

No. 412,249-401

Carl Henry Brunsting

:

IN THE PROBATE COURT

vs.

:

PROBATE COURT 4

Anita Kay Brunsting, Amy Ruth Brunsting,
Carole Ann Brunsting, and Candace Louise
Curtis

:

NUMBER FOUR (4)

:

HARRIS COUNTY, TEXAS

**NOTICE OF INTENTION
TO TAKE DEPOSITION BY WRITTEN QUESTIONS**

To other party/parties by and through their attorney(s) of record: **Bradley Featherston (The Mendel Law Firm), Candace Louise Curtis (Candace Louise Curtis), Darlene Payne Smith (Crain, Caton & James, P.C.) and Neal Spielman (Griffin & Matthews, PC)**

You will please take notice that twenty (20) days from the service of a copy hereof with attached questions, a deposition by written questions will be taken of Custodian of Records for:

**Edward Jones (Any & All Records)
Attn: Security Registration
1255 Manchester Road
St. Louis, MO 63131**

before a Notary Public for

**DTI
315 Capitol, Suite 210
Houston, TX 77002
713-426-0400 Fax 713-315-2158**

or its designated agent, which deposition with attached questions may be used in evidence upon the trial of the above-styled and numbered cause pending in the above named court. Notice is further given that request is hereby made as authorized under Rule 200, Texas Rules of Civil Procedure, to the officer taking this deposition to issue a subpoena duces tecum and cause it to be served on the witness to produce any and all records as described on the attached questions and/or Exhibit(s) and any other such record in the possession, custody or control of the said witness, and every such record to which the witness may have access, pertaining to: **Please see attached Exhibit A**

and to turn all such records over to the officer authorized to take this deposition so that photographic reproductions of the same may be made and attached to said deposition.

**Bobbie G. Bayless
Bayless & Stokes
Attorneys at Law
2931 Ferndale
Houston, TX 77098
713-522-2224 Fax 713-522-2218
Attorney for Drina Brunsting, as attorney-in-fact for Carl
Henry Brunsting, individually
bayless@baylessstokes.com**

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded to all Counsel of Record by hand delivery, FAX, and/or certified mail, return receipt requested, on this day.

Dated: July 6, 2015

by Bobbie G. Bayless

Order No: 7970.001

07082015:1225:P0105

UNOFFICIAL COPY

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice and written questions has been hand-delivered and/or mailed receipt requested, and/or FAX to the attorneys of record.

Dated:

July 6, 2015

Karen L. B. [Signature]

DTI
315 Capitol, Suite 210
Houston, TX 77002
713-426-0400 Fax 713-315-2158

Carl Henry Brunsting

vs.

Anita Kay Brunsting, Amy Ruth Brunsting,
Carole Ann Brunsting, and Candace Louise
Curtis

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IN THE PROBATE COURT

NUMBER FOUR (4)

HARRIS COUNTY, TEXAS

DIRECT QUESTIONS TO BE PROPOUNDED TO THE WITNESS

Custodian of Records for: **Edward Jones**

Records Pertaining To: **Please see attached Exhibit A**

Type of Records: **Any and all records as described on the attached Exhibit 'A'**

1. Please state your full name.

Answer: _____

2. Please state by whom you are employed, the business address and telephone number.

Answer: _____

3. What is the title of your position or job?

Answer: _____

4. Are these memoranda, reports, records, or data compilations, outlined in the subpoena duces tecum, in your custody or subject to your control, supervision or direction?

Answer: _____

5. Are you able to identify these aforementioned records as the originals or true and correct copies of the originals?

Answer: _____

6. Please hand to the notary public taking this deposition copies of the memoranda, reports, records, or data compilations, mentioned in Question No. 4. Have you complied? If not, why?

Answer: _____

7. Are the records which you have produced true and correct copies of such memoranda, reports, records, or data compilations.

Answer: _____

8. Were such memoranda, reports, records, or data compilations kept in the regular course of business of this facility?

Answer: _____

9. Was it in the regular course of business of this facility for a person with knowledge of the acts, events, conditions, opinion, or diagnoses, recorded to make the record or to transmit information thereof to be included in such record?

Answer: _____

10. Were the entries on these records made at or shortly after the time of the transaction recorded?

Answer: _____

11. Was the method of preparation of these records trustworthy?

Answer: _____

WITNESS (Custodian of Records)

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument in the capacity therein stated, who being first duly sworn, stated upon his/her oath that the answers to the foregoing questions are true and correct. I further certify that the records attached hereto are exact duplicates of the original records.

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20_____.

NOTARY PUBLIC

My Commission Expires: _____

Exhibit A

The following documents relating to any and all accounts held for the benefit of Nelva E. Brunsting, The Brunsting Family Living Trust, the Elmer H. Brunsting Decedent's Trust, or the Nelva E. Brunsting Survivors Trust.

1. All documents confirming and/or detailing any deposit to any of the accounts after July 1, 2010.
2. All documents requesting or relating to, confirming, and/or detailing any withdrawal or transfer from any of the accounts after July 1, 2010.
3. All communications or memos or logs concerning any communications from or with any party concerning any of the accounts after July 1, 2010.
4. All logs, files, and interoffice communications after July 1, 2010 concerning the accounts.
5. All documents relating to, confirming and/or detailing any reports by financial advisors, including, but not limited to, Doug Williams, about concerns resulting from changes in activity on the accounts and conversations with Nelva Brunsting about those concerns.
6. All documents requesting or relating to, confirming and/or detailing any requested transactions in any of the accounts which were refused or not completed for any reason after July 1, 2010.