

CAUSE NO. 067-248936-10

ODIS J. ADAIR, JR., <i>et al.</i>	§	IN THE DISTRICT COURT OF
Plaintiffs,	§	
	§	
v.	§	TARRANT COUNTY, TEXAS
	§	
TITAN OPERATING, LLC, and,	§	
THE CAFFEY GROUP, LLC,	§	
Defendants.	§	67 TH JUDICIAL DISTRICT

CAUSE NO. 067-248989-10

ALAN D. ALLMAN, <i>et al.</i>	§	IN THE DISTRICT COURT OF
Plaintiffs,	§	
	§	
v.	§	TARRANT COUNTY, TEXAS
	§	
TITAN OPERATING, LLC, and,	§	
THE CAFFEY GROUP, LLC,	§	
Defendants.	§	67 TH JUDICIAL DISTRICT

CAUSE NO. 067-248914-10

DAVID M. BARRON, <i>et al.</i>	§	IN THE DISTRICT COURT OF
Plaintiffs,	§	
	§	
v.	§	TARRANT COUNTY, TEXAS
	§	
TITAN OPERATING, LLC, and,	§	
THE CAFFEY GROUP, LLC,	§	
Defendants.	§	67 TH JUDICIAL DISTRICT

CAUSE NO. 067-248901-10

RICHARD A. BOWDOIN, <i>et al.</i>	§	IN THE DISTRICT COURT OF
Plaintiffs,	§	
	§	
v.	§	TARRANT COUNTY, TEXAS
	§	
TITAN OPERATING, LLC, and,	§	
THE CAFFEY GROUP, LLC,	§	
Defendants.	§	67 TH JUDICIAL DISTRICT

CAUSE NO. 067-248991-10

JERRY L. VAN CAMP, <i>et al.</i>	§	IN THE DISTRICT COURT OF
Plaintiffs,	§	
	§	
v.	§	TARRANT COUNTY, TEXAS
	§	
TITAN OPERATING, LLC, and,	§	
THE CAFFEY GROUP, LLC,	§	
Defendants.	§	67 TH JUDICIAL DISTRICT

CAUSE NO. 067-248937-10

TIMOTHY WOODHOUSE, <i>et al.</i>	§	IN THE DISTRICT COURT OF
Plaintiffs,	§	
	§	
v.	§	TARRANT COUNTY, TEXAS
	§	
TITAN OPERATING, LLC, and,	§	
THE CAFFEY GROUP, LLC,	§	
Defendants.	§	67 TH JUDICIAL DISTRICT

PLAINTIFFS' GLOBAL RESPONSES TO REQUESTS FOR PRODUCTION

COME NOW all Plaintiffs and file this, their global responses to Defendants Titan and Caffey's Requests for Production.

In addition to the responses set forth below, Plaintiff refers the Defendants to the following documents previously provided to Defendants' counsel on August 18, 2010:

1. September 18, 2008 letter from Titan President Mark Schumacher to BC-MRC;
2. September 18, 2008 email from BC-MRC to Mark Schumacher;
3. September 19, 2008 email from Titan's Lisa Morrow to BC-MRC;
4. Copy of the BC-MRC / Titan lease;
5. October 15, 2008 email from Titan President Mark Schumacher to BCMRC; *and*
6. October 22, 2008 letter from Titan to BC-MRC.

Unless otherwise specified, Plaintiff's production will be limited in time to the period from January 1, 2007 to the present:

REQUEST FOR PRODUCTION NO. 1:

If your response to Request for Admission Nos. 1-7 is anything other than an unqualified admission, please produce all documents supporting or related to your denial of the Request for Admission.

RESPONSE: Plaintiff objects to this Request as overbroad, vague and as failing to identify the documents sought with reasonable particularity. *See Loftin v. Martin*, 776 S.W.2d 145 (Tex. 1989 orig. proceeding); *In re TIG Ins. Co.*, 172 S.W.3d 160, 167-168 (Tex.App.—Beaumont 2005, no pet.). Subject to such objections and without waiving same, Plaintiff will produce non-privileged, responsive documents, if any, at a convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 2:

Provide any and all documents supporting your answers to the above Interrogatories.

RESPONSE: Plaintiff objects to this Request for production as being overly broad and vague so as to make it impossible for Plaintiff to determine with reasonable probability the nature of the type of document sought. *See Loftin v. Martin*, 776 SW2d 145 (Tex. 1989 orig. proceeding); *In re TIG Ins. Co.*, 172 S.W.3d 160, 167-168 (Tex.App.—Beaumont 2005, no pet.)).

REQUEST FOR PRODUCTION NO. 3:

A copy of any written agreement entered between you and Titan or Caffey including any alleged agreement for or concerning the development of oil, gas and other minerals concerning your property.

RESPONSE: Plaintiff is not aware of any written agreement between Plaintiff and Titan/Caffey at the present time. Plaintiff agrees to produce copies of the agreement between BC-MRC and Titan/Caffey at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser.

REQUEST FOR PRODUCTION NO. 4:

All written memoranda, notes, and/or other documents reflecting or evidencing any agreement between you and Titan or Caffey including any alleged agreement for or concerning the development of oil, gas and other minerals concerning your property.

RESPONSE: Plaintiff is not aware of any written memoranda, notes and/or other documents reflecting or evidencing any agreement between Plaintiff and Titan/Caffey at the present time. Plaintiff agrees to produce copies of all non-privileged written memoranda, notes and/or other documents reflecting or evidencing the agreement between BC-MRC and

Titan/Caffey at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request.

REQUEST FOR PRODUCTION NO. 5:

A copy of any agreement entered into, if any, and/or any potential or possible agreements by or between you and BC-MRC.

