

CAUSE NO. 2023-11266

ROBERT J. KRUCKEMEYER, § IN THE DISTRICT COURT OF  
PLAINTIFF, §  
v. § HARRIS COUNTY, T E X A S  
BLOGGER INC. D/B/A, §  
LAWIN TEXAS.COM §  
DEFENDANT. § 189<sup>th</sup> JUDICIAL DISTRICT

**PLAINTIFF'S REQUEST FOR DISCLOSURE, FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION, REQUESTS FOR ADMISSION, AND REQUESTS FOR PRIVILEGE LOG TO DEFENDANT BLOGGER INC. D/B/A LAWIN TEXAS.COM**

TO: Defendant, Blogger Inc., d/b/a LawIn Texas.com, by and through its attorney of record, Jason A. Powers, Lewis Brisbois Bisgaard & Smith LLP, 24 Greenway Plaza, Suite 1400, Houston, Texas 77046

Pursuant to Tex. R. Civ. P. 196, Plaintiff, Robert J. Kruckemeyer, serves this Request for Disclosure, First Set of Interrogatories, Request for Production of Documents, Request for Admissions and Request for Privilege Log to Defendant, Blogger Inc. d/b/a LawIn Texas.com. A true copy of your responses must be served on the undersigned attorney within thirty (30) days of the date of service unless otherwise mutually agreed in writing.

**INSTRUCTIONS FOR ALL DISCOVERY REQUESTS**

1. For each document or other requested information that you assert is privileged or for any other reason excludable from discovery, state that documents are being withheld and identify that document or other requested information and state the specific grounds for the claim of privilege or other ground for exclusion. *This serves as Defendants' request for a privilege log.* In your privilege log, for each document withheld, state the date of the document, the name, job title, and address of the person who prepared it; the name, address, and job title of any person who received it (whether intentionally or not); the name, job title, and address of the person now in possession of the document; and a description of the subject matter of the document.

2. Answer each request for documents separately by listing the documents and by describing them as defined below. If documents produced in response to this request are numbered for production, in each response provide both the information that identifies the document and the document's number.

3. For documents produced, please bates label the documents so that it will be clear which party produced the document.

4. For documents produced, please identify in your answers the bates range of documents responsive to each request pursuant to which documents are produced.

5. For a document that no longer exists or that cannot be located, identify the document, state how and when it passed out of existence, or when it could no longer be located, and the reasons for the disappearance. Also, identify each person having knowledge about the disposition or loss of the document, and identify any other document evidencing the lost document's existence or any facts about the lost document.

6. When identifying the document, you must state the following:

a. The nature of the document (*e.g.*, letter, handwritten note).

b. The title or heading that appears on the document.

c. The date of the document and the date of each addendum, supplement, or other addition or change.

d. The identity of the author and of the signer of the document, and of the person on whose behalf or at whose request or direction the document was prepared or delivered.

7. When identifying the person, you must state the following:

a. The full name.

b. The present or last known residential address and residential telephone number.

c. The present or last known office address and office telephone number.

d. The present occupation, job title, employer, and employer's address.

8. Unless specifically stated otherwise in a request for production of documents, all information herein requested is for the entire time period from the ten years prior to the filing of this suit, through the date of production of documents requested herein.

9. In accordance with Tex. R. Civ. P. 196, defendant requests that plaintiff respond to the requests for production hereinafter set out within thirty (30) days after service of these requests for production upon you. Defendant requests that the documents and tangible things requested be produced at the office of defendant's counsel, at 10:00 a.m. On the thirtieth day after plaintiff receives this request, or on the next business day if the thirtieth day is a Saturday, Sunday or legal holiday.

10. All requests for production of documents should be considered to include a request for

any electronic and magnetic data that pertains to the subject matter of the request.

