

CoverPage

TO: 7136501720

Company:

Fax Number: 7136501720

Phone Number:

FROM: Fax Only .

Company: Robert L. Mays, Jr.

Fax Number: 210-657-7780

Phone Number: 210-657-7772

NOTES:

McPeters v Edwards, et.al.

Counsel:

Please see attached. I will speak with you tomorrow at 9:00 am.

Lee Mays

Phone: 210-842-9220 cell

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

KAREN McPETERS, individually, and on §
behalf of those individuals, persons and entities §
who are similarly situated §
Plaintiff §

vs.

§ CIVIL ACTION NO. 4:10-CV-01103

§
§
§ JURY

THE HONORABLE FREDERICK E. §
EDWARDS; BARBARA GLADDEN §
ADAMICK, DISTRICT CLERK; §
MONTGOMERY COUNTY, TEXAS, and §
REED ELSEVIER, INC. d/b/a LexisNexis §
Defendants §

INITIAL DISCLOSURES

TO THE HONORABLE KEITH P. ELLISON, U.S. DISTRICT JUDGE:

Now comes Karen McPeters (“McPeters”) and, pursuant to Fed. R. Civ. P. 26(a)
files her Initial Disclosures.

26(a)(1)(A)(i) Each individual likely to have discoverable information is:

Subject Matter

Karen McPeters -
c/o Robert L. Mays, Jr.
8626 Tesoro Drive, Ste. 820
San Antonio, Texas 78217
Phone: 210-657-7772

Charges by LexisNexis

Frederick E. Edwards –
c/o Allison Standish Miller
Shepherd, Scott, Clawwater & Houston, L.L.P.
2777 Allen Parkway, 7th Floor

The 2003 Order

Houston, Texas 77019
 (713) 650-6600
 (713) 650-1720 (fax)
amiller@sschlaw.com

Reed Elsevier, Inc. -
 c/o Emily L. Shoemaker, Attorney
 Paul, Hastings, Janofsky & Walker LLP
 600 Peachtree Street, N.E., Suite 2400
 Atlanta, GA 30308
 direct: 404 815 2252
 main: 404 815 2400
 direct fax: 404 685 5252
emilyshoemaker@paulhastings.com
www.paulhastings.com

The LexisNexis subscribers, the charges by
 LexisNexis to litigants, and its agreement(s)
 with Montgomery County

Montgomery County and Barbara Adamick
 c/o Sara M. Forlano
 Asst. Montgomery County Attorney
 207 W. Phillips, Suite 100
 Conroe, Texas 77301
sara.forlano@mctx.org
 Phone: 936-539-7828
 FAX: 936-760-6920

Its agreement with LexisNexis and
 its implementation of the agreement
 and the 2003 Order

26(a)(1)(A)(ii) A copy of all documents that Plaintiff has in her possession, custody or control and may be used to support her claims, is either attached, or described as having been filed or produced by the parties in this cause number.

In addition to the documents that are attached, Karen McPeters incorporates herein:

- (a) Previously filed exhibits A - I, Document 19-1, pages 1-50,
- (b) Texas Supreme Court Order, Document 8-1, pages 1-5,
- (c) The 2003 Order in -09142, Document 8-3, pages 1-2,
- (d) The Clerk's Check List, Document 8-4, pages 23-24,
- (e) The 2003 Order in -09142, Document 13-2, pages 1-2,
- (f) LawPlus Service Agreement, Document 23, pages 5-12,

(g) Clerk Notes, Document 51-4, pages 1-3, and

(h) A Judge's Perspective of E-filing, Document 51-6, pages 1-3.

26(a)(1)(A)(iii) Damages claimed are attached and include filing fees, attorney's fees, transcript costs, and charges by LexisNexis.

McPeters II – Investigative costs - \$18,215.14

McPeters III – Attorney's fees and costs as of 7/20/10 – \$88,703.95 (expected to increase)

LexisNexis charges - \$444.71 (these are expected to increase)

26(a)(1)(A)(iv) There are no insurance agreements known to Karen McPeters.

Respectfully submitted,

/S/ Robert L. Mays, Jr.
Robert L. Mays, Jr.
Attorney in Charge
TBN: 13308200
So. Dist. ID: 11606
8626 Tesoro Drive, Suite 820
San Antonio, Texas 78217
Phone: 210-657-7772
FAX: 210-657-7780

CERTIFICATE OF SERVICE

I certify that on July 21, 2010 I transmitted a true and correct copy of these Initial Disclosures and the attached documents to counsel for Defendants in accordance with Fed. R. Civ. P. 5.

/S/ Robert L. Mays, Jr.
Robert L. Mays, Jr.

EMPLOYMENT AGREEMENT

ROBERT L. MAYS, JR., Attorney at Law, (hereinafter Attorney) agrees to provide legal services to: Karen Sue McPeters (hereinafter Client) concerning general legal representation, including asserting a claim against the Montgomery County District Clerk for charging unauthorized fees in her discrimination lawsuit. Client agrees to have Attorney represent her concerning the above matter. Client agrees to pay Attorney at the law offices of Robert L. Mays, Jr. in Bexar County, Texas:

Prior to commencement of representation, Client agrees to pay Attorney in Bexar County, Texas:

1. A retainer of \$0.00 upon signing this agreement, and
2. the rate of fifty percent (50%) of any recovery after attorney's fees.

The attorney's fees charged by Robert L. Mays, Jr. shall be a reasonable fee, based on the value of the services rendered according to the standards enunciated in the Texas Disciplinary Rules of Profession Conduct, Rule 1.04, which include: (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly; (2) the likelihood, if apparent to the Client, that the acceptance of the particular employment will preclude other employment by the Attorney; (3) the fee customarily charged in the locality for similar legal service; (4) the amount involved and the results obtained; (5) the time limitations imposed by the Client or by the circumstances; (6) the nature and length of the professional relationship with the Client; (7) the experience, reputation, and ability of the Attorney performing the services; and (8) whether the fee is fixed or contingent on results obtained or uncertainty of collection before legal services are rendered. Attorney may charge Client a supplemental fee for a favorable result, and Client agrees to pay said fee.

Robert L. Mays, Jr.'s contingent fee is fifty percent (50%) of the recovery for Karen McPeters, after repayment to Robert L. Mays, Jr. of all amounts paid for costs. Any attorney's fees awarded shall be the sole property of Attorney. Client shall reimburse Attorney for all costs and expenses. Client irrevocably sells, transfers, assigns and conveys to Attorney an undivided interest of one-half of the above described claim, after costs and expenses. Attorney shall not be obligated to collect any award; an independent fee agreement shall cover collection.

Services required which do not require attorney time shall be billed to client at \$50.00 per hour of support staff time; billable time, costs and expenses shall be paid when billed to Client; any unpaid bill may be applied against the above retainer, but client shall immediately tender sufficient funds to pay each bill in full, and to return the retainer balance to the above indicated amount when billed to client. At the conclusion of representation Attorney shall refund the balance of the retainer, if any, less any unpaid fees, costs and expenses, to Client.

