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Hidalgo County District Clerks
Reviewed By: Virginia Granados

MDL NOS. 13-0123 & 13-0130

	§	**IN THE DISTRICT COURT OF**
	§	
	§	
IN RE MARCH 29, 2012 AND APRIL 20, 2012 HAIL STORM LITIGATION	§	**HIDALGO COUNTY, TEXAS**
	§	
	§	
	§	
	§	**206TH JUDICIAL DISTRICT**

CAUSE NO. C-3258-12-B

MARIO AVILA AND HIS SPOUSE GRACIELA AVILA,	§	**IN THE DISTRICT COURT OF**
Plaintiffs,	§	
	§	
	§	
v.	§	**HIDALGO COUNTY, TEXAS**
	§	
TEXAS FAIR PLAN ASSOCIATION, AND PEDRO ALCANTAR MORALES D/B/A MORALES INSURANCE AGENCY,	§	
	§	
	§	
	§	**206TH JUDICIAL DISTRICT**
Defendants.		

ORDER ADOPTING RECOMMENDATION NO. #16 OF SPECIAL MASTER REGARDING PLAINTIFFS' MOTION TO QUASH THE NOTICE OF INTENTION TO TAKE DEPOSITIONS BY WRITTEN QUESTIONS, MOTION FOR PROTECTION, MOTION TO STAY AND OBJECTIONS

On this day, the Court having considered Recommendation No. 16 of the Special Master Roberto L. Ramirez Regarding *Plaintiffs' Motion to Quash the Notice of Intention to Take Depositions by Written Questions, Motion for Protection, Motion to Stay and Objections* hereby approves such recommendation.

It is therefore ordered that the Court adopts Recommendation No. 16 of the Special Master attached hereto as Exhibit "A."

IT IS SO ORDERED.

SIGNED this the 23rd day of April, 2015.

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Reviewed By: Virginia Granados

Hon. Judge Rose Guerra Reyna

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EXHIBIT "A"

MDL NOS. 13-0123 & 13-0130

	§	IN THE DISTRICT COURT OF
	§	
IN RE MARCH 29, 2012 AND APRIL 20, 2012 HAIL STORM LITIGATION	§	
	§	HIDALGO COUNTY, TEXAX
	§	
	§	
	§	
	§	
	§	206TH JUDICIAL DISTRICT

CAUSE NO. C-3258-12-B

MARIO AVILA AND HIS SPOUSE, GRACIELA AVILA	§	IN THE DISTRICT COURT OF
	§	
	§	
	§	
V.	§	HIDALGO COUNTY, TEXAS
	§	
TEXAS FAIR PLAN ASSOCIATION AND PEDRO ALCANTAR MORALES D/B/A MORALES INSURANCE AGENCY	§	
	§	
	§	
	§	206TH JUDICIAL DISTRICT

RECOMMENDATION NO. #16 OF SPECIAL MASTER REGARDING PLAINTIFFS' MOTION TO QUASH THE NOTICE OF INTENTION TO TAKE DEPOSITIONS BY WRITTEN QUESTIONS, MOTION FOR PROTECTION, MOTION TO STAY AND OBJECTIONS

Pursuant to my appointment as Special Master in the above-referenced MDL proceeding, I considered Plaintiffs' Motion to Quash the Notice of Intention to Take Depositions by Written Questions, Motion for Protection, Motion to Stay and Objections (Plaintiffs' Motion), the arguments of counsel at a March 4, 2015 conference/hearing conducted with the parties' counsel, briefing on the issues from both Plaintiff and Defendant Texas FAIR Plan Association (TFPA) and further discussion conducted through an email exchange between myself, counsel for Plaintiff and counsel for TFPA. Accordingly, I hereby make the following recommendation regarding Plaintiffs' Motion.

TFPA's Deposition by Written Questions to The Poyner Group

Plaintiffs moved to quash TFPA's Deposition by Written Questions to the Poyner Group. In addition, Plaintiffs moved for protection and to stay the matter pending a decision. Finally, Plaintiffs filed objections to TFPA's Deposition by Written Questions to the Poyner Group. My recommendations are:

1) Plaintiffs' Motion to Quash pertaining to the Deposition by Written Questions to The Poyner Group is DENIED;
2) Plaintiffs' Motion for Protection pertaining to the Deposition by Written Questions to The Poyner Group is DENIED;
3) Plaintiffs' Motion to Stay pertaining to the Deposition by Written Questions to The Poyner Group is DENIED;
4) Plaintiffs' objections pertaining to the Deposition by Written Questions to The Poyner Group are OVERRULED.

Consistent with these recommendations, I recommend that TFPA's Deposition by Written Questions to The Poyner Group proceed as originally issued.

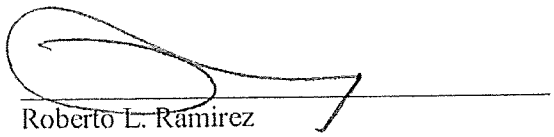
TFPA's Deposition by Written Questions to The Law Office of Daniel G. Rios

Plaintiffs moved to quash TFPA's Deposition by Written Questions to the Law Office of Daniel G. Rios. In addition, Plaintiffs moved for protection and to stay the matter pending a decision. Finally, Plaintiffs filed objections to TFPA's Deposition by Written Questions to the Law Office of Daniel G. Rios. My recommendations are:

1) Plaintiffs' Motion to Quash the Deposition by Written Questions pertaining to the Law Office of Daniel G. Rios is DENIED;
2) Plaintiffs' Motion for Protection for the Deposition by Written Questions pertaining to the Law Office of Daniel G. Rios is DENIED;
3) Plaintiffs' Motion to Stay the Deposition by Written Questions pertaining to the Law Office of Daniel G. Rios is DENIED;
4) Plaintiffs' objections to the Deposition by Written Questions pertaining to the Law Office of Daniel G. Rios are OVERRULED.

Consistent with these recommendations, I recommend that TFPA's Deposition by Written Questions to the Law Office of Daniel G. Rios proceed as originally issued.

Signed this 15th day of April, 2015



Roberto L. Ramirez
Special Master

APPROVED AS TO FORM ONLY:

Respectfully submitted,
LITCHFIELD CAVO, L.L.P.

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