84-4951-D

NO. 84,4951-D

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|---|---|---|
| LOUIS G. VARGAS, ET AL | * | IN THE DISTRICT COURT |
| VS. | * | 105TH JUDICIAL DISTRICT |
| DIAMOND SHAMROCK | * | NUECES COUNTY, TEXAS |

ANSWERS AND DEPOSITION OF FRED JORDAN,
CUSTODIAN OF RECORDS FOR KRIS-TV, CHANNEL 6

I hereby certify that I am the officer before whom the enclosed deposition(s) was/were taken and I, in person, have personally delivered same to the Clerk of the Court in the above cause, on this the 27 day of April, 1987.

Minerva Arriaga
MINERVA ARRIAGA
CERTIFIED SHORTHAND REPORTER

Court Costs: No

Due from: Plaintiff

RECEIVED this package at _____ o'clock, ____.m. on the ____ day of _____, 19___.

Clerk, _____ Court,
_____ County, Texas

This package is opened on the ____ day of _____, 198__, at the request of _____.

Clerk

FILED

cc: Mr. Rene Rodriguez
Mr. James F. McKibben

NO. 84,4951-D

LOUIS G. VARGAS, ET AL * IN THE DISTRICT COURT

VS. * NUECES COUNTY, TEXAS

DIAMOND SHAMROCK * 105TH JUDICIAL DISTRICT

ANSWERS and DEPOSITION of FRED JORDAN, CUSTODIAN OF RECORDS for KRIS-TV CHANNEL 6 TELEVISION STATION, to the accompanying Direct Questions and Cross Questions (if any), propounded to him in the above styled and numbered cause, before MINERVA ARRIAGA, Certified Shorthand Reporter and Notary Public in and for The State of Texas, on the 22nd day of April, 1987, taken at 409 S. Staples, Corpus Christi, Texas, pursuant to Notice and Subpoena annexed hereto.

MINERVA ARRIAGA, CSR
COURT REPORTING SERVICES
426 SANTA MONICA
CORPUS CHRISTI, TEXAS 78411
(512) 853-6141

QUESTIONS TO BE PROPOUNDED TO THE CUSTODIAN OF RECORDS, KRIS-TV, CHANNEL 6 TELEVISION STATION

1. State your name and address.

Answer: Fred Jordan, 409 S Staples

2. Are you the Custodian of Records for KRIS-TV, Channel 6 Television Station, Corpus Christi, Texas?

Answer: Yes

3. State whether or not you have in your custody or subject to your control the records of the KRIS-TV, Channel 6 Television Station relating to any and all records, including but not limited to any video tape recordings or other recordings of the events surrounding the incident of February 4, 1983, at the Sigsor Diamond Shamrock Service Station at 2602 South Padre Island, Corpus Christi, Texas, when Wanda Lopez was killed.

Answer: Yes

4. Please hand to the notary public taking this deposition a complete copy of such records as referred to in Question No. 3 above, and as directed by subpoena to be produced at this time.

Answer: I have done so.

5. Please state whether or not you can verify that the records you have furnished to the notary public in response to the foregoing questions are a complete and accurate copy of all the records of KRIS-TV, Channel 6 Television Station, Corpus Christi, Texas, as referred to in Questions No. 3 above, and as directed by subpoena to be produced at this time.

Answer: To the best of my knowledge they do

6. Please state whether or not the records you have furnished to the notary public in response to Question No. 3 were kept in the regular course of business of the office of KRIS-TV, Channel 6 Television Station, Corpus Christi, Texas.

Answer: Yes, they are

7. Please state whether or not it was in the regular course of business for a person with personal knowledge of the acts recorded, to make this record or to transmit the information which is included in this record to the person who made the record.

Answer: Yes

8. Please state whether or not the records you have furnished to the notary public in response to the foregoing inquiries were made at or near the time of the act which is recorded or reasonably soon thereafter.

Answer: Yes

Fred Gordon
WITNESS

SWORN TO AND SUBSCRIBED before me by the said Fred Gordon on this the 22 day of June, 1987.

[illegible]
NOTARY PUBLIC, THE STATE OF TEXAS

I, MINERVA ARRIAGA, Certified Shorthand Reporter and Notary Public in and for The State of Texas, do hereby certify that the facts stated by me in the caption hereto are true; that the witness was duly sworn by me to tell the truth; and that the answers of the witness contained herein were made before me and were subscribed and sworn to by such witness.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this the 22nd day of April, 1987.

Minerva Arriaga

MINERVA ARRIAGA
CERTIFIED SHORTHAND REPORTER
THE STATE OF TEXAS
426 Santa Monica
Corpus Christi, Texas 78411
(512) 853-6141

CERTIFICATE NO. 624
EXPIRES: 12-31-88

COURT COSTS: $ 76.96

DUE FROM: Plaintiff

DEPOSITION SUBPOENA TO TESTIFY OR PRODUCE DOCUMENTS OR THINGS (Revised Oct. 1953) U.S. Form No. 9

NO. 84,4951-D

LOUIS G. VARGAS, ET AL * IN THE DISTRICT COURT

VS. * NUECES COUNTY, TEXAS

DIAMOND SHAMROCK * 105TH JUDICIAL DISTRICT

TO: FRED JORDAN, Custodian of Records for
KRIS-TV, Channel 6, 409 S. Staples, Corpus Christi, Texas

YOU ARE COMMANDED to appear at 409 S. Staples

in the city of Corpus Christi

on the 22 day April, 19 87 at 10:15 o'clock A M. to testify

on behalf of Plaintiff

at the taking of a deposition in the above entitled action pending in the 105TH District Court

and bring with you[1]

all records, including, but not limited to, any video tape recordings or other recordings of the events surrounding the incident of February 4, 1983, at the Sigmor Diamond Shamrock Service Station at 2602 South Padre Island Drive, Corpus Christi, Texas, when Wanda Lopez was killed, and to turn over all tapes and records over to the officer authorized to take this deposition.

