

CAUSE NO. 2003-CI-16056

BRYAN PRINGLE AND CHARLES PRINGLE)	IN THE DISTRICT COURT
)	
VS.)	224TH JUDICIAL DISTRICT
)	
USAA INSURANCE AGENCY, INC.)	BEXAR COUNTY, TEXAS

THE VIDEOTAPED DEPOSITION OF BRYAN D. PRINGLE
 DECEMBER 16TH, 2004

THE VIDEOTAPED DEPOSITION OF BRYAN D. PRINGLE, having been duly sworn, was taken in the above-styled and numbered cause on December 16th, 2004, from 9:56 a.m. until 12:03 p.m. and 1:28 p.m. until 4:27 p.m., before Jacquelyn A. Hill, CSR in and for the State of Texas, reported by machine shorthand, at the law offices of Adami, Goldman & Shuffield, 9311 San Pedro, Suite 900, San Antonio, Texas 78216, pursuant to the Texas Rules of Civil Procedure and the provisions stated on the record or attached hereto.

COPY

Schaker

COURT REPORTERS

SCHAKER COURT REPORTERS
 PHONE: (210) 492-3118 FAX: (210) 492-4959

APPEARANCES

FOR THE PLAINTIFF(S):

MR. KENNETH E. GRUBBS
Law Office of Kenneth E. Grubbs
Austin Building, Suite 249
4415 Piedras Drive West
San Antonio, Texas 78228

FOR THE DEFENDANT(S):

MR. ROBERT F. SCHEIHING
Adami, Goldman & Shuffield
9311 San Pedro, Suite 900
San Antonio, Texas 78216

MR. PETER BEVERAGE
Executive Assistant Counsel
P&C Litigation Counsel
USAA
9800 Fredericksburg Road, E-03-E
San Antonio, Texas 78288

VIDEO TECHNICIAN:

MR. GEORGE SCHAKER

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1 VIDEO TECHNICIAN: We're on record
2 December 16th, 2004 at 9:56 a.m.

3 BRYAN D. PRINGLE,
4 having been duly sworn, testified as follows:

5 EXAMINATION
6 BY MR. SCHEIHING:

7 Q. Tell me your full name for the record,
8 please.

9 A. Bryan D. Pringle.

10 Q. Mr. Pringle, my name's Bob Scheihing, and as
11 you know, I represent USAA in the lawsuit that you
12 filed. Have you ever had your deposition given
13 before?

14 A. Yes, sir.

15 Q. On how many occasions?

16 VIDEO TECHNICIAN: Excuse me, your mike
17 fell out.

18 THE WITNESS: Did it?

19 MR. GRUBBS: Oh, yeah.

20 THE WITNESS: Sorry about that.

21 VIDEO TECHNICIAN: Thank you.

22 THE WITNESS: Did you hear what I said
23 earlier?

24 VIDEO TECHNICIAN: Yes.

25 THE WITNESS: Oh, you got it? Ken, I

1 replace them on June 13th, and a couple of months
2 later, you put them in the garage and went back to
3 San Antonio; correct?

4 A. Yeah. I don't know if it was a couple of
5 months. It might have been a few weeks or something,
6 but, yeah.

7 (Exhibit Number 15 marked.)

8 Q. (BY MR. SCHEIHING) Okay. Let me show you
9 Exhibit 15. This is a document that y'all produced.
10 Is that a list of the lawsuits that you've been a
11 party to?

12 A. Looks familiar. Yeah, looks about right.

13 Q. I think that was exhibit -- an exhibit to
14 y'all's request -- or interrogatory responses. Let
15 me see that real quick. I don't have another copy of
16 that.

17 Okay. The first one, the USAA case, this is
18 the case we've been talking about, over the June
19 12th, 2001 theft; correct?

20 A. Right.

21 Q. Then the second one is an auto accident?

22 A. Right.

23 Q. Third one, auto accident. Fourth one, you
24 sued Raymond Jones and National Automotive --
25 Automatic Transmission in county court. And it looks

1 like this case was settled out of court; correct?

