

NO. 2018-42734

ABG GENERAL CONSTRUCTION	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
V.	§	269TH JUDICIAL DISTRICT
	§	
3S REAL ESTATE INVESTMENTS,	§	
LLC- SERIES 3	§	
Defendant.	§	OF HARRIS COUNTY, TEXAS

PLAINTIFF'S RESPONSE TO MOTION COMPEL DEPOSITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COME ABG General Construction (hereinafter ABG), and responds to 3S Real Estate Investments, LLC – Series 3 (hereinafter 3S REAL) Motion to Compel Deposition, and shows the following:

I.

ABG has been diligently attempting to try and confer and resolve 3S REAL issues. 3S REAL has been fully uncooperative. See Exhibit A. Reference the deposition, 3S REAL unilaterally noticed a deposition to occur two weeks from date of first notifying of its intent to depose. After ABG sent available dates, within 2 days of unilaterally noticing, 3S REAL, insists on having a deposition less than 30 days from when first requesting dates, and taking ABG deposition at a location that is not its attorney's office for no reason. See Exhibit A, all of ABG reasonable efforts to try and resolve. Exhibit A speaks for itself.

II.

Pursuant to Rule 191.2 of the Texas Rules of Civil Procedure, efforts to resolve these matters without court intervention were attempted, as evidenced by Exhibit A.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Movant requests that the Court quash the

above-described Notice of Oral Deposition, and for such other and further relief that may be awarded at law or in equity.

Respectfully submitted,

Law Office of Marcos & Associates, P.C.

By: 

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CERTIFICATE OF SERVICE

I certify that on September 20, 2018 a true and correct copy of Plaintiff's Response to Motion to Compel Deposition was served upon opposing counsel of record in accordance with Rule 21a of the Texas Rules of Civil Procedure.



Javier Marcos, Jr.

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