

CAUSE NO. D-1-GN-14-005114

JAMES STEELE, et al.,
Plaintiffs,

vs.

GTECH CORPORATION,
Defendant.

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IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS
201st JUDICIAL DISTRICT

PLAINTIFFS' SEVENTH SET OF DISCOVERY TO
DEFENDANT GTECH CORPORATION

To: Defendant GTECH Corporation, by and through their attorneys of record.

Plaintiffs James Steele, et al., requests that Defendant GTECH Corporation, serve written responses and/or objections to these requests for production and interrogatories, pursuant to Texas Rules of Civil Procedure 196 and 197. Defendant must answer these requests by the 30th day after service of these requests. All documents and tangible things responsive to Plaintiffs requests for production should be produced for inspection and copying at the office of The Lanier Law Firm, P.C., 10940 W. Sam Houston Pkwy N., Suite 100, Houston, Texas 77064, unless otherwise agreed to in writing by Plaintiff and Defendants.

Signatures on following page

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been served by electronic transmission via the Court's ECF system on December 14th, 2021, to the following counsel of record:

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/s/ Ryan D. Ellis

Ryan D. Ellis

INSTRUCTIONS

1. In answering these Interrogatories, furnish all information which is not privileged, however obtained, including hearsay which is available to you, and information known by or in possession, care, custody, or control of yourself, your agents, attorneys, investigators, employees or other representatives, or appearing in your records. If you claim privilege in responding or objecting to any of the following Interrogatories, please provide responsive information that does not contain allegedly privileged information or communications.

2. If you cannot answer the following Interrogatories in full after exercising due diligence to secure the full information to do so, so state and answer to the extent possible, specifying your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion, and detailing what you did in attempting to secure the unknown information.

3. For any requested information about a document that no longer exists or cannot be located, identify the document, state how and when it passed out of existence or when it could no longer be located, and give the reasons for the disappearance. Also, identify each person having knowledge about the disposition or loss, and identify each document evidencing the existence or nonexistence of each document that cannot be located.

DEFINITIONS

The following definitions shall apply herein:

1. The words “all,” “any,” or “each” mean “any and all.”
2. The term “Bellwether Plaintiffs” shall mean the following:
 - Lena Kelley
 - Russell Brackett
 - Jason Feagin;
 - Zeeshan Kadiwal; and
 - any other individual who is designated as a plaintiff or intervenor for a bellwether trial by any party.
3. “You”, “Your”, “Defendant”, or “GTECH” means Defendant GTECH Corporation, and its trustees, officers, agents, representatives, counsel, consultants, experts, investigators, employees, servants or assigns and/or any persons or entities purporting to act on its behalf.
4. “And” and “or” shall be construed both conjunctively and disjunctively and each shall include the other wherever such dual construction will serve to bring within the scope of these Requests documents that otherwise would not be brought within their scope.
5. “Communication” and/or “communications” shall mean and include any contact or act by which information or knowledge is transmitted or conveyed between two or more

persons and includes, without limitation, written contacts (whether by letter, e-mail, text message, memoranda, telegram, telex or other document) and oral contacts (whether by face-to-face meetings, telephone conversations or otherwise).

6. “Correspondence” shall mean and include any record or recording of any contact, oral or written, formal or informal, in which information, facts, ideas, inquiries, words, thoughts, or expressions of any nature are conveyed, transmitted, transferred, or exchanged between or among two or more persons, regardless of the manner or medium in which the contact was recorded.

