

13-15-00307-CV

**NO. 13-15-307
IN THE THIRTEENTH COURT OF APPEALS
CORPUS CHRISTI, TEXAS**

ALAN L HAMILTON,
Appellant,

V.

DANIEL DAVILA III,
Appellee.

**UNOPPOSED FIRST MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S BRIEF,
WITH MOTION FOR CLERK'S RECORD TO BE FIXED**

**Alan L Hamilton
Appellant, Pro Se
9902 Childress Dr
Austin, Texas 78753
512-832-6384
AlanHamilton@ProBaitCourt.com**

Table of Contents

1) This Motion, “Unopposed First Motion to Extend Time to File Appellant’s Brief, with Motion for Clerk’s Record to be Fixed”.

2) Proposed Order granting this Motion

3) **List of Exhibits:**

i) **Exhibit A:**

Letter from Alan Hamilton's doctor about bradycardia symptoms with his heart graph below 60 bpm, as well as his carpal tunnel diagnosis in his hands, causing the debilitating "numb finger" sensation he has been describing. (6 pages)

ii) **Exhibit B:**

American Heart Association (AHA) Bradycardia webpage - diagnosis-symptoms description (2 pages)

iii) **Exhibit C:**

screenshots of "Clerk's Record PDF Non-Descriptive TOC Bug" showing (3 pages total):

1) "pdf-clickable-bookmarks-TOC" on left vs "docket page" with "additional info" field containing document titles (2 pages)

2) screenshot showing "pdf-clickable-bookmarks-TOC" on left vs "index page" with "document description" field and category field containing the same info, with no document titles, i.e. "additional info" field missing. The "pdf-clickable-bookmarks-TOC" is displaying the "category" field NOT the "additional info" field which contains the document title.
NOTE: The “index page” itself echos the "pdf-clickable-bookmarks-TOC" bug with no “descriptive document” title displayed, only duplicate category fields. Document title is stored in the "Additional Info" field, a quick and easy global search and replace bug fix for any programmer. (1 page)

iv) **Exhibit D:**

History of Clerk’s Record fix attempts before it was sent to the Appellate Court on 7/9/2015. (2 pages)

v) **Exhibit E:**

TIFF/PDF WhitePaper for Federal Court documents (5 pages).

vi) **Exhibit F:**

Readable pdf “RFAs/RFPs/ROGs spreadsheets”, as submitted to Travis County District Clerk’s Office. (7 pages)

vii) **Exhibit G:**

Unreadable “pdf to TIFF” “RFAs/RFPs/ROGs spreadsheets” from Clerk’s Record central to appeal, with missing color data as well. Does not happen with pdf documents which are the Federal Court standard now. (7 pages).

TO THE HONORABLE THIRTEENTH COURT OF APPEALS:

Pursuant to TEX. R. APP. P. 10.1 and 38.6(d), the Appellant, Alan L Hamilton, files this "Unopposed First Motion to Extend Time to File Appellant's Brief, with Motion for Clerk's Record to be Fixed". Appellant's opening brief is currently due on August 10, 2015.

Appellant requests a 30-day extension of time to file its brief, making the brief due on Sept 10, 2015. This is the first request for extension of time to file the opening brief.

Appellant is filing this Motion for an extension to file the appellant's brief, in order to accomplish the following:

1) to have the Travis County District Court (TCDC) Clerk's Office to fix the Clerk's Record, which was submitted with an unusable pdf Table of Contents (TOC), without descriptive document titles in the clickable pdf bookmarks, as attachment #1 shows. Without descriptive titles in the clickable pdf bookmarks TOC, looking thru the documents amounts to a lot of frustration while chicken-pecking thru a lot of filings titled "other filings", while trying to find the document you are looking for.

If the documents/pdfs are not easy to navigate and read, they are unusable and a fair appeal consideration is not possible. This will aid not just in our appeal now, but with the Appeals Court Judges frustrations in the future as well.

For \$1200, the same cost as 2 new home appliances, we deserve at least a use-able electronic document/pdf. Impossible to navigate documents with non-descriptive TOC bug in Clerks Record (pdf TOC without document titles). Document title is stored in the "Additional Info" field, a quick and easy global search and replace bug fix for any programmer. (see Exhibits C and D)

A visit to the Harris County Court website shows this "Clerk's Record" task would have taken 15 minutes if we were not in TCDC website/jurisdiction, which does not yet have Public Access to non-lawyers for the court documents. Harris County Clerk's office allows you to put documents into a cart and order and pay for them online.

We would like our \$1200 back if the descriptive TOC in the pdf is not fixed. No one's going to read it, we can't even figure out which document is which, and we were there. For instance, find Exhibit CC in the Clerk's Record thru the "bookmark" document titles in the pdf. Not even possible. Without it, the contradicting evidence cannot be found, making our appeal as futile as using the Clerk's Record pdf in its present "non-descriptive TOC clickable-bookmarks" form.

2) the reason we are just now filing this request for the Clerk's Record to be fixed (received on Tuesday, 7/21/2015, via snail mail from 13th COA), is that we have been dealing with some emergency medical problems with Alan. See Exhibit A - letter from Alan's doctor on 7/24/2015. The reason Alan has been sleeping so much is his heart rate is too low the doctor said. It's called Bradycardia, and as we have been worried about, it's a walking heart attack (see Exhibit B - about bradycardia). So Alan needs to take the time to make the doctor visits about this serious and worrisome condition now. Dr Pekar also confirmed Alan's hand-finger numbness problem, and the necessary assistance with computer/typing of court communications by his wife, Marjorie

**UNOPPOSED FIRST MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF,
WITH MOTION FOR CLERK'S RECORD TO BE FIXED**

Bookmarks

- 1_Exhibit A
 - 1_7-24-2015-Letter-heart-hand docs from Dr Pekar-6 pgs
 - 7-24-2015-Letter from Dr Nathan Pekar for Alan Hamilton
 - 7-24-2015-Alan Hamilton-heart bradycardia graph from Dr Pekar
- 2_Exhibit B
- 2_AHA-Bradycardia_Slow Heart Rate
- 3_Exhibit C
- 3_Clerks Record Non-Descriptive TOC bug in Appeal Creator program
- 4_Exhibit D
- 4_History of Clerks Record problem-attempts to fix
- 5_Exhibit E
- 5_PDF vs TIFF white-paper
- 6_Exhibit F
- 6_Readable pdf-as submitted to Travis Court Clerk

① CLERKS RECORD PDF WITH NON-DESCRIPTIVE TOC BUG ON LEFT
 and ② docket page with DOCUMENT TITLES STORED IN
 "ADDITIONAL INFO" FIELD ON RIGHT

1 pg 1

13-15-00307-CVClkRec001.pdf - Adobe Acrobat Reader DC

le Edit View Window Help

Home Tools Document [Icons] 1150 / 1154 [Icons]

Bookmarks [Icons]

MAILED

- JUDGMENT NOTICE MAILED
- OTHER ANSWER/RESPONSE
- !OTH:OTHER FILING
- !OTH:OTHER FILING
- !OTH:OTHER FILING
- !OTH:OTHER FILING
- !OTH:OTHER FILING
- MTN:OTHER MOTION
- NTC:OTHER NOTICE
- OTHER ANSWER/RESPONSE
- OTHER FILING
- OTHER FILING
- OTHER FILING
- IORD:OTHER ORDER
- NTC:NOTICE OF APPEAL

FILED DATE	CATEGORY	DESCRIPTION	ADDITIONAL INFO
3/25/2015	ANS-RESP	OTHER ANSWER/RESPONSE	PLAINTIFF'S MEMORANDUM OF OPPOSITION TO: DEFENDANT DANIEL DAVILA IIS MOTION FOR TRADITIONAL AND NO EVIDENCE SUMMARY JUDGMENT AS TO PLAINTIFF ALAN L HAMILTON
3/25/2015	OTHER	!OTH:OTHER FILING	GREEN FILING ERROR NOTE TO TRAVIS COUNTY DISTRICT COURT CLERK
3/25/2015	OTHER	!OTH:OTHER FILING	MEMORANDUM OF OPPOSITION TO SUMMARY JUDGMENT FOR DEFENDANT CONTRADICTING EVIDENCE EXHIBITS - TABLE OF CONTENTS
3/25/2015	OTHER	!OTH:OTHER FILING	PLAINTIFF'S MEMORANDUM OF OPPOSITION TO: DEFENDANT DANIEL DAVILA IIS MOTION FOR TRADITIONAL AND NO EVIDENCE SUMMARY JUDGMENT...(EXHIBIT BB)

Miller. (see **Exhibit A** documents from Dr Pekar).

3) As well, after receiving the TCDC Clerk's Record from the Appeal Court Clerk's Office, we have also discovered while attempting to read the \$1200 Clerk's Record pdf as well, that the filed pdfs appear to have been made into Black and White tiffs and then reconverted to pdfs, making the words unreadable and looking like faxes from the 1980s. The color that used to accentuate points, now are a blurred-light-grey. The RFA/RFP/ROG spreadsheet tables which are central to showing the facts in our appeal, are unreadable. (see **Exhibits E thru G**)

Federal Courts have settled on using secure pdfs from Adobe Acrobat, not the outdated an unreadable "secure TIFF" solution of the past. See the "Liquid Litigation PDF vs TIFF" white-paper at http://llm.liquidlitigation.com/rs/liquidlitigationmanagement/images/LLM_PDF-vs-TIFF_white_paper.pdf. It is attached as well (see **Exhibit E**).

Though this "pdf to TIFF" issue may not be possible to fix in our time-frame, the TOC fix is imperative to navigability of the Clerk's Record and is a simple quick fix.

This Clerk's Record pdf TOC issue and Alan's Health issues can be worked out in parallel during the 30 day extension we are asking for. In the end, the "Clerks Record pdf TOCs" will be fixed for all, and Alan will have received the proper medications for his heart. The doctor took blood tests on 7/24/2015 and will be getting back to us with the results and his medical recommendations. Indeed, the doctor has contacted us and wants to see Alan again now, which is what we plan to do next.

Appellant seeks this extension of time to be able to prepare a cogent and succinct brief to aid this Court in its analysis of the issues presented. This request is not sought for delay but so that justice may be done.

The undersigned has conferred with opposing counsel, and she has indicated that her client does not oppose this motion.

All facts recited in this motion are within the personal knowledge of the counsel signing this motion, therefore no verification is necessary under Rule of Appellate Procedure 10.2.

PRAYER FOR RELIEF

For the reasons set forth above, Appellant requests that this Court grant this "Unopposed First Motion to Extend Time to File Appellant's Brief, with Motion for Clerk's Record to be Fixed", and extend the Deadline for Filing the Appellant's Brief up to and including September 10, 2015.

As well, during this extension time period, Appellant requests this Court to order the Travis County District Court's (TCDC) Clerk's Office to fix the Clerk's Record for this case with a useable "pdf with descriptive clickable TOC bookmarks", as described in the Motion, and re-submit to this Court. This is an easy global replace fix of "Additional Info" for "Document description" and should not take a competent programmer long to fix.

Also, Appellant requests this Court to order the TCDC Clerk's Office to address the unreadability

**UNOPPOSED FIRST MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF,
WITH MOTION FOR CLERK'S RECORD TO BE FIXED**


of “pdf to TIFF” documents and spreadsheets, central to this appeal, with the loss of color data as well. This “readability fix” might take longer to do, removing the “pdf to tiff” conversion from the “Appeal Creator” program used by the TCDC, but needs to be raised in priority by the Clerk’s Office. The use of TIFFs is based on an outdated security need, which has evolved in Adobe Acrobat Pro pdfs (without public expense), while remaining stagnant in the TCDC’s “Appeal Creator” program.

As the embedded picture of this motion’s pdf TOC shows, this is not difficult to attain using Adobe Acrobat Pro to combine documents, and is the standard in Federal Court as described in Exhibit

Appellant’s wife assists Appellant with computer/document work and has been a computer programmer for 33 years now, will assist the TCDC Clerk’s Office with attaining these goals for a use-able/navigable/readable Clerk’s Record for the Appeals Court.

Appellant requests all other relief to which it may be entitled.

Respectfully submitted,



Alan L Hamilton, Appellant, Pro Se
9902 Childress Dr
Austin, Texas 78753
512-832-6384
AlanHamilton@ProBaitCourt.com

CERTIFICATE OF CONFERENCE

I certify that I conferred with counsel for Appellee regarding this motion and that Appellee is not opposed to this motion.



Alan L Hamilton, Appellant, Pro Se

CERTIFICATE OF SERVICE

I certify that on August 10, 2015, I e-served a copy of this motion to the following counsel by www.eFileTexas.gov via www.greenfiling.com.