2 A. Yeah.

3 Q. All right. Did that have something to do
4 with them doing work on a car or something?

5 A. Yeah.

6 Q. Okay.

7 A. I went and I had an oil pump that was bad
8 and they gave me a new transmission. I said, that's
9 a nice transmission but you didn't get it.

10 Q. Okay. Then Charles had an auto accident
11 that you're not involved in. Then it looks like you
12 had an eviction suit?

13 A. Yeah.

14 Q. Which premise was this?

15 A. That was 11416 Powder Mill Trail in Austin.

16 Q. Okay. That's in Austin. Then Richmond
17 Automotive, Travis County again. That looks like
18 they did some work for you and you sued them and --
19 and settled against --

20 A. Yeah.

21 Q. They settled with you?

22 A. Yeah. Engine work. The engine failed and
23 he didn't want to extend beyond his warranty.

24 Q. Okay. And then the next one is Southside
25 Wrecker.

1 A. Right.

2 Q. What did they do?

3 A. Oh, Lord. To make it the simplest answer,
4 they -- they vandalized my car while it was in
5 storage. That was after it had been stolen and there
6 was some -- there was some things on that that they
7 admitted to doing.

8 Q. Okay. Next one is THF&C Hi-Tech Automotive.
9 Again, it looks like for some kind of repairs to a
10 car or something?

11 A. Yeah. I purchased a vehicle. He said he --
12 he was going to give me a one-year war -- a one-year
13 warranty on the engine. Well, I had to go to
14 Richmond Automotive to get it put in. And they
15 screwed me over there, too. But I had an ad in the
16 paper that showed -- it says one-year warranty. So
17 he didn't show up.

18 Q. Okay. Then the next one, Cash Flow Systems,
19 Inc. What did you sue them for?

20 A. I had bought a -- a -- a real estate course,
21 some books, and it was also an agreement that he
22 would partner on real estate deals with you, which he
23 didn't. So I said, well, that's the only reason why
24 I want my money back. And finally, they did give me
25 my money.

1 Q. All right. Then Bryan Pringle suing Joanna
2 Benavides. What was that for?

3 A. Car -- the lady smacked the side of my car
4 and said I did it. And I said, "Cars don't go like
5 this, ma'am. They only go forwards and backwards."

6 Q. Okay. So that's one, two, three, four,
7 five, six, seven, eight, nine, ten, 11 lawsuits that
8 are listed on Exhibit 15. Besides that, you --
9 you've testified that you had another lawsuit against
10 Colonial Insurance.

11 A. Colonial Lloyds. Right.

12 Q. Yeah. Is that case still going on?

13 A. Yeah. We supposed to -- they keep getting
14 continuances. We're supposed to go to court in
15 February 7th, 2005.

16 Q. Is that in Taylor County?

17 A. Yes.

18 Q. Okay. Then another lawsuit is -- that I
19 don't think is on that list is Bryan Pringle and
20 Charles Pringle versus David Lawrence, Linda
21 Lawrence, Center Realtors, James A. Salzbury and Home
22 Critic. This is the -- a lawsuit that you and your
23 father filed basically for failure to disclose
24 problems with the 940 Beech premise at the time it
25 was sold to you?

1 A. Yeah. It was also for fraud, because it had
2 been condemned. And the real estate agent gave a
3 list of rents saying --

4 Q. Right.

5 A. -- and that was -- you know, condemned
6 properties don't have people living in them with
7 rent. Sure, I'll pay you 500 to live -- not live
8 there.

9 Q. Okay. Is that case still going on or is it
10 gone?

11 MR. GRUBBS: It settled.

12 A. No, I think they settled that one. They
13 came to their senses.

14 Q. (BY MR. SCHEIHING) How long ago?

15 THE WITNESS: That was in 2003, wasn't
16 it?

17 MR. GRUBBS: Um-hum.

18 Q. (BY MR. SCHEIHING) Do you recall what the
19 settlement was or --

20 A. Well, I signed a -- a disc -- what was that,
21 non-disclosure --

22 Q. Okay.

23 A. -- confidentiality agreement.

24 MR. GRUBBS: Good deal.

25 Q. (BY MR. SCHEIHING) All right.

1 A. They paid, though. They -- I think we got
2 an apology, too, from Mr. Lawrence.

3 THE WITNESS: Didn't we?

4 MR. GRUBBS: (Counsel nodding head
5 affirmatively.)

6 A. Yeah, he apologized for it.

7 Q. (BY MR. SCHEIHING) Okay. So the list of 11
8 lawsuits is 15. I told you about two others, which
9 would be number 12 and 13, and then you've got this
10 one against USAA, which is 14. Are you aware of any
11 other lawsuits that you have filed or that are
12 currently pending?