Client shall pay a deposit of \$ 0.0 to cover costs and expenses incurred by Client or any unpaid attorney's fees; Client shall be billed for subsequent costs and expenses, as incurred. Attorney may deposit any funds, whether received now or in the future, in an interest bearing trust account, and may retain any interest earned thereon, without accounting to or reimbursing Client therefor. Actual Attorney's records of time expended shall not be required or made the sole basis for the final amount of attorney fees.

Client agrees and understands that, although the case will be supervised by Attorney, certain aspects of the case may be handled by other persons associated with Attorney. Client agrees to reimburse Attorney for expenses incurred on Client's behalf. "Expenses" include (but are not limited to) photocopies, postage, facsimile transmissions, filing fees, Sheriff's fees, court reporter

costs, automobile mileage at \$0.50 per mile, long distance telephone and telegraph costs, cost of witnesses and experts and any other out-of-pocket expenses expended on Client's behalf. Attorney may, but is not required, to advance money for Client's costs.

Client understands and agrees that payment of Client's costs shall be Client's legal responsibility regardless of whether the Court orders all or any part of the fee and/or costs to be paid by any other party to the representation; provided however, that any amounts actually paid to Attorney by the other party for costs shall be credited to Client on such fee. If there is no recovery, Client shall owe no costs. If Client abandons the subject of this contract, or after investigation of the facts and research of the laws, if Attorney elects, Attorney may stop work and discharge himself from further action on the subject of this contract, set off all funds received against any debt then owed Attorney and be relieved from any further liability:

Time is of the essence and all sums due hereunder shall be due and payable upon receipt of proceeds of settlement or judgment, or if there are no proceeds, then upon the mailing or hand delivery to Client of a statement and such sums shall bear interest at the lesser of the maximum interest rate then allowed by law or ten (10%) percent per annum beginning at invoice date.

If Attorney employs an attorney to enforce this contract, Client agrees to pay a reasonable attorney's fee plus court costs, and expenses.

This Agreement shall not bind Attorney to represent Client after Judgment is rendered and entered, but if Attorney represents Client after Judgment without a new compensation agreement, then for the additional work Client shall pay the greater of a reasonable fee as defined above or the hourly fee arrangement above described, plus in either case, the expenses under the same terms of this Agreement. This Agreement inures to the benefit of and binds the parties' heirs, successors and assigns.

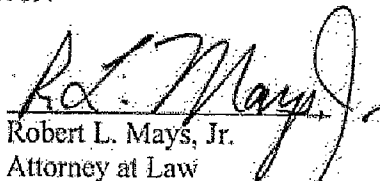
Client understands and agrees that Attorney does not guarantee results, or that Client will have a specific outcome in Client's case. Client also understands and agrees that Attorney's statements to Client are based on Attorney's professional judgment based on the information which Client has provided to Attorney. Additional information or new developments can change completely the chance of success in any representation.

I have read these two pages and I agree to them. I understand that I need not sign this Agreement today, that I may take this Agreement home and think about it before signing it, and that I will be given a copy when I sign it.

SIGNED this the 20th day of November, 2009.



Karen Sue McPeters
3563 Sage Meadow
San Antonio, Texas 78222
Phone: 210-648-4174
281-761-5421 cell
DOB: 8-11-1962
SSN: 454-33-0552



Robert L. Mays, Jr.
Attorney at Law
8626 Tesoro Drive, Ste. 820
San Antonio, Texas 78217
Phone: (210) 657-7772
FAX: (210) 657-7780

July 16, 2010

Invoice submitted to:

INVOICE

Karen McPeters
3563 Sage Meadow
San Antonio TEXAS 78222

In Reference To: Rule 202 Petition for Montgomery County District Clerk, Barbara
Gladden Adamick.

Invoice #10368

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
11/16/2009 Research requirements for Rule 202 petitions. Research [REDACTED] [REDACTED]	4.50 325.00/hr	1,462.50
11/17/2009 Research requirements for Rule 202 petitions. Research [REDACTED] [REDACTED]	4.75 325.00/hr	1,543.75
11/18/2009 Research and draft Rule 202 petition. Telephone conference with [REDACTED] [REDACTED]	5.08 325.00/hr	1,652.08
11/19/2009 Research requirements for and draft order to accompany Rule 202 petition. Revise Rule 202 petition.	0.75 325.00/hr	243.75
11/20/2009 Begin drafting questions for [REDACTED]	1.42 325.00/hr	460.42
11/25/2009 Draft letter to [REDACTED] [REDACTED]	1.50 325.00/hr	487.50
11/30/2009 Conference with [REDACTED]	0.67 325.00/hr	216.67
12/2/2009 Received and reviewed [REDACTED] [REDACTED]	0.42 325.00/hr	135.42

Karen McPeters

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	<u>Hrs/Rate</u>	<u>Amount</u>
12/7/2009 Draft [REDACTED]	1.33 325.00/hr	433.33
Research requirements for [REDACTED]	4.50 325.00/hr	1,462.50
12/8/2009 Research case law concerning [REDACTED]	6.08 325.00/hr	1,977.08
12/9/2009 Draft revisions to [REDACTED]	3.58 325.00/hr	1,164.58
1/6/2010 Received correspondence from Montgomery County District Clerk [REDACTED]	0.33 325.00/hr	108.33
1/7/2010 Reviewed and printed [REDACTED]	0.33 325.00/hr	108.33
2/1/2010 Received email from [REDACTED]	0.25 325.00/hr	81.25
2/17/2010 Telephone conference with Sydney Moreau, court coordinator for Judge Bob Wortham, 58th District Court, Jefferson County, Texas. [REDACTED]	0.08 325.00/hr	27.08
Draft revisions to the Rule 202 petition. [REDACTED]	2.75 325.00/hr	893.75
2/22/2010 Draft revisions to questions [REDACTED]	1.67 325.00/hr	541.67
2/26/2010 Telephone conference with Sydney Moreau, court coordinator for Judge Bob Wortham, 58th District Court, Jefferson County, Texas to determine the date for the hearing on the Rule 202 petition. [REDACTED]	0.08 325.00/hr	27.08
Telephone conference with client [REDACTED]	0.08 325.00/hr	27.08
3/2/2010 Telephone conference with client [REDACTED]	0.08 325.00/hr	27.08
3/3/2010 Telephone conference with Sydney Moreau, court coordinator for Judge Bob Wortham, 58th District Court, Jefferson County, Texas. [REDACTED]	0.17 325.00/hr	54.17
3/25/2010 Preparation for hearing before Judge Wortham in Conroe, Texas [REDACTED]	1.00 325.00/hr	325.00

