

Douglas Kirk
1850 Old Sattler Road
Canyon Lake, Texas 78132
(830) 237-7313
dougkirk@gvtc.com
November 19, 2019

Subject: Response To Letter

Kirk Swinney (State Bar No. 19588400)
Low Swinney Evans & James, PLLC
623 S. Baker Cir.
Leander, Texas 78641

Phone (512) 379 5800

Dear Mr. Swinney:

Relative to CAUSE NO. C2018-1576B and your letter of 18NOV19.

1. Regarding your Second Request for Production, I am not going to give you something to which I don't believe you are entitled. I have explained in my motion why I believe what I do. I would be happy to withdraw my motion if you first withdraw the Production Request.

2. I would be happy to withdraw my Motion To Compel and For Sanctions And Request For Abatement, provided the following happens first:

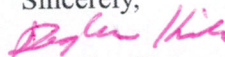
a. Either you sign the nondisclosure agreement that I provided, or, write and present one of your own which memorializes what you agreed to in court on 10JUL19.

b. Provide to me a letter of apology admitting that you handed to the Court a document that you did not provide to me at the 10JUL19 hearing, and then lied to the Court about it, i.e. a reduced-in-size copy of the front page of a *Bulverde Standard* newspaper.

c. Provide to me a letter of apology admitting that you made a false statement of verifiable fact, which under the penalty of perjury, you said was true, about the existence of a Court Order from the 18APR19 hearing. (You stated one did not exist, when, in fact, it did.)

3. It doesn't appear that your client wants to consider a simple way out of this dispute. However, if your client is open to face-to-face settlement discussion, I am agreeable to that.

Sincerely,


Douglas Kirk

DK/sf