Counsel for Appellee:

Attorney for: Daniel Davila, III
Attorneys name: Karen Landinger, Robert M Smith
Attorneys address: COKINOS, BOSIEN & YOUNG
10999 West IH-10, Suite 800
San Antonio, Texas
(210) 293-8700 office
(210) 293-8733 fax
klandinger@cbylaw.com
RMSmith@cbylaw.com



Alan L Hamilton, Appellant, Pro Se

NO. 13-15-307
IN THE THIRTEENTH COURT OF APPEALS
CORPUS CHRISTI, TEXAS

ALAN L HAMILTON,
Appellant,

V.

DANIEL DAVILA III,
Appellee.

ORDER GRANTING PLAINTIFF'S UNOPPOSED FIRST MOTION
FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF
AND FOR CLERK'S RECORD TO BE FIXED

On _____, the court considered the Plaintiff's "Unopposed First Motion to Extend Time to File Appellant's Brief, with Motion for Clerk's Record to be Fixed", in this case.

After considering the motion, the court decided that the request should be granted.

It is ORDERED that the "Unopposed First Motion to Extend Time to File Appellant's Brief, with Motion for Clerk's Record to be Fixed" is granted and extends the Deadline for Filing the Appellant's Brief up to and including September 10, 2015.

This Court also returns and rejects the prepared Clerk's Record and requests and orders the Travis County District Court's (TCDC) Clerk's Office to fix the Clerk's Record for this case with a use-able navigation of the documents with "pdf with descriptive clickable TOC bookmarks", as described in the Motion, and re-submit to this Court. This is an easy global replace fix of "Additional Info" for "Document description" and should not take a competent programmer long to fix.

This Court requests and orders the TCDC Clerk's Office to address the unreadability of "pdf to TIFF" documents and spreadsheets, central to this appeal, with the loss of color data as well. This "readability fix" might take longer to do, removing the "pdf to tiff" conversion from the "Appeal Creator" program used by the TCDC, but needs to be raised in priority by the Clerk's Office. The use of TIFFs is based on an outdated security need, which has evolved in Adobe Acrobat Pro pdfs (without public expense), while remaining stagnant in the TCDC's "Appeal Creator" program.

ORDER GRANTING PLAINTIFF'S UNOPPOSED FIRST MOTION FOR EXTENSION OF TIME TO FILE
APPELLANT'S BRIEF AND FOR CLERK'S RECORD TO BE FIXED


As the embedded picture of this motion's pdf TOC shows, this is not difficult to attain using Adobe Acrobat Pro to combine documents, and is the standard in Federal Court as described in Exhibit

Appellant's wife (Marjorie Miller) assists Appellant with computer/document work and has been a computer programmer for 33 years now, will assist the TCDC Clerk's Office with attaining these goals for a use-able/navigable/readable Clerk's Record for the Appeals Court.

Signed on _____.

JUDGE PRESIDING

APPROVED AS TO FORM AND SUBSTANCE:


Alan L Hamilton
Appellant, Pro Se
9902 Childress Dr
Austin, Texas 78753
512-832-6384
AlanHamilton@ProBaitCourt.com

**ORDER GRANTING PLAINTIFF'S UNOPPOSED FIRST MOTION FOR EXTENSION OF TIME TO FILE
APPELLANT'S BRIEF AND FOR CLERK'S RECORD TO BE FIXED**

Exhibit A



Victory Medical

7/24/2015

RE: HAMILTON, ALAN DOB: 7/7/1946

To Whom It May Concern:

Alan Hamilton is under my care and has medical issues I am currently trying to stabilize. These conditions including undiagnosed chest pain, bradycardia, carpal tunnel syndrome, and worsening fatigue for unknown reasons.

Do to his age and these medical conditions it would be difficult to keep to tight deadlines and he may need extra time to perform tasks due to his medical conditions which limit his energy levels and ability to perform activities (ie: hard to type/write with carpal tunnel syndrome).

As a medical professional, I request the court take these medical conditions when assigning dead-lines and tasks for my patient.

Any consideration shown to this patient is appreciated. Please feel free to contact me if you have any questions.

Respectfully,

Nathan Pekar, MD

Victory Medical
4303 Victory Drive
Austin, Texas 78704
(P) 512-462-3627
(F) 512-462-2898

4303 Victory Drive
Austin, TX 78704

Phone: (512) 462-3627
FAX: (512) 462-2898
www.victorymed.com

3003 Bee Caves Road
Austin, TX 78746

ID:
DOB: 7/7/1946 (69 yr)
Gender: Male

Name: Hamilton, Alan
Comments:

7/24/2015 9:15:00 PM

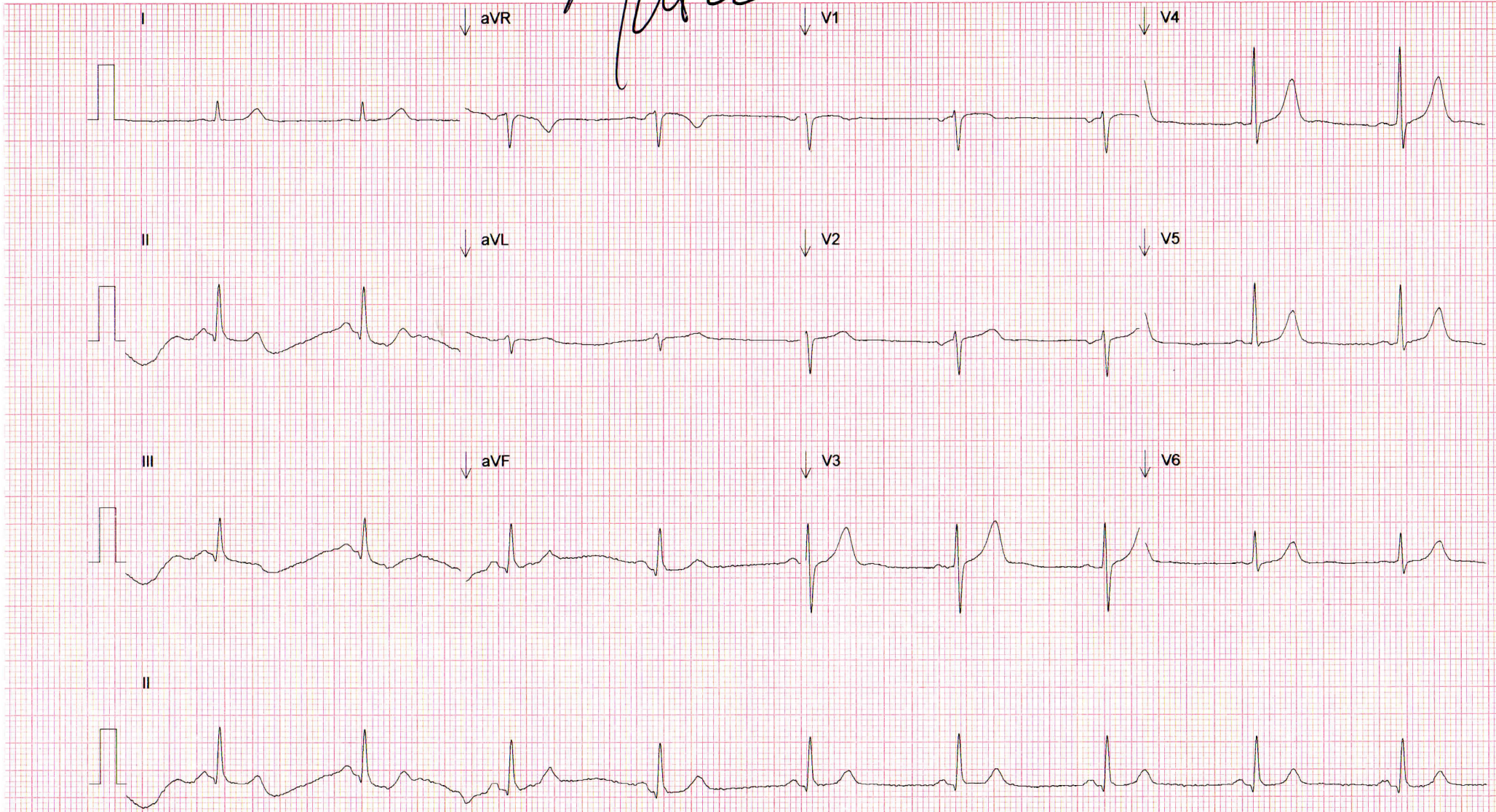
sinus rhythm (slow)
Normal ECG

P/PR: 114/144 ms
QRS: 96 ms
QT/QTc: 428/413 ms
P/QRS/T Axis: 76/70/40 deg
Heart Rate: 56 BPM

Unconfirmed Report

BRADYCARDIA

Not a



AlanHamilton-COA-pg#-003

Home

About Us

Ira G Lown MD

Crystal Bell MSN FNP-C

Occupational Therapy

Lisa L Howard OTR

Gilda Tirado MOT OTR

Education

Pre-Visit Info

Directions

Request an Appt

Contact Us

WELCOME TO: AUSTIN HAND GROUP

Ira G. Lown, MD, FACS | Crystal Bell, MSN FNP-C | Lisa L. Howard, OTR | Gilda Tirado, MOT, OTR
Hand Surgery Austin | Occupational Therapy | Minimally Invasive Procedures

Austin Hand Group is a resource for comprehensive treatment of the hand and wrist, including consultations, diagnostics, treatment, surgery and hand therapy. We are a private physician practice consisting of a fellowship trained hand surgeon, a nurse practitioner and two occupational hand therapists. Austin Hand Group specializes in the treatment of hand and wrist pain, trauma, chronic hand conditions and minimally invasive procedures. Minimally invasive procedures include Endoscopic Carpal Tunnel Release and Endoscopic Cubital Tunnel Release in addition to minimally invasive office procedures such as percutaneous trigger finger release. Our practice provides in-house digital imaging, digital communications with major local imaging facilities, electronic medical records and billing, as well as online and verbal communication with all major insurance carriers for benefits and eligibility services. Our highly, well trained, friendly support staff can assist you with benefits, eligibility, and financial estimates of visits, procedures and surgeries. Utilizing our combined experience in the treatment of hands and wrists, Austin Hand Group aims to meet the quality and cost objectives for patients in an evolving healthcare industry.



Ira G. Lown MD, FACS

Austin Hand Surgery: Austin Hand Group | phone: 512.327.4263 | fax: 512.327.4265 | 3345 Bee Cave Rd Suite 101 Austin, TX 78746 | austinhandgroup@austinhandgroup.com

Carpal Tunnel Syndrome

What is carpal tunnel syndrome?

Carpal tunnel syndrome is a common, painful disorder of the wrist and hand.

How does it occur?

Carpal tunnel syndrome is caused by pressure on the median nerve in your wrist. People who use their hands and wrists repeatedly in the same way (for example, illustrators, carpenters, and assembly-line workers) tend to develop carpal tunnel syndrome.

Pressure on the nerve may also be caused by a fracture or other injury, which may cause inflammation and swelling. In addition, pressure may be caused by inflammation and swelling associated with arthritis, diabetes, and hypothyroidism. Carpal tunnel syndrome can also occur during pregnancy.

What are the symptoms?

The symptoms include:

- pain, numbness, or tingling in your hand and wrist, especially in the thumb and index and middle fingers; pain may radiate up into the forearm
- increased pain with increased use of your hand, such as when you are driving or reading the newspaper

- increased pain at night
- weak grip and tendency to drop objects held in the hand
- sensitivity to cold
- muscle deterioration especially in the thumb (in later stages).

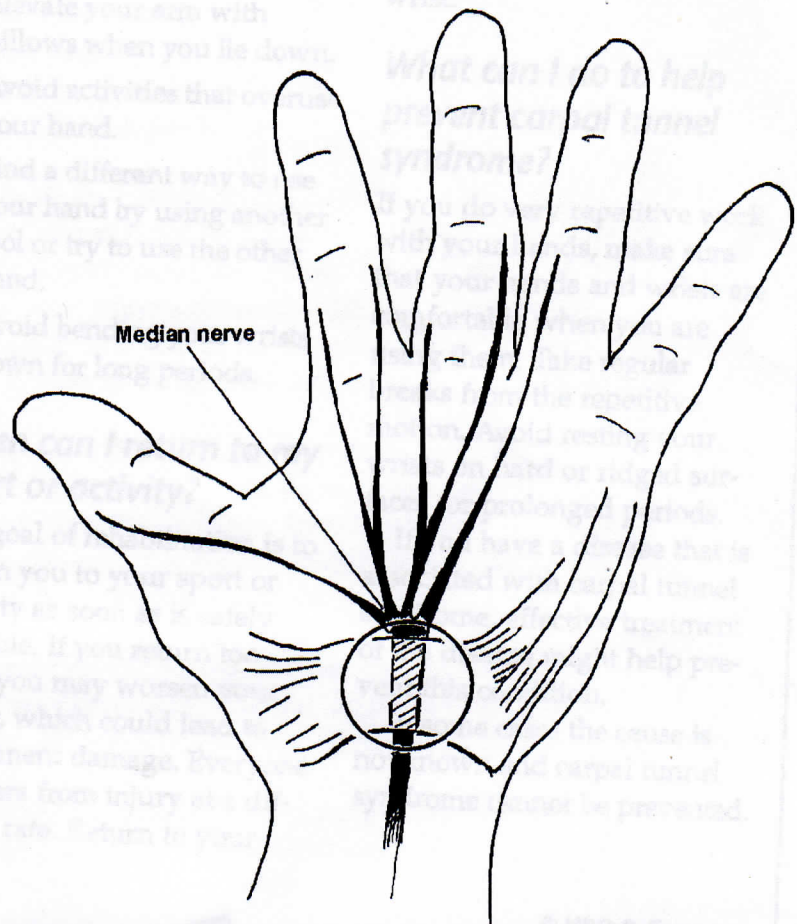
How is it diagnosed?