Karen McPeters

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	<u>Hrs/Rate</u>	<u>Amount</u>
3/26/2010 Travel to Conroe, Texas. Court hearing before Judge Wortham in Conroe, Texas on Rule 202 petition. Travel to San Antonio, Texas.	12.17 325.00/hr	3,954.17
For professional services rendered	<u>53.57</u>	<u>\$17,414.57</u>
Additional Charges :		
11/20/2009 Photocopies of Rule 202 petition, the statute, and order to accompany Rule 202 petition.		12.00
Mail Rule 202 petition, the statute, and order to accompany Rule 202 petition to Barbara Adamick, Montgomery County District Clerk via certified mail.		12.18
Court filing fee for Rule 202 petition mailed to Barbara Adamick, Montgomery County District Clerk.		237.00
12/1/2009 Received and reviewed facsimile transmission [REDACTED]		6.00
12/2/2009 Photocopy of letter to [REDACTED]		0.75
Mail photocopy of letter to [REDACTED]		2.11
1/7/2010 [REDACTED]		21.25
3/26/2010 Air fare from San Antonio to Houston Hobby and return for court hearing in Conroe, Texas.		209.90
Car rental from Houston Hobby Airport for court hearing in Conroe, Texas.		30.88
3/30/2010 Deposition Costs for McPeters II from Leticia Salas, court reporter, 7424 Azalea Street, Houston, TX 77023, phone: 281-917-9803.		268.50
Total additional charges		<u>\$800.57</u>
Total amount of this bill		<u>\$18,215.14</u>
Balance due		<u>\$18,215.14</u>

EMPLOYMENT AGREEMENT

ROBERT L. MAYS, JR., Attorney at Law, (hereinafter Attorney) agrees to provide legal services to: Karen Sue McPeters (hereinafter Client) concerning general legal representation, including asserting a claim against Judge Frederick Edwards, Barbara Adamick, Montgomery County District Clerk, Montgomery County, Texas and Reed Elsevier, Inc. for charging unauthorized fees in her Montgomery County discrimination lawsuit. Client agrees to have Attorney represent her concerning the above matter. Client agrees to pay Attorney at the law offices of Robert L. Mays, Jr. in Bexar County, Texas:

Prior to commencement of representation, Client agrees to pay Attorney in Bexar County, Texas:

1. A retainer of \$0.00 upon signing this agreement, and
2. the rate of fifty percent (50%) of any recovery after attorney's fees.

The attorney's fees charged by Robert L. Mays, Jr. shall be a reasonable fee, based on the value of the services rendered according to the standards enunciated in the Texas Disciplinary Rules of Profession Conduct, Rule 1.04, which include: (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly; (2) the likelihood, if apparent to the Client, that the acceptance of the particular employment will preclude other employment by the Attorney; (3) the fee customarily charged in the locality for similar legal service; (4) the amount involved and the results obtained; (5) the time limitations imposed by the Client or by the circumstances; (6) the nature and length of the professional relationship with the Client; (7) the experience, reputation, and ability of the Attorney performing the services; and (8) whether the fee is fixed or contingent on results obtained or uncertainty of collection before legal services are rendered. Attorney may charge Client a supplemental fee for a favorable result, and Client agrees to pay said fee.

Robert L. Mays, Jr.'s contingent fee is fifty percent (50%) of the recovery for Karen McPeters, after repayment to Robert L. Mays, Jr. of all amounts paid for costs in all litigation on behalf of Client. Any attorney's fees awarded shall be the sole property of Attorney. Client shall reimburse Attorney for all costs and expenses. Client irrevocably sells, transfers, assigns and conveys to Attorney an undivided interest of one-half of the above described claim, after costs and expenses. Attorney shall not be obligated to collect any award; an independent fee agreement shall cover collection.

Services required which do not require attorney time shall be billed to client at \$50.00 per hour of support staff time; billable time, costs and expenses shall be paid when billed to Client; any unpaid bill may be applied against the above retainer, but client shall immediately tender sufficient funds to pay each bill in full, and to return the retainer balance to the above indicated amount when billed to client. At the conclusion of representation Attorney shall refund the balance of the retainer, if any, less any unpaid fees, costs and expenses, to Client.

Client shall pay a deposit of \$ 0.0 to cover costs and expenses incurred by Client or any unpaid attorney's fees; Client shall be billed for subsequent costs and expenses, as incurred. Attorney may deposit any funds, whether received now or in the future, in an interest bearing trust account, and may retain any interest earned thereon, without accounting to or reimbursing Client therefor. Actual Attorney's records of time expended shall not be required or made the sole basis for the final amount of attorney fees.

Client agrees and understands that, although the case will be supervised by Attorney, certain aspects of the case may be handled by other persons associated with Attorney. Client agrees to

reimburse Attorney for expenses incurred on Client's behalf. "Expenses" include (but are not limited to) photocopies, postage, facsimile transmissions, filing fees, Sheriff's fees, court reporter costs, automobile mileage at \$0.50 per mile, long distance telephone and telegraph costs, cost of witnesses and experts and any other out-of-pocket expenses expended on Client's behalf. Attorney may, but is not required, to advance money for Client's costs.

Client understands and agrees that payment of Client's costs shall be Client's legal responsibility regardless of whether the Court orders all or any part of the fee and/or costs to be paid by any other party to the representation; provided however, that any amounts actually paid to Attorney by the other party for costs shall be credited to Client on such fee. If there is no recovery, Client shall owe no costs. If Client abandons the subject of this contract, or after investigation of the facts and research of the laws, if Attorney elects, Attorney may stop work and discharge himself from further action on the subject of this contract, set off all funds received against any debt then owed Attorney and be relieved from any further liability.

Time is of the essence and all sums due hereunder shall be due and payable upon receipt of proceeds of settlement or judgment, or if there are no proceeds, then upon the mailing or hand delivery to Client of a statement and such sums shall bear interest at the lesser of the maximum interest rate then allowed by law or ten (10%) percent per annum beginning at invoice date.

If Attorney employs an attorney to enforce this contract, Client agrees to pay a reasonable attorney's fee plus court costs, and expenses.

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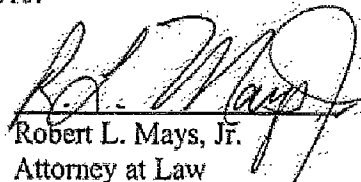
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I have read these two pages and I agree to them. I understand that I need not sign this Agreement today, that I may take this Agreement home and think about it before signing it, and that I will be given a copy when I sign it.

SIGNED this the 2nd day of February, 2010.



Karen Sue McPeters
3563 Sage Meadow
San Antonio, Texas 78222
Phone: 210-648-4174
281-761-5421 cell
DOB: 8-11-1962
SSN: 454-33-0552



Robert L. Mays, Jr.
Attorney at Law
8626 Tesoro Drive, Ste. 820
San Antonio, Texas 78217
Phone: 210-657-7772
FAX: 210-657-7780

July 21, 2010

Invoice submitted to:

INVOICE

Karen McPeters
3563 Sage Meadow
San Antonio TX 78222

In Reference To: Class action lawsuit against Judge Fred Edwards, Barbara
Adamick, Montgomery County and LexisNexis.

