

This Subpoena is issued on this 12th day of April 2021.

Respectfully submitted,

/s/ Brandon J. Tittle

Brandon J. Tittle

Texas Bar No. 24090436

TITTLE LAW GROUP, PLLC

5550 Granite Parkway, Suite 290

Plano, Texas 75024

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ATTORNEY FOR THE PLAINTIFF

Requests, You acquire additional Documents and/or materials responsive to these Requests, You shall supplement Your Responses to provide such additional Documents and/or materials.

2. With respect to each item or category of items requested, the responding party must state objections and assert privileges as required by the *Texas and/or Arizona Rules of Civil Procedure* and state, as appropriate, that: (i) production, inspection, or other requested action will be permitted as requested; (ii) the requested items are being served on the requesting party with a response; (iii) production, inspection, or other requested action will take place at a specified time and place, if the responding party is objecting to the time and place of production; or (iv) that no items have been identified – after a diligent search – that are responsive to these Requests.

3. You must produce the Documents or tangible things within Your actual and/or constructive possession, custody, or control to the law offices of Tittle Law Group, 5550 Granite Parkway, Suite 290, Plano, Texas 75024, within thirty (30) days from the date of service of these Requests. In doing so, You must produce Documents and tangible things as they are kept in the usual course of business or, alternatively, organize and label them to correspond with the categories in each Request.

4. In the event that any Document or thing responsive to the following Requests has been destroyed or otherwise disposed of, that Document is to be identified by author, addressee, date, subject matter, number of pages, attachments or appendices, all persons to whom it was distributed, shown or explained, date and manner of destruction or other disposition, and persons destroying or disposing of the Document; and that thing shall be identified by creator, date, place and manner of creation, date, place and manner of destruction or other disposition and the person destroying or disposing of the thing.

5. If You refuse to answer any portion of a Request on the grounds that it requests disclosure of information privileged against discovery on any grounds or is otherwise improper as to either form or substance, You are to answer so much of the Request as is believed proper and further state the basis for Your contention that the remainder of the Request is improper, including at least a general indication of the nature of the information claimed to be privileged.

6. With respect to each Request, in the event You produce original Documents for inspection and copying, such Documents shall be produced in the same manner as the Documents are kept in the usual course of business, including the folder in which the Documents are maintained. If You produce Documents in this manner, You shall keep such Documents separate and apart from Documents previously produced by other Parties in the Lawsuit.

7. If any part of a Document is responsive to any of the following Requests, the entire Document shall be produced.

8. Any Document called for herein, of which You have knowledge or information, but which is not in Your possession, custody, or control, shall be identified in the manner set forth in numbered Paragraph 4 herein.

9. Pursuant to *Texas and/or Arizona Rules of Civil Procedure*, the requesting party will bear the expense of producing the items responsive to these Requests. To receive reimbursement for reasonable expenses of producing such items, please submit an invoice to the Tittle Law Group, PLLC, 5550 Granite Parkway, Suite 290, Plano, Texas 75024, within 30 days of producing responses to these Requests. The requesting party will only bear expenses reasonably necessary to produce responses to these Requests. The requesting party reserves the right to object to any unreasonable expenses requested.

DEFINITIONS

10. Unless followed by the word “only,” whenever the words, “include,” “includes” or “including” are used herein, they will be deemed to be followed by the words “without limitation.”

11. Unless specifically limited by context, the singular form of a word used herein shall be construed to mean the plural and the plural the singular, when doing so would ensure the provision of additional information or more complete answers and to avoid the Requests, as propounded, from being considered to be ambiguous, inaccurate, or confusing.

12. Whenever the word “any” is used herein, it will be deemed to be followed by the words “and all.”

13. “Document” or “Documents” shall mean the original and each non-identical copy (whether different from the original because of marginal notes, or other material inserted therein, or attached thereto, or otherwise) of any written or graphic matter, however produced or reproduced, whether sent or received or neither, including drafts and both sides thereof, and including: papers; books; letters; correspondence; Communications; telegrams; cables; telex; messages; electronic mail messages; memoranda; typed or handwritten notes; notations; work papers; transcripts; minutes; reports and recordings of telephone conversations; interviews, conferences or other conversations; maps; charts; plats; surveys; drawings; plans; specifications; diagrams; photographs; affidavits; statements; summaries, opinions; reports; studies; analyses; evaluations; contracts; agreements; ledgers; journals; financial statements; statistical records; desk calendars; appointment books; diaries; expense account records; lists; tabulations; summaries; sound recordings; computer printouts; data processing input and output; information stored on a computer or that may be accessed by a computer, including imaging, hard drive, e-mail, voice mail, back-up, magnetic tapes, disks, CD-ROM, data cells, drums, and other data compilations

from which information can be obtained; microfilms; microfiches; and all other records kept by electronic, photographic, or mechanical means. The terms “Document” and “Documents” also encompass all forms and manifestations of electronically stored and/or received/retrieved electronic information, including but not limited to e-mail, deleted e-mail reasonably available to You, instant messages, text messages, electronic messages, and Communications and other statements posted, sent or received on any social media website, network, or application (*i.e.*, an “App”), including but not limited to Facebook, MySpace, Twitter, Google+, LinkedIn, Instagram, IQC, YouTube, Snapchat, Twitch, Qzone, Sina Weibo, Pinterest, and Tumblr. Pursuant to the *Texas Rules of Civil Procedure*, these Requests incorporate all relevant files that are still on storage media and that are identified as “erased but recoverable,” along with electronic or magnetic data, as defined in the *Texas Rule of Civil Procedure*, including, but not limited to, Documents on backup or archival tapes, discs, servers, and drives (whether stored on-site or at an off-site storage facility). These Requests incorporate, all relevant files that are still on storage media, and that are identified as “erased but recoverable,” and electronic or magnetic data including but not limited to Documents on backup or archival tapes, discs, servers, and drives (whether stored on-site or at an off-site storage facility). Such electronic or magnetic data shall be produced by written print out of the complete data, however, if such electronic or magnetic data cannot be produced by written print out, then You are to produce such electronic or magnetic data in its native electronic format by copying or transferring same to a transferable data storage device, such as a flash drive or CD.

