

NO. _____

_____	§	IN THE COUNTY COURT AT LAW
	§	
Plaintiff,	§	
	§	
V.	§	NO. ____
	§	
_____	§	
	§	
Defendants.	§	HARRIS COUNTY, TEXAS

PLAINTIFF'S WRITTEN INTERROGATORIES

To: _____, Defendant, by and through its attorney of record, _____,
Houston, Texas _____.

Pursuant to rule 197 of the Texas Rules of Civil Procedure, you are to answer the attached interrogatories separately, fully, in writing, and under oath. You should deliver a true copy of your answers to me within thirty days after the date of service of these interrogatories.

Please note that if, after you submit your responses to these interrogatories, you learn that any such response was either incomplete when made, or, although complete and correct when made, it is no longer complete and correct, you must amend or supplement your response reasonably promptly after you discover the necessity for such a response. Any amended or supplemental response made less than thirty days before trial will be presumed not to have been made reasonably promptly. A failure to make, amend, or supplement a response in a timely manner may result in your not being able to introduce into evidence the material or information not timely disclosed.

DEFINITIONS

As used in these interrogatories, the following definitions apply:

"You" or "your" refers to the person answering these interrogatories.

"Defendant" refers to the named Defendant, its officers, agents, representatives, and employees.

"Identify," with regard to a person, means to provide the following: (1) the person's full name; (2) any other names the person uses or has used in the past; (3) the person's residential address and telephone number; (4) the person's business address(es) and telephone number(s); (5) the person's employer and job title; (6) if the person is a former employee of Defendant, the person's last job title while so employed, and the date of termination; and (7) if the person is not an employee of Defendant but has some other connection with Defendant, for example, agent, independent contractor, officer, director, or customer, the person's connection with Defendant.

"Identify," with regard to a document, means to describe it with sufficient particularity so that a person never having seen it could comply with the requirements of rule 196 of the Texas Rules of Civil Procedure when designating the document in a request to produce.

Adam Tabak
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CERTIFICATE OF SERVICE

I certify that on _____ a true and correct copy of Plaintiff's Written Interrogatories was served by facsimile transmission on _____ at _____.

Adam Tabak

INTERROGATORIES

1. Identify the person answering these interrogatories.
2. State the manner of organization of Defendant—for example, corporation, partnership, limited partnership, sole proprietorship, or individual.
 - a. If Defendant is a corporation, identify each officer and director.
 - b. If Defendant is a partnership, identify each partner and state whether he is a general or limited partner.
3. Did Defendant receive the services described in each invoice attached as Exhibit A? If not, identify separately by invoice which goods, wares, merchandise, or services were not received.
4. Did Defendant reject, dispute, or return any of the goods, wares, merchandise, or services received by Defendant and described in Exhibit A? If so, state the date and manner of that rejection, dispute, or return. Alternatively, if you will do so without a formal request to produce, attach a genuine copy of each document or other written memorandum in support thereof; if you will not, identify each item of documentation or memorandum.
5. State the date, amount, and nature of every payment, credit, or offset against the account made the subject of Plaintiff's original petition that Defendant alleges Plaintiff has not allowed to Defendant. If you will do so without a request to produce, attach to your answer a copy of each document or written memorandum in support of each such payment, credit, or offset (for example, front and back of each check or cash receipt evidencing each payment) claimed by Defendant; or if you will not, state the date, amount, and nature of each such payment, credit, or offset and identify each piece of supporting documentation.
6. State whether Defendant or Defendant's attorney on behalf of Defendant has ever denied, either orally or in writing, the account made the subject of Plaintiff's original petition and

state whether Defendant or Defendant's attorney on behalf of Defendant has ever claimed, either orally or in writing, any payment, credit, or offset to the account. If any such communication was in writing and if you will do so without a formal request to produce, attach a genuine copy of each writing; or if you will not, identify each writing. If any such communication was oral, state the date and substance of the communication, state the manner of its delivery, and state the name of the agent, representative, or employee of Plaintiff to whom such communication was directed.

7. Did Plaintiff present to Defendant a demand for payment of the claim made the subject of this suit? If so, state the date it was received, the name of the person receiving it, the relationship to Defendant of the person receiving it, and the amount of the demand.

8. Identify all persons whom you intend to call as witnesses at trial, other than rebuttal or impeaching witnesses the necessity of whose testimony cannot reasonably be anticipated before trial.

9. If Defendant contends or believes that the debt that is the subject of this suit is the obligation of any person or entity other than Defendant, identify such other persons or entities and state the fact and identify the documents on which that contention or belief is based.

10. Identify the specific false, misleading or negligent representations and misstatements made by Plaintiff relied upon by Defendant.

11. Please describe how Plaintiff failed to exercise reasonable care in obtaining and/or communicating any representations relied upon by Defendant.

12. Identify the express warranty or warranties that Plaintiff made to Defendant regarding the services Plaintiff was hired to perform.

13. Identify any and all untrue statements of material fact relied upon by Defendants that form the basis of the DTPA counterclaim alleged by Defendant.

14. Identify any and all documents that support your contention that Plaintiff violated the

terms of the contract by failing to reduce the tax burden.

15. Describe the amount and method of calculating Defendant's damages as alleged in the counterclaims.