Invoice #10368

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
1/12/2010 Research [REDACTED]	2.50 325.00/hr	812.50
1/13/2010 Begin drafting Plaintiff's Original Complain for U.S. District Court in Houston with RICO requirements. Research parent company of LexisNexis, and research registered agent for Reed Elsevier, Inc. Determine addresses for service on Defendants. Incorporate claims under Federal and State Constitutions.	11.25 325.00/hr	3,656.25
1/14/2010 Continue drafting Plaintiff's Original Complain for U.S. District Court in Houston [REDACTED]	3.08 325.00/hr	1,002.08
1/18/2010 Continue drafting Plaintiff's Original Complaint for U.S. District Court in Houston. [REDACTED]	8.58 325.00/hr	2,789.58
1/19/2010 Continue drafting Plaintiff's Original Complaint for U.S. District Court in Houston. [REDACTED]	11.83 325.00/hr	3,845.83
1/20/2010 Continue drafting Plaintiff's Original Complaint for U.S. District Court in Houston. [REDACTED]	3.83 325.00/hr	1,245.83
1/21/2010 Continue drafting Plaintiff's Original Complaint for U.S. District Court in Houston. [REDACTED]	3.75 325.00/hr	1,218.75

Karen McPeters

Page 2

	<u>Hrs/Rate</u>	<u>Amount</u>
1/22/2010 Continue drafting Plaintiff's Original Complaint for U.S. District Court in Houston. Research case law [REDACTED].	1.42 325.00/hr	460.42
1/23/2010 Continue drafting Plaintiff's Original Complaint for U.S. District Court in Houston. Research [REDACTED].	6.75 325.00/hr	2,193.75
1/24/2010 Continue drafting Plaintiff's Original Complaint for U.S. District Court in Houston. Research [REDACTED].	3.75 325.00/hr	1,218.75
2/1/2010 Received email [REDACTED]. Begin revisions to Plaintiff's Original Complaint for U.S. District Court in Houston to include [REDACTED].	3.08 325.00/hr	1,002.08
2/3/2010 Research service requirements for [REDACTED].	6.67 325.00/hr	2,166.67
2/6/2010 Research standard for pleadings as set forth [REDACTED].	2.83 325.00/hr	920.83
2/7/2010 Research recommended forms pursuant to FRCP. Draft "Notice of a Lawsuit & Request to Waive Service of a Summons," and "Waiver of the Service of Summons" for delivery to Reed Elsevier, Inc. d/b/a LexisNexis.	2.00 325.00/hr	650.00
2/11/2010 Review and draft revisions to Original Complaint [REDACTED].	2.08 325.00/hr	677.08
2/12/2010 Continue drafting [REDACTED].	2.50 325.00/hr	812.50
2/13/2010 Research [REDACTED]. Research [REDACTED].	1.67 325.00/hr	541.67

Karen McPeters

Page 4

	<u>Hrs/Rate</u>	<u>Amount</u>
4/19/2010 Telephone conference with [REDACTED] [REDACTED] Research document filing with [REDACTED]	1.33 325.00/hr	433.33
4/20/2010 Telephone conference with [REDACTED] [REDACTED] Research [REDACTED] [REDACTED] Organize [REDACTED] exhibits, statutes and case law	3.42 325.00/hr	1,110.42
4/21/2010 Telephone conference [REDACTED] [REDACTED] Telephone conference	0.75 325.00/hr	243.75
4/28/2010 Draft additional items to be included in the Requests for Production [REDACTED] [REDACTED]	1.17 325.00/hr	379.17
[REDACTED]	0.25 325.00/hr	81.25
5/2/2010 Review existing exhibits and draft additional requests for production of documents for Montgomery County District Clerk, and Montgomery County [REDACTED] [REDACTED]	4.33 325.00/hr	1,408.33
5/3/2010 Draft and revise deposition questions for Montgomery County District Clerk, Montgomery County, Judge Edwards and begin drafting questions for LexisNexis.	3.17 325.00/hr	1,029.17
5/4/2010 Research [REDACTED] [REDACTED]	2.92 325.00/hr	947.92
5/5/2010 Received notice from the Court that [REDACTED] [REDACTED]	1.00 325.00/hr	325.00
5/6/2010 Review Montgomery County's "Motion to Dismiss for Failure to State a Claim."	1.08 325.00/hr	352.08
5/7/2010 Research [REDACTED] [REDACTED]	2.75 325.00/hr	893.75
5/8/2010 Draft response to Defendant Montgomery County's 12(b)(6) motion.	7.58 325.00/hr	2,464.58
5/9/2010 Draft response to Defendant Montgomery County's 12(b)(6) motion.	1.75 325.00/hr	568.75
5/10/2010 Draft response to Defendant Montgomery County's 12(b)(6) motion.	6.08 325.00/hr	1,977.08

Karen McPeters

Page 5

	<u>Hrs/Rate</u>	<u>Amount</u>
5/11/2010 Draft response to Defendant Montgomery County's 12(b)(6) motion [REDACTED] [REDACTED]	8.25 325.00/hr	2,681.25
5/12/2010 Research and draft revisions to First Amended Complaint [REDACTED] [REDACTED]	6.92 325.00/hr	2,247.92
5/13/2010 Continue drafting revisions to First Amended Complaint.	3.67 325.00/hr	1,191.67
5/14/2010 Continue drafting revisions to First Amended Complaint.	6.08 325.00/hr	1,977.08
5/15/2010 Complete drafting revisions to First Amended Complaint.	8.75 325.00/hr	2,843.75
5/16/2010 Continue drafting revisions to First Amended Complaint and Exhibits to First Amended Complaint.	6.92 325.00/hr	2,247.92
5/17/2010 Complete revisions and file First Amended Complaint and Exhibits to First Amended Complaint with the U.S. District Court, Southern District of Texas-Houston Division.	3.17 325.00/hr	1,029.17
5/18/2010 Draft Request for Production [REDACTED] [REDACTED]	2.50 325.00/hr	812.50
Modify and add to Request for Production [REDACTED] [REDACTED]	1.00 325.00/hr	325.00
5/31/2010 Email from U.S. District Court in Houston concerning Sara Forlano's Rule 12(b)(6) motion. Response concerning its status.	0.17 325.00/hr	54.17
6/1/2010 Email from Sara Forlano to U.S. District Court in Houston concerning an amended Rule 12(b)(6) motion. Telephone conference with Sara Forlano concerning page limit of her emended motion. Telephone message and Email from and to Allison Miller, counsel for Judge Edwards, granting her a 14-day extension to file an answer. [REDACTED]	0.42 325.00/hr	135.42
6/3/2010 Draft response to First Amended 12(b)(6) Motion by Montgomery County.	4.50 325.00/hr	1,462.50
6/4/2010 Draft revisions to Second Amended Complaint.	5.42 325.00/hr	1,760.42
6/5/2010 Draft revisions to Second Amended Complaint. Research [REDACTED] [REDACTED]. Add additional statutory references. Draft Response to Montgomery County's Motion to Dismiss for Failure to State a Claim and proposed Order.	5.17 325.00/hr	1,679.17

