TOTAL _____
Michael Markle
OFFICER'S SIGNATURE

[Signature]
Witness _____
10/11/16
Date _____