13 A. No, I think that's enough.

14 Q. You've been to court more than I have.

15 A. Oh, I'm sorry. Yeah, there's one more.

16 MR. GRUBBS: There is one more.

17 A. Jim Linehan.

18 Q. (BY MR. SCHEIHING) Oh, okay. That's right.

19 A. And he -- I -- if he shows up, I -- God
20 bless him.

21 Q. And that's in J.P. Court, as well?

22 A. Yeah. Precinct 3. It's on January 7th at
23 4:00.

24 Q. In Abilene?

25 A. No. Bexar County.

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CAUSE NO. 2003-CI-16056

BRYAN PRINGLE AND CHARLES) IN THE DISTRICT COURT
PRINGLE)
VS.) 224TH JUDICIAL DISTRICT
USAA INSURANCE AGENCY, INC.) BEXAR COUNTY, TEXAS

REPORTER'S CERTIFICATE TO THE VIDEOTAPED DEPOSITION
OF BRYAN D. PRINGLE
TAKEN ON DECEMBER 16TH, 2004

I, JACQUELYN A. HILL, Certified Shorthand
Reporter in and for the State of Texas, hereby
certify to the following:

That the witness, BRYAN D. PRINGLE, was
duly sworn by the officer and that the transcript of
the oral deposition is a true record of the testimony
given by the witness;

That the deposition transcript was
submitted on the 26th day of January, 2005,
to the witness, or to the attorney for the witness
for examination, signature, and return to me by the
16th day of February, 2005.

That the amount of time used by each party
at the deposition is as follows:

- Mr. Grubbs - 0 hour(s):3 minute(s)
- Mr. Scheihing - 4 hour(s):22 minute(s)

That pursuant to information given to the

1 deposition officer at the time said testimony was
 2 taken, the following includes counsel for all parties
 3 of record:

4 KENNETH E. GRUBBS Attorney for Plaintiff(s);
 5 ROBERT F. SCHEIHING Attorney for Defendant(s);

6 I further certify that I am neither counsel
 7 for, related to, nor employed by any of the parties
 8 or attorneys in the action in which this proceeding
 9 was taken, and further that I am not financially or
 10 otherwise interested in the outcome of the action.

11 Certified to by me this 26th day of

12 January, 2005.
 13
 14

15 JACQUELYN A. HILL
 16 Texas CSR 2481
 17 Firm Registration No. 180
 18 Expiration Date: 12/31/06
 9311 San Pedro, Suite 700
 San Antonio, Texas 78216
 (210) 492-3118

19 FURTHER CERTIFICATION UNDER RULE 203 TRCP

20 The original deposition was/was not
 21 returned to the deposition officer on _____;

22 If returned, the attached Changes and
 23 Signature page contains any changes and the reasons
 24 therefor;

25 If returned, the original deposition was

1 delivered to ROBERT F. SCHEIHING, Custodial Attorney;

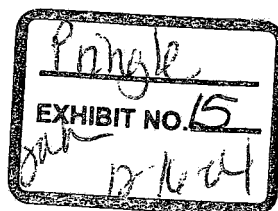
2 That \$ 1,646.25 is the deposition
3 officer's charges to the Defendant(s) for preparing
4 the original deposition transcript and any copies of
5 exhibits;

6 That the deposition was delivered in
7 accordance with Rule 203.3, and that a copy of this
8 certificate was served on all parties shown herein
9 and filed with the Clerk.