Karen McPeters

Page 6

	<u>Hrs/Rate</u>	<u>Amount</u>
6/6/2010 Complete revisions to Second Amended Complaint and file. File Response to Montgomery County's Motion to Dismiss for Failure to State a Claim and proposed Order. Transmit copies to opposing counsel. [REDACTED]	3.67 325.00/hr	1,191.67
6/8/2010 Draft edits to Motion for Leave to Amend First Amended Complaint. Edit proposed Order. Review 12(b)(6) Motion to Dismiss filed by LexisNexis and Pro Hac Vice filings on behalf of LexisNexis. Telephone conference with attorneys for all Defendants concerning their proposed Motion to Strike Second Amended Complaint, and opposition to Second Amended Complaint.	4.25 325.00/hr	1,381.25
6/9/2010 Complete edits to Motion for Leave to Amend First Amended Complaint and add certificate of conference. File Motion and proposed Order with ECF.	0.83 325.00/hr	270.83
6/17/2010 Receive and review motions, proposed orders from LexisNexis, Montgomery County and Judge Edwards. Research [REDACTED]	1.50 325.00/hr	487.50
6/29/2010 Review pleadings and cases for hearing on June 30, 2010. Telephone conference with U.S. District Court to check telephone number for conference call 713-250-5238. [REDACTED]	2.17 325.00/hr	704.17
6/30/2010 Review pleadings and cases and draft [REDACTED]	2.67 325.00/hr	866.67
7/4/2010 Research [REDACTED] vs. Research [REDACTED] [REDACTED] (THR)	3.42 250.00/hr	854.17
7/5/2010 [REDACTED] vs. [REDACTED] [REDACTED] (THR)	4.33 250.00/hr	1,083.33
7/6/2010 Review [REDACTED] [REDACTED] (THR)	2.67 325.00/hr 1.33 250.00/hr	866.67 333.33
7/7/2010 Review documents and review case. Researched [REDACTED]	2.58 325.00/hr 3.33 250.00/hr	839.58 833.33

Karen McPeters

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	<u>Hrs/Rate</u>	<u>Amount</u>
[REDACTED] s. (THR)		
7/8/2010 Review documents and review case.	3.67 325.00/hr	1,191.67
Researched [REDACTED] [REDACTED] [REDACTED] (THR)	4.08 250.00/hr	1,020.83
7/9/2010 Review documents and review case. Revise Third Amended Complaint.	3.75 325.00/hr	1,218.75
[REDACTED] (THR)	1.75 250.00/hr	437.50
7/10/2010 [REDACTED] (THR)	1.00 250.00/hr	250.00
7/11/2010 Draft Table of Contents and Index of Authorities.	4.00 325.00/hr	1,300.00
[REDACTED] (THR)	0.25 250.00/hr	62.50
7/12/2010 [REDACTED] (THR)	0.75 250.00/hr	187.50
7/13/2010 [REDACTED] (THR)	2.50 250.00/hr	625.00
7/14/2010 Draft revisions to Third Amended Complaint. [REDACTED] s.	4.75 325.00/hr	1,543.75
[REDACTED] (THR)	3.50 250.00/hr	875.00
7/15/2010 Draft additional revisions to Third Amended Complaint. Research [REDACTED]	4.92 325.00/hr	1,597.92
7/16/2010 Draft additional revisions to Third Amended Complaint. Research [REDACTED]	2.33 325.00/hr	758.33

Karen McPeters

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	<u>Hrs/Rate</u>	<u>Amount</u>
7/19/2010 Draft additional revisions to Third Amended Complaint.	3.17 325.00/hr	1,029.17
7/20/2010 Case research and draft revisions to Motion to Determine Treatment of Motions. Email conference with opposing counsel. File motion and proposed order.	2.33 325.00/hr	758.33
For professional services rendered	<u>276.16</u>	<u>\$87,785.41</u>
Additional Charges :		
2/12/2010 Photocopies of drafts of Original Complaint.		25.00
4/6/2010 Photocopy of Summons and letter to Clerk of Court, David Bradley.		4.75
Mail original and photocopies of Summons and letter to Clerk of Court, David Bradley, with SASE envelope.		4.99
Mail photocopy of Original Complaint and Exhibits to client. Mail a photocopy of letter to Clerk of Court. Mail photocopies of Rule 89 Notices to Montgomery County - County Judge and County Attorney via certified mail.		21.58
Court filing fee for filing Original Complaint and Exhibits.		350.00
4/7/2010 Photocopies of the Original Complaint and Exhibits for Defendants for service. Photocopies of Notice of a Lawsuit and Waiver of Summons for Lexis Nexis.		66.00
Mail photocopy of Original Complaint and Exhibits, and photocopy of Notice of a Lawsuit and Waiver of Summons for Lexis Nexis. Mail to C T Corporation Systems via certified mail.		12.99
4/8/2010 Received facsimile transmission from U.S. District Court with Order for Conference and Disclosure of Interested Parties.		2.00
Photocopy of facsimile transmission from U.S. District Court with Order for Conference and Disclosure of Interested Parties for client.		0.50
Mail photocopy of facsimile transmission from U.S. District Court with Order for Conference and Disclosure of Interested Parties to client.		0.70
Photocopy of court procedures and attachments for Judge Ellison for service on defendants.		39.00
Mail letter and photocopy of court procedures and attachments for Judge Ellison for service on Reed Elsevier, Inc. Mailed to C T Corporation Systems via certified mail.		10.93
4/12/2010 Prepare return receipt envelope for returned Summons from U.S. District Court.		0.70
4/29/2010 Photocopies of returned Summons for Adamick, and Montgomery County through Sadler and Walker.		2.50
Mail returned Summons to U.S. District Court in Houston for Adamick, and Montgomery County through Sadler and Walker.		0.98

Karen McPeters

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	<u>Amount</u>
4/29/2010 Service fee for Kim Tindall & Associates for delivery of Summons for Adamick, and Montgomery County through Sadler and Walker.	240.00
Mail check to Kim Tindall & Associates for service of process of Summons for Adamick, and Montgomery County through Sadler and Walker.	0.70
5/14/2010 Photocopies of draft revisions to First Amended Complaint.	62.50
5/17/2010 Photocopies of Rule 12(b)(6) Motion and Exhibits and First Amended Complaint and Exhibits to First Amended Complaint for client.	45.75
Mail photocopy of Rule 12(b)(6) Motion and Exhibits and First Amended Complaint and Exhibits to First Amended Complaint to client.	8.00
6/17/2010 Photocopies of motions, proposed orders from LexisNexis, Montgomery County and Judge Edwards.	5.75
Mail photocopies of motions, proposed orders from LexisNexis, Montgomery County and Judge Edwards to client.	3.20
6/22/2010 Photocopy of court filings by defendants.	7.25
Mail photocopy of court filings by defendants to client.	2.77
Total additional charges	<u>\$918.54</u>
Total amount of this bill	<u>\$88,703.95</u>
Balance due	<u><u>\$88,703.95</u></u>

