

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.

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

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CIVIL ACTION NO. 4:10-CV-01103

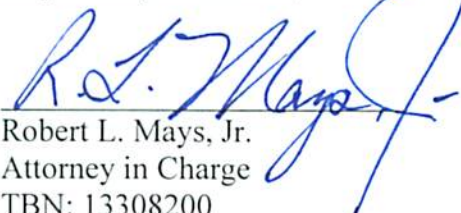
JURY

PLAINTIFF’S HEARING BRIEF No. 1 -
WHY IS THIS A 42 U.S.C §1983 CASE?

Plaintiff Karen McPeters submits the attached brief as the law and evidence in support of her request that Defendants’ Rule 12(b)(6) motions be denied.

Date: December 9, 2010

Respectfully submitted,



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 I hand delivered a copy of this "Plaintiff's Hearing Brief No. 1- Why is This a 42 U.S.C. §1983 Case?" on December 9, 2010osed order, to each counsel for Defendants present at the hearing.


Robert L. Mays, Jr.

Why is this a 1983 case at all?

1. Sec. 1983 allows a civil action against state actors who violate a clearly established Constitutional right under color of state law.

Saucier v. Katz, 533 U.S. 194, 200 (2001)

2. The violation of certain state constitutional rights is actionable as a Constitutional violation under the 14th Amendment and is therefore actionable under Sec. 1983.

A. Due process is intertwined with open courts in Texas.

Article I, section 13, provides: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted. All courts shall be open, and every person for an injury done him, in his lands, goods, person or reputation, shall have remedy by due course of law." While it is true that this provision is sometimes referred to as the "Open Courts Provision," it is, quite plainly, a due process guarantee. See *Hanks v. City of Port Arthur*, 121 Tex. 202, 48 S.W.2d 944, 945 (1932)

Sax v. Votteler, 648 S.W.2d 661, 664 (Tex.,1983)

"The right to a day in court and the privilege of being heard before judgment is a constitutional guaranty, the very essence of due process of law." *Head v. Roberts*, 291 S.W.2d 483, 484 (Tex. Civ. App.-Fort Worth 1956, no writ)

B. Recourse to recover invalid public fees requires due process.

Providing persons who have paid invalid public taxes or fees with recourse to recoupment remedies is a due process requirement.

Dallas County Community College Dist. v. Bolton, 185 S.W.3d 868, 881 (Tex. 2005)

As the payment was not voluntary, but made under compulsion, no statutory authority was essential to enable or require the county to refund the money. It is a well-settled rule that 'money got through imposition' may be recovered back; and, as this court has said on several occasions, 'the obligation to do justice rests upon all persons, natural and artificial, and if a county obtains the money or property of others without authority, the law, independent of any statute, will compel restitution or compensation.' *Marsh v. Fulton County*, 10 Wall. 676, 684 (19 L. Ed. 1040); *City of Louisiana v. Wood*, 102 U. S. 294, 298, 299, 26 L. Ed. 153; *Chapman v. County of Douglas*, 107 U. S. 348, 355, 2 Sup. Ct. 62, 27 L. Ed. 378. To say that the county could collect these unlawful taxes by coercive means and not incur any obligation to pay them back is nothing short of saying that it could take or appropriate the property of these Indian allottees arbitrarily and without due process of law. Of course this would be in contravention of the Fourteenth Amendment, which binds the county as an agency of the state.

Dallas County Community College Dist. v. Bolton, 185 S.W.3d 868, 881 (Tex. 2005)

LexisNexis Fees and Charges - Total

Date	No. Docs	Filing Fee	Sales Tax	Online Service	Sales Tax	Paper Fee	Other Fees	Sales Tax	Total
		\$7.00	\$0.46	\$8.00	\$0.52	\$5.00			
200901	1	\$7.00	\$0.46	\$8.00	\$0.52	\$5.00			\$20.98
200905	4	\$28.00	\$1.84	\$32.00	\$2.08	\$5.00	\$10.00	\$0.65	\$79.57
200907	2	\$14.00	\$0.92	\$16.00	\$1.04	\$5.00			\$36.96
200908	1	\$7.00	\$0.46	\$8.00	\$0.52	\$5.00			\$20.98
200909	4	\$28.00	\$1.84	\$32.00	\$2.08				\$63.92
200910	4	\$28.00	\$1.84	\$32.00	\$2.08				\$63.92
200911	4	\$28.00	\$1.84	\$32.00	\$2.08				\$63.92
200912	2	\$14.00	\$0.92	\$8.00	\$0.52		\$16.54		\$39.98
201001	1	\$7.00	\$0.46	\$8.00	\$0.52				\$15.98
201003	2	\$14.00	\$0.92	\$0.00	\$0.00		\$23.58		\$38.50
201009	0	\$0.00	\$0.00	\$0.00	\$0.00		\$10.65		\$10.65
201011	2	\$14.00	\$0.92	\$16.00	\$1.04				\$31.96
									Total
									\$487.32