Your doctor will review your symptoms, examine you, and discuss the ways you use your

hands. He or she may also do the following tests:

- The doctor may tap the inside middle of your wrist over the median nerve. You may feel pain or a sensation like an electric shock.
- You may be asked to bend your wrist down for one minute to see if this causes symptoms.
- The doctor may arrange to test the response of your

Carpal Tunnel Syndrome



Carpal Tunnel Syndrome

nerves and muscles to electrical stimulation.

How is it treated?

If you have a disease that is causing carpal tunnel syndrome (such as rheumatoid arthritis), treatment of the disease may relieve your symptoms. Other treatment focuses on relieving irritation and pressure on the nerve in your wrist. To relieve pressure your doctor may suggest:

- restricting use of your hand or changing the way you use it
- wearing a wrist splint during sleep and physical activity involving the wrist
- exercises.

Your doctor may prescribe a cortisonelike medicine or a nonsteroidal anti-inflammatory medicine, such as ibuprofen. Your doctor may recommend an injection of a cortisonelike medicine into the carpal tunnel area. In some cases surgery may be necessary.

How long will the effects last?

How long the symptoms of carpal tunnel syndrome last depends on the cause and your response to treatment. Sometimes the symptoms disappear without any treatment, or they may be relieved by

nonsurgical treatment. Surgery may be necessary to relieve the symptoms if they do not respond to treatment or they get worse. Surgery usually relieves the symptoms, especially if there is no permanent damage to the nerve.

Symptoms of carpal tunnel syndrome that occur during pregnancy usually disappear following delivery.

How can I take care of myself?

Follow your doctor's recommendations. Also try the following:

- Elevate your arm with pillows when you lie down.
- Avoid activities that overuse your hand.
- Find a different way to use your hand by using another tool or try to use the other hand.
- Avoid bending your wrists down for long periods.

When can I return to my sport or activity?

The goal of rehabilitation is to return you to your sport or activity as soon as is safely possible. If you return too soon you may worsen your injury, which could lead to permanent damage. Everyone recovers from injury at a different rate. Return to your

sport will be determined by how soon your wrist recovers, not by how many days or weeks it has been since your injury occurred. In general, the longer you have symptoms before you start treatment, the longer it will take to get better.

You may return to your sport or activity when you are able to painlessly grip objects like a tennis racquet, bat, golf club, or bicycle handlebars. In sports such as gymnastics, it is important that you can bear weight on your wrist without pain. You must have full range of motion and strength of your wrist.

What can I do to help prevent carpal tunnel syndrome?

If you do very repetitive work with your hands, make sure that your hands and wrists are comfortable when you are using them. Take regular breaks from the repetitive motion. Avoid resting your wrists on hard or ridged surfaces for prolonged periods.

If you have a disease that is associated with carpal tunnel syndrome, effective treatment of the disease might help prevent this condition.

In some cases the cause is not known and carpal tunnel syndrome cannot be prevented.

© HBO & Company

Carpal Tunnel Rehabilitation Exercises

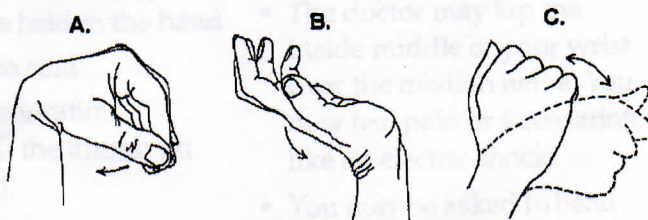
You may do all of these exercises right away.

1. Active range of motion

A. Flexion: Gently bend your wrist forward. Hold for 5 seconds. Repeat 10 times. Do 3 sets.

B. Extension: Gently bend your wrist backward. Hold this position 5 seconds. Repeat 10 times. Do 3 sets.

C. Side to side: Gently move your wrist from side to side (a handshake motion). Hold for 5 seconds at each end. Repeat 10 times. Do 3 sets.

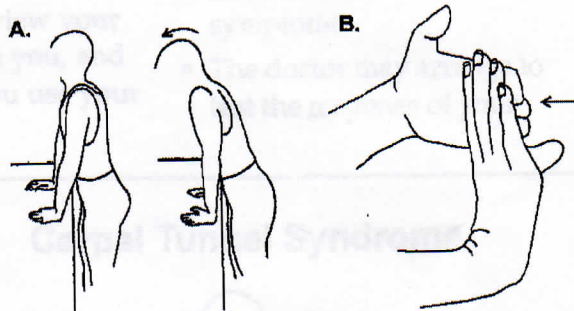


Active range of motion

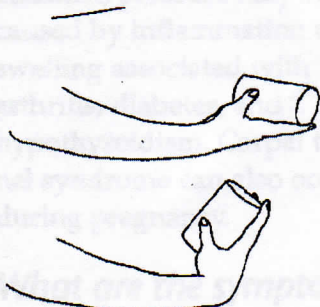
2. Stretching

A. Place both palms on a desk or table. Gently lean your body forward over your wrists and hold for 15–30 seconds. Repeat 3 times.

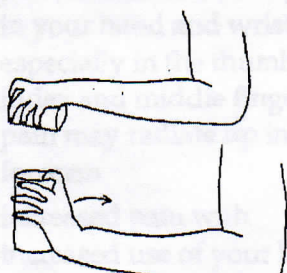
B. With your uninjured hand, help to bend the injured wrist down by pressing the back of your hand and holding it down for 15 to 30 seconds. Next, stretch the hand back by pressing the fingers in a backward direction and holding it for 15 to 30 seconds. Do this twice.



Stretching



Wrist flexion



Wrist extension

3. Tendon glides: Start with the fingers of your injured hand held out straight. Gently bend the middle joint of your fingers down toward your upper palm. Hold for 5 seconds. Repeat 10 times. Do 3 sets.



Tendon glides

4. Wrist flexion: Hold a can or hammer handle with your palm up. Bend your wrist upward. Hold this position for 5 seconds. Repeat 10 times. Do 3 sets. Gradually increase the weight of the object you are holding.

5. Wrist extension: Holding a can or similar object with the palm down, bend the wrist up. Hold this position for 5 seconds. Repeat 10 times. Do 3 sets.



Grip strengthening

6. Grip strengthening: Squeeze a rubber ball and hold for 5 seconds. Repeat 10 times.

© HBO & Company

Exhibit B

Search

GETTING HEALTHY | **CONDITIONS** | HEALTHCARE / RESEARCH | CAREGIVER | EDUCATOR | CPR & ECC | SHOP | CAUSES | ADVOCATE | GIVING | NEWS

Arrhythmia | Cholesterol | Congenital Defects Children & Adults | Diabetes | Heart Attack | Heart Failure | High Blood Pressure | Stroke | More

Bradycardia | Slow Heart Rate

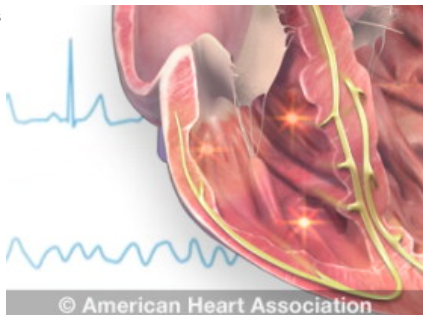
Share 1 Like 97 G+1 9 280 Updated: Apr 29, 2015

Bradycardia = too slow

A **heart rate** of less than 60 beats per minute (BPM) in adults is called bradycardia. What's too slow for you may depend on your age and physical condition.

- Physically active adults often have a resting heart rate slower than 60 BPM but it doesn't cause problems.
- Your heart rate may fall below 60 BPM during deep sleep.
- Elderly people are more prone to problems with a slow heart rate.

[View an animation of bradycardia.](#)



Causes of bradycardia

- Problems with the sinoatrial (SA) node, sometimes called the heart's natural pacemaker
- Problems in the conduction pathways of the heart (electrical impulses are not conducted from the atria to the ventricles)
- Metabolic problems such as hypothyroidism
- Damage to the heart from heart attack or heart disease

Symptoms of bradycardia

A heart rhythm that's too slow can cause insufficient blood flow to the brain with symptoms such as:

- Fatigue
- Dizziness
- Lightheadedness
- Fainting or near-fainting spells
- In extreme cases, cardiac arrest may occur.

Complications of bradycardia

Severe, prolonged untreated bradycardia can cause:

- Heart failure
- **Syncope** (loss of consciousness; fainting)
- Angina pectoris (chest pain)
- High blood pressure

Treatment of the underlying medical cause

- Not usually needed except with prolonged or repeated symptoms
- Can usually be corrected with an **artificial pacemaker** to speed up the heart rhythm as needed
- Medication may be adjusted.

Arrhythmia

• Home

• About Arrhythmia

- Introduction
- Atrial Fibrillation
- Bradycardia**
- Conduction Disorders
- Premature Contractions
- Tachycardia
- Ventricular Fibrillation
- Other Rhythm Disorders
- Types of Arrhythmia in Children

• Why Arrhythmia Matters

• Understand Your Risk for Arrhythmia

• Symptoms, Diagnosis & Monitoring of Arrhythmia

• Prevention & Treatment of Arrhythmia

• Arrhythmia Tools & Resources

Subscribe to Heart Insight magazine and monthly e-newsletter

Heart Insight

Our digital magazine delivers helpful articles and the latest news on keeping your heart healthy. Sign up today!

Email:*

State:

Zip Code:

By clicking submit below you agree to the [Terms and Conditions](#)

Submit

Popular Articles

- 1 [Understanding Blood Pressure Readings](#)
- 2 [Target Heart Rates](#)
- 3 [All About Heart Rate \(Pulse\)](#)
- 4 [What are the Symptoms of High Blood Pressure?](#)
- 5 [Low Blood Pressure](#)
- 6 [Heart Attack Symptoms in Women](#)
- 7 [What Your Cholesterol Levels Mean](#)
- 8 [Warning Signs of a Heart Attack](#)

Why join any other "support group" when you can be part of our new professionally moderated American Heart Association/American Stroke Association's Support Network!

Created for individuals just like you.

Be part of this online community and share your thoughts and support.

IT'S FREE. IT'S TOTALLY PROTECTED.

Join the conversation now.



SUPPORT NETWORK



This content was last reviewed on 10/23/2014.

About Us

Our mission is to build healthier lives, free of cardiovascular diseases and stroke. That single purpose drives all we do. The need for our work is beyond question. [More](#)

**Our Causes**

[Go Red For Women](#)
[Go Red Por Tu Corazón](#)
[My Heart My Life](#)
[Power To End Stroke](#)

The Warning Signs**Online Communities****Heart and Stroke Encyclopedia****Volunteer****Our Sites**

[American Heart Association](#)
[American Stroke Association](#)
[My Life Check](#)
[Heart360](#)
[Everyday Choices](#)
[My.AmericanHeart for Professionals](#)
[Scientific Sessions](#)
[Stroke Conference](#)
[You're The Cure](#)
[Global Programs](#)
[SHOP](#)
[CEO Nancy Brown](#)
[eBooks](#)

Contact Us**Address**

7272 Greenville Ave.
 Dallas, TX 75231

Customer Service

1-800-AHA-USA-1
 1-800-242-8721
 1-888-474-VIVE

Local Info

[Getting Healthy](#) | [Conditions](#) | [Healthcare / Research](#) | [Caregiver](#) | [Educator](#) | [CPR & ECC](#) | [Shop](#) | [Causes](#) | [Advocate](#) | [Giving](#) | [News](#) | [Volunteer](#) | [Donate](#)
[Privacy Policy](#) | [Copyright](#) | [Ethics Policy](#) | [Conflict of Interest Policy](#) | [Linking Policy](#) | [Diversity](#) | [Careers](#)
 ©2015 American Heart Association, Inc. All rights reserved. Unauthorized use prohibited.
 The American Heart Association is a qualified 501(c)(3) tax-exempt organization.