11. In accordance with tex. R. Civ. P. 196, defendant requests that you produce electronic and magnetic data relating to the subject matter of each request for production within thirty (30) days after service of these requests upon you. Defendant requests that the electronic and magnetic data be produced on a compact disk or DVD, formatted in portable document format, Microsoft word, Microsoft excel or comparable format. Defendant requests that the disk be produced at the office of their attorneys at 10:00 a.m. On the thirtieth day after defendant receives this request, or on the next business day if the thirtieth day is a Saturday, Sunday or legal holiday.

### **DEFINITIONS FOR ALL INCLUDED REQUESTS**

1. “Executive” includes any officer(s), director(s), and manager(s) of the business entity to which it refers. If the referenced business entity is a member-manager limited liability company, the term “executive” also includes any member(s) of that company.

2. “All” shall mean “any” or “all,” as necessary, to bring within the scope of the discovery request any information or document that might otherwise be considered beyond its scope.

3. “Allegation(s)” or “allegation(s) in question” or “allegation(s) made the basis of this suit” shall mean or refer to the claims alleged in plaintiff’s Petition.

4. “And” and “or” shall be construed conjunctively or disjunctively as necessary to make the request inclusive rather than exclusive. The use of the word “including” shall be construed to mean “without limitation.”

5. “Any” shall mean “any” or “all,” as necessary, to bring within the scope of the request, any documents that might otherwise be considered beyond its scope.

6. “Communication” or “communications” means any document, oral statement, phone conversation, meeting, or conference, formal or informal, at any time or place, and under any circumstance whatsoever, whereby information of any nature was stated, written, recorded, or in any manner published, transmitted or transferred.

7. “Concerning,” “refers or relates,” “refer or relate to,” “referring or relating to,” or any similar form of the foregoing shall be interpreted as expansively as possible, and shall mean regarding, relating to, referring to, describing, pertaining to, evidencing, reflecting in any way and/or constituting, and vice versa.

8. “Consulting expert” is one whose work product forms the basis, either in whole or in part, of the opinions of an expert who may be called to testify in any trial of this cause.

9. “Control” with respect to a document, shall mean ownership, possession or custody of the document, or the right to secure the document or copy thereof from any person, or public or private entity having physical possession thereof.

10. “Date” means the exact date, month and year, if ascertainable, or, if not, the best available approximation.

11. “Describe” means a detailed statement of all things relating to or affecting the particular subject to be described including, but not limited to, dates and places and the names and addresses of any persons involved. With reference to documents, communications and agreements, the term describe also includes a detailed statement of the substance of the facts and opinions made reference to or stated in each document, communication or agreement.

12. “Document” or “documents” means anything that may be considered to be a document or tangible thing within the meaning of the Texas rules of civil procedure, and shall include, without limitations regardless of origin or location, all written, typed, printed, or graphic matter (however produced or reproduced), and electrical or magnetic sound or video recordings, film, or photographic prints, and all other writings or recordings of every kind and description. The terms “document” and “documents” also shall include all copies of documents by whatever means made, except that where a document is identified or produced, identical copies thereof which do not contain any markings, additions, or deletions different from the original need not be separately produced. Without limiting the foregoing, the terms “document” and “documents” shall include all corporate data sheets, narratives, agreements, contracts, communications, correspondence, letters, telegrams, telexes, messages, memoranda, records, reports, books, summaries or other records of telephone conversations, interviews, or other records of personal conversations, minutes or summaries or other records of meetings and conferences, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, visitor records, forecasts, statistical statements, financial statements, work sheets, work papers, graphs, maps, plats, charts, drawings, tables, accounts, schedules, ledgers, audits, analytical records, consultants' reports, expert reports, witness statements, appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone bills or records, bills, statements or records of obligations and expenditure, invoices, lists, journals, advertising, recommendations, files, printouts, compilations, tabulations, purchase orders, receipts, sell orders, confirmations, checks, canceled checks, letters of credit, envelopes or folders or similar containers, vouchers, analyses, studies, surveys, transcripts of hearings, transcripts of testimony, expense reports, microfilm, microfiche, articles, speeches, tape or disc recordings, sound recordings, video recordings, film, photographs, punch cards, program, and data compilations from which information can be obtained (including matter used in data processing), plus all indices, drafts, working/discussion copies, revisions or amendments of any of the above, and, generally, any other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated,