LexisNexis Fees and Charges - 07-09-09142 & 4:10-CV-1103

Date	Transaction	Filing Fee	Sales Tax	Postage & Deliv	Printing, copying & handling	Other	Total
200912	288338211	\$7.00	\$0.46	\$3.85	\$6.30		\$17.61
	42710669					\$6.39	\$6.39
201003	29881912	\$7.00	\$0.46	\$4.73	\$8.10		\$20.29
	29917069	\$7.00	\$0.46	\$3.85	\$6.90		\$18.21
201010						\$10.65	\$10.65
							Total
							\$73.15

LexisNexis Fees and Charges - 09-11-11474

Date	No. Docs	Filing Fee	Sales Tax	Online Service	Sales Tax	Paper Fee	Other Fees	Sales Tax	Total
		\$7.00	\$0.46	\$8.00	\$0.52	\$5.00			
200901	1	\$7.00	\$0.46	\$8.00	\$0.52	\$5.00			\$20.98
200905	4	\$28.00	\$1.84	\$32.00	\$2.08	\$5.00	\$10.00	\$0.65	\$79.57
200907	2	\$14.00	\$0.92	\$16.00	\$1.04	\$5.00			\$36.96
200908	1	\$7.00	\$0.46	\$8.00	\$0.52	\$5.00			\$20.98
200909	4	\$28.00	\$1.84	\$32.00	\$2.08				\$63.92
200910	4	\$28.00	\$1.84	\$32.00	\$2.08				\$63.92
200911	4	\$28.00	\$1.84	\$32.00	\$2.08				\$63.92
200912	1	\$7.00	\$0.46	\$8.00	\$0.52		\$0.00		\$15.98

Mays Robert L Jr

Client ID: 0690542501
Invoice No: 2010110690542501

LexisNexis® File & Serve Invoice

Please detach this portion and return it with your payment to:

Reed Elsevier Inc.
dba LexisNexis File & Serve
P.O. Box 7247-6882
Philadelphia, PA 19170-6882

Mays Robert L Jr
Attn: Robert Mays
8626 Tesoro Dr Ste 820
San Antonio, TX 78217

Amount Due:	\$31.96
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Invoice Date: 01-Dec-2010
Billing Period: 201011
Invoice No: 2010110690542501
Customer ID: 0690542501
Terms: Payments by check due net 10 days from date of receipt

Invoice Summary

Transaction Subtotal:	\$30.00
Adjusted Subtotal:	\$30.00
Sales Tax:	\$1.96
Court Fees / Postage:	\$0.00
Fee for Paper Invoice:	\$0.00
Total Charges:	<u>\$31.96</u>

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Please Note:

An interest charge of 1.5% per month will accrue on unpaid amounts thirty (30) days after the invoice date. In addition to the above charge, Court Fees not paid within thirty (30) days after the invoice date will bear an administrative fee of twenty percent (20%) of the outstanding statutory Court Fees

Mays Robert L Jr
 Client ID: 0690542501
 Invoice No: 2010110690542501

Filing / Service Charges

Court TX Montgomery 9th District Court

Case Number: 07-09-09142
 Case Style: McPeters, Karen vs Montgomery County Texas

Transaction ID:	34508675	Authorized By:	Robert Mays
Billing Ref:		Filed By:	Robert Mays
Documents:	Plaintiff Karen McPeters' Notice of Filing of a Montgomery County Publication under Rule 902(5)		86 Page(s)
Parties:	McPeters, Karen (Plaintiff)	Client:	Matter:

Charges:	Product / Service	Date	Fee	Tax	Total
	Filing	11/23/2010 2:24:37PM	\$7.00	\$0.46	\$7.46
	Online Service	11/23/2010 2:24:37PM	\$8.00	\$0.52	\$8.52
	Total:		\$15.00	\$0.98	\$15.98

Transaction ID:	34509572	Authorized By:	Robert Mays
Billing Ref:		Filed By:	Robert Mays
Documents:	Plaintiff Karen McPeters' Notice of Filing of a Montgomery County Publication under Rule 902(5)		34 Page(s)
Parties:	McPeters, Karen (Plaintiff)	Client:	Matter:

Charges:	Product / Service	Date	Fee	Tax	Total
	Filing	11/23/2010 2:28:48PM	\$7.00	\$0.46	\$7.46
	Online Service	11/23/2010 2:28:48PM	\$8.00	\$0.52	\$8.52
	Total:		\$15.00	\$0.98	\$15.98

Summary for Case	07-09-09142	\$30.00	\$1.96	\$31.96
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Filing / Service Charges

5-15-2010

LexisNexis Fees and Charges

Date	No. Docs	Filing Fee	Sales Tax	Online Service	Sales Tax	Paper Fee	Other Fees	Sales Tax	Total
		\$7.00	\$0.46	\$8.00	\$0.52	\$5.00			
200901	1	\$7.00	\$0.46	\$8.00	\$0.52	\$5.00			\$20.98
200905	4	\$28.00	\$1.84	\$32.00	\$2.08	\$5.00	\$10.00	\$0.65	\$79.57
200907	2	\$14.00	\$0.92	\$16.00	\$1.04	\$5.00			\$36.96
200908	1	\$7.00	\$0.46	\$8.00	\$0.52	\$5.00			\$20.98
200909	4	\$28.00	\$1.84	\$32.00	\$2.08				\$63.92
200910	4	\$28.00	\$1.84	\$32.00	\$2.08				\$63.92
200911	4	\$28.00	\$1.84	\$32.00	\$2.08				\$63.92
200912	2	\$14.00	\$0.92	\$8.00	\$0.52		\$16.54		\$39.98
201001	1	\$7.00	\$0.46	\$8.00	\$0.52				\$15.98
201003	2	\$14.00	\$0.92	\$0.00	\$0.00		\$23.58		\$38.50
									\$444.71

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Account:	Billing Period: 200901	Please send top portion of invoice and payment to:
Mays, Robert L Jr		LexisNexis, a division of Reed Elsevier Inc.
8626 Tesoro Dr Ste 820	AccountingId: 0690542501	P.O. Box 7247-6882
San Antonio, TX 78217	InvoiceId: 2009010690542501	Philadelphia, PA 19170-6882

Billing Period Summary

Transaction Subtotal:	\$15.00
Adjustment Subtotal:	\$15.00
Sales Tax:	\$0.98
Paper Invoice Fee:	\$5.00
Statutory Filing Fees / Postage:	\$0.00
Total Charges:	\$20.98

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: 23499480 (1/28/2009 8:17 AM CST) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays
Documents: Responses to Requests for Admissions and Objections and Responses to Request for Production to Defendant Montgomery County, Texas **8 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 23499480:	\$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
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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

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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Account:	Billing Period: 200902	Please send top portion of invoice and payment to:
Mays, Robert L Jr		LexisNexis, a division of Reed Elsevier Inc.
8626 Tesoro Dr Ste 820	AccountingId: 0690542501	P.O. Box 7247-6882
San Antonio, TX 78217	InvoiceId: 2009020690542501	Philadelphia, PA 19170-6882

Billing Period Summary

No billable activity for Billing Period 200902



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Account: Mays, Robert L Jr 8626 Tesoro Dr Ste 820 San Antonio, TX 78217	Billing Period: 200903 AccountingId: 0690542501 InvoiceId: 2009030690542501	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

No billable activity for Billing Period 200903



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Account: Mays, Robert L Jr 8626 Tesoro Dr Ste 820 San Antonio, TX 78217	Billing Period: 200904 AccountingId: 0690542501 InvoiceId: 2009040690542501	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