*Red Dress™ DHHS, Go Red™ AHA ; National Wear Red Day® is a registered trademark.



This site complies with the HONcode standard for trustworthy health information:
[verify here.](#)

Exhibit C

① CLERKS RECORD PDF WITH NON-DESCRIPTIVE TOC BUG ON LEFT
 and ② DOCKET PAGE WITH DOCUMENT TITLES STORED IN
 "ADDITIONAL INFO" FIELD ON RIGHT

1 pg 1

13-15-00307-CVClkRecV001.pdf - Adobe Acrobat Reader DC

File Edit View Window Help

Home Tools Document 1150 / 1154

Bookmarks

- MAILED
 - JUDGMENT NOTICE MAILED
 - OTHER ANSWER/RESPONSE
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - MTN:OTHER MOTION
 - NTC:OTHER NOTICE
 - OTHER ANSWER/RESPONSE
 - OTHER FILING
 - OTHER FILING
 - OTHER FILING
 - !ORD:OTHER ORDER
 - NTC:NOTICE OF APPEAL

FILED DATE	CATEGORY	DESCRIPTION	ADDITIONAL INFO
3/25/2015	ANS-RESP	OTHER ANSWER/RESPONSE	JUDGMENT NOTICE MAILED PLAINTIFF'S MEMORANDUM OF OPPOSITION TO: DEFENDANT DANIEL DAVILA III'S MOTION FOR TRADITIONAL AND NO EVIDENCE SUMMARY JUDGMENT AS TO PLAINTIFF ALAN L HAMILTON
3/25/2015	OTHER	!OTH:OTHER FILING	GREEN FILING ERROR NOTE TO TRAVIS COUNTY DISTRICT COURT CLERK
3/25/2015	OTHER	!OTH:OTHER FILING	MEMORANDUM OF OPPOSITION TO SUMMARY JUDGMENT FOR DEFENDANT CONTRADICTING EVIDENCE EXHIBITS - TABLE OF CONTENTS
3/25/2015	OTHER	!OTH:OTHER FILING	PLAINTIFF'S MEMORANDUM OF OPPOSITION TO: DEFENDANT DANIEL DAVILA III'S MOTION FOR TRADITIONAL AND NO EVIDENCE SUMMARY JUDGMENT...(EXHIBIT BB)

1150

6:32 PM 7/30/2015

① CLERKS RECORD PDF WITH NON-DESCRIPTIVE TOC BUG ON LEFT LPJZ
 and ② DOCKET page with DOCUMENT TITLES STORED IN "ADDITIONAL INFO" FIELD ON RIGHT

13-15-00307-CVClkRecV001.pdf - Adobe Acrobat Reader DC

le Edit View Window Help

Home Tools Document 1151 / 1154

Bookmarks

- MAILED
- JUDGMENT NOTICE MAILED
- OTHER ANSWER/RESPONSE
- !OTH:OTHER FILING
- !OTH:OTHER FILING
- !OTH:OTHER FILING
- !OTH:OTHER FILING
- !OTH:OTHER FILING
- MTN:OTHER MOTION
- NTC:OTHER NOTICE
- OTHER ANSWER/RESPONSE
- OTHER FILING
- OTHER FILING
- OTHER FILING
- !ORD:OTHER ORDER
- NTC:NOTICE OF APPEAL

FILED DATE	CATEGORY	DESCRIPTION	ADDITIONAL INFO
3/25/2015	OTHER	!OTH:OTHER FILING	MEMORANDUM OF OPPOSITION TO SUMMARY JUDGMENT FOR DEFENDANT CONTRADICTING EVIDENCE EXHIBITS - TABLE OF CONTENTS
3/25/2015	OTHER	!OTH:OTHER FILING	PLAINTIFF'S MEMORANDUM OF OPPOSITION TO: DEFENDANT DANIEL DAVILA III'S MOTION FOR TRADITIONAL AND NO EVIDENCE SUMMARY JUDGMENT...(EXHIBIT BB)
3/25/2015	OTHER	!OTH:OTHER FILING	PLAINTIFF'S MEMORANDUM OF OPPOSITION TO: DEFENDANT DANIEL DAVILA III'S MOTION FOR TRADITIONAL AND NO EVIDENCE SUMMARY JUDGMENT...(EXHIBITS CC - II)
4/7/2015	MOTION	MTN:OTHER MOTION	PLAINTIFFS MOTION TO VACATE DEFENDANTS SUMMARY JUDGMENT ORDER OBTAINED WITH A FRAUDULENT AND PREJURING MOTION
5/8/2015	NOTICE	NTC:OTHER NOTICE	NOTICE OF HEARING
5/22/2015	ANS-RESP	OTHER ANSWER/RESPONSE	DEFENDANT DANIEL DAVILA, III'S RESPONSE AND OBJECTIONS TO "PLAINTIFF'S MOTION TO VACATE DEFENDANT'S SUMMARY JUDGMENT ORDER OBTAINED WITH A FRAUDULENT AND PERJURING MOTION"
5/28/2015	OTHER	OTHER FILING	LETTER-ALAN L HAMILTON (WITH ORDER FORWARDED TO CLERK OF THE 353RD

8.50 x 11.00 in

7:20 PM 7/30/2015

② INDEX PAGE WITH 2 IDENTICAL CATEGORY FIELDS
BUT NO DOCUMENT TITLES (ADDITIONAL INFO FIELD)

②

- Bookmarks
- MAILED
 - JUDGMENT NOTICE MAILED
 - OTHER ANSWER/RESPONSE
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - MTN:OTHER MOTION
 - NTC:OTHER NOTICE
 - OTHER ANSWER/RESPONSE
 - OTHER FILING
 - OTHER FILING
 - OTHER FILING
 - !ORD:OTHER ORDER
 - NTC:NOTICE OF APPEAL

① ECHOS
BUG IN
NON-DESCRIPTIVE
TOC BUG
ON LEFT

FILED DATE	DOCUMENT DESCRIPTION	DOCUMENT CATEGORY	PAGE
3/16/2015	OBJECTIONS	OBJECTIONS	653-708
3/17/2015	JUDGMENT NOTICE MAILED	JUDGMENT NOTICE MAILED	709-709
3/17/2015	JUDGMENT NOTICE MAILED	JUDGMENT NOTICE MAILED	710-710
3/25/2015	OTHER ANSWER/RESPONSE	OTHER ANSWER/RESPONSE	711-727
3/25/2015	!OTH:OTHER FILING	!OTH:OTHER FILING	728-783
3/25/2015	!OTH:OTHER FILING	!OTH:OTHER FILING	784-803
3/25/2015	!OTH:OTHER FILING	!OTH:OTHER FILING	804-842
3/25/2015	!OTH:OTHER FILING	!OTH:OTHER FILING	843-983
4/7/2015	MTN:OTHER MOTION	MTN:OTHER MOTION	984-1004
5/8/2015	NTC:OTHER NOTICE	NTC:OTHER NOTICE	1005-1007
5/22/2015	OTHER ANSWER/RESPONSE	OTHER ANSWER/RESPONSE	1008-1115
5/28/2015	OTHER FILING	OTHER FILING	1116-1120
5/29/2015	OTHER FILING	OTHER FILING	1121-1124
5/29/2015	OTHER FILING	OTHER FILING	1125-1130
6/3/2015	!ORD:OTHER ORDER	!ORD:OTHER ORDER	1131-1132
6/5/2015	NTC:NOTICE OF APPEAL	NTC:NOTICE OF APPEAL	1133-1134
6/5/2015	OTHER FILING	OTHER FILING	1135-1136
6/9/2015	OTHER FILING	OTHER FILING	1137-1137
7/2/2015	DESIGNATION CLERKS RECORD	DESIGNATION CLERKS RECORD	1138-1145
7/7/2015	OTHER FILING	OTHER FILING	1146-1147
	Court Docket Record	Docket Record	1148-1152
	Court Cost Record	Bill of Cost	1153-1153

Exhibit D

History of Clerk's Record problem/attempts to fix:

For \$1200, we could have purchased two home appliances, which would have been guaranteed to be functional. The 7/9/2015 Clerk's Record pdf submitted by the TCDC is non-functional. It would result in a failing grade for a student exam paper, much less a document delivered by a court for a \$1200 admission card to the appeals court with an unreadable document. A visit to the Harris County Court website shows this "Clerk's Record" task would have taken 15 minutes if we were not in TCDC website which does not yet have Public Access to non-lawyers for the court documents. Harris County Clerk's office allows you to put documents into a cart and order and pay for them online.

We would like our \$1200 back if the descriptive TOC in the pdf is not fixed. No one's going to read it, we can't even figure out which document is which, and we were there. For instance, find Exhibit CC in the Clerk's Record thru the "bookmark" document titles in the pdf. Not even possible. Without it, the contradicting evidence cannot be found, making our appeal as futile as using the Clerk's Record pdf in its present "non-descriptive TOC clickable-bookmarks" form.

After working in great detail for 2 weeks (between 6/8/2015 and 7/9/2015) with the TCDC Clerk's Office, including 2 levels of supervisors:

- 1) Shaun Glasson, Clerk assigned to our appeal record, [512-854-5956](tel:512-854-5956), Shaun.Glasson@co.travis.tx.us
- 2) Danikae Doetsch, Manager, [512-854-5851](tel:512-854-5851), Danikae.Doetsch@traviscountytexas.gov
- 3) Connie Jefferson - Director ("as high as we could go unless we wrote Velma Price a letter"), [512-854-5834](tel:512-854-5834)

In order to "do it right the first time" with the Clerk's Record submission, we were assured all of the above that the errors listed below had been fixed:

- 1) 3/25/2015 Motion submitted in multiple parts, per efiletexas/greenfiling directions, were not compatible with the "Appeal Creator" software used by TCDC Clerk's Office, and were being displayed in the wrong order,
- 2) the Judge's Notes were missing,
- 3) no Table of Contents (TOC) descriptions in index page but appear on docket page, and no page numbers on TOC but appear on index page. Danikae and Connie assured us that the TOC was displayed/working in the resulting pdf, so that the bug in the index page *didn't matter*. (the "double category field-doc title in additional comments field NOT in document description field" bug)

The top manager we spoke to, Connie Jefferson, REFUSED to let us see the "fixed" version and said only the Appeals Court could give out copies of the "clerk's/appellate record". We told them that if it wasn't correct, for a cost \$1200, we would be filing a motion to have it fixed. We described to Connie the analogy of the Clerk's Office being the publisher and us the

novelist, and that publishing a book without Chapter titles and in the wrong order, ie. Chapter 1 then Chapter 5 then Chapter 2, would not be acceptable, and it is not acceptable for the Clerk's Office to do. Again we were assured everything was correct but we couldn't see it until after it was sent to Appeals Court. This despite the fact that they had not known about the other errors until we told them the docket list was in the wrong order for the 3/25/2015 multi-part "chapter" submissions, due to "max envelope" size of 30MB constraint for efiletexas.gov.

As seen in the attachment, it has NOT been fixed, though Danikae said she spent a day with "Jeff the programmer in IT" to fix it. The "Clerk's/appellate record pdf" is unusable without a descriptive Table of Contents, pecking thru the "category names" attempting to figure out which document is which, when it is a simple global replace in the "Appeal Creator" code, to use the "additionalInfo" field for the document title, NOT the "document description" field, which has been MISUSED by the Clerks as a duplicate category field. **This is a one day fixed for a programmer who knows the code, and a one week fixed for a programmer who does not know the code.** And yet everyone who uses that pdf with no titles in the TOC (Table of Contents) will waste their time, energy and frustration, and no one can get a fair appeal hearing with an unusable document that would get anyone fired at anything except a government job. If we have to sue Travos County to get this bug fixed we will. Or we want our \$1200 back. It is pure incompetence and irresponsibility that has allowed this bug to continue, propagating with it everyone's frustration due to the TCDC Clerk's Office not doing their job correctly and charging everyone an arm and a leg for an unusable inferior product that would get you flunked out of high school these days.

The TCDC Clerk's Office obviously needs extra motivation to fixed this bug and perhaps an Order to fix it. It is unbelievable that we are the first to point this out. Shaun at the TCDC, said we were the first to ever ask to look at it, and yet the TRAP rules say the appellant is responsible to check for the correct content, not the Clerk's Office ironically. So we asked to check it, and they, up 2 levels of management Shaun to Danikae to Connie Jefferson, said we had to wait until AFTER we had paid for it and it was submitted wrong to the Appeals Court before it could be fixed. So that is where we are now.

