

**NO. C-1-PB-14-001245**

**IN RE:** § **IN THE PROBATE COURT**  
§  
§ **NO. 1 OF**  
§  
**TEL OFFSHORE TRUST** § **TRAVIS COUNTY, TEXAS**

**FIRST SET OF INTERROGATORIES FROM GARY EVANS**  
**TO RNR PRODUCTION LAND AND CATTLE**

TO: RNR Production Land and Cattle, by and through its attorney of record, Shannon H., Ratliff, Ratliff Law Firm, P.L.C., 600 Congress Avenue, Suite 3100, Austin, Texas 78701

Pursuant to Rule 197 of the Texas Rules of Civil Procedure, Gary C. Evans, one of the Individual Trustees of the TEL Offshore Trust, hereby serves his First Set of Interrogatories to RNR Production Land and Cattle (“RNR” or “You”) in the above-referenced matter. RNR shall serve its answers, which must be signed under oath, within thirty (30) days after service of these interrogatories.

## INSTRUCTIONS

1. These Interrogatories are intended to cover all information in Your possession, custody, or control including, without limitation, all information within the possession, custody, or control of any and all of Your d/b/a's, agents, or any person or entity acting on Your or their behalf, as well as documents in the possession of third parties who have an obligation to provide information at your request.

2. As used herein, the terms "and" and "or" shall be construed either conjunctively or disjunctively as necessary to bring within the scope of each Interrogatory all information that might otherwise be construed to be outside the scope of such Interrogatory.

3. The use of the singular form of any word includes the plural and vice versa as necessary to bring within the scope of each Interrogatory all information or documents that might otherwise be construed to be outside the scope of such Interrogatory.

4. These Interrogatories are continuing in nature, and any additional information discovered or identified by you subsequent to the date of your response, up to and including the time of trial, shall be promptly furnished to the undersigned counsel.

## DEFINITIONS

1. “**You**,” and “**Your**” refer to RNR Production Land and Cattle and its representatives, including any account controlled by RNR.
2. “**The Trust**” refers to the TEL Offshore Trust.
3. “**Unit**” or “**Units**” refers to the units of beneficial interest in the TEL Offshore Trust. Each Unit is evidenced by a transferable certificate issued by the Corporate Trustee, Bank of New York Mellon Trust Company, N.A.
4. “**Disclosures**” refers to RNR’s Responses to Individual Trustees’ Request for Disclosure, served on October 17, 2016.

## INTERROGATORIES

**INTERROGATORY NO. 1:** Please state the total number of Units You currently own.

**ANSWER:**

**INTERROGATORY NO. 2:** With respect to each purchase of Your Units, state the following:

- (a) The date of each such purchase;
- (b) The number of Units purchased;
- (c) The price per Unit paid;
- (d) The total consideration paid for each such purchase;
- (e) From whom You purchased the Units, and the identity of any broker.

**ANSWER:**

**INTERROGATORY NO. 3:** With respect to each sale of Your Units, state the following:

- (a) The date of each such sale;
- (b) The number of Units sold;
- (c) The price per Unit received;
- (d) The total consideration for each such sale;
- (e) To whom You sold the Units.

**ANSWER:**

**INTERROGATORY NO. 4:** What do You contend to be the current market value on a price per unit basis of the Units that you own?

**ANSWER:**

**INTERROGATORY NO. 5:** What is the name on every account that You control, directly or indirectly, that owns Units or has owned Units in the past?

**ANSWER:**

**INTERROGATORY NO. 6:** State the factual basis for Your contention in Your Disclosures that “the Trust had terminated by its own provisions no later than May, 2009.”

**ANSWER:**

**INTERROGATORY NO. 7:** State the factual basis for Your contention in Your Disclosures that “The Trustees . . . failed to act in accordance with the express provisions of the Trust Agreement to take steps to terminate the Trust in or shortly after May, 2009.”

**ANSWER:**

**INTERROGATORY NO. 8:** State the factual basis for Your contention in Your Disclosures that “[d]espite the acknowledged limited ability of the Trust to generate future revenues sufficient to provide for distributions to unit holders, subsequent to May, 2009, the Trustees . . . took no steps to terminate the Trust.”

**ANSWER:**

**INTERROGATORY NO. 9:** State the factual basis for Your contention in Your Disclosures that “The Trustees . . . continued to incur trustees’ fees and administrative expenses and other costs well beyond such time as it was apparent that the Trust would not be able to make any distributions to unit holders and prudent for the Trust to continue to exist.”

**ANSWER:**

**INTERROGATORY NO. 10:** State the factual basis for Your contention in Your Disclosures that the Trustees of the Trust acted intentionally, in bad faith, with gross negligence, fraud, or with reckless indifference to the interests of the beneficiaries of the Trust.

**ANSWER:**

**INTERROGATORY NO. 11:** What do you contend to be Your “proportionate share” (in percentage points) at each relevant time (including May 2009) referred to in section (d) of Your Disclosures?

**ANSWER:**

Respectfully submitted,

NORTON ROSE FULBRIGHT US, L.L.P.

/s/ Peter Stokes

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Attorneys for Individual Trustees Gary C. Evans,

Jeffrey S. Swanson, and Thomas H. Owen, JR.

### **CERTIFICATE OF SERVICE**

I hereby certify that, on October 18, 2016, a true and correct copy of the foregoing has been served by mail and email on counsel for RNR Production Land and Cattle, and by email on Ad Litem, counsel for Ad Litem, counsel for Bank of New York Mellon Trust Company, N.A, and Albert Speisman. All other interested parties in this matter will be served in accordance with the Court's Order Directing Method of Service of Discovery dated June 9, 2016.

/s/ Peter A. Stokes

Peter A. Stokes