No billable activity for Billing Period 200904



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Account: Mays, Robert L Jr 8626 Tesoro Dr Ste 520 San Antonio, TX 78217	Billing Period: 200905 AccountingId: 0690542501 InvoiceId: 2009050690542501	Please send top portion of invoice and payment to: LexisNexis, a division of Reed Elsevier Inc. P.O. Box 7247-6862 Philadelphia, PA 19170-6862
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Billing Period Summary

Transaction Subtotal:	\$70.00
Adjustment Subtotal:	\$70.00
Sales Tax:	\$4.57
Paper Invoice Fee:	\$5.00
Statutory Filing Fees / Postage:	\$0.00
Total Charges:	\$79.57

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: 25302422 (5/21/2009 2:03 PM CDT) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays
Documents: Notice of Filing under Tex. R. Evid. 902(10) **1 Pages**
 U.S. EEOC Business Records (1 of 4) **21 Pages**
 U.S. EEOC Business Records (2 of 4) **24 Pages**
 U.S. EEOC Business Records (3 of 4) **24 Pages**
 U.S. EEOC Business Records (4 of 4) **29 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 25302422:	\$15.00	\$0.98	\$15.98

EXHIBIT " L"

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Transaction ID:	25317524 (5/22/2009 11:07 AM CDT)	Authorized By:	Robert Mays	
Billing Ref:		Submitted By:	Robert Mays	
Documents:	Notice of Submission and Unopposed Motion to Allow Late Filing under Rule 902(10) Order Allowing Late Filing under Rule 902(10)		9 Pages 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 25317524:	\$15.00	\$0.98	\$15.98

Transaction ID:	25333588 (5/24/2009 8:13 AM CDT)	Authorized By:	Robert Mays	
Billing Ref:		Submitted By:	Robert Mays	
Documents:	Plaintiff's Third Amended Petition		13 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 25333588:	\$15.00	\$0.98	\$15.98

Transaction ID:	25336035 (5/26/2009 9:43 AM CDT)	Authorized By:	Robert Mays	
Billing Ref:		Submitted By:	Robert Mays	
Documents:	Plaintiff's Trial Exhibits, Witness List and Deposition List		8 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 25336035:	\$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

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

Date: 5/23/2009 3:30:04 PM ET	Fee: \$10.00
Purchaser: Mays, Robert	Sales Tax: \$0.65
Product: Report - Documents By Case	Total: \$10.65
Court: TX Montgomery 9th District Court	
Search/Report Fees Total:	\$10.65



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Account: Mays, Robert L Jr 8626 Tesoro Dr Ste 820 San Antonio, TX 78217	Billing Period: 200906 AccountingId: 0690542501 InvoiceId: 2009060690542501	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

No billable activity for Billing Period 200906



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Account:	Billing Period: 200907	Please send top portion of invoice and payment to:
Mays, Robert L Jr		LexisNexis, a division of Reed Elsevier Inc.
8626 Tesoro Dr Ste 820	AccountingId: 0690542501	P.O. Box 7247-6882
San Antonio, TX 78217	InvoiceId: 2009070690542501	Philadelphia, PA 19170-6882

Billing Period Summary

Transaction Subtotal:	\$30.00
Adjustment Subtotal:	\$30.00
Sales Tax:	\$1.96
Paper Invoice Fee:	\$5.00
Statutory Filing Fees / Postage:	\$0.00
Total Charges:	\$36.96

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:	26209554 (7/21/2009 2:15 PM CDT)	Authorized By:	Robert Mays
Billing Ref:		Submitted By:	Robert Mays
Documents:	Motion to Compel Notice of Submission	4 Pages	
Filing Parties:	McPeters, Karen (Plaintiff)	1 Pages	
		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 26209554:	\$15.00	\$0.98	\$15.98

Transaction ID:	26210435 (7/21/2009 2:42 PM CDT)	Authorized By:	Robert Mays
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EXHIBIT " L"

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Billing Ref: **Submitted By:** Robert Mays
Documents: Notice of TWC Filing Under Rule 902(10)-Part 1 **37 Pages**
Notice of TWC Filing Under Rule 902(10)- Part 2 **37 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 26210435:	\$15.00	\$0.98	\$15.98

Summary for Case 07-09-09142: **\$30.00** **\$1.96** **\$31.96**

Filing, Service & Notification Fees Total: **\$30.00** **\$1.96** **\$31.96**

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**

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**

EXHIBIT " L "

