

CAUSE NO. 2014-40964

ERIC TORRES, ADAM SINN, XS CAPITAL	§	IN THE DISTRICT COURT OF
MANAGEMENT, L.P., and ASPIRE	§	
COMMODITIES, L.P.,	§	
Plaintiffs	§	
	§	HARRIS COUNTY, TEXAS
v.	§	
	§	
CRAIG TAYLOR and ATLAS	§	
COMMODITIES, L.L.C.,	§	
Defendants	§	157TH JUDICIAL DISTRICT

CAUSE NO. 2015-49014

ERIC TORRES,	§	IN THE DISTRICT COURT OF
Plaintiff,	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
S. JAMES MARSHALL,	§	
Defendant.	§	157TH JUDICIAL DISTRICT

DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION TO QUASH

Defendants briefly respond to Adam Sinn's Motion to Quash as follows:

On Friday, July 22, the Court ordered that Adam Sinn be deposed in Harris County, where he filed this lawsuit. The Court ruled that his deposition may be taken on a weekend.

Counsel for Defendants have now offered several dates, but Mr. Sinn continues to refuse to travel to Houston to give his deposition. Instead, he insists on being deposed when he happens to be here – and on a Saturday instead of a Sunday because the latter would apparently inconvenience him.

Sinn's conduct is entirely consistent with the contempt with which he has treated this litigation from the beginning. He continues to disregard the Rules and orders of this Court, apparently believing that none of them apply to him.

The Court should order that Adam Sinn return to Houston and present himself for deposition on August 14 or 21. Should he continue to refuse, appropriate sanctions should be awarded.

Respectfully submitted,
BERG FELDMAN JOHNSON, LLP

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing instrument was served by electronic filing, certified mail return receipt requested, email, and/or facsimile on July 25, 2016 as follows:

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