7. “Document” and/or “documents” shall mean and include any printed, written, electronic, or graphic manner of communication, however produced or reproduced, whether the original or a copy, and is intended to be comprehensive and includes, without limitation, any and all written and electronic correspondence, letters, telegrams, agreements, contracts, notes, memoranda, instructions, reports, records, financial statements, demands, data, schedules, notices, worksheets, work papers, drafts, recordings (whether by electronic or other means), photographs, video tapes, physical models, charts, analysis, inter-office communications, notebooks, diaries, logs, appointment calendars, sketches, drawings, plans, specifications, blueprints, plats, diagrams, forms, manuals, brochures, lists, publications, minutes of meetings, journals, ledgers or other financial records, invoices, work tickets, purchase orders, canceled checks, records of telephone or personal conversation or conferences, e-mail, microfilm, bulletins, circulars, pamphlets, faxes, tape recordings, computer printouts, and all other written, electronic, or graphic material of any nature whatsoever. This definition specifically includes electronic documents and electronically stored information.

8. “Identify” with respect to a person means to give the full name, address, and telephone number of the person or persons about whom inquiry is made.

9. “Identify” with respect to documents means to state (i) type of document; (ii) the general subject matter; (iii) the date of the document; (iv) the author(s), addressee(s), and recipient(s); (v) present location, and (vi) present custodian.

10. “Identify” or “identification” with respect to a communication means to state the identity of the persons involved or participating in the communication, the date of the communication, and the general subject matter of the communication.

11. “Person” or “persons” shall mean both the singular and plural and shall include natural persons, corporations, public corporations, unincorporated corporations, partnerships, joint ventures, groups, associations or organizations, all federal, state, and local governments and all departments, agencies, or subunits thereof, or any other form of business, governmental, public, or charitable entity.

12. “Relating,” “related,” or “relates” mean, in addition to its customary and usual meaning, discussing, referring to, pertaining to, reflecting, evidencing, showing, recording, or tending to show, in any probative manner, the existence or nonexistence of a matter.

13. When appropriate in the context of a request, the singular shall mean the plural and vice versa.

14. Any term not specifically defined herein shall be given its ordinary meaning or the meaning ascribed to it in any Merriam-Webster dictionary.

PLAINTIFFS' SEVENTH SET OF DISCOVERY

Requests for Production

1. Please produce any documents that you have gathered or reviewed that contain information regarding any of the Bellwether Plaintiffs.

RESPONSE:

2. Please produce any documents that you have gathered or reviewed that contain information regarding any crime or conviction of any of any of the Bellwether Plaintiffs.

RESPONSE:

3. Please produce any websites or social media pages that are in your possession, custody, or control regarding any of the Bellwether Plaintiffs.

RESPONSE:

4. Please produce any photos of any of the Bellwether Plaintiffs in your possession, custody, or control.

RESPONSE:

5. Please produce any audio or video recording you have featuring or related to any of the Bellwether Plaintiffs.

RESPONSE:

6. Please produce any documents regarding any of the Bellwether Plaintiffs that you may use at trial under Texas Rules of Evidence 404, 405, 406, 608, or 609.

RESPONSE:

7. Produce any reservation of rights letters from your insurers regarding coverage for the Plaintiffs' claims in this lawsuit.

RESPONSE:

Interrogatories

Interrogatory No. 1: Do you intend to offer any evidence at trial regarding any of the Bellwether Plaintiffs under Texas Rules of Evidence 404, 405, 406, 608, or 609? If so, please describe that evidence.

ANSWER:

Interrogatory No. 2: Identify and describe Your current corporate structure, including all corporate parents, subsidiaries, assumed names or "DBAs," and affiliates, as well as whether, how and when this structure has changed since the filing of this action.

ANSWER:

Interrogatory No. 3: Identify any and all entities that have acquired—by assignment or otherwise—all or part of Your present or future liability arising from this case, and describe the circumstances which gave rise to such transfer of liability.

ANSWER:

Interrogatory No. 4: For each winning ticket claimed by the Bellwether Plaintiffs in this case, provide the following information:

1. The date upon which the pack of Fun 5's tickets in which the ticket was located was activated by the retailer who sold the ticket.
2. The identity of the retailer who sold the ticket.
3. The date upon which the ticket was scanned for validation as a "winner" or "not a winner."

ANSWER: