

Belinda Blessingame

CAUSE NO. 18238

REPUBLICAN PARTY OF TEXAS,

Plaintiff,

v.

GUEST AND GRAY, P.C., ELIZABETH
ALVAREZ, AND SCOTT GRAY,

Defendants.

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IN THE DISTRICT COURT

OF MITCHELL COUNTY, TX

32ND JUDICIAL DISTRICT

**NOTICE OF INTENTION TO TAKE THE ORAL DEPOSITION OF
NON-PARTY ABIGAIL SPAIN**

**TO: Abigail Spain, BURLESON, PATE & GIBSON, L.L.P., 900 Jackson Street,
Suite 330, Dallas, Texas 75202.; email: aspain@bp-g.com**

PLEASE TAKE NOTICE that, under Texas Rules of Civil Procedure 199.2, Republican Party of Texas (the “Plaintiff”) will take the oral and videotaped deposition of Abigail Spain on March 4, 2023, beginning at 10:00 o’clock a.m. CDT. The deposition will take place via ZOOM, or at such other location as the Deponent shall be notified in writing not later than 10 days prior to the Deposition Date or otherwise agreed.

The deposition will be recorded stenographically and the examination will continue from day to day until completed.

PLEASE TAKE NOTICE that contemporaneously with this notice, the intended subpoena attached as Attachment A will be issued. The evidence gathered will be used at the trial of this cause.

Dated: February 9, 2024

Respectfully submitted,

MITBY PACHOLDER JOHNSON PLLC

/s/Steve Mitby

Steven J. Mitby

State Bar No. 24037123

smitby@mitbylaw.com

Sartaj Bal

Texas Bar No. 24071955

sbal@mitbylaw.com

Michael K. Barnhart

Texas Bar No. 24040472

mbarnhart@mitbylaw.com

1001 McKinney, Suite 925

Houston, Texas 77002

Telephone: (713) 234-1446

**ATTORNEYS FOR THE
REPUBLICAN PARTY OF TEXAS**

Certificate of Service

The undersigned hereby certifies that he caused a true and correct copy of the foregoing was served upon counsel of record in accordance with Rule 21 of the Texas Rules of Civil Procedure via electronic service on this 9th day of February 2024.

/s/Steve Mitby

Steve Mitby

Attachment A

STATE OF TEXAS
CAUSE NO. 18238

REPUBLICAN PARTY OF TEXAS,

Plaintiff,

v.

GUEST AND GRAY, P.C., ELIZABETH
ALVAREZ, AND SCOTT GRAY,

Defendants.

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IN THE DISTRICT COURT

OF MITCHELL COUNTY, TX

32ND JUDICIAL DISTRICT

SUBPOENA FOR THE DEPOSITION OF ABIGAIL SPAIN

To: Any sheriff or constable of the State of Texas or other person authorized to serve and execute subpoenas as provided in Texas Rule of Civil Procedure 176.5.

You are commanded to summon Abigail Spain located at 900 Jackson St., Suite 330, Dallas, Texas 75202, or anywhere else she may be found to appear for an oral deposition on March 4, 2024, 10:00 AM, and remain in attendance from day to day until lawfully discharged. The videotaped deposition of non-party Abigail Spain is to take place via ZOOM. The deposition will be taken by a person authorized by law to take depositions, and it will be stenographically recorded.

This subpoena was issued at the request of the Republican Party of Texas, whose attorneys of record are Steve Mitby, Michael Barnhart and Sartaj Bal, Mitby Pacholder Johnson PLLC, 1001 McKinney, Suite 925, Houston, Texas 77002.

Contempt. Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena is issued or a district court in the county in which the subpoena is served, and may be punished by fine or confinement, or both. Tex. R. Civ.P. 176.8(a).

DO NOT FAIL to return this writ to the 32nd Judicial District Court of Mitchell County, Texas with either the attached officer's return showing the manner of execution or the witness's signed memorandum showing that the witness accepted the subpoena.

Issued on February _____, 2024.

Respectfully submitted,

MITBY PACHOLDER JOHNSON PLLC

Steven J. Mitby
State Bar No. 24037123
smitby@mitbylaw.com

Sartaj Bal
Texas Bar No. 24071955
sbal@mitbylaw.com

Michael K. Barnhart
Texas Bar No. 24040472
mbarnhart@mitbylaw.com

1001 McKinney, Suite 925
Houston, Texas 77002
Telephone: (713) 234-1446

**ATTORNEYS FOR THE
REPUBLICAN PARTY OF TEXAS**

Officer's Return

I, _____, delivered a copy of the attached witness subpoena to _____ in _____ County, Texas on February _____, 2024, at _____ o'clock ____ .m., and tendered to the witness a fee of \$10 payable by check.

I, _____, was unable to deliver a copy of this witness subpoena to Abigail Spain for the following reasons: _____

By: _____
Person who is not a party and is 18 years of age or older.

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Geoff Litke on behalf of Steven John Mitby

Bar No. 24037123

glitke@mitbylaw.com

Envelope ID: 84369379

Filing Code Description: Notice

Filing Description: Notice of Intent to Take the Oral Deposition of Non-Party Abigail Spain

Status as of 2/12/2024 8:09 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Geoff Litke		glitke@mitbylaw.com	2/9/2024 5:20:04 PM	SENT
Steven Mitby		smitby@mitbylaw.com	2/9/2024 5:20:04 PM	SENT
Michael Barnhart		mbarnhart@mitbylaw.com	2/9/2024 5:20:04 PM	SENT
Joyce Dolan		jdolan@mitbylaw.com	2/9/2024 5:20:04 PM	SENT
Sartaj ABal		sbal@mitbylaw.com	2/9/2024 5:20:04 PM	SENT