As well, after receiving the TCDC Clerk's Record from the Appeal Court Clerk's Office, we have also discovered while attempting to read the \$1200 Clerk's Record pdf as well, that the filed pdfs appear to have been made into Black and White tiffs and then reconverted to pdfs, making the words unreadable and looking like faxes from the 1980s. The color that used to accentuate points, now are a blurred-light-grey. The RFA/RFP/ROG spreadsheet tables which are central to showing the facts in our appeal, are unreadable. (see attachment)

Federal Courts have settled on using secure pdfs from Adobe Acrobat, not the outdated an unreadable "secure TIFF" solution of the past. See the "Liquid Litigation PDF vs TIFF" white-paper at http://llm.liquidlitigation.com/rs/liquidlitigationmanagement/images/LLM_PDF-vs-TIFF_white_paper.pdf. It is **attached** as well.

Exhibit E

April 2010

The Advantages of PDF over TIFF

by Jennifer Lazor

Summary

In order to conduct a successful document review, lawyers need to be able to quickly and effectively view documents in electronic format. Document database aside, review efficiency relies heavily on whether reviewers choose to use PDF files or TIFF files. PDF documents are more secure, smaller, more accessible, and more cost efficient than TIFF files. For good reason, the standard is trending towards use of PDF over TIFF.

TIFF, The Back Story

TIFF, essentially a picture of a document, was created to standardize the file type for scanned paper documents. Prior to its creation, each scanning vendor had its own proprietary file format and compatibility issues were common. In an effort to solve this problem, TIFF was released in 1987 by Aldus and Microsoft, Inc. Since merging with Aldus, Adobe Systems, Inc. owns the trademark to TIFF. However, Adobe has not updated the specifications for TIFF since 1992 and instead, has chosen to invest in the PDF file type. According to Diana Helander, Group Manager for Worldwide Standards for Acrobat, PDF use is becoming the de facto standard with many agencies including the FDA and the U.S. Federal Courts.¹

PDF, The Future

Released in 1992, the PDF file type was originally used as the standard for the U.S. federal government's legacy files. Beginning under the Clinton administration and continuing through to present-day, there is a push in the U.S. government to limit paper documents in favor of more efficient electronic forms.² Their form of choice? The PDF. PDF, or Portable Document Format, lives up to its name due to its accessibility and portability. Today, more and more paper documents are being archived as PDF files. Additionally, files such as Excel, PowerPoint and Word are being converted to PDF to preserve the format for easier collaboration and review.

Use of PDFs is becoming increasingly widespread in the legal industry due in large part to the number of advantages it provides over TIFF files during review.

Size and Speed

A key component of a successful review is the speed in which review is conducted. Review speed relies heavily upon how quickly reviewers are able to load and view files.

- PDFs are compressed, making them much smaller than TIFF files. Smaller files take less time to load, cutting wait times significantly and allowing the reviewer to read their documents more quickly. Additionally, smaller files take up less space on a hard drive, meaning that storage costs for hosting will be less when using a hosted solution.
- TIFF documents are stored as multiple files, with each page of a document as a separate file. This takes up a lot of computer space and adds time to review as reviewers will have to open a

¹ Foss, Kurt. "Adobe Interview: Diana Helander." *Adobe Acrobat User Community*. Adobe Systems Incorporated, 01 Jul 2006. Web. 31 Mar 2010. <http://www.acrobatusers.com/articles/2006/07/diana_helander_qa>.

² Johnson, Duff. "PDF in Government." *Adobe Acrobat User Community*. Adobe Systems Incorporated, 02 Feb 2007. Web. 31 Mar 2010. <http://www.acrobatusers.com/articles/2007/02/pdf_in_government>.

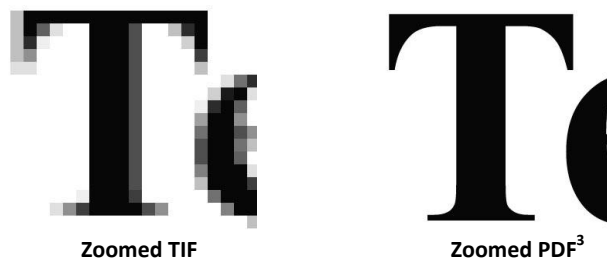
separate file for each page of a document. PDFs take up much less space and are more convenient because all of the pages of a multipage document are saved in one file. When reviewing multipage PDF documents, reviewers move from one page to the next by a simple scrolling motion, rather than opening up multiple files as with TIFFs. This cuts down review time significantly.

- Smaller file size not only has a speed advantage, but a cost advantage. As software companies often charge a per gigabyte fee for storage, it is cost efficient to reduce gigabyte size wherever possible. PDFs are generally smaller than TIFF files, resulting in fewer costs for the firm. When PDFs are created directly from native files, the size difference between PDFs and TIFFs is further increased.
- PDF files stream as they load. This allows the reviewer to begin to read the document while it finishes loading in the background. File streaming is similar to viewing videos online. For example, the video starts to play before it is entirely loaded. Load times vary with document size. However, file streaming allows the reviewer to be able to begin to review a document as quickly as they can read, without even noticing the load time. TIFF files do not have this ability.

Clarity

Once the documents are opened and loaded, quality and clarity are crucial to their readability. TIFF images are bitmap images, making them appear pixilated. Bitmap images have low visual clarity because they are created from pixels in a grid. Bitmap images and thus, TIFF files, are resolution dependent, meaning that as they are zoomed or printed, their quality deteriorates because pixels are lost. If a file is not clear on screen or in print, it is more tedious to review.

PDFs display text and images with the utmost clarity due to Adobe's PostScript technology. PostScript is a language between document and printer or document and monitor that essentially describes the exact appearance of images and text to a printer or monitor. Therefore, when printed or zoomed, PDFs maintain the exact visual standards they have on screen. With increased document clarity, review time is decreased because less time is spent deciphering words. Professionalism is also maintained when printing PDFs for experts or trial because the images will be exceptionally clear.



³ "PDF Conversion." *PDF Solutions* (2006): n. pag. Web. 31 Mar 2010.
<<http://www.investintech.com/resources/articles/whattiff/>>.

Color

In addition to clarity, color is another important visual standard in both review and production. The vast majority of compressed TIFF formats use black and white only, whereas PDFs transparently and efficiently include color. Color not only plays an important role in review, but in production as well. TIFF files cannot typically be produced in color. JPEGs are often produced with TIFFs to supply the color, meaning extra work is needed to create productions. PDFs can be produced in color, saving time and, if the review is conducted in color, there is a seamless transition to a colored production.

Search Capabilities

In addition to convenient file size and visual clarity, reviewers also need to effectively search through large volumes of documents. TIFF images are only pictures of documents and, therefore, do not have embedded text and are not text-searchable on their own. A separate text file must be provided for each page of a TIFF document to make it text-searchable. PDFs, on the other hand, retain all of their text information, making them fully text-searchable without any extra steps. This allows PDFs to be available for review more quickly than TIFFs. It is beneficial for reviewers to have the ability to both search and look at the image of a document simultaneously so that they can read a document in context. Additionally, it is easier to share documents that have both the image and the text together. A reviewer would need to share many more files with another reviewer because TIFFs need their matching text files, whereas PDFs combine text and image in one file.

Flexibility

As review progresses and documents are moved from computer to computer, flexibility becomes increasingly important. At the root of flexibility is platform independence. Both TIFF and PDF are platform independent, meaning that they can be opened on any operating system. However, only PDFs are able to be stored and printed on any hardware without loss of quality.

Other Features/Software Updates

In the changing legal industry, perhaps one of the most important advantages of PDFs over TIFF is their ability to be updated. TIFF specifications are stagnant and will not be upgraded or changed. However, Adobe invests in updating PDF specifications often. One of Adobe's newer features⁴ is The TouchUp Text Tool, which allows the text in PDFs to be edited if the files are not locked. As a reviewer, this is advantageous as notes can be made directly on a document. Adobe also constantly releases updates to its Acrobat Reader software, ensuring PDFs are secure from malware and viruses.

Electronic Court Filing

PDFs have several advantages over TIFFs and provide the speed, functionality and technological advances that lawyers need as they review documents. PDF files also record each document's electronic history and metadata. Each time a document is opened or changed, digital data, or metadata, is stored with the PDF, allowing reviewers and the U.S. courts to verify their accuracy. The legal industry has noticed these benefits and has widely adopted PDF as the file type of choice. The Administrative Office

⁴ "News." *Adobe Acrobat User Community*. Adobe, 27 Mar. 2010. Web. 31 Mar 2010. <<http://www.acrobatusers.com/news>>.

of the U.S. Courts adopted use of PDF in the ECF system in 1996, furthering its use in the legal industry. The ECF system permits the retention of electronic case files over the Internet. The U.S. Court lists the several benefits of the ECF system⁵:

- Courts can allow registered attorneys to file documents 24 hours a day, 7 days a week.
- Reduction of paper, photocopy, postage and courier costs.
- Full case information is available immediately to attorneys, parties, and the general public through the Internet. This includes the ability to view the full text of most filed documents.
- Attorneys on the system will receive email notices electronically in CM/ECF cases. This greatly speeds delivery and eliminates the costs to both the court and attorneys of handling and mailing paper notices.
- Multiple parties can view the same case files simultaneously.
- Since CM/ECF uses Internet standard software, the out-of-pocket cost of participation for attorneys is typically very low.

Due to its several benefits most, if not all, U.S. Courts have adopted the ECF system.⁶ More information about the ECF system can be found here: <http://pacer.psc.uscourts.gov/faq.html>.

As PDFs become the accepted standard in the U.S. Courts, it makes sense for firms to work with systems that utilize PDFs to create pleading exhibits. This would streamline the entire review and ECF process, tying the two together seamlessly.

PDF over TIFF

Choosing PDF over TIFF is the only option for an efficient document review. PDFs are cost efficient, small, secure, quick to load, visually clear and easily accessible. Reviewers need a technology that can keep up with the legal industry and, with its constant updates; PDF is up to the challenge. With all of these benefits, it is no wonder the U.S. Courts have adopted the PDF as the file type of choice.

⁵ "CM/ECF." *CM/ECF Frequently Asked Questions*. The PACER Service Center, 12 Jan. 2010. Web. 31 Mar 2010. <<http://pacer.psc.uscourts.gov/cmecf/ecfaq.html#GE>>.

⁶ "Local CM/ECF Court Information." *CM/ECF*. The PACER Service Center, 12 Dec. 2009. Web. 31 Mar 2010. <<http://pacer.psc.uscourts.gov/announcements/general/ecfnews>>

Exhibit F

RFAs from Davila

Note: 121 RFAs, 55 RFPs and 20 ROGs for each "Alan": 1) Individually 2) Successor-Trustee 3) Executor. We assume all Qs are the same, but will double-check. If they have mixed them up, it is even clearer abusive discovery.

Answers in pink and green, are still being pondered.