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Account: Mays, Robert L Jr 8626 Tesoro Dr Ste 820 San Antonio, TX 78217	Billing Period: 200908 AccountingId: 0690542501 InvoiceId: 2009080690542501	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
---	--	--

Billing Period Summary

Transaction Subtotal:	\$15.00
Adjustment Subtotal:	\$15.00
Sales Tax:	\$0.98
Paper Invoice Fee:	\$5.00
Statutory Filing Fees / Postage:	\$0.00
Total Charges:	\$20.98

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: 26604558 (8/14/2009 3:11 PM CDT) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays
Documents: Advisory to the Court and Request for Written Order **3 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 26604558:	\$15.00	\$0.98	\$15.98

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

EXHIBIT " L "

PAGE 14 OF 30

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

Alerts Fees Total:			\$0.00
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Purchased Document Fees

Document Purchase Fees Total:			\$0.00
--------------------------------------	--	--	---------------

Setup Fees

Setup Fees Total:			\$0.00
--------------------------	--	--	---------------

Case Fees

Case Fees Total:			\$0.00
-------------------------	--	--	---------------

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:	Billing Period: 200909	Please send top portion of invoice and payment to:
Mays, Robert L Jr		LexisNexis, a division of Reed Elsevier Inc.
8526 Tesoro Dr Ste 820	AccountingId: 0690542501	P.O. Box 7247-6882
San Antonio, TX 78217	InvoiceId: 2009090690542501	Philadelphia, PA 19170-6882

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:	26974232 (9/8/2009 4:38 PM CDT)	Authorized By:	Robert Mays
Billing Ref:		Submitted By:	Robert Mays
Documents:	Motion to Vacate Order of Dismissal for Want of Prosecution and Motion to Reinstate	14 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 26974232:	\$15.00	\$0.98	\$15.98

Transaction ID:	26974481 (9/8/2009 4:43 PM CDT)	Authorized By:	Robert Mays
Billing Ref:	EXHIBIT " L "	Submitted By:	Robert Mays

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Documents:	Motion for Stay Pending Appeal	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 26974481:	\$15.00	\$0.98	\$15.98

Transaction ID:	27283479 (9/28/2009 10:21 AM CDT)	Authorized By:	Robert Mays	
Billing Ref:		Submitted By:	Robert Mays	
Documents:	Plaintiffs' Second Motion to Vacate Order of Dismissal for Want of Prosecution and Motion to Reinstate	19 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 27283479:	\$15.00	\$0.98	\$15.98

Transaction ID:	27312111 (9/29/2009 1:06 PM CDT)	Authorized By:	Robert Mays	
Billing Ref:		Submitted By:	Robert Mays	
Documents:	Plaintiff Karen McPeters' Motion to Shorten Time	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 27312111:	\$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
---------------------------	---------------

Purchased Document Fees

Document Purchase Fees Total:	\$0.00
--------------------------------------	---------------

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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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: 27518152 (10/13/2009 8:36 AM CDT) **Authorized By:** Robert Mays
Billing Ref: **Submitted By:** Robert Mays

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EXHIBIT " L "

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
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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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Invoice No: 2009110690542501

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Mays, Robert L Jr
Attn: Robert Mays
E626 Tesoro Dr Ste 820
San Antonio, TX 78217

Amount Due: \$63.92

Invoice Date: 01-Dec-2009
Billing Period: 200911
Invoice No: 2009110690542501
Customer ID: 0690542501
Terms: Payments by check due net 10 days from date of receipt

Invoice Summary

Transaction Subtotal:	\$60 00
Adjusted Subtotal:	\$60 00
Sales Tax:	\$3 92
Court Fees / Postage:	\$0 00
Fee for Paper Invoice:	\$0 00
Total Charges:	\$63 92

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Mays, Robert L Jr
 Client ID: 0690542501
 Invoice No: 2009110690542501

LexisNexis® File & Serve Invoice

Filing / Service Charges**Court TX Montgomery 9th District Court**

Case Number: 07-09-09142
Case Style: McPeters, Karen vs Montgomery County Texas

Transaction ID:	27968830	Authorized By:	Robert Mays
Billing Ref:		Filed By:	Robert Mays
Documents:	Change of Address		1 Page(s)
Parties:	McPeters, Karen (Plaintiff)	Client Matter:	
Charges:	Product / Service	Date	Fee Tax Total
	Filing	11/10/2009 10:13:28AM	\$7.00 \$0.46 \$7.46
	Online Service	11/10/2009 10:13:28AM	\$8.00 \$0.52 \$8.52
	Total:		\$15.00 \$0.98 \$15.98

