

CAUSE NO. 2022-68763

HOUSTON SECURED DEVELOPMENT PARTNERS, LLC	§ § §	IN THE DISTRICT COURT OF
V.	§ §	HARRIS COUNTY, TEXAS
HSDP BAM, LLC and JOSEPH JACKSON	§ §	151ST JUDICIAL DISTRICT

PLAINTIFF'S MOTION TO COMPEL DISCOVERY RESPONSES

Plaintiff Houston Secured Development Partners, LLC files this Motion to Compel Discovery Responses, and in support thereof, respectfully represents:

1. On December 9, 2022, Plaintiff propounded a Request for Production to Defendants HSDP BAM, LLC, Baylor Asset Management, LLC, and Joseph Jackson. Defendants' responses to this discovery request were due on January 9, 2023.¹ A true and correct copy of the request is attached hereto as Exhibit A and fully incorporated by reference. Defendants have completely failed to respond to this discovery request, and have therefore waived any objections to the Request for Production. Defendants should be ordered to respond fully without objection. TEX. R. CIV. P. 193.2(e).

2. The purpose of discovery is to "seek the truth, so that disputes may be decided by what the facts reveal, not by what facts are concealed." *Jampole v. Touchy*, 673 S.W.2d 569, 573 (Tex. 1984). Discovery may be obtained about any matter that is not privileged and is relevant to the subject matter of the case. TEX. R. CIV. P. 192.3(a).

¹ HSDP BAM, LLC was nonsuited on February 1st, 2023; this motion only seeks relief as to Defendants Joseph Jackson and Baylor Asset Management, LLC.

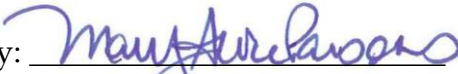
Information is discoverable as long as it appears “reasonably calculated to lead to the discovery of admissible evidence.” *Id.*

3. Defendants’ noncompliance with the discovery request thwarts Plaintiff’s discovery efforts, prevents effective trial preparation, and conceals relevant facts. Plaintiff attempted to resolve this dispute directly with Defendants’ counsel, but has still received zero responses or documents. Plaintiff has now incurred the cost of preparing and filing this motion in an attempt to obtain relief. Accordingly, Plaintiff requests this Court, pursuant to TEX. R. CIV. P. 215.1(d), to order Defendants to pay to Plaintiff not less than \$750.00 as a reasonable attorney’s fee.

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that this Court enter an order compelling Defendants to fully and completely respond to Plaintiff’s Request for Production within five (5) days of the date of the order, including delivery of all responsive documents at the same time as the written response, and awarding Plaintiff reasonable expenses and fees in an amount not less than \$750.00. Plaintiff further asks this Court to order that, in the event Defendants fail to comply with the Court’s discovery order, court render default judgment against the Defendants as authorized by TEX. R. CIV. P. 215.2 (b)(5).

Respectfully submitted,

THE PARSONS LAW FIRM

By: 

Mary Alice Parsons

State Bar No. 00791409

mary@parsonslawtexas.com

Colton B. Kiernan

State Bar No. 24132061

colton@parsonslawtexas.com

4545 Bissonnet Street, Suite 104

Bellaire, Texas 77401

Telephone: (713) 955-4878

Facsimile: (713) 589-2454

**COUNSEL FOR PLAINTIFF
HOUSTON SECURED DEVELOPMENT
PARTNERS, LLC**

CERTIFICATE OF CONFERENCE

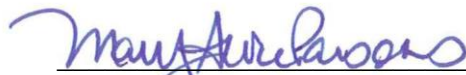
I certify that I have made a good faith attempt to confer with Defendants' attorney through numerous email exchanges in an effort to resolve this discovery dispute without resorting to court intervention. However, Defendants have failed and refused to comply with Plaintiff's proper and reasonable discovery requests, and Plaintiff now seeks assistance from the court in order to resolve this dispute.



Mary Alice Parsons

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Defendant's Motion to Compel Discovery Responses was forward to all counsel of record via transmission to a certified electronic filing manager and electronic filing service provider pursuant to Texas Rule of Civil Procedure 21a(a)(1), on the 15th day of February, 2023.



Mary Alice Parsons

Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Shanna McClain on behalf of Mary Alice Parsons
Bar No. 00791409
shanna@parsonslawtexas.com
Envelope ID: 72804236
Status as of 2/15/2023 4:00 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Mary AliceParsons		mary@parsonslawtexas.com	2/15/2023 3:46:31 PM	SENT
Shanna HillMcClain		shanna@parsonslawtexas.com	2/15/2023 3:46:31 PM	SENT
Colton B.Kiernan		colton@parsonslawtexas.com	2/15/2023 3:46:31 PM	SENT
Warren Muhammad	7089500	warren@wfmlawfirm.com	2/15/2023 3:46:31 PM	ERROR
Warren Muhammad	7089500	warren@wfmlawfirm.com	2/15/2023 3:46:31 PM	ERROR
Warren Muhammad	7089500	warren@wfmlawfirm.com	2/15/2023 3:46:31 PM	ERROR