	Admit or Deny:	answer (individually)	notes	page#	translation	demand readable sentences	answer (as Executor)	answer (as Successor-Trustee)
RFA-1	Davila was NOT engaged or hired to do Estate tax return	deny	double negative		Davila was engaged and hired to do Estate taxes	vague		
RFA-2	Davila did NOT do Estate tax returns	admit	double negative		Davila did NOT do the Estate tax returns and was supposed to	vague		
RFA-3	Davila did NOT do Trust taxes AFTER Maurine died.	admit	double negative		Nor did he do them in 2004 when they were due BEFORE Maurine died			
RFA-4	Alan did NOT engage or hire Davila to provide:		double negative					
	a) accounting services	deny			Did engage for accounting services			
	b) Personal financial services	admit	careful - taxes?					
	c) Retirement Counseling services	admit	careful					
RFA-5	same as RFA-4 as Successor-Trustee	same						
RFA-6	same as RFA-4 as Executor	same						
	oral murder1 start: "act of murder"							
RFA-7	Alan stated orally that Davila committed "an act of murder"	deny	committed					
RFA-8	Alan stated orally that Davila conspired to committed murder with others		conspired					
RFA-9	Alan stated orally that Davila concealed murder	deny	concealed					
RFA-10	Alan stated orally that Davila failed to report murder	deny	report					
	oral murder2 start: word change = "murdered"							
RFA-11	Alan stated orally that Davila committed "murder"	deny	committed					
RFA-12	Alan stated orally that Davila conspired to "murder"	deny	conspired					
RFA-13	Alan stated orally that Davila concealed "murder"	deny	concealed					
RFA-14	Alan stated orally that Davila report "murder"	deny	report					
			Alan's murder opinion					
RFA-15	Alan believes Maurine was "murdered"	vague. Suspicious death.						
RFA-16	Alan stated that Maurine was "murdered"	vague. Suspicious death.	Alan stated murder					
	stolen1: begin oral "Davila stole it" from "Maurine Hamilton"		end murder1 oral					
	word change "Mutual of Omaha annuities (or their proceeds)"							
RFA-17	Alan stated orally that Davila "stole Mutual of Omaha annuities"	deny	oral Davila stole it					
RFA-18	Alan stated orally that Davila conspired to "steal annuities"	deny	conspired to steal it	5				
		admit. Davila informed us with Ticker tape on 9/10/2008	Davila knowledge of theft	5				
RFA-19	Alan stated orally that Davila "had knowledge of stolen annuities"							
		admit. Davila said "Police never look into these kinds of things" and then filed fraudulent taxes to IRS to cover up embezzlement.	failed to report	5				
RFA-20	Alan stated orally that Davila "had knowledge of and failed to report stolen annuities"							
RFA-21	Alan believes "annuities were stolen"	admit	Alan believes stolen	5				
		admit. Written confession and bank records.	Alan stated oral stolen	5				
RFA-22	Alan stated orally that "annuities stolen"							
	stolen2: word change = "multiple annuities (or their proceeds)"							
RFA-23	Alan orally stated that Davila "stole annuities"	deny	committed	6				
RFA-24	Alan orally stated that Davila "conspired to steal annuities"	deny	conspired	6				
RFA-25	Alan orally stated that Davila "concealed theft of annuities"	admit	concealed	6				
RFA-26	Alan orally stated that Davila "failed to report stolen annuities"	admit	report	6				
RFA-27	Alan believes "annuities were stolen"	admit	Alan believes stolen	7				
RFA-28	Alan stated orally that "annuities stolen"	admit	stated orally stolen	7				
	stolen3: begin - word change = "sum of \$800,000" from "Maurine or Estate" added							
RFA-29	Alan orally stated that Davila "stole sum of \$800,000"	deny	committed					
RFA-30	Alan orally stated that Davila "conspired to steal annuities"	deny	conspired					
RFA-31	Alan orally stated that Davila "concealed theft of annuities"	admit	conceal					
RFA-32	Alan orally stated that Davila "failed to report stolen annuities"	admit	report					
	begin stolen4 - oral as "theft"							
RFA-33	Alan orally stated that Davila "committed theft"	deny	committed					
RFA-34	Alan orally stated that Davila "conspired to steal"	deny	conspired					
RFA-35	Alan orally stated that Davila "concealed theft"	admit	conceal					
RFA-36	Alan orally stated that Davila "failed to report theft"	admit	report					
	begin Alan "believes" or "stated orally" stolen as "money" or "\$800,000"		end stolen4					

RFAs from Davila

RFA-37	Alan believes \$800,000 stolen	admit		9			
RFA-38	Alan believes money stolen	admit		9			
RFA-39	orally stated \$800,000 stolen	admit		9			
RFA-40	stated orally money stolen	admit		9			
	stolen5: begin - word change = "embezzlement" from "Maurine"						
RFA-41	Alan orally stated that Davila "committed embezzlement"	deny	committed	10			
RFA-42	Alan orally stated that Davila "conspired to commit embezzlement"	deny	conspired	10			
RFA-43	Alan orally stated that Davila "concealed embezzlement"	admit	concealed	10			
RFA-44	Alan orally stated that Davila "failed to report embezzlement"	admit	report	10			
	stolen6: begin - word change = "embezzlement" from "Estate of Maurine"						
RFA-45	Alan orally stated that Davila "committed embezzlement"	deny	committed	10			
RFA-46	Alan orally stated that Davila "conspired to commit embezzlement"	deny	conspired	11			
RFA-47	Alan orally stated that Davila "concealed embezzlement"	admit	conceal	11			
RFA-48	Alan orally stated that Davila "failed to report embezzlement"	admit	report	11			
	Alan believes and stated						
RFA-49	Alan believes there was an "embezzlement" from "Maurine"	admit	Alan believes	11			
RFA-50	Alan believes there was an "embezzlement" from "Estate of Maurine"	admit	Alan believes	11			
RFA-51	Alan stated orally there was an "embezzlement" from "Maurine"	admit	stated	12			
RFA-52	Alan stated orally there was an "embezzlement" from "Estate of Maurine"	admit	stated	12			
	income tax fraud1: start						
RFA-53	Alan stated that Davila committed of Fed income tax fraud	admit	commit	12			
RFA-54	Alan stated that Davila conspired to commit Fed income tax fraud	admit	conspire	12			
RFA-55	Alan stated that Davila had knowledge and concealed Fed income tax fraud	admit	conceal	12			
RFA-56	Alan stated that Davila had knowledge of Fed income tax fraud and failed to report	admit	knowledge-failed to report	13			
	income tax fraud2: start - word additions = "regarding the tax returns of Maurine"						
RFA-57	Alan stated that Davila committed of Fed income tax fraud	admit	committed				
RFA-58	Alan stated that Davila conspired to commit Fed income tax fraud	admit	conspire				
RFA-59	Alan stated that Davila had knowledge and concealed Fed income tax fraud	admit	conceal				
RFA-60	Alan stated that Davila had knowledge of Fed income tax fraud and failed to report	admit	report	14			
	IRS fraud-believes and stated						
RFA-61	Alan believes that Fed income tax fraud regarding tax returns of Maurine occurred	admit	believe				
RFA-62	Alan stated orally that Fed income tax fraud re - Maurine occurred	admit	stated				
RFA-63	oral crook	vague.		14			
	written or printed (W/P) start						
	W/P murder1: start						
RFA-64	Alan stated in writing/print that Davila committed "an act of murder"	deny	committed	14			
RFA-65	Alan stated in writing/print that Davila conspired to commit "an act of murder"	deny	conspired	14			
RFA-66	Alan stated in writing/print that Davila concealed "an act of murder"	deny	conceal	14			
RFA-67	Alan stated in writing/print that Davila failed to report "an act of murder"	deny	report	14			
	W/P murder2: written or printed start			14			
RFA-68	Alan stated Davila committed murder	deny	committed	14			
RFA-69	Alan stated that Davila conspired to commit "murder"	deny	conspired	15			
RFA-70	Alan stated that Davila concealed "murder"	deny	concealed	16			
RFA-71	Alan stated that Davila failed to report a "murder" and "an act of murder" (forgot to do "act of" edit out in one spot)	deny	report	16			
	vague. Suspicious death warranting investigation.						
RFA-72	Alan stated that Maurine was murdered						
	W/P stolen1: begin "Davila stole it" from "Maurine Hamilton"						
	word change "Mutual of Omaha annuities (or their proceeds)"						
RFA-73	Alan stated that Davila "stole Mutual of Omaha annuities"	deny	committed				
RFA-74	Alan stated that Davila "conspired to steal Mutual of Omaha annuities"	deny	conspired				
RFA-75	Alan stated that Davila "had knowledge of Mutual of Omaha annuities"	admit	knowledge of				
RFA-76	Alan stated that Davila "failed to report theft of Mutual of Omaha annuities"	admit	report				
RFA-77	Alan believes Mutual of Omaha annuities stolen	admit	believes		EXACTLY the same as RFA-21		
RFA-78	Alan stated Mutual of Omaha annuities stolen	admit	stated				

	W/P stolen2: word change: X = "multiple annuities (or their proceeds)"						
RFA-79	Alan stated that Davila "stole X"	deny	committed	17			
RFA-80	Alan stated that Davila "conspired to steal X"	deny	conspired				
RFA-81	Alan stated that Davila "concealed stolen X"	admit	concealed				
RFA-82	Alan stated that Davila "failed to report stolen X"	admit	report				
RFA-83	Alan stated that "X were stolen from Maurine"	admit	stated				
	W/P stolen3: begin - word change: X = "sum of \$800,000" from "Maurine or Estate" added						
RFA-84	Alan stated that Davila "stole X"	deny	committed				
RFA-85	Alan stated that Davila "conspired to steal X"	deny	conspired				
RFA-86	Alan stated that Davila "concealed stolen X"	admit	concealed				
RFA-87	Alan stated that Davila "failed to report stolen X"	admit	report				
	W/P begin stolen4: word change: X = "theft"						
RFA-88	Alan stated that Davila "committed theft"	deny	committed				
RFA-89	Alan stated that Davila "conspired to commit theft"	deny	conspired				
RFA-90	Alan stated that Davila "concealed theft"	admit	concealed				
RFA-91	Alan stated that Davila "failed to report theft"	admit	report				
	Alan has stated that \$800,000 was stolen from Maurine or Estate of Maurine						
RFA-92	Alan has stated that money was stolen from Maurine or Estate of Maurine	admit	stated	20			
RFA-93	Alan has stated that money was stolen from Maurine or Estate of Maurine	admit	stated	21			
	stolen5: begin - word change = "embezzlement" from "Maurine"						
RFA-94	Alan stated that Davila "committed embezzlement"	deny	committed				
RFA-95	Alan stated that Davila "conspired to commit embezzlement"	deny	conspired				
RFA-96	Alan stated that Davila "concealed embezzlement"	admit	concealed				
RFA-97	Alan stated that Davila "failed to report embezzlement"	admit	report	21			
	stolen6: begin - word change = "embezzlement" from "Estate of Maurine"						
RFA-98	Alan stated that Davila "committed embezzlement"	deny	committed				
RFA-99	Alan stated that Davila "conspired to commit embezzlement"	deny	conspired				
RFA-100	Alan stated that Davila "concealed embezzlement"	admit	concealed				
RFA-101	Alan stated that Davila "failed to report embezzlement"	admit	report				
	stated (can't believe in writing so only 2 instead of oral 4)						
RFA-102	Alan stated embezzlement occurred from Maurine	admit	stated				
RFA-103	Alan stated embezzlement occurred from Maurine's Estate	admit	stated	22			
	IRS fraud1 begin						
RFA-104	Alan stated that Davila committed of Fed income tax fraud	admit	committed				
RFA-105	Alan stated that Davila conspired to commit Fed income tax fraud	admit	conspired				
	Alan stated that Davila had knowledge and concealed Fed income tax fraud						
RFA-106	Alan stated that Davila had knowledge of Fed income tax fraud and failed to report	admit	concealed				
RFA-107	Alan stated that Davila had knowledge of Fed income tax fraud and failed to report	admit	report	22			
	income tax fraud2: start - word additions = "regarding the tax returns of Maurine"						
RFA-108	Alan stated that Davila committed of Fed income tax fraud	admit	committed	23			
RFA-109	Alan stated that Davila conspired to commit Fed income tax fraud	admit	conspired				
	Alan stated that Davila had knowledge and concealed Fed income tax fraud						
RFA-110	Alan stated that Davila had knowledge of Fed income tax fraud and failed to report	admit	concealed				
RFA-111	Alan stated that Davila had knowledge of Fed income tax fraud and failed to report	admit	report				
	IRS fraud - stated (only 1 since can't believe in writing)						
RFA-112	Alan stated that Fed income tax fraud regarding tax returns of Maurine occurred	admit	stated				
RFA-113	Alan stated Davila was a crook - written	vague	stated	25			
RFA-114	Sylvia admitted to Alan that she stole the proceeds of the annuities checks written to Maurine P. Hamilton at 9008 East Dr section	admit		25			
RFA-115	check written to Maurine P. Hamilton - \$50,285.57			25			
RFA-116	check written to Maurine P. Hamilton - \$98,562.47			25			
RFA-117	check written to Maurine P. Hamilton - \$101,476.88			26			
RFA-118	check written to Maurine P. Hamilton - \$33,668.54			26			
RFA-119	check written to Maurine P. Hamilton - \$73,721.65			26			
RFA-120	check written to Maurine P. Hamilton - \$56,444.06			26			

RFA's from Davila

RFA-121	total cash surrender value \$414,159.17 on 10/22/2004			27			
	UA7728306						
	UA7728307						
	UA7728312						
	UA7762551						
	UA8441079						
	UO1126221						

