

CAUSE NO. 2014-40964

ERIC TORRES, ADAM SINN,  
XS CAPITAL MANAGEMENT, L.P.,  
AND ASPIRE COMMODITIES, L.P.,

*Plaintiffs,*

v.

CRAIG TAYLOR AND  
ATLAS COMMODITIES, L.L.C.,

*Defendants.*

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

157<sup>TH</sup> JUDICIAL DISTRICT

Consolidated with  
CAUSE NO. 2015-49014

ERIC TORRES,

*Plaintiff,*

v.

S. JAMES MARSHALL,

*Defendant.*

§  
§  
§  
§  
§  
§  
§  
§  
§

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

157<sup>TH</sup> JUDICIAL DISTRICT

**MOTION TO QUASH  
DEPOSITION NOTICE FOR ADAM SINN**

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff Adam Sinn files this Motion to Quash the Amended Notice of Intent to Take the Oral and Videotaped Deposition of Adam Sinn propounded by Defendants Craig Taylor, S. James Marshall, and Atlas Commodities, LLC (collectively “Defendants”) and would respectfully show this Court:

## **I. Introduction**

On Wednesday, July 20, 2016 Defendants served an Amended Notice of Intent to Take the Oral and Videotaped Deposition of Adam Sinn for August 10, 2016. Defendants served this notice in response to Mr. Sinn offering the date of August 5, 2016.

Movant requests that the Court quash the Notice of Deposition of Adam Sinn. A hearing has already been held on Defendants' Motion to Compel the Deposition of Adam Sinn, and the Court has ruled that the deposition will be scheduled to accommodate Mr. Sinn's work/travel schedule. Sinn offers the following alternative dates for his deposition: August 5, 2016 (beginning no earlier than 2:00 pm), August 6, 2016 (beginning no earlier than 2:00 pm), and September 2, 2016 (beginning no earlier than 2:00 pm).

Pursuant to Rule 199.4 of the Texas Rules of Civil Procedure, Sinn objects to the time and place designated for deposition contained in Defendants' Amended Notice of Intent to Take the Oral and Videotaped Deposition of Adam Sinn. Because this motion to quash is filed within three (3) business days after service of the deposition notice, the deposition is automatically stayed until a determination on this motion can be made. In this instance, the Court has already ruled that the deposition will be scheduled to accommodate Mr. Sinn's work/travel schedule.

## **II. Prayer**

Therefore, Plaintiff Sinn respectfully requests that the Court enter an order quashing the Amended Notice of Intent to Take the Oral and Videotaped Deposition of Adam Sinn served by Defendants on July 20, 2016, and for all other relief to which Sinn is entitled.

Respectfully submitted,  
**RAPP & KROCK, PC**



---

Kenneth M. Krock  
State Bar No. 00796908  
Megan N. Brown  
State Bar No. 24078269  
Matthew M. Buschi  
State Bar No. 24064982  
3050 Post Oak Blvd., Suite 1425  
Houston, Texas 77056  
(713) 759-9977 telephone  
(713) 759-9967 facsimile  
kkrock@rk-lawfirm.com  
mbrown@rk-lawfirm.com  
mbuschi@rk-lawfirm.com  
**ATTORNEY FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 25<sup>TH</sup> day of July, 2016, a true and correct copy of this document was served on counsel of record in accordance with the Texas Rules of Civil Procedure.

Geoffrey A. Berg  
gberg@bfjblaw.com  
Kathryn E. Nelson  
knelson@bfjblaw.com  
Berg Feldman Johnson Bell, LLP  
4203 Montrose Boulevard, Suite 150  
Houston, Texas 77006

*via Eserve*



---

Matthew M. Buschi