10 Certified to by me this _____ day of
11 _____, 200_.

12
13
14 JACQUELYN A. HILL
15 Texas CSR 2481
16 Firm Registration No. 180
17 Expiration Date: 12/31/06
18 9311 San Pedro, Suite 700
19 San Antonio, Texas 78216
20 (210) 492-3118
21
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<u>FILED</u>	<u>CAUSE#</u>	<u>PLAINTIFF(S)</u>	<u>DEFENDANT(S)</u>	<u>DISPOSITION</u>
9/19/02 TAYLOR COUNTY COURT 2	2652 BAD FAITH BREACH/DTPA	CHARLES PRINGLE & BRYAN PRINGLE	USAA INSURANCE	DISMISSED WITH PREJUDICE & SETTLED OUT OF COURT FOR \$1250 10/3/02
5/8/02 PCT 3 J.P. COURT BEXAR COUNTY	30-S-02-00210-01 AUTO ACCIDENT	BRYAN PRINGLE	ROBERT TINDLE, JR	DEFAULT JUDGEMENT FOR \$5000 AGAINST DEFENDANT 5/21/02
3/28/02 131ST DISTRICT COURT BEXAR COUNTY	2002-CI-04767 AUTO ACCIDENT & PERSONAL INJURY	CHARLES PRINGLE & JEFF PRINGLE	DELTON LECOMPTE & HIGHWAY HAULERS INC	PENDING
3/7/02 PCT 1, PL1 J.P COURT TAYLOR COUNTY	7558 DECEPTIVE ACT/DTPA	BRYAN PRINGLE	RAYMOND L. JONES & NATIONAL AUTOMATIC TRANSMISSIONS, INC	DISMISSED WITH PREJUDICE & SETTLED OUT OF COURT FOR \$450 4/2/02
12/26/01 PCT 3 J.P. COURT BEXAR COUNTY	30-S-01-00-601-01 AUTO ACCIDENT	CHARLES PRINGLE	JOHN BARRETT	DEFAULT JUDGEMENT FOR \$5000 AGAINST DEFENDANT 3/27/02
5/8/00 PCT 2 J.P. COURT WILLIAMSON COUNTY	2JE000098 EVICTION SUIT	BRYAN PRINGLE	LAURA RUIZ ORREGO & DAVID ORREGO	JUDGEMENT ASSESSED FOR \$57 AGAINST DEFENDANTS 5/23/00
4/12/99 J.P. COURT PCT 2 TRAVIS COUNTY	10935 WARRANTY BREACH	BRYAN PRINGLE	RICHMOND AUTOMOTIVE	DEFAULT JUDGEMENT FOR \$2700 AGAINST DEFENDANT 4/12/00
10/26/98 PCT 3 J.P COURT TRAVIS COUNTY	09687 VEHICLE DAMAGE	BRYAN PRINGLE	SOUTHSIDE WRECKER, INC	JUDGEMENT ASSESSED FOR \$915 AGAINST DEFENDANT 1/7/99



EX 14

<u>FILED</u>	<u>CAUSE#</u>	<u>PLAINTIFF(S)</u>	<u>DEFENDANT(S)</u>	<u>DISPOSITION</u>
10/26/98 PCT 4 J.P. COURT TRAVIS COUNTY	004215 WARRANTY BREACH	BRYAN PRINGLE	THF&C, HI-TECH AUTOMOTIVE 1&2	DEFAULT JUDGEMENT AGAINST DEFENDANTS 1/25/99 APPEALED & DISMISSED FOR LACK OF WANT OF PROSECUTION
11/22/96 PCT 2 J. P. COURT WILLIAMSON COUNTY	2SC960066 DECEPTIVE ACT/DTPA	BRYAN PRINGLE	CASH FLOW SYSTEMS, INC	DISMISSED WITH PREJUDICE & SETTLED OUT OF COURT FOR \$980 12/12/96
10/29/93 PCT 1 J.P. COURT WILLIAMSON COUNTY	S93050 AUTO ACCIDENT	BRYAN PRINGLE	JOANNA BENAVIDES	JUDGEMENT ASSESSED FOR \$1766.13 AGAINST DEFENDANT 1/14/94