NO. 13,916

CLAUDE J. TOMPLAIT

VS.

THE TRAVELERS INSURANCE COMPANY, ET AL

NOTICE AND APPLICATION TO TAKE WRITTEN DEPOSITION OF 1. Custodian of Records of the Tax Department, Texas Employment Commission

FILED

21 Day of March 1963

at 8:30, A M.

ETHEL BURTON

District Court, Orange County, Texas

By Edna Emmons Deputy

ORGAIN, BELL & TUCKER

ATTORNEYS AT LAW

BEAUMONT, TEXAS

AES:ve - 3-20-63

Honorable Ethel Burton
District Clerk
Orange County, Texas
Orange County Courthouse
Orange, Orange County, Texas

Re: CLAUDE J. TOMPLAIT V. THE TRAVELERS INSURANCE COMPANY, ET AL - NO. 13,916 IN 1ST DISTRICT COURT OF ORANGE COUNTY, TEXAS

Dear Sir:

Notice is hereby given that Queen Insurance Company of America, Defendant in the above styled and numbered suit pending in the court of which you are Clerk desires to take the written deposition of the witness named below, at the time and place designated below, to be used in the above styled and numbered suit; and intends to apply for a commission therefor; and hereby requests that you issue commission therefor six days after the receipt of this notice and application by you.

| Name of Witness, and Residence or Place where Witness may be found | Place of Taking Deposition | Time of Taking Deposition |
|---|---|---|
| 1. Custodian of Records of the Tax Department, Texas Employment Commission | Austin, Texas | Immediately upon receipt of commission therefor |

NO Subpoena duces tecum is desired, and it is therefore not requested that the commission expressly authorize issuance thereof.

A Copy of the written interrogatories to be propounded to the witness ~~XXXXXX~~ is attached hereto.

Notice, as required by the Texas Rules of Civil Procedure, Rules 189 and 200, has been given by serving all adverse parties, or their attorneys of record, with a copy hereof on this the 20 day of March, 1963.

The books, papers, documents and tangible things hereby designated to be produced by the witness ____: - NOT APPLICABLE

Name of Witness To Produce:

*cc by certified mail:
1. Mr. Gordon Pate, Attorney
McFaddin Building
Beaumont, Texas
2. Mr. David C. Marcus, Attorney
Marcus & Weller
Goodhue Building, Beaumont, Texas
3. Mr. Ward Stephenson, Attorney
Stephenson Building, Orange, Texas

Yours very truly,
ORGAIN, BELL & TUCKER

By Allen E. Smith
Allen E. Smith
First Federal Savings Building
Beaumont, Texas

~~RECEIVED, ATTORNEY AT LAW~~

DIRECT INTERROGATORIES TO BE PROPOUNDED TO THE WITNESS
CUSTODIAN OF RECORDS OF THE TAX DEPARTMENT, TEXAS EMPLOYMENT COMMISSION

1. State your name.

2. State your occupation and employer.

3. What is your official title?

4. What do your duties ordinarily include?

5. State whether or not the maintenance and preservation of the taxable wage records of the Tax Department of Texas Employment Commission are under your custody and supervision.

6. Are the records of the taxable wages of the Tax Department of Texas Employment Commission made and maintained in the regular course of business of said Commission?

7. Is the Commission required by law to keep such records?

8. Are the taxable wage records of the Tax Department of Texas Employment Commission official records of an agency or office of the State of Texas?

9. In your capacity as Custodian of Records of the Tax Department for the Texas Employment Commission, do you have in your custody the records of the taxable wages reported for CLAUDE J. TOMPLAIT Social Security No. [redacted] since January 1, 1960?

10. If you state you have custody of the records showing the taxable wages [redacted] CLAUDE J. TOMPLAIT, Social Security No. [redacted], since January 1, 1960, please state what all of those records show for that period, or hand to the court reporter photostatic copies of those records.

11. State whether or not the copies attached in response to question No. 10 are certified by your department and yourself to be true and exact copies of the original records maintained as official records by the Tax Department of the Texas Employment Commission in the regular course of the business of said Commission, which have been under your care and custody.

12. State whether or not the original records or the attached photostatic copies have been in any way altered, changed or tampered with.

ORGAIN, BELL & TUCKER
First Federal Savings Building
Beaumont, Texas

By Allen E. Smith
Attorney for Defendant
ALLEN E. SMITH