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LexisNexis File & Serve

LexisNexis® File & Serve Invoice

Account: Mays, Robert L Jr 8626 Tesoro Dr Ste 820 San Antonio, TX 78217	Billing Period: 200910 AccountingId: 0690542501 InvoiceId: 2009100690542501	Please send top portion of invoice and payment to: LexisNexis, a division of Reed Elsevier Inc. P.O. Box 7247-6882 Philadelphia, PA 19170-6882
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Billing Period Summary

Transaction Subtotal:	\$60.00
Adjustment Subtotal:	\$60.00
Sales Tax:	\$3.92
Statutory Filing Fees / Postage:	\$0.00
Total Charges:	\$63.92

File, Service & Notification Fees

Court	TX Montgomery 9th District Court
Case Number	07-09-09142
Case Style	Mcpeters, Karen vs Montgomery County Texas

Transaction ID: 27453107 (10/7/2009 3:05 PM CDT) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays
Documents: Plaintiff Karen McPeters' Notice of Appeal **2 Pages**
Filing Parties: McPeters, Karen (Plaintiff) **Billing Reference**

Charges:	Product/Service	Fee	Sales Tax	Total
	Court Cost Recovery Fee	\$0.00	\$0.00	\$0.00
	Filing	\$7.00	\$0.46	\$7.46
	Online Service	\$8.00	\$0.52	\$8.52
	Processing Fee	\$0.00	\$0.00	\$0.00
	Total for Transaction ID 27453107:	\$15.00	\$0.98	\$15.98

Transaction ID: 27516152 (10/13/2009 8:36 AM CDT) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays
Documents: Plaintiff Karen McPeters' Amended Notice of Appeal **2 Pages**
Filing Parties: McPeters, Karen (Plaintiff) **Billing Reference**

Charges:	Product/Service	Fee	Sales Tax	Total
	Court Cost Recovery Fee	\$0.00	\$0.00	\$0.00
	Filing	\$7.00	\$0.46	\$7.46
	Online Service	\$8.00	\$0.52	\$8.52
	Processing Fee	\$0.00	\$0.00	\$0.00

Total for Transaction ID 27518152: \$15.00 \$0.98 \$15.98

Transaction ID: 27518291 (10/13/2009 8:54 AM CDT) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays
Documents: Plaintiff Karen McPeters' Letter Requesting Clerk's Record **5 Pages**
Filing Parties: McPeters, Karen (Plaintiff) **Billing Reference**

Charges:	Product/Service	Fee	Sales Tax	Total
	Court Cost Recovery Fee	\$0.00	\$0.00	\$0.00
	Filing	\$7.00	\$0.46	\$7.46
	Online Service	\$8.00	\$0.52	\$8.52
	Processing Fee	\$0.00	\$0.00	\$0.00
Total for Transaction ID 27518291:		\$15.00	\$0.98	\$15.98

Transaction ID: 27667832 (10/21/2009 2:37 PM CDT) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays
Documents: Plaintiff Karen McPeters' Request for Findings of Fact and Conclusions of Law **1 Pages**
Filing Parties: McPeters, Karen (Plaintiff) **Billing Reference**

Charges:	Product/Service	Fee	Sales Tax	Total
	Court Cost Recovery Fee	\$0.00	\$0.00	\$0.00
	Filing	\$7.00	\$0.46	\$7.46
	Online Service	\$8.00	\$0.52	\$8.52
	Processing Fee	\$0.00	\$0.00	\$0.00
Total for Transaction ID 27667832:		\$15.00	\$0.98	\$15.98

Summary for Case 07-09-09142: \$60.00 \$3.92 \$63.92

Filing, Service & Notification Fees Total: \$60.00 \$3.92 \$63.92

Alert Fees

Alerts Fees Total: \$0.00

Purchased Document Fees

Document Purchase Fees Total: \$0.00

Setup Fees

Setup Fees Total: \$0.00

Case Fees

Case Fees Total:	\$0.00
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Message Board Fees

Message Board Fees Total:	\$0.00
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Monthly Research Fees

Monthly Research Fees Total:	\$0.00
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Search/Report Fees

Search/Report Fees Total:	\$0.00
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Account: Mays, Robert L Jr 8626 Tesoro Dr Ste 820 San Antonio, TX 78217	Billing Period: 200911 AccountingId: 0690542501 InvoiceId: 2009110690542501	Please send top portion of invoice and payment to: LexisNexis, a division of Reed Elsevier Inc. P.O. Box 7247-6882 Philadelphia, PA 19170-6882
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Billing Period Summary

Transaction Subtotal:	\$60.00
Adjustment Subtotal:	\$60.00
Sales Tax:	\$3.92
Statutory Filing Fees / Postage:	\$0.00
Total Charges:	\$63.92

File, Service & Notification Fees

Court TX Montgomery 9th District Court
Case Number 07-09-09142
Case Style McPeters, Karen vs. Montgomery County Texas

Transaction ID: 27968830 (11/10/2009 9:13 AM CST) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays
Documents: Change of Address **1 Pages**
Filing Parties: McPeters, Karen (Plaintiff) **Billing Reference**

Charges:	Product/Service	Fee	Sales Tax	Total
	Court Cost Recovery Fee	\$0.00	\$0.00	\$0.00
	Filing	\$7.00	\$0.46	\$7.46
	Online Service	\$8.00	\$0.52	\$8.52
	Processing Fee	\$0.00	\$0.00	\$0.00
	Total for Transaction ID 27968830:	\$15.00	\$0.98	\$15.98

Transaction ID: 28025077 (11/13/2009 8:49 AM CST) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays
Documents: Plaintiff Karen McPeters' Second Amended Notice of Appeal **2 Pages**
Filing Parties: McPeters, Karen (Plaintiff) **Billing Reference**

Charges:	Product/Service	Fee	Sales Tax	Total
	Court Cost Recovery Fee	\$0.00	\$0.00	\$0.00
	Filing	\$7.00	\$0.46	\$7.46
	Online Service	\$8.00	\$0.52	\$8.52
	Processing Fee	\$0.00	\$0.00	\$0.00