Transaction ID:	28025077	Authorized By:	Robert Mays
Billing Ref:		Filed By:	Robert Mays
Documents:	Plaintiff Karen McPeters' Second Amended Notice of Appeal		2 Page(s)
Parties:	McPeters, Karen (Plaintiff)	Client Matter:	
Charges:	Product / Service	Date	Fee Tax Total
	Filing	11/13/2009 9:50:01AM	\$7.00 \$0.46 \$7.46
	Online Service	11/13/2009 9:50:01AM	\$8.00 \$0.52 \$8.52
	Total:		\$15.00 \$0.98 \$15.98

Transaction ID:	28025114	Authorized By:	Robert Mays
Billing Ref:		Filed By:	Robert Mays
Documents:	Plaintiff Karen McPeters' Notice of Past Due Findings of Fact and Conclusions of Law		2 Page(s)
Parties:	McPeters, Karen (Plaintiff)	Client Matter:	
Charges:	Product / Service	Date	Fee Tax Total
	Filing	11/13/2009 9:54:13AM	\$7.00 \$0.46 \$7.46
	Online Service	11/13/2009 9:54:13AM	\$8.00 \$0.52 \$8.52
	Total:		\$15.00 \$0.98 \$15.98

Transaction ID:	28027254	Authorized By:	Robert Mays
Billing Ref:		Filed By:	Robert Mays
Documents:	Plaintiff Karen McPeters' Amended Letter Requesting Clerk's Record		6 Page(s)
Parties:	McPeters, Karen (Plaintiff)	Client Matter:	
Charges:	Product / Service	Date	Fee Tax Total
	Filing	11/13/2009 11:19:11AM	\$7.00 \$0.46 \$7.46
	Online Service	11/13/2009 11:19:11AM	\$8.00 \$0.52 \$8.52
	Total:		\$15.00 \$0.98 \$15.98

Summary for Case	07-09-09142	\$60.00	\$3.92	\$63.92
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Filing / Service Charges

EXHIBIT " L "

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Mays, Robert L Jr

Client ID: 0690542501
Invoice No: 2009120690542501

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Mays, Robert L Jr
Attn: Robert Mays
8626 Tesoro Dr Ste 820
San Antonio, TX 78217

Amount Due:	\$39.98
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Invoice Date: 04-Jan-2010
Billing Period: 200912
Invoice No: 2009120690542501
Customer ID: 0690542501
Terms: Payments by check due net 10 days from date of receipt

Invoice Summary	
Transaction Subtotal:	\$34.30
Adjusted Subtotal:	\$34.30
Sales Tax:	\$1.83
Court Fees / Postage:	\$3.85
Fee for Paper Invoice:	\$0.00
Total Charges:	\$39.98

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Mays, Robert L Jr
 Client ID: 0890542501
 Invoice No: 2009120680542501

LexisNexis® File & Serve Invoice

Filing / Service Charges

Court TX Montgomery 9th District Court

Case Number:	07-09-09142				
Case Style:	Mcpeters, Karen vs Montgomery County Texas				
Transaction ID:	28334923	Authorized By:	Robert Mays		
Billing Ref:		Filed By:	Robert Mays		
Documents:	Plaintiff Karen McPeters' Request for Additional and Omitted Findings of Fact and Conclusions of Law			7 Page(s)	
Parties:	Mcpeters, Karen (Plaintiff)			Client Matter:	
Charges:	Product / Service	Date	Fee	Tax	Total
	Filing	12/3/2009 3:18:44PM	\$7.00	\$0.46	\$7.46
	Online Service	12/3/2009 3:18:44PM	\$8.00	\$0.52	\$8.52
	Total:		\$15.00	\$0.98	\$15.98
Summary for Case	07-09-09142		\$15.00	\$0.98	\$15.98