computer-stored, or electronically-stored matter, e-mail, however and by whomever produced, prepared, reproduced, disseminated, or made, that are now, or formerly were, in your possession, custody or control, or that are known by you to exist, and that can be located or discovered by reasonably diligent efforts. “document” also means letters, words or numbers or their equivalent, set down by handwriting, typewriting, printing, photo stating, photographing, magnetic or electronic impulse, mechanical or electronic recording, or other form of data compilation. See Texas Rule of Evidence 1001(a). “document” specifically includes information that exists in electronic or magnetic form.

13. “Identify,” as used herein with respect to a person, means to provide the name, address, telephone number, Texas Drivers License Number and Social Security Number of such person.

14. “Identify,” as used herein with respect to a document, means to state with respect to such document sufficient detail to permit another party to this lawsuit to locate and identify as readily as can you, such document. Such information and detail might include for each document: (i) the name of the person who prepared it, (ii) the name of the person who signed it, or over whose name it was issued, (iii) the name of each person to whom it was addressed and/or sent or distributed, (iv) the general type of such documents (e.g., letter, memorandum, contract, etc.), (v) the date of such document, or if it bears no date, the date on or about which it was made or prepared, (vi) the physical location of such document, and (vii) the name and address of the persons having possession, custody, or control of such document. In lieu of providing such information and detail, you may attach such document to your answer to these interrogatories and indicate for which interrogatory each document is applicable.

15. “Knowledge” includes both first-hand and secondary knowledge of any kind.

16. “Lawsuit” shall refer to the captioned action filed by Plaintiff against the Defendant and in which proceeding these discovery requests are being issued.

17. “Person(s)” and “witness(es)” as used in these requests includes human beings, corporations, partnerships, associations, joint-venturers, government agencies (federal, state or local) or any other organization cognizable at law and where an employee performs some tasks by which an inquiry is made in these requests as part of his employment; it also includes any subdivisions of the preceding list. “person(s)” includes both the employing and employed person(s).

18. “Witness statement” means the statement of any person with knowledge of relevant facts, regardless of when the statement was made, and is a (1) written statement signed or otherwise adopted or approved in writing by the person making it, or (2) a stenographic, mechanical, electrical, or other type of recording of a witness’s oral statement, or any substantially verbatim transcript of such recording. See Texas Rule of Civil Procedure 192.3(h).

19. “Time” means the exact hour, minute, and second, if ascertainable; if not, it means the best available approximation.

### **ADDITIONAL INSTRUCTIONS FOR INTERROGATORIES**

1. The interrogatories are to be answered separately and fully in writing, be signed under oath, and delivered to the plaintiff’s counsel within thirty (30) days after service hereof. The answers shall be preceded by the question or interrogatory to which the answer pertains.

2. These interrogatories seek answers current to the date of response. Pursuant to the rules, you are under a duty to supplement your answers, and these interrogatories shall be deemed continuing in nature to require such supplementation of all additional information as may hereafter be obtained by you, or by any person on your behalf, between the time answers are served and the time of trial.

3. If any answer is refused in whole or in part on the basis of a claim of privilege or exemption, state the following: (a) the nature of the privilege/exemption claimed; (b) the general nature of the matter withheld (e.g., substance of conversation of the withheld information, name of originator); (c) name(s) of person(s) to whom the information has been imparted; and (d) the extent, if any, to which the information will be provided subject to the privilege/exemption.

### **DEFINITIONS FOR ALL INCLUDED REQUESTS AND INTERROGATORIES**

The following definitions shall apply to this Request:

(A) As used herein, “**Blogger**” shall mean Blogger Inc. d/b/a LawIn Texas.com.