Total for Transaction ID 28025077:		\$15.00	\$0.98	\$15.98
Transaction ID:	28025114 (11/13/2009 8:53 AM CST)	Authorized By:	Robert Mays	
Billing Ref:		Submitted By:	Robert Mays	
Documents:	Plaintiff Karen McPeters' Notice of Past Due Findings of Fact and Conclusions of Law	2 Pages		
Filing Parties:	McPeters, Karen (Plaintiff)	Billing Reference		
Charges:	Product/Service	Fee	Sales Tax	Total
	Court Cost Recovery Fee	\$0.00	\$0.00	\$0.00
	Filing	\$7.00	\$0.46	\$7.46
	Online Service	\$8.00	\$0.52	\$8.52
	Processing Fee	\$0.00	\$0.00	\$0.00
Total for Transaction ID 28025114:		\$15.00	\$0.98	\$15.98

Transaction ID:	28027254 (11/13/2009 10:18 AM CST)	Authorized By:	Robert Mays	
Billing Ref:		Submitted By:	Robert Mays	
Documents:	Plaintiff Karen McPeters' Amended Letter Requesting Clerk's Record	6 Pages		
Filing Parties:	McPeters, Karen (Plaintiff)	Billing Reference		
Charges:	Product/Service	Fee	Sales Tax	Total
	Court Cost Recovery Fee	\$0.00	\$0.00	\$0.00
	Filing	\$7.00	\$0.46	\$7.46
	Online Service	\$8.00	\$0.52	\$8.52
	Processing Fee	\$0.00	\$0.00	\$0.00
Total for Transaction ID 28027254:		\$15.00	\$0.98	\$15.98

Summary for Case 07-09-09142:	\$60.00	\$3.92	\$63.92
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Filing, Service & Notification Fees Total:	\$60.00	\$3.92	\$63.92
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Alert Fees

Alerts Fees Total:	\$0.00
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Purchased Document Fees

Document Purchase Fees Total:	\$0.00
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Setup Fees

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Setup Fees Total: **\$0.00**

Case Fees

Case Fees Total: **\$0.00**

Message Board Fees

Message Board Fees Total: **\$0.00**

Monthly Research Fees

Monthly Research Fees Total: **\$0.00**

Search/Report Fees

Search/Report Fees Total: **\$0.00**

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Account: Mays, Robert L Jr 8626 Tesoro Dr Ste 820 San Antonio, TX 78217	Billing Period: 200912 AccountingId: 0690542501 InvoiceId: 2009120690542501	Please send top portion of invoice and payment to: LexisNexis, a division of Reed Elsevier Inc. P.O. Box 7247-6882 Philadelphia, PA 19170-6882
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Billing Period Summary

Transaction Subtotal:	\$34.30
Adjustment Subtotal:	\$34.30
Sales Tax:	\$1.83
Statutory Filing Fees / Postage:	\$3.85
Total Charges:	\$39.98

File, Service & Notification Fees

Court TX Montgomery 9th District Court
Case Number 07-09-09142
Case Style Mcpeters, Karen vs Montgomery County Texas

Transaction ID: 28334923 (12/3/2009 2:18 PM CST) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays
Documents: Plaintiff Karen McPeters' Request for Additional and Omitted Findings of Fact and Conclusions of Law **7 Pages**
Filing Parties: McPeters, Karen (Plaintiff) **Billing Reference**

Charges:	Product/Service	Fee	Sales Tax	Total
	Court Cost Recovery Fee	\$0.00	\$0.00	\$0.00
	Filing	\$7.00	\$0.46	\$7.46
	Online Service	\$8.00	\$0.52	\$8.52
	Processing Fee	\$0.00	\$0.00	\$0.00
	Total for Transaction ID 28334923:	\$15.00	\$0.98	\$15.98

Summary for Case 07-09-09142: \$15.00 \$0.98 \$15.98

Court TX Montgomery 9th District Court
Case Number 09-11-11474
Case Style Mcpeters, Karen vs Barbara Gladden Adamick

Transaction ID: 28338211 (12/3/2009 3:44 PM CST) **Authorized By:** Robert Mays
Billing Ref: 09-11-11474 **Submitted By:** Robert Mays
Documents: McPeters' Request for Hearing to Allow Deposition to Investigate Potential Claims **1 Pages**

Filing Parties: McPeters, Karen (Plaintiff)

Charges:	Product/Service	Fee	Billing Reference	
			Sales Tax	Total
	Court Cost Recovery Fee	\$0.00	\$0.00	\$0.00
	Filing	\$7.00	\$0.46	\$7.46
	Postage & Delivery	\$3.85	\$0.00	\$3.85
	Printing, Copying & Handling	\$6.30	\$0.00	\$6.30
	Processing Fee	\$0.00	\$0.00	\$0.00
	Total for Transaction ID 28338211:	\$17.15	\$0.46	\$17.61

Summary for Case 09-11-11474: \$17.15 \$0.46 \$17.61

Filing, Service & Notification Fees Total: \$32.15 \$1.44 \$33.59

Alert Fees

Alerts Fees Total: \$0.00

Purchased Document Fees

Date: 12/3/2009 4:35:03 PM ET Pages: 10
Purchaser: Mays, Robert
Document: PETITION TO INVESTIGATE POTENTIAL CLAIMS PURSUANT TO TEX. R. CIV. P. 202 AND ORDER ALLOWING DEPOSITION TO INVESTIGATE POTENTIAL CLAIMS PURSUANT TO TEX. R. CIV. P. 202 CONVENTIONALLY FILED NOVEMBER 24, 2009 Fee: \$6.00 Sales Tax: \$0.39 Total: \$6.39
Case: 09-11-11474: Mcpeters, Karen vs Barbara Gladden Adamick (From FilingID: 28299709)
Notes: 09-11-11474

Document Purchase Fees Total: \$6.39

Setup Fees

Setup Fees Total: \$0.00

Case Fees

Case Fees Total: \$0.00

Message Board Fees

Message Board Fees Total: \$0.00

Monthly Research Fees

Monthly Research Fees Total: **\$0.00**

Search/Report Fees

Search/Report Fees Total: **\$0.00**

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Account: Mays, Robert L Jr 8626 Tesoro Dr Ste B20 San Antonio, TX 78217	Billing Period: 201001 AccountingId: 0690542501 InvoiceId: 2010010690542501	Please send top portion of invoice and payment to: LexisNexis, a division of Reed Elsevier Inc. P.O. Box 7247-6882 Philadelphia, PA 19170-6882
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Billing Period Summary

Transaction Subtotal:	\$15.00
Adjustment Subtotal:	\$15.00
Sales Tax:	\$0.98
Statutory Filing Fees / Postage:	\$0.00
Total Charges:	\$15.98

File, Service & Notification Fees

Court TX Montgomery 9th District Court
Case Number 07-09-09142
Case Style McPeters, Karen vs Montgomery County Texas

Transaction ID: 29278565 (1/28/2010 3:46 PM CST) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays
Documents: Letter Requesting Supplementary Record **1 Pages**
Filing Parties: McPeters, Karen (Plaintiff) **Billing Reference**

