

IN RE: § IN THE PROBATE COURT  
§  
§ OF  
§  
TEL OFFSHORE TRUST § TRAVIS COUNTY, TEXAS

**THE CORPORATE TRUSTEE’S FIRST SET OF INTERROGATORIES TO ALBERT SPEISMAN, PRO-SE UNIT HOLDER**

TO: Albert Speisman, Pro-Se Unit Holder, P. O. Box 637, Highland Park, Illinois 60035.

The Bank of New York Mellon Trust Company, N.A. (“BNYM” or “The Corporate Trustee”), serves these interrogatories on Albert Speisman, Pro-Se Unit Holder, pursuant to Rules 191, 192, 193, 197 and 215 of the Texas Rules of Civil Procedure. The answers to the interrogatories shall be made separately and fully in writing and under oath, with each answer preceded by the question to which the answer pertains. Your responses are to be provided to the undersigned counsel within thirty (30) days after service of the interrogatories and shall comply with the requirements of Rules 193 and 197. The Corporate Trustee asks that you continue to supplement your answers to these interrogatories, as required by Rule 193.

If the answer to any interrogatory is not within the personal knowledge of the person answering, include within the answer to such interrogatory the name and address of each person to whom the information is a matter of personal knowledge or from whom the information was obtained.

If the answer to any interrogatory is supplied upon information and belief rather than upon actual knowledge, the answer should so state and specifically describe or identify the source(s) of such information and the basis of such belief.

If any of these interrogatories cannot be answered fully, please answer to the extent possible, specify the reasons that a complete answer cannot be given, and state whatever information, knowledge, or belief is available concerning the unanswered portion.

If you claim any information requested herein is privileged or otherwise not subject to discovery, you should answer as provided in Rule 193.3. The Corporate Trustee further requests that you identify any material or information withheld as provided in Rule 193.3(b).

### **DEFINITIONS**

In these requests and definitions the singular includes the plural and vice versa; likewise, the disjunctive includes the conjunctive and vice versa.

1. “Attorney Ad Litem” means Glenn M. Karisch, the Karisch Law Firm, PLLC, as attorney ad litem for the Unit Holders of TEL Offshore Trust who were served by publication and did not answer or appear in this proceeding, and any representatives acting, or purporting to act, on behalf of the Attorney Ad Litem, with respect to any matter inquired about in this discovery, including, but not limited to, all of the Attorney Ad Litem’s servants, employees, attorneys, consultants, sureties, indemnitors, insurers, and/or agents.

2. “Communication” and “communicate” means the transmittal of information (in the form of facts, ideas, inquiries or otherwise) by any means. It includes, without limitation, communications through Social Media.

3. “Concern” and “concerning” mean relating to, referring to, describing, evidencing or constituting.

4. “Document” includes the original and any non-identical copies of any written or graphic matter, however produced or reproduced. It includes communications in words, symbols, pictures, sound recordings, films, tapes, and information stored in, or accessible through,

computer or other information storage or retrieval systems (including without limitation, tablets, i-Pads, cameras, phones, answering machines and other devices capable of storing information), together with the codes and/or programming instructions and other materials necessary to understand and use such systems. It includes without limitation, emails, voicemail messages, text messages, and communications on Social Media, electronic files, desk files and calendars. "Document" includes electronic and magnetic data that is responsive. Such data should be produced in its native format, including any metadata, on flash drives or other appropriate storage devices.

5. "Identify," when referring:

- a. To a person, means to state his or her full name and present or last known telephone number, business and residential address;
- b. To a public or private corporation, partnership, association, or other organization, or to a governmental agency or body, means to state its full name and present or last known pertinent business address;
- c. To a statement, means to identify who made it, who, if anyone, recorded it, and all persons, if any, present during the making thereof; to state if, when, where, and how it was taken or recorded, and to identify who has present or last known possession, custody, or control of any transcription thereof;
- d. To a document, means to give a reasonably detailed description thereof, including, if applicable, when, where, and how it was made; to identify who made it; and to identify who has present or last known possession, custody or control thereof; and
- e. To any other tangible thing, means to give a reasonably detailed description thereof, including, if applicable, when, where, and how it was made; to identify who made it; and to identify who has present or last known possession, custody or control thereof.

6. "Person" means any natural person, corporation, association, firm, partnership, or other business or legal entity, and the officers, employees, agents, servants, attorneys, or representatives of such entities, as the context requires.

7. “Petition” means the Attorney Ad Litem’s Original Petition as Realigned Plaintiff.

8. “Relevant Period” means the period from and including January 1, 2005 through the present.

9. “Social Media” means all internet-based sites through which one can communicate with the public or selected members of the public. It includes internet message boards, blogs and sites such as Facebook, MySpace, Twitter, LinkedIn, Plaxico and similar sites.

10. “Suit” means the matter in which this discovery is served.

11. “Trust” means the TEL Offshore Trust.

12. “Trust Agreement” means the TEL Offshore Trust Agreement.

13. “Trustee,” “Trustees,” “Defendant” and “Defendants” means any one or more or all of BNYM, Gary Evans, Jeffrey Swanson, Thomas Owen, and Danny Conwill.

14. “Unit Holder” means any of holders of units in the Trust.

15. “You” or “Your” means Albert Speisman and his representatives, including any account controlled by Mr. Speisman.

### **INTERROGATORIES**

**INTERROGATORY NO. 1:** Please state when You first bought units in the Trust.

**RESPONSE:**

**INTERROGATORY NO. 2:** Please provide Your wife’s name and address and state when she first bought Units in the Trust.

**RESPONSE:**

**INTERROGATORY NO. 3:** Please state separately the total number of Units You and Your wife currently own.

**RESPONSE:**

**INTERROGATORY NO. 4:** 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; and
- (e) From whom You purchased the Units.

**INTERROGATORY NO. 5:** With respect to each purchase of Your wife's 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; and
- (e) From whom Your wife purchased the Units.

**INTERROGATORY NO. 6:** 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 paid for each such sale; and

(e) To whom You sold the Units.

**INTERROGATORY NO. 7:** With respect to each sale of Your wife's 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 paid for each such sale; and
- (e) To whom Your wife sold the Units.

**INTERROGATORY NO. 8:** What do You contend to be the current market value on a price per unit basis of the Units that you own?

**RESPONSE:**

**INTERROGATORY NO. 9:** What is the name on every account that You or Your wife control, directly or indirectly, that owns Units or has owned Units in the past?

**RESPONSE:**

**INTERROGATORY NO. 10:** Did You own any units at the time You filed for bankruptcy in Illinois? If so, what happened to those units?

Respectfully submitted,

*/s/ Craig A. Haynes*

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ATTORNEYS FOR THE BANK OF NEW YORK  
MELLON TRUST COMPANY, N.A., as  
CORPORATE TRUSTEE OF THE TEL  
OFFSHORE TRUST

### **CERTIFICATE OF SERVICE**

I hereby certify that, on November 7, 2016, a true and correct copy of the foregoing has been served via email to all counsel of record, and will be served on all other interested parties in this matter in accordance with the Court's Order Directing Method of Service dated August 23, 2016.

/s/ Rachelle H. Glazer  
Rachelle H. Glazer