RFP #	Documents requested	Response:	page#	Location (of things we can produce at this time):
RFP-1	Bank	Maurine records to 2008 - Sylvia Hamilton (previous Trustee) discovery ongoing	1	
RFP-2	IRS	Contact agency-ongoing investigation	1	
RFP-3	APD	Contact agency-ongoing investigation	1	
RFP-4	DA	Contact agency-ongoing investigation	1	
RFP-5	TDI	Contact agency-ongoing investigation	2	
RFP-6	FINRA	Contact agency-ongoing investigation	2	
RFP-7	SEC	Contact agency-ongoing investigation	2	
RFP-8	embezzlement proof	bank records-Sylvia accounting/confession-DA Binder	3	DA Binder webpage
RFP-9	written contract (DPOA)	Proponent has document(s)	3	DA Binder webpage
RFP-10	attorney's fees docs		3	Jason Coomer
RFP-11	recordings-photos anything basis of lawsuit		3	discovery ongoing - criminal investigations pending
RFP-12	insurance	none	4	
RFP-13	claims submissions	none - letter to Peggy Rodewald notifying Mutual of Omaha of embezzlement and requesting investigation and claim.	4	
RFP-14	docs used to prepare answers		4	included in Answers except where Proponent has document(s)
RFP-15	recordings of Davila	3-10-2010 - already sent	4	
RFP-16	recordings of Sylvia	ongoing investigation	5	
RFP-17	exhibit list for trial		5	see RFP-8, RFP-18, RFP-25 and other submitted documents. Discovery ongoing. Awaiting Defendants responses. See ROGs for attached documents and tables. TBD.
RFP-18	document for damages		5	Annuity docs and spreadsheet
RFP-19	criminal convictions to be used at trial	ongoing investigations - TBD	5	
RFP-20	court docs of other lawsuits	Sylvia Hamilton - available from District Court	6	Be nice and just give this to them? Definitely should get RFA/RFP/ROGs to Sylvia on same day.
RFP-21	police reports	Contact agency-ongoing investigation	6	
RFP-22	docs proving causes of action		6	
RFP-23	IRS communications and liens	Contact agency-ongoing investigation	6	
RFP-24	all docs prepared by Davila	Proponent has document(s)	7	
RFP-25	docs which defined duties of Davila which he breached-DPOA-emails		7	DPOA-Emails-Letters Testamentary-IRS Sortable Tables and Summary Judgment Table(s) (short and long versions on Coomer webpage)

RFPs from Davila

RFP-26	Wayne Gronquists duties	Not tax preparation or accounting services	7	
RFP-27	witness statements obtained-Davila's ticker tape	Sylvia Hamilton and Davila already submitted with RFDs	7	add 9/10/2008 ticker tape?
RFP-28	tax returns 2000-2012	Davila was supposed to produce non-fraudulent Trust taxes - instead produced 1040s hiding the embezzlement of the Trust from the IRS and the beneficiaries. Proponent has copies of these.	8	
RFP-29	all bank account info of Maurine Hamilton (bank acct list given a thru i)	Sylvia Hamilton discovery ongoing - see embezzlement proof bank records above	8	
RFP-30	Probaitcourt.com	proprietary, attorney-client privilege, work product, private	8	
RFP-31	PBC	proprietary, attorney-client privilege, work product, private	8	
RFP-32	PBC	proprietary, attorney-client privilege, work product, private	9	
RFP-33	APD - copy of police report - 2 of them	Contact agency-ongoing investigation	9	
RFP-34	APD	Contact agency-ongoing investigation	9	
RFP-35	APD	Contact agency-ongoing investigation	9	
RFP-36	APD	Contact agency-ongoing investigation	9	
RFP-37	APD	Contact agency-ongoing investigation	10	
RFP-38	APD	Contact agency-ongoing investigation	10	
RFP-39	from Gronquist to Davila documentation	Proponent has document(s)	10	
RFP-40	from Davila to Gronquist documentation	Proponent has document(s)	11	
RFP-41	from Alan to Davila	Proponent has document(s)	11	
RFP-42	from Davila to Alan	Proponent has document(s)	11	
RFP-43	from Maurine to Davila	Proponent has document(s)	12	
RFP-44	from Davila to Maurine	Proponent has document(s)	12	
RFP-45	from Sylvia to Maurine	Sylvia Hamilton discovery ongoing	13	
RFP-46	from Maurine to Sylvia	Sylvia Hamilton discovery ongoing	13	
RFP-47	from Estate of Maurine to Davila	Proponent has document(s)	13	
RFP-48	from Davila to Estate of Maurine	Proponent has document(s)	14	
RFP-49	from Estate of Alfred to Davila	Proponent has document(s)	14	
RFP-50	from Davila to Estate of Alfred	Proponent has document(s)	15	
RFP-51	settlement docs with Sylvia	none	15	
RFP-52	Probate docs	available at Probate Court online	15	
RFP-53	accounting/confession of Sylvia	already submitted	15	
RFP-54	copy of Davila's 4/14/2009 "Hamilton Tax Folder"	Proponent has document(s)	15	
RFP-55	anything not requested which has to do with liability or damages which will be submitted to jury		16	email from Brad Seals?

ROGS from Davila

I-ROG #		page#	our response	notes
I-1	name address DOB	1	Alan Hamilton, 9902 Childress, Austin, Texas 78753, 7/7/1946	
I-2	who helped you do this RFAs, RFPs and ROGs		Jason Coomer, Marjorie Miller	
I-3	describe incident of lawsuit:how,events,persons,dates, times,locations of alleged occurrences		In a nutshell, Davila is hired by Sylvia Hamilton to rob Maurine Hamilton life savings, and Davila complied, and then lied, to the Executor-Successor Trustee about what happened and prepared fraudulent taxes to cover it up. No Trust taxes prepared. see IRS Sortable Tables and Davila Summary Judgment Table, and Davila Summary Judgment Text.	embedded doc links don't work in google spreadsheets yet-see docs links on Jason Coomer page on www.ProBaitCourt.com
I-4	how and why Davila or anyone else was responsible for damage to Alan		Had Davila not "helped out" in 2004, Maurine might have made it to the nursing home she had paid \$500/month insurance for, lived out her years with \$67,000/year and passed on the retirement Trust to her children as she and her husband had planned for many years. Davila was well aware as he computed the \$315,000, that Maurine Hamilton was already sitting on too much cash and not enough investments. Maurine also had \$200,000 in bank according to Davila's \$2032 taxable interest 1099 from the 2003 taxes he did.	
I-5	experts		None at this time	
I-6	tell us about any investigations		Ask the agencies yourself-pending investigations	
I-7	statements-admissions by Davila or anyone on his behalf which will be used at trial	2	Already provided - discovery ongoing - criminal investigations pending	
I-8	monetary losses - liquidated	3	Annuity docs and spreadsheet - RFDs damages section + "\$315,000 Allan" doc Davila knew was there from Alfred before early withdrawal of \$414,000, as Brad Seals requested that Defendant compute.	
I-9	damages -liquidated - how different from #8?	?	?	
I-10	high schools attended		irrelevant	
I-11	max damages	?	?	
I-12	employment history		irrelevant	
I-13	party to lawsuit in last 10 years?		Sylvia's lawsuit	
I-14	describe each act of breach or fraud by Davila		see IRS Sortable Tables and Davila Summary Judgment table (long version)	
I-15	material false representations made by Davila	4	1) In Maurine Hamilton's DPOA, which he wrote and included in communication to Mutual of Omaha for the annuity withdrawal Defendant said he would take over Sylvia Hamilton's Duties if she failed to perform them and instead filed tax extensions for 2 years. 2) Defendant presented fraudulent taxes to Plaintiff in order to coverup wrongful actions by Defendant. After being informed that taxes were fraudulent and requesting non-fraudulent Trust taxes again on 4/14/2009, Defendant created a high drama "murder accusation" in order to justify continuing his no-cooperation with the investigation. Any misunderstanding was cleared up in the 4/15/2009 email. Instead Defendant chose to "continue with the confusion" created by his latest distraction. 3) From 9/10/2008 to present, Defendant has continued to stymy any investigation, never presenting the Mystery Davila DPOA which allowed it all to happen to Regulators, just as he never showed it to Plaintiff. Mutual of Omaha sent Plaintiff a copy of Mystery Davila DPOA after status request on annuities. There was also a copy in the "Hamilton Tax Folder" which was shown to Davila on 4/14/2009 and asked about.	
I-16	fraudulent concealment details	5	IRS Sortable Tables, 4/15/2013 "murder accusation" by Davila in order to continue coverup	
I-17	ProBaitcourt.com		proprietary/privileged-work product/private	
I-18	PBC		ditto	
I-19	are all damages same for all 3 "Alans"	5	yes	
I-20	was there a settlement with Sylvia?	6	no	
			playing with how to do links in google spreadsheets below: search the web	
			IRS Sortable Tables	

Exhibit G

- Bookmarks
- MAILED
 - JUDGMENT NOTICE MAILED
 - OTHER ANSWER/RESPONSE
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - MTN:OTHER MOTION
 - NTC:OTHER NOTICE
 - OTHER ANSWER/RESPONSE
 - OTHER FILING
 - OTHER FILING
 - OTHER FILING
 - !ORD:OTHER ORDER
 - NTC:NOTICE OF APPEAL

Note: 121 RFAs, 55 RFPs and 20 ROGs for each "Alan": 1) Individually 2) Successor-Trustee 3) Executor. We assume all Qs are the same, but will double-check. If they have mixed them up, it is even clearer abusive discovery.

Answers in pink and green, are still being pondered.

	Admit or Deny:	answer (individually)	notes	page#	translation	demand readable sentences	answer (as Executor)	answer (as Successor-Trustee)
RFA-1	Davila was NOT engaged or hired to do Estate tax return	deny	double negative		Davila was engaged and hired to do Estate taxes	vague		
RFA-2	Davila did NOT do Estate tax returns	admit	double negative		Davila did NOT do the Estate tax returns and was supposed to	vague		
RFA-3	Davila did NOT do Trust taxes AFTER Maurine died.	admit	double negative		Nor did he do them in 2004 when they were due BEFORE Maurine died			
RFA-4	Alan did NOT engage or hire Davila to provide:		double negative					
	a) accounting services	deny			Did engage for accounting services			
	b) Personal financial services	admit	careful - taxes?					
	c) Retirement Counseling services	admit	careful					
RFA-5	same as RFA-4 as Successor-Trustee	same						
RFA-6	same as RFA-4 as Executor	same						
	oral murder1 start: "act of murder"							
RFA-7	Alan stated orally that Davila committed "an act of murder"	deny			committed			
	Alan stated orally that Davila conspired to committed murder with others				conspired			
RFA-9	Alan stated orally that Davila concealed murder	deny			concealed			
RFA-10	Alan stated orally that Davila failed to report murder	deny			report			
	oral murder2 start: word change = "murdered"							
RFA-11	Alan stated orally that Davila committed "murder"	deny			committed			
RFA-12	Alan stated orally that Davila conspired to "murder"	deny			conspired			
RFA-13	Alan stated orally that Davila concealed "murder"	deny			concealed			
RFA-14	Alan stated orally that Davila report "murder"	deny			report			
RFA-15	Alan believes Maurine was "murdered"	vague. Suspicious death.			Alan's murder opinion			
RFA-16	Alan stated that Maurine was "murdered"	vague. Suspicious death.			Alan stated murder			
	stolen1. begin oral "Davila stole it" from "Maurine Hamilton"				end2 murder1 oral			
	word change: "Mutual of Omaha annuities (or their proceeds)"							
RFA-17	Alan stated orally that Davila "stole Mutual of Omaha annuities"	deny			oral Davila stole it			
RFA-18	Alan stated orally that Davila conspired to "steal annuities"	deny			conspired to steal it			
		admit. Davila informed us						

- Bookmarks
- MAILED
 - JUDGMENT NOTICE MAILED
 - OTHER ANSWER/RESPONSE
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - MTN:OTHER MOTION
 - NTC:OTHER NOTICE
 - OTHER ANSWER/RESPONSE
 - OTHER FILING
 - OTHER FILING
 - OTHER FILING
 - !ORD:OTHER ORDER
 - NTC:NOTICE OF APPEAL

RFA-19	Alan stated orally that Davila "had knowledge of stolen annuities"	admit. Davila informed us with Ticker tape on 9/10/2008	Davila knowledge of theft	5
RFA-20	Alan stated orally that Davila "had knowledge of and failed to report stolen annuities"	admit. Davila said "Police never look into these kinds of things" and then filed fraudulent taxes to IRS to cover up embezzlement.	failed to report	5
RFA-21	Alan believes "annuities were stolen"	admit	Alan believes stolen	5
RFA-22	Alan stated orally that "annuities stolen"	admit. Written confession and bank records.	Alan stated oral stolen	5
	stolen2: word change = "multiple annuities (or their proceeds)"			6
RFA-23	Alan orally stated that Davila "stole annuities"	deny	committed	6
RFA-24	Alan orally stated that Davila "conspired to steal annuities"	deny	conspired	6
RFA-25	Alan orally stated that Davila "concealed theft of annuities"	admit	concealed	6
RFA-26	Alan orally stated that Davila "failed to report stolen annuities"	admit	report	6
RFA-27	Alan believes "annuities were stolen"	admit	Alan believes stolen	7
RFA-28	Alan stated orally that "annuities stolen"	admit	stated orally stolen	7
	stolen3: begin - word change = "sum of \$800,000" from "Marine or Estate" added			7
RFA-29	Alan orally stated that Davila "stole sum of \$800,000"	deny	committed	
RFA-30	Alan orally stated that Davila "conspired to steal annuities"	deny	conspired	
RFA-31	Alan orally stated that Davila "concealed theft of annuities"	admit	conceal	
RFA-32	Alan orally stated that Davila "failed to report stolen annuities"	admit	report	
	begin stolen4 - oral as "theft"			
RFA-33	Alan orally stated that Davila "committed theft"	deny	committed	
RFA-34	Alan orally stated that Davila "conspired to steal"	deny	conspired	
RFA-35	Alan orally stated that Davila "concealed theft"	admit	conceal	
RFA-36	Alan orally stated that Davila "failed to report theft"	admit	report	
	begin Alan "believes" or "stated orally" stolen as "money" or "\$800,000"		end stolen4	