Dated April 1, 1987.

RODRIGUEZ & RODRIGUEZ
Plaintiff
Attorney for
433 S. Tancahua
Corpus Christi, Texas
Address

Minerva Arriaga
NOTARY PUBLIC, THE STATE OF TEXAS

1. Strike the words "and bring with you" unless the subpoena is to require the production of documents or tangible things, in which case the documents and things should be designated in the blank space provided for that purpose.

RETURN ON SERVICE

Received this subpoena at 3:00 P.M. on April 1, 1987

and on April 22, 1987 at 10:15 A.M.

served it on the within named Fred Jordan

by delivering a copy to him and tendering to him the fee for one day's attendance and the mileage allowed by law.[2]

Dated: April 22, 19 87

Service Fees
Travel Witness Fee $ 1.00
Services

Total $ 1.00

By Minerva Arriaga

FILED
MAR 16 19 7
OSCAR SOLIZ, CLERK
DISTRICT COURT, NUECES COUNTY, TEXAS
By _____ Deputy

NO. 84,4951-D

LOUIS G. VARGAS, ET AL * IN THE DISTRICT COURT

VS. * 105TH JUDICIAL DISTRICT

DIAMOND SHAMROCK * NUECES COUNTY, TEXAS

TO: DIAMOND SHAMROCK, by and through their attorney of record, Mr. James F. McKibben, Hunt, Hermansen, McKibben & Barger, 1460 First City Tower II, Corpus Christi, Texas 78478.

YOU WILL TAKE NOTICE that after ten (10) days from the service of a copy hereof with attached questions, a deposition by written questions will be taken of the Custodian of Records for KRIS-TV Channel 6 Television Station, Corpus Christi, Texas, before MINERVA ARRIAGA, Certified Shorthand Reporter, 426 Santa Monica, Corpus Christi, Texas 78411; or before a Notary Public for the State of Texas, and pursuant to Rule 201, Texas Rules of Civil Procedure, a subpoena duces tecum shall be issued and served on the witness to produce records, including but not limited to any video tape recordings or other recordings of the events surrounding the incident of February 4, 1983, at the Sigmor Diamond Shamrock Service Station a 2602 South Padre Island Drive, Corpus Christi, Texas, when Wanda Lopez was killed, and to turn all tapes and records over to the officer authorized to take this deposition, which deposition, when taken, may be used in evidence in the above styled and numbered cause.

MINERVA ARRIAGA
Court Reporting Services
426 Santa Monica
Corpus Christi, Texas 78411
(512) 853-6141

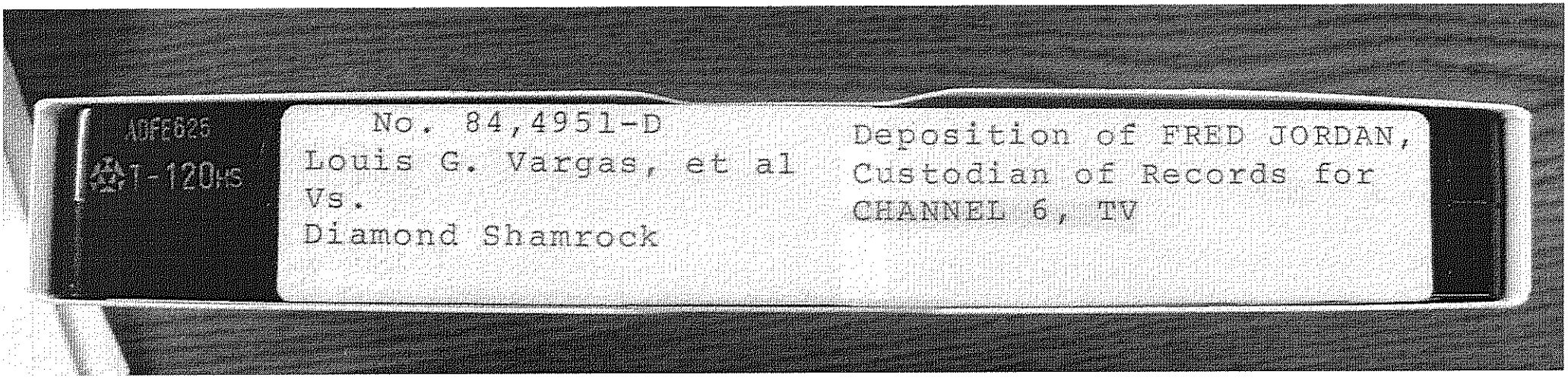
By: _____

FOR RENE RODRIGUEZ
RODRIGUEZ & RODRIGUEZ
433 South Tancahua
Corpus Christi, Texas 78401
(512) 882-1919
State Bar #17144400
ATTORNEY FOR PLAINTIFFS

I hereby certify that a true and correct copy of the foregoing Notice was mailed by certified mail, return receipt requested, on this the 16 day of March, 1987, to Mr. James F. McKibben, Hunt, Hermansen, McKibben & Barger, 1460 First City Tower II, Corpus Christi, Texas 78411.

_____
MINERVA ARRIAGA,
Court Reporting Services

**For copies of records so obtained, please call 853-6141 to request same.



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No. 84,4951-D
Louis G. Vargas, et al
Vs.
Diamond Shamrock

Deposition of FRED JORDAN,
Custodian of Records for
CHANNEL 6, TV