Charges:	Product/Service	Fee	Sales Tax	Total
	Court Cost Recovery Fee	\$0.00	\$0.00	\$0.00
	Filing	\$7.00	\$0.46	\$7.46
	Online Service	\$8.00	\$0.52	\$8.52
	Processing Fee	\$0.00	\$0.00	\$0.00
	Total for Transaction ID 29278565:	\$15.00	\$0.98	\$15.98

Summary for Case 07-09-09142: \$15.00 \$0.98 \$15.98

Filing, Service & Notification Fees Total: \$15.00 \$0.98 \$15.98

Alert Fees

Alerts Fees Total: \$0.00

Purchased Document Fees

Document Purchase Fees Total:	\$0.00
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Setup Fees

Setup Fees Total:	\$0.00
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Case Fees

Case Fees Total:	\$0.00
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Message Board Fees

Message Board Fees Total:	\$0.00
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Monthly Research Fees

Monthly Research Fees Total:	\$0.00
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Search/Report Fees

Search/Report Fees Total:	\$0.00
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207 W. Phillips, Suite 100
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sara.forlano@mctx.org
Phone: 936-539-7828
FAX: 936-760-6920

Allison Standish Miller – Counsel for Frederick Edwards

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Robert L. Mays, Jr. – Counsel for Karen McPeters

8626 Tesoro Drive, Ste. 820
San Antonio, Texas 78217
Phone: 210-657-7772
FAX: 210-657-7780
mays7772@gmail.com

2. List the cases related to this one that are pending in any state or federal court with the case number and court.

- A. “Karen McPeters v. Montgomery County, Texas,” Cause No. 07-09-09142-CV, 9th District Court of Montgomery County, Texas.
- B. “Karen McPeters v. Barbara Gladden Adamick, Montgomery County District Clerk,” Cause No. 09-11-11474-CV, 9th District Court of Montgomery County, Texas.

3. Briefly describe what this case is about.

This case is about the mandatory requirement by the 9th District Court in Montgomery County for litigants to use E-filing in the above and other lawsuits and the requirement of litigants to pay charges to LexisNexis which are not authorized by Texas statutes.

4. Specify the allegation of federal jurisdiction.

This Court has jurisdiction to hear this complaint and to adjudicate the claims stated herein under 28 U.S.C. § 1331 and 1343. Also, jurisdiction is conferred by the U.S. Constitution, Art. XIV, and 18 U.S.C. § 1965, and 42 U.S.C. § 1983.

5. Name the parties who disagree and the reasons.

6. List anticipated additional parties that should be included, when they can be added, and by whom they are wanted.

Karen McPeters seeks to include as additional parties all Montgomery County litigants who were required to E-file on LexisNexis and pay charges to LexisNexis. Depending upon discovery results and class action certification, she may seek to include a number of LexisNexis subscribers in multiple states.

7. List anticipated interventions.

No interventions are anticipated at this time.

8. Describe class-action issues.

LexisNexis has agreements with at least two counties in Texas, as well as agreements with counties in 38 other states. It appears that LexisNexis insists that litigants be mandated to use and pay for its services, regardless of constitutional protections, the doctrine of separation of powers or other statutory provisions concerning permissible filing fees and charges that litigants must pay.

9. State whether each party represents that it has made the initial disclosures required by Rule 26(a). If not, describe the arrangements that have been made to complete the disclosures.

Karen McPeters provided her initial disclosures on July 21, 2010.

10. Describe the proposed agreed discovery plan, including:

A. Responses to all of the matters raised in Rule 26(f).

B. When and to whom the plaintiff anticipates it may send interrogatories.

Plaintiff anticipates sending interrogatories to each Defendant within the next 10 days.

C. When and to whom the defendant anticipates it may send interrogatories.

D. Of whom and by what date the plaintiff anticipates taking oral depositions. Plaintiff anticipates taking the deposition of each defendant within the next 120 days.

E. Of whom and by what date the defendant anticipates taking oral depositions.

F. When the plaintiff (or the party with the burden of proof on an issue) will be able to designate experts and provide the reports required by Rule 26(a)(2)(B), and when the opposing party will be able to designate responsive experts and provide their reports.

Plaintiff should be able to designate her expert by the time defendants' depositions are completed.

G. Expert depositions that the plaintiff (or the party with the burden of proof on an issue) anticipates taking, and their anticipated completion date. *See* Rule 26(a)(2)(B) (expert report).

H. List expert depositions that the opposing party anticipates taking, and their anticipated completion date. *See* Rule 26(a)(2)(B) (expert report).

11. If the parties are not agreed on a part of the discovery plan, describe the separate views and proposals of each party.

12. Specify the discovery beyond initial disclosures that has been undertaken to date.

The parties have provided documents as attachment to various court filings. Other than the attachments, there has been no discovery.

13. State the date by which the planned discovery can reasonably be completed.

Planned discovery should be completed by _____.

14. Describe the possibilities for a prompt settlement or resolution of the case that were discussed in the Rule 26(f) meeting.

A prompt settlement does not appear to be possible.

15. Describe what each party has done or agreed to do to bring about a prompt resolution.

Karen McPeters made a settlement offer to Montgomery County and Barbara Gladden Adamick. That offer was rejected on July 12, 2010.

16. From the attorneys' discussion with their clients, state the alternative dispute resolution techniques that are reasonably suitable, and state when such techniques may be effectively used in the case.

Karen McPeters does not believe that ADR is suitable in this case, except in the context of a class action settlement.

17. Magistrate judges may now hear jury and non-jury trials. Indicate the parties' joint position on a trial before a magistrate judge.

Karen McPeters does not elect to have her trial before a magistrate judge.

18. State whether a jury demand has been made and whether it was made on time.

A jury demand was made and it was made on time.

19. Specify the number of hours that it will take to present the evidence in this case.

The number of hours for evidence depends upon whether class actions status is granted. Without class status, evidence should be able to be presented in fewer than eight hours. No estimate can be made of the time needed for evidence in the event that class status is granted.

20. List pending motions that can be resolved at the initial pretrial and scheduling conference.

Karen McPeters has a pending "Motion to Determine Treatment of Motions" that can be resolved at the initial pretrial and scheduling conference.

21. List other pending motions.

Each defendant has an amended motion to dismiss now pending.

22. Indicate other matters peculiar to the case, including discovery issues, that deserve the special attention of the Court at the conference.

The court may wish to address Karen McPeters' request for class actions status.

23. Certify that all parties have filed Disclosure of Interested Parties, as directed in the Order for Conference and Disclosure of Interested Parties, listing the date of filing for original disclosures and any amendments.

Karen McPeters filed her Disclosure of Interested Parties on April 13, 2010.

24. List the names, bar numbers, addresses and telephone numbers of all counsel.

Counsel for Plaintiff

Robert L. Mays, Jr. – Counsel for Karen McPeters

8626 Tesoro Drive, Ste. 820

San Antonio, Texas 78217

Phone: 210-657-7772

FAX: 210-657-7780

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So. Dist. ID: 11606

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