(B) As used herein, “**Plaintiff**” shall mean Robert J. Kruckemeyer.

(C) As used herein, “**Defamatory Article**” shall mean the article published by Laws In Texas entitled “Cowboy Lawyer Robert J. Kruckemeyer of The Kruckemeyer Law Firm Violate Texas Laws” as posted on June 22, 2022 and attached hereto to as Exhibit 1.

(D) As used herein, “**First Retraction Demand**” shall mean the retraction demand made by Robert J. Kruckemeyer through the Laws In Texas website on August 24, 2022 at 11:12 a.m. and attached hereto to as Exhibit 1.

(E) As used herein, “**First Retraction Demand Response**” shall mean the first retraction demand response made by “justicefortexas” through the Laws In Texas website on August 24,

2022 at 11:53 a.m. and attached hereto to as Exhibit 1.

(F) As used herein, “**Second Retraction Demand**” shall mean the retraction demand made by Robert J. Kruckemeyer through the Laws In Texas website on August 28, 2022 at 2:54 p.m. and attached hereto to as Exhibit 1.

(G) As used herein, “**Second Retraction Demand Response**” shall mean the second retraction demand response made by “justicefortexas” through the Laws In Texas website on September 8, 2022 at 2:37 p.m. and attached hereto to as Exhibit 1.

### **REQUIRED DISCLOSURES**

Pursuant to TRCP 194, Defendant is required make initial disclosures within 30 days after the filing of the first answer or general appearance.

### **PLAINTIFFS’ FIRST SET OF INTERROGATORIES**

1. Identify each person who prepared or assisted in preparing the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.)

**ANSWER:**

2. Identify all shareholders of Blogger and each shareholder’s respective ownership interest in Blogger.

**ANSWER:**

3. Identify the author and/or authors of the Defamatory Article.

**ANSWER:**

4. Identify the author and/or authors of the First Retraction Demand Response.

**ANSWER:**

5. Identify the author and/or authors of the Second Retraction Demand Response.

**ANSWER:**

6. Identify the person who writes under the pseudonym “justicefortexas.”

**ANSWER:**

7. Set forth all facts on which Blogger bases its assertion that Plaintiff had/has an obligation to comply with Texas Finance Code § 392.101.

**ANSWER:**

8. Set forth all facts on which Blogger bases its assertion that Plaintiff is a “credit bureau” as that term is defined in Texas Finance Code § 392.001(4).

**ANSWER:**

9. Set forth all facts on which Blogger bases its assertion that Plaintiff is a “debt collector” as that term is defined in Texas Finance Code § 392.001(6).

**ANSWER:**



10. Set forth all facts on which Blogger bases its assertion that Plaintiff is a “third-party debt collector” as that term is defined in Texas Finance Code § 392.001(7).

**ANSWER:**

11. The Second Retraction Demand reads, in part, as follows: “I note that you claim to not be attorneys. I suggest you consult an attorney. Failure to do so will be used as evidence of your actual malice.” Did Blogger consult an attorney as suggested by Plaintiff in the Second Retraction Demand? If so, identify the attorney consulted. If not, why not? (The fact of whether you consulted an attorney, and the identity of the attorney, is not protected by the attorney client privilege).

**ANSWER:**

**PLAINTIFF’S REQUESTS FOR ADMISSION**

1. Admit that the copy of the Defamatory Article attached hereto as Exhibit 1 is genuine. (Please read Tex. R. Civ. P. 198 before objecting to this Request for Admission that Blogger does not know what is meant by the term “genuine.”)

**ANSWER:**

2. Admit that the copy of the First Retraction Demand attached hereto as Exhibit 1 is genuine. (Please read Tex. R. Civ. P. 198 before objecting to this Request for Admission that Blogger does not know what is meant by the term “genuine.”)