Case Number:	09-11-11474				
Case Style:	Mcpeters, Karen vs Barbara Gladden Adamick				
Transaction ID:	28338211	Authorized By:	Robert Mays		
Billing Ref:	09-11-11474	Filed By:	Robert Mays		
Documents:	Mcpeters' Request for Hearing to Allow Deposition to Investigate Potential Claims			1 Page(s)	
Parties:	Mcpeters, Karen (Plaintiff)			Client Matter:	
Charges:	Product / Service	Date	Fee	Tax	Total
	Filing	12/3/2009 4:44:40PM	\$7.00	\$0.46	\$7.46
	Postage & Delivery	12/3/2009 4:44:40PM	\$3.85	\$0.00	\$3.85
	Printing, Copying & Handling	12/3/2009 4:44:40PM	\$6.30	\$0.00	\$6.30
	Total:		\$17.15	\$0.46	\$17.61
Summary for Case	09-11-11474		\$17.15	\$0.46	\$17.61

Filing / Service Charges

Mays, Robert L Jr
Client ID: 0690542501
Invoice No: 2009120690542501

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Research Fees

Item:	Document Fee	Date:	12/3/2009 4:35:03PM	Qty:	10	Fee:	\$6.00
Purchased By:	Mays, Robert	RecordID:	42716669			Tax:	\$0.39
Court Name:	TX Montgomery 9th District Court					Total:	\$6.39
Case Number:	09-11-11474	Case Style:	Mcpaters, Karen vs Barbara Gladden Adamick				
Doc Title:	PETITION TO INVESTIGATE POTENTIAL CLAIMS PURSUANT TO TEX. R. CIV. P. 202 AND ORDER ALLOWING C						
Description:	09-11-11474						

Research Fees Total:	Subtotal:	\$6.00	Tax:	\$0.39	Total:	\$6.39
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Mays, Robert L Jr

Client ID: 0690542501
Invoice No: 2010010690542501

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Mays, Robert L Jr
Attn: Robert Mays
6526 Tesoro Dr Ste 820
San Antonio, TX 78217

Amount Due: \$15.98

Invoice Date: 01-Feb-2010
Billing Period: 201001
Invoice No: 2010010690542501
Customer ID: 0690542501
Terms: Payments by check due net 10 days from date of receipt

Invoice Summary	
Transaction Subtotal:	\$15 00
Adjusted Subtotal:	\$15 00
Sales Tax:	\$0 98
Court Fees / Postage:	\$0 00
Fee for Paper Invoice:	\$0 00
Total Charges:	\$15 98

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\$ 15.98*

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Mays, Robert L Jr
 Client ID: 0690542501
 Invoice No: 2010010690542501

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Filing / Service Charges

Court TX Montgomery 9th District Court

Case Number: 07-09-09142
Case Style: McPeters, Karen vs Montgomery County Texas

Transaction ID: 29278565	Authorized By: Robert Mays
Billing Ref:	Filed By: Robert Mays
Documents: Letter Requesting Supplementary Record	1 Page(s)
Parties: McPeters, Karen (Plaintiff)	Client: Matter:

Charges:	Product / Service	Date	Fee	Tax	Total
	Filing	1/28/2010 4:46:28PM	\$7.00	\$0.46	\$7.46
	Online Service	1/28/2010 4:48:28PM	\$8.00	\$0.52	\$8.52
	Total:		\$15.00	\$0.98	\$15.98

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

Filing / Service Charges

Mays, Robert L Jr

Client ID: 0690542501
Invoice No: 2010030690542501

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*Pd 4/4/2010
#5916*

Mays, Robert L Jr
Attn: Robert Mays
8626 Tesoro Dr Ste 820
San Antonio, TX 78217

Amount Due: \$38.50

Invoice Date: 01-Apr-2010
Billing Period: 201003
Invoice No: 2010030690542501
Customer ID: 0690542501
Terms: Payments by check due net: 10 days from date of receipt

Invoice Summary	
Transaction Subtotal:	\$29 00
Adjusted Subtotal:	\$29 00
Sales Tax:	\$0 92
Court Fees / Postage:	\$8 58
Fee for Paper Invoice:	\$0 00
Total Charges:	\$38 50

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Mays, Robert L Jr
 Client ID: 0690542501
 Invoice No: 2010030690542501