Bookmarks



MAILED

JUDGMENT NOTICE
MAILED

OTHER
ANSWER/RESPONSE

!OTH:OTHER FILING

!OTH:OTHER FILING

!OTH:OTHER FILING

!OTH:OTHER FILING

MTN:OTHER MOTION

NTC:OTHER NOTICE

OTHER
ANSWER/RESPONSE

OTHER FILING

OTHER FILING

OTHER FILING

!ORD:OTHER ORDER

NTC:NOTICE OF APPEAL

RFAs from Davila

RFA-37	Alan believes \$800,000 stolen	admit		9		
RFA-38	Alan believes money stolen	admit		9		
RFA-39	orally stated \$800,000 stolen	admit		9		
RFA-40	stated orally money stolen	admit		9		
	stolen5: begin - word change = "embezzlement" from "Maurine"					
RFA-41	Alan orally stated that Davila "committed embezzlement"	deny	committed	10		
RFA-42	Alan orally stated that Davila "conspired to commit embezzlement"	deny	conspired	10		
RFA-43	Alan orally stated that Davila "concealed embezzlement"	admit	concealed	10		
RFA-44	Alan orally stated that Davila "failed to report embezzlement"	admit	report	10		
	stolen6: begin - word change = "embezzlement" from "Estate of Maurine"					
RFA-45	Alan orally stated that Davila "committed embezzlement"	deny	committed	10		
RFA-46	Alan orally stated that Davila "conspired to commit embezzlement"	deny	conspired	11		
RFA-47	Alan orally stated that Davila "concealed embezzlement"	admit	conceal	11		
RFA-48	Alan orally stated that Davila "failed to report embezzlement"	admit	report	11		
	Alan believes and stated					
RFA-49	Alan believes there was an "embezzlement" from "Maurine"	admit	Alan believes	11		
RFA-50	Alan believes there was an "embezzlement" from "Estate of Maurine"	admit	Alan believes	11		
RFA-51	Alan stated orally there was an "embezzlement" from "Maurine"	admit	stated	12		
	Alan stated orally there was an "embezzlement" from "Estate of Maurine"					
RFA-52	Maurine"	admit	stated	12		
	income tax fraud1: start					
RFA-53	Alan stated that Davila committed of Fed income tax fraud	admit	commit	12		
RFA-54	Alan stated that Davila conspired to commit Fed income tax fraud	admit	conspire	12		
	Alan stated that Davila had knowledge and concealed Fed income tax fraud					
RFA-55	Alan stated that Davila had knowledge of Fed income tax fraud and failed to report	admit	conceal	12		
	Alan stated that Davila had knowledge of Fed income tax fraud and failed to report		knowledge-failed to report			
RFA-56	Alan stated that Davila committed of Fed income tax fraud	admit	report	13		
	income tax fraud2: start - word additions = "regarding the tax returns of Maurine"					
RFA-57	Alan stated that Davila committed of Fed income tax fraud	admit	committed			
RFA-58	Alan stated that Davila conspired to commit Fed income tax fraud	admit	conspire			

- Bookmarks
- MAILED
 - JUDGMENT NOTICE MAILED
 - OTHER ANSWER/RESPONSE
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - MTN:OTHER MOTION
 - NTC:OTHER NOTICE
 - OTHER ANSWER/RESPONSE
 - OTHER FILING
 - OTHER FILING
 - OTHER FILING
 - !ORD:OTHER ORDER
 - NTC:NOTICE OF APPEAL

RFA-58	Alan stated that Davila conspired to commit Fed income tax fraud	admit	conspire	
RFA-59	Alan stated that Davila had knowledge and concealed Fed income tax fraud	admit	conceal	
RFA-60	Alan stated that Davila had knowledge of Fed income tax fraud and failed to report	admit	report	14
	IRS fraud-believes and stated			
RFA-61	Alan believes that Fed income tax fraud regarding tax returns of Maurine occurred	admit	believe	
RFA-62	Alan stated orally that Fed income tax fraud re - Maurine occurred	admit	stated	
RFA-63	oral crook	vague		14
	written or printed (W/P) start			
	W/P murder1: start			
RFA-64	Alan stated in writing/print that Davila committed "an act of murder"	deny	committed	14
RFA-65	Alan stated in writing/print that Davila conspired to commit "an act of murder"	deny	conspired	14
RFA-66	Alan stated in writing/print that Davila concealed "an act of murder"	deny	conceal	14
RFA-67	Alan stated in writing/print that Davila failed to report "an act of murder"	deny	report	14
	W/P murder2: written or printed start			14
RFA-68	Alan stated Davila committed murder	deny	committed	14
RFA-69	Alan stated that Davila conspired to commit "murder"	deny	conspired	15
RFA-70	Alan stated that Davila concealed "murder"	deny	concealed	16
RFA-71	Alan stated that Davila failed to report a "murder" and "an act of murder" (forgot to do "act of" edit out in one spot)	deny	report	16
RFA-72	Alan stated that Maurine was murdered			
	W/P stolen1: begin "Davila stole it" from "Maurine Hamilton"			
	word change "Mutual of Omaha annuities (or their proceeds)"			
RFA-73	Alan stated that Davila "stole Mutual of Omaha annuities"	deny	committed	
RFA-74	Alan stated that Davila "conspired to steal Mutual of Omaha annuities"	deny	conspired	
RFA-75	Alan stated that Davila "had knowledge of Mutual of Omaha annuities"	admit	knowledge of	
RFA-76	Alan stated that Davila "failed to report theft of Mutual of Omaha annuities"	admit	report	
RFA-77	Alan believes Mutual of Omaha annuities stolen	admit	believes	EXACTLY the same as RFA-21
RFA-78	Alan stated Mutual of Omaha annuities stolen	admit	stated	

- Bookmarks
- MAILED
 - JUDGMENT NOTICE MAILED
 - OTHER ANSWER/RESPONSE
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - MTN:OTHER MOTION
 - NTC:OTHER NOTICE
 - OTHER ANSWER/RESPONSE
 - OTHER FILING
 - OTHER FILING
 - OTHER FILING
 - !ORD:OTHER ORDER
 - NTC:NOTICE OF APPEAL

RFA's from Davila

	WIP stolen2: word change: X = "multiple annuities (or their proceeds)"						
RFA-79	Alan stated that Davila "stole X"	deny	committed	17			
RFA-80	Alan stated that Davila "conspired to steal X"	deny	conspired				
RFA-81	Alan stated that Davila "concealed stolen X"	admit	concealed				
RFA-82	Alan stated that Davila "failed to report stolen X"	admit	report				
RFA-83	Alan stated that "X were stolen from Maurine"	admit	stated				
	WIP stolen3: begin - word change: X = "sum of \$800,000" from "Maurine or Estate" added						
RFA-84	Alan stated that Davila "stole X"	deny	committed				
RFA-85	Alan stated that Davila "conspired to steal X"	deny	conspired				
RFA-86	Alan stated that Davila "concealed stolen X"	admit	concealed				
RFA-87	Alan stated that Davila "failed to report stolen X"	admit	report				
	WIP begin stolen4: word change: X = "theft"						
RFA-88	Alan stated that Davila "committed theft"	deny	committed				
RFA-89	Alan stated that Davila "conspired to commit theft"	deny	conspired				
RFA-90	Alan stated that Davila "concealed theft"	admit	concealed				
RFA-91	Alan stated that Davila "failed to report theft"	admit	report				
	Alan has stated that \$800,000 was stolen from Maurine or Estate of Maurine						
RFA-92	Alan has stated that money was stolen from Maurine or Estate of Maurine	admit	stated	20			
	Alan has stated that money was stolen from Maurine or Estate of Maurine						
RFA-93	Alan has stated that money was stolen from Maurine or Estate of Maurine	admit	stated	21			
	stolen5: begin - word change = "embezzlement" from "Maurine"						
RFA-94	Alan stated that Davila "committed embezzlement"	deny	committed				
RFA-95	Alan stated that Davila "conspired to commit embezzlement"	deny	conspired				
RFA-96	Alan stated that Davila "concealed embezzlement"	admit	concealed				
RFA-97	Alan stated that Davila "failed to report embezzlement"	admit	report				
	stolen6: begin - word change = "embezzlement" from "Estate of Maurine"						

Navigation toolbar with icons for mouse, hand, zoom in (+), zoom out (-), 100% zoom level, and other document navigation functions.

- Bookmarks
- MAILED
 - JUDGMENT NOTICE MAILED
 - OTHER ANSWER/RESPONSE
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - MTN:OTHER MOTION
 - NTC:OTHER NOTICE
 - OTHER ANSWER/RESPONSE
 - OTHER FILING
 - OTHER FILING
 - OTHER FILING
 - !ORD:OTHER ORDER
 - NTC:NOTICE OF APPEAL

	(sic)en's begin - word change = "embezzler" from "Estate of Maurine"				
RFA-98	Alan stated that Davila "committed embezzlement"	deny	committed		
RFA-99	Alan stated that Davila "conspired to commit embezzlement"	deny	conspired		
RFA-100	Alan stated that Davila "concealed embezzlement"	admit	concealed		
RFA-101	Alan stated that Davila "failed to report embezzlement"	admit	report		
	stated (can't believe in writing so only 2 instead of oral 4)				
RFA-102	Alan stated embezzlement occurred from Maurine	admit	stated		
RFA-103	Alan stated embezzlement occurred from Maurine's Estate	admit	stated	22	
	IRS fraud: begin				
RFA-104	Alan stated that Davila committed of Fed income tax fraud	admit	committed		
RFA-105	Alan stated that Davila conspired to commit Fed income tax fraud	admit	conspired		
	Alan stated that Davila had knowledge and concealed Fed income tax				
RFA-106	fraud	admit	concealed		
	Alan stated that Davila had knowledge of Fed income tax fraud and				
RFA-107	failed to report	admit	report	22	
	income tax fraud2: start - word additions = "regarding the tax returns of Maurine"				
RFA-108	Alan stated that Davila committed of Fed income tax fraud	admit	committed	23	
RFA-109	Alan stated that Davila conspired to commit Fed income tax fraud	admit	conspired		
	Alan stated that Davila had knowledge and concealed Fed income tax				
RFA-110	fraud	admit	concealed		
	Alan stated that Davila had knowledge of Fed income tax fraud and				
RFA-111	failed to report	admit	report		
	IRS fraud - stated (only 1 since can't believe in writing)				
	Alan stated that Fed income tax fraud regarding tax returns of Maurine				
RFA-112	occurred	admit	stated		
RFA-113	Alan stated Davila was a crook - written	vague	stated	25	
RFA-114	Sylvia admitted to Alan that she stole the proceeds of the annuities	admit		25	
	checks written to Maurine P. Hamilton at 9006 East Dr section				
RFA-115	check written to Maurine P. Hamilton - \$50,285.57			25	
RFA-116	check written to Maurine P. Hamilton - \$98,562.47			25	
RFA-117	check written to Maurine P. Hamilton - \$101,476.88			26	
RFA-118	check written to Maurine P. Hamilton - \$33,668.54			26	
RFA-119	check written to Maurine P. Hamilton - \$73,721.65			26	

- Bookmarks
- MAILED
 - JUDGMENT NOTICE MAILED
 - OTHER ANSWER/RESPONSE
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - !OTH:OTHER FILING
 - MTN:OTHER MOTION
 - NTC:OTHER NOTICE
 - OTHER ANSWER/RESPONSE
 - OTHER FILING
 - OTHER FILING
 - OTHER FILING
 - !ORD:OTHER ORDER
 - NTC:NOTICE OF APPEAL

RFA-119	check written to Maurine P. Hamilton - \$73,721.65	26
RFA-120	check written to Maurine P. Hamilton - \$56,444.06	26

3 Alan Hamilton-Bates pg#-114
866

RFA's from Davila

RFA-121	total cash surrender value \$414,159.17 on 10/22/2004	27
	UA7728306	
	UA7728307	
	UA7728312	
	UA7762551	
	UA8441079	
	UO1126221	

Navigation toolbar with icons for mouse, hand, zoom in (+), zoom out (-), 100% zoom level, and other document navigation tools.

Full-screen Snip