**ANSWER:**

3. Admit that the copy of the Second Retraction Demand attached hereto as Exhibit 1 is genuine. (Please read Tex. R. Civ. P. 198 before objecting to this Request for Admission that Blogger does not know what is meant by the term “genuine.”)

**ANSWER:**

4. Admit that the copy of the First Retraction Demand Response attached hereto as Exhibit 1 is genuine. (Please read Tex. R. Civ. P. 198 before objecting to this Request for Admission that Blogger does not know what is meant by the term “genuine.”)

**ANSWER:**

5. Admit that the copy of the Second Retraction Demand Response attached hereto as Exhibit 1 is genuine. (Please read Tex. R. Civ. P. 198 before objecting to this Request for Admission that Blogger does not know what is meant by the term “genuine.”)

**ANSWER:**

6 Admit that Blogger can cite no facts on which to base an assertion that Plaintiff had/has an obligation to comply with Texas Finance Code § 392.101.

**ANSWER:**

7. Admit that Blogger can cite no facts on which to base an assertion that Plaintiff is a “credit bureau” as that term is defined in Texas Finance Code § 392.001(4).

**ANSWER:**

8. Admit that Blogger can cite no facts on which to base an assertion that Plaintiff is a “debt collector” as that term is defined in Texas Finance Code § 392.001(6).

**ANSWER:**

9. Admit that Blogger can cite no facts on which to base an assertion that Plaintiff is “third-party debt collector” as that term is defined in Texas Finance Code § 392.001(7).

**ANSWER:**

10. Admit that the Defamatory Article reads, in part, as follows: “Rogue Debt Collection Law Firm in Houston, Texas” in referring to Plaintiff.

**ANSWER:**

11. Admit that Dictionary.com defines the word “rogue” as “a dishonest, knavish person; scoundrel.”

**ANSWER:**

12. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger injured Plaintiff’s reputation.

**ANSWER:**

13. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger intended to injure Plaintiff’s reputation.

**ANSWER:**

14. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger exposed Plaintiff to public hatred.

**ANSWER:**

15. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger intended to expose Plaintiff to public hatred.

**ANSWER:**

16. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger exposed Plaintiff to contempt.

**ANSWER:**

17. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger intended to expose Plaintiff to contempt.

**ANSWER:**

18. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger exposed Plaintiff to ridicule.

**ANSWER:**

19. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger intended to expose Plaintiff to ridicule.

**ANSWER:**

20. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger exposed Plaintiff to financial injury.

**ANSWER:**

21. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger intended to expose Plaintiff to financial injury.

**ANSWER:**

22. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger impeached Plaintiff’s honesty.

**ANSWER:**

23. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger intended to impeach Plaintiff’s honesty.

**ANSWER:**

24. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger impeached Plaintiff’s integrity.

**ANSWER:**

25. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger intended to impeach Plaintiff’s integrity.

**ANSWER:**

26. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger impeached Plaintiff’s reputation.

**ANSWER:**

27. Admit that by describing Plaintiff as a “Rogue Debt Collection Law Firm” that Blogger intended to impeach Plaintiff’s reputation.

**ANSWER:**

28. Admit that Blogger has not retracted the Defamatory Article as demanded in the First Retraction Demand.

**ANSWER:**

29. Admit that Blogger has not retracted the Defamatory Article as demanded in the Second Retraction Demand.

**ANSWER:**

30. Admit that the First Retraction Demand was made within 90 days of June 22, 2022.

**ANSWER:**

### **REQUEST FOR PRODUCTION OF DOCUMENTS**

Please produce the following:

1. All drafts or edits of the Defamatory Article prepared by Blogger.

**RESPONSE:**

2. All documents referred to by Blogger to determine whether the Defamatory Article was true.

**RESPONSE:**

3. All communications by and among the officers, directors, members, managing members, employees or independent contractors for Blogger discussing the content of the Defamatory Article.