RESPONSE: Plaintiff objects to this Request as overbroad. Subject to the foregoing objection, Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 6:

All written memoranda, notes, and/or other documents reflecting or evidencing any agreement between you and any person or entity other than Defendants, including any alleged, potential or possible agreements for or concerning the development of oil, gas and other minerals concerning your property.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 7:

All communications, correspondence, e-mails, memoranda or notes showing or reflecting any communications or conversations between you and Titan or Caffey, including any regarding an alleged contractual agreement for the development of oil, gas and other minerals between you and Titan or Caffey.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request.

REQUEST FOR PRODUCTION NO. 8:

All documents reflecting or concerning negotiations between Titan or Caffey and you regarding any alleged contractual agreement for the development of oil, gas and other minerals between you and Titan or Caffey.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis

& Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 9:

All communications, correspondence, e-mails, memoranda or notes showing or reflecting any communications or conversations between you and any other oil and gas company.

RESPONSE: Plaintiff objects to this Request as overbroad. Subject to the foregoing objection, Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 10:

All communications, correspondence, e-mails, memoranda or notes showing or reflecting any communications or conversations between you and BC-MRC.

RESPONSE: Plaintiff objects to this Request as overbroad. Subject to the foregoing objection, Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 11:

All documents, including presentations, invitations, handouts, drawings, graphs, charts, photographs, tape or electronic recordings, and audio/video recordings that were received, reviewed, distributed, created, and/or prepared by BC-MRC that are in your possession, custody or control.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 12:

All documents, including presentations, invitations, handouts, drawings, graphs, charts, photographs, tape or electronic recordings, and audio/video recordings that Plaintiffs' received from or provided to BC-MRC.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis

& Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 13:

All documents reflecting or containing any communications between you and any person or entity other than Defendants relating to any offers you received to lease your property for the production of oil, gas and other minerals.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 14:

All diaries, journals, day-timers, or calendars (including any that are on hard copy or electronically stored), reflecting any meetings, communications, correspondence or conversations between you and any of the Defendants.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 15:

All diaries, journals, day-timers, or calendars (including any that are on hard copy or electronically stored), reflecting any meetings, communications, correspondence or conversations between you and BC-MRC.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 16:

A copy of any documents submitted or sent by you to Titan or Caffey and/or received by you from Titan or Caffey.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request.

REQUEST FOR PRODUCTION NO. 17:

All transcripts, minutes or recordings, including audio or video recordings, of any kind involving Titan or Caffey that are in your possession, custody or control.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request.

REQUEST FOR PRODUCTION NO. 18:

All transcripts, minutes or recordings, including audio or video recordings, of any kind involving BC-MRC that are in your possession, custody or control.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request.

REQUEST FOR PRODUCTION NO. 19:

All documents supporting your contention that you are a third party intended beneficiary to an alleged agreement between BC-MRC and Titan or Caffey.

RESPONSE: Plaintiff objects to this Request for production as overbroad, vague and as failing to identify the documents sought with reasonable particularity. *See Loftin v. Martin*, 776 SW2d 145 (Tex. 1989 orig. proceeding); *In re TIG Ins. Co.*, 172 S.W.3d 160, 167-168 (Tex.App.—Beaumont 2005, no pet.). Subject to such objections and without waiving same, Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 20:

All documents reflecting the organizational leadership of BC-MRC.

RESPONSE: Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 21:

All documents demonstrating that BC-MRC had the authority to bind you to any alleged agreement between BC-MRC and Titan or Caffey.

RESPONSE: Plaintiff objects to this Request for production as overbroad, vague and as failing to identify the documents sought with reasonable particularity. *See Loftin v. Martin*, 776 SW2d 145 (Tex. 1989 orig. proceeding); *In re TIG Ins. Co.*, 172 S.W.3d 160, 167-168 (Tex.App.—Beaumont 2005, no pet.). Subject to the foregoing objections, Plaintiff has not identified any responsive documents.

REQUEST FOR PRODUCTION NO. 22:

All documents demonstrating that BC-MRC had the authority to negotiate on your behalf.

RESPONSE: Plaintiff objects to this Request for Production as overbroad, vague and as failing to indentify the documents sought with reasonable particularity. *See Loftin v. Martin*, 776 SW2d 145 (Tex. 1989 orig. proceeding); *In re TIG Ins. Co.*, 172 S.W.3d 160, 167-168 (Tex.App.—Beaumont 2005, no pet.). Subject to such objections and without waiving same, Plaintiff agrees to produce all non-privileged, responsive documents, if any, at a mutually agreed upon and convenient time at the offices of Plaintiff's counsel, Mathis & Donheiser upon reasonable prior written request and subject to the entry of an agreed upon protective order.

REQUEST FOR PRODUCTION NO. 23:

All documents supporting your contention that Defendants made false or fraudulent representations to you.

RESPONSE: Plaintiff incorporates herein by reference its response to Request No. 22.

REQUEST FOR PRODUCTION NO. 24:

All documents supporting your contention that you detrimentally relied on Defendants alleged false or fraudulent representations.

RESPONSE: Plaintiff incorporates herein by reference its response to Request No. 22.

REQUEST FOR PRODUCTION NO. 25:

All documents supporting the damages you are seeking in this case.

RESPONSE: Plaintiff incorporates herein by reference its response to Request No. 22.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

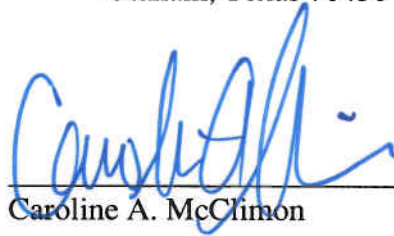
I hereby certify that a true and correct copy of the foregoing document was forwarded to all counsel of record, via *electronic mail* and/or *certified mail, return receipt requested* on this 2nd day of February, 2011.

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