LexisNexis® File & Serve Invoice

Filing / Service Charges

Court TX Montgomery 9th District Court

Case Number: 09-11-11474
 Case Style: McPeters, Karen vs Barbara Gladden Adamick

Transaction ID:	29881912	Authorized By:	Robert Mays
Billing Ref:		Filed By:	Robert Mays
Documents:	Amended Petition to Investigate Potential Claims Pursuant to Tex. R. Civ. P. 202 and proposed Order		7 Page(s)
Parties:	McPeters, Karen (Plaintiff)	Client:	Major:
Charges:	Product / Service	Date	Fee Tax Total
	Filing	3/4/2010 1:53:28PM	\$7.00 \$0.46 \$7.46
	Postage & Delivery	3/4/2010 1:53:28PM	\$4.73 \$0.00 \$4.73
	Printing, Copying & Handling	3/4/2010 1:53:28PM	\$8.10 \$0.00 \$8.10
	Total:		\$19.83 \$0.46 \$20.29

Transaction ID:	29917069	Authorized By:	Robert Mays
Billing Ref:		Filed By:	Robert Mays
Documents:	Certificate of Service Notice of Hearing		2 Page(s) 1 Page(s)
Parties:	McPeters, Karen (Plaintiff)	Client:	Major:
Charges:	Product / Service	Date	Fee Tax Total
	Filing	3/5/2010 8:42:55PM	\$7.00 \$0.46 \$7.46
	Postage & Delivery	3/5/2010 8:42:55PM	\$3.85 \$0.00 \$3.85
	Printing, Copying & Handling	3/5/2010 8:42:55PM	\$6.90 \$0.00 \$6.90
	Total:		\$17.75 \$0.46 \$18.21

Summary for Case 09-11-11474 \$37.58 \$0.92 \$38.50

Filing / Service Charges

EXHIBIT " L "

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FIRST NOTICE

Attn: Robert Mays
 Mays, Robert L Jr
 8626 Tesoro Dr Ste 820
 San Antonio, TX 78217

Statement Date: NOVEMBER 13 2009
 Account #: 0660542501
 Amount Past Due: 63.92

NOTICE: Thank you for being a valued customer of Reed Elsevier doing business as LexisNexis File & Serve and LexisNexisCourtLink. Your account is past due. Please pay the total due today. If you have questions about this statement or a problem with payment, please call Laura Phillips at 800-227-9597 x57487 or send email to laura.phillips@lexisnexis.com.

If you need a copy of your invoice:

- File & Serve users go to: www.lexisnexis.com/fileandserve or log onto <http://litigator.lexisnexis.com> and access File & Serve under the Litigation Tools tab.
- CourtLink users go to <https://litigator.lexisnexis.com> and access CourtLink under the Litigation Tools tab.

You may also obtain a copy of your invoice by calling Customer Support:

- File & Serve Customer Support - 1 888 529 7587
- CourtLink Customer Support - call your Credit Management Rep

If payment has been made, please disregard this notice.

Item Date	Invoice Number	Account Activity	Due Date	Document	Payment ID	Days Late
09/30/2009	2009090690542501	Invoice	63.92 USD			11

Total Amount Due
63.92 USD

* Indicates Disputed Item

*Cont. 1146556
 Pd 11/30/2009
 AmEx Citicard*

For Correspondence Only:

LexisNexis
 Credit Management
 PO Box 933
 Dayton, OH 45401
 Fax: 937-565-1697

Remit Payment to:

LexisNexis
 CourtLink Inc
 PO Box 7247-6882
 Philadelphia, PA 19170-6882

Wire Transfer should be sent to:

Citibank, N A
 One Penns Way
 New Castle, DE 19720
 Routing No. 021000089
 LexisNexis Courtlink Account No. 3048-9476

Please include your account number and invoice numbers with your remittance.

EXHIBIT " L "

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***Special Notice for File & Serve customers**

If your File & Serve account is past due, you and other users of your firm may be subject to account disablement, which will prevent users from being able to file and e-serve documents. In jurisdictions where e-filing is mandatory, your staff may be required to use terminals available at the courthouse to file (if available) and may be required to pay an additional fee to the clerk's office when submitting paper. Additionally, if your past due amount includes statutory filing fees, you are subject to an additional administrative fee as a late penalty for the statutory fees paid by File & Serve on your behalf to a court. In some instances, we will also provide your firm's and attorney's names to the state bar and/or court to report your failure to pay your statutory fees.