14. The term “Communication” shall mean and include all discussions, conversations, interviews, negotiations, cablegrams, mailgrams, telegrams, telexes, facsimiles, letters, memorandums, cables, electronic mail, voicemail, text messages, instant messages, electronic messages, social media posts, chats, and messages (including, without limitation, Facebook,

Twitter, Instagram, LinkedIn, Affluence.org, Indeed, Biznik, Tik Tok, SnapChat, Cofoundr, Blogher, Blogster, EFactor, Ecademy, Entrepreneur Connect, FledgeWing, Focus, Google+, and PartnerUp) or other forms of written or verbal interchange, however transmitted, maintained, or stored, including reports, notes, memoranda, lists, agenda, and other Documents and records of communications, regardless of whether, in the case of Documents and records stored in electronic form, whether such Documents or records reside on production storage indexes or on backup media (regardless of whether such backup media is located at Your site or in offsite Storage). If such Communication is stored in electronic form, it shall be produced by written print out of the complete data, however, if such electronic Communication cannot be produced by written print out, then You are to produce such electronic Communication in its native electronic format by copying or transferring same to a transferable/mobile data storage device, such as a flash drive or CD.

15. “Electronic or Magnetic Data” as used herein is specifically intended to and shall include any and all data and/or information that exists in electronic or magnetic form. This shall constitute a specific request for production of such electronic and/or magnetic data and all such electronic and/or magnetic data shall be produced in its native format. If such electronic and/or magnetic data and/or information is within the scope of an Request, You shall also identify the nature of the computer data, including without limitation, the identity of the computer system and its hardware and software within which the data may be stored and/or retrieved. In the event You cannot retrieve the data or information requested or produce it in the form requested, please so indicate in Your response or objection to the specific Request.

16. The words “and” as well as “or” shall be construed disjunctively as necessary in order to bring within the scope of the Request any response which might otherwise be construed to be outside of the scope.

17. “Concerns,” “Concern” and “Concerning” mean relating to, referring to, alluding to, responding to, connected with, commenting on, in respect of, about, regarding, pertaining to, showing, recording, describing, mentioning, reflecting, analyzing, constituting, evidencing, or discussing.

18. “Instance” means an occurrence of something and/or some event.

19. “Person” shall mean a natural person or business, legal, or governmental entity or association.

20. “Representative” means any employee, agent, attorney, and/or any other representative or person acting on behalf of, for the benefit of, or under the direction/authority of such Person.

21. The terms “referring,” “relating,” “relative,” or “pertaining,” mean (in who or in part, directly or indirectly) commenting on, connected with, responding to, relating to, referring to, pertaining to, analyzing, proving, showing, indicating, concerning, describing, evidencing, constituting, mentioned, manifesting, or reflecting any matter logically or factually to the matter discussed.

22. “You,” “Your,” or “GoDaddy” refers to GoDaddy.com, LLC, regardless of its capacity, and includes its agents, representatives, and all other persons acting for or on its behalf.

23. “Copper Creek” means Defendant Copper Creek Distributors, Inc., in the above-styled and numbered cause, and includes all of its agents, representatives, employees, officers, directors, and all other persons acting for or on Copper Creek’s behalf.

24. “Plaintiff,” “Platinum Construction,” or “Ron” means Plaintiff Ronald Valk d/b/a Platinum Construction in the above-styled and numbered cause, and includes his agents and representatives, and all others acting for or on his behalf.

25. “Triplett” shall mean Donald R. Triplett, Jr.

26. “Lawsuit” shall mean the above-styled and numbered cause, styled *Ron Valk d/b/a Platinum Construction v. Copper Creek Distributors, Inc., et al.*, Cause No. 01-18-0096, pending in the 439th Judicial District Court of Rockwall County, Texas.

27. “Petition” shall mean *Plaintiff’s Second Amended Petition*, filed on or about October 15, 2020, in the Lawsuit.

28. “Answer” shall mean that certain *Defendants Jose Doniceth Escoffie and Copper Creek Distributors, Inc.’s Original Answer and Request for Disclosure*, filed in the Lawsuit.

REQUESTS FOR PRODUCTION

REQUEST NO. 1: Please produce all Communications dated from the time period of January 1, 2015 through December 31, 2017, stored on Your servers for Copper Creek Distributors, Inc., including but not limited to emails stored in the inbox, outbox, and drafts folders, along with any Documents attached to such Communications, of all email accounts associated with Copper Creek.

RESPONSE:

REQUEST NO. 2: Please produce all records of email accounts—existing in the past and present—associated with Copper Creek along with, to the extent available, the names of the individuals associated with each email address, which were in existence from the time period of January 1, 2015 through December 31, 2017.

RESPONSE:

REQUEST NO. 3: Please produce all records of the time periods during which each email account—past and present—associated with Copper Creek which existed from the time period of January 1, 2015 through December 31, 2017.

RESPONSE:

Respectfully submitted,

/s/ Brandon J. Tittle

Brandon J. Tittle

Texas Bar No. 24090436

TITTLE LAW GROUP

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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served to the following in accordance with the *Texas Rules of Civil Procedure* on this the 12th day of April 2021:

Via Electronic Service

David R. Gibson

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Reagan R. Herod

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Via U.S. First-Class Mail

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/s/ Brandon J. Tittle

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