**RESPONSE:**

4. All documents reviewed by Blogger to determine whether the assertions contained in the Defamatory Article were true.

**RESPONSE:**

5. All documents, including legal research documents, reviewed by Blogger to determine whether the assertions contained in the Defamatory Article that “Cowboy Lawyer Robert J. Kruckemeyer of The Kruckemeyer Law Firm Violate Texas Laws” was true.

**RESPONSE:**

6. All documents, including legal research documents, reviewed by Blogger prior to June 22, 2022, to determine whether the assertions contained in the Defamatory Article that “Cowboy Lawyer Robert J. Kruckemeyer of The Kruckemeyer Law Firm Violate Texas Laws” was true.

**RESPONSE:**

7. All documents, including legal research documents, reviewed by Blogger to prepare the First Retraction Demand Response.

**RESPONSE:**

8. All documents, including legal research documents, reviewed by Blogger to prepare the Second Retraction Demand Response.

**RESPONSE:**

9. All documents, including legal research documents, reviewed by Blogger after August 28, 2022, to determine whether the assertions contained in the Defamatory Article that “Cowboy Lawyer Robert J. Kruckemeyer of The Kruckemeyer Law Firm Violate Texas Laws” was true.

**RESPONSE:**

10. All communications by and among the officers, directors, members, managing members, employees or independent contractors for Blogger discussing the First Retraction Demand.

**RESPONSE:**

11. All communications by and among the officers, directors, members, managing members, employees or independent contractors for Blogger discussing the First Retraction Demand Response.

**RESPONSE:**

12. All communications by and among the officers, directors, members, managing members, employees or independent contractors for Blogger discussing the Second Retraction Demand.

**RESPONSE:**

13. All communications by and among the officers, directors, members, managing members, employees or independent contractors for Blogger discussing the Second Retraction Demand Response.

**RESPONSE:**



14. Blogger's Internal Revenue Service tax return K-1 forms from 2018 to present.

**RESPONSE:**

15. All Blogger tax returns filed for each year to include 1120, 1120S or 1065 and related schedules and the Texas franchise tax report or other state returns for each year from 2018 to present.

**RESPONSE:**

16. All annual financial statements of Blogger to include balance sheets and income statements (profit or loss statements), for each year from 2018 to present.

**RESPONSE:**

17. All Blogger insurance policies that provide insurance coverage for the claim made by Plaintiff in the instant lawsuit.

**RESPONSE:**

18. Blogger's corporate documents that set forth the ownership of Blogger.

**RESPONSE:**

19. The Plaintiff's Original Petition in all cases in which Blogger has been sued from 2013 to present.

**RESPONSE:**

**REQUEST FOR PRIVILEGE LOG TO BE ANSWERED**

If you are withholding documents based upon the assertion of a privilege, please produce a privilege log detailing with reasonable particularity a description of the documents withheld, the number of documents, and the privilege

which you claim properly precludes the information from being discovered. Specifically do the following:

1. Detail the privilege asserted;
2. Describe the title of the document(s) upon which the privilege is asserted;
3. Describe the general substance of the document(s) that you claim are privileged;
4. Identify the location and custodian of the document(s);
5. Briefly describe why you believe the privilege shields the document(s) from discovery; and
6. Bates stamp the document(s) that you claim are privileged so they may be inspected *in camera* at a later hearing.

Respectfully submitted,

    /S/ Robert J. Kruckemeyer      
Robert J. Kruckemeyer  
State Bar No. 11735700  
244 Malone Street  
Houston, Texas 77007  
Ph: (713) 600-3473  
Fax: (713) 600-7579  
[bob@kruckemeyerlaw.com](mailto:bob@kruckemeyerlaw.com)

ATTORNEY FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing *instrument* has been sent to all counsel of record by electronic delivery, certified mail, return receipt requested, facsimile, and/or hand delivery, on this the 8<sup>th</sup> day of May, 2023.

    /S/ Robert J. Kruckemeyer      
Robert J. Kruckemeyer