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REPORTER'S RECORD

VOLUME 1 OF 1

Cause No. 352-248169-10

BAT WORLD SANCTUARY	X	IN THE DISTRICT COURT
and AMANDA LOLLAR,	X	
	X	
Plaintiffs,	X	
	X	
VS.	X	141ST JUDICIAL DISTRICT
	X	
MARY CUMMINS,	X	
	X	
Defendant.	X	TARRANT COUNTY, TEXAS

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HEARING

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BE IT REMEMBERED that on the 1st day of April, 2016, the following proceedings came on to be heard in the above-entitled and -numbered cause before the Honorable John P. Chupp, judge presiding, held in Fort Worth, Tarrant County, Texas.

The proceedings were reported by machine shorthand.

A P P E A R A N C E S

1
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P R O C E E D I N G S

(Friday, April 1, 2016, 9:30 a.m.)

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THE COURT: Okay. We're doing it by phone, do you want to come up here or what do you want to do?

MR. TURNER: Do you think she'll be able to hear me if I'm here?

THE COURT: I don't know. I don't have a speaker here.

MR. TURNER: I'll go up there.

THE COURT: Okay.

Good morning.

MS. CUMMINS: Good morning, Your Honor.

THE COURT: Is this Ms. Cummins?

MS. CUMMINS: Yes, Your Honor.

THE COURT: Okay. I have Mr. Turner here. He has come up to the bench so that we can hear him.

This is your motion, right?

MS. CUMMINS: Yes.

THE COURT: Okay. What -- you are saying he forged something?

MS. CUMMINS: Yes, sir. Actually,

1 this is a motion for contempt of court. Mr. Turner --
2 one minute. The only thing you know about me really
3 is what Mr. Turner has told you, and I have actually
4 gone to the police academy and Humane Academy, and I'm
5 qualified to investigate animal cruelty. I'm an
6 expert witness in animal cruelty for PETA and Humane
7 Society in the United States and --

8 THE COURT: Okay. Let's do your
9 motion.

10 MS. CUMMINS: Okay.

11 THE COURT: If you say he's done
12 something, let's hear what you think he did that's --

13 MS. CUMMINS: Sure. Sir?

14 COURT REPORTER: I am having a hard
15 time hearing her.

16 THE COURT: We are having a hard
17 time with the court reporter not being able to hear
18 you since you're not here, so she'll get as much as
19 she can.

20 MS. CUMMINS: I'm as close as I can
21 get to the phone.

22 THE COURT: Okay.

23 MS. CUMMINS: Okay. Anyway,
24 Mr. Turner and Ms. Lollar have violated two protective
25 orders. I'll start with the first one, which is the

1 protective order on many bank records. The protective
2 order states that Mr. Turner and Ms. Lollar, they
3 can't share these documents with anyone and can't put
4 them on the internet, and they can't include anything
5 from the documents in a legal filing.

6 Well, Mr. Turner, two days ago, he
7 included alleged parts of some bank records in the
8 filing, and I then filed a motion to be stricken
9 because it's part of the protective order.

10 Then after that Ms. Lollar posted my
11 entire legal filing online, and she posted a summary
12 of a legal filing online in a blog and a Facebook
13 page, and it's still there this morning. That is a
14 violation of the protective order on court records.
15 The protective order just says court records, it
16 doesn't say whose they are.

17 And then also Mr. Turner is in violation
18 of the bank authorization court order. You signed
19 a -- or protective order. Mr. Turner wrote one and
20 sent it to you, but the date says January 1st, 2010
21 until December 2016.

22 I filed another motion to force the
23 protective order, and at that time, the protective
24 order was only for documents from August 27th, 2010 to
25 December of 2015, and you ordered me to sign that. I

1 signed that, and I sent that to Mr. Turner.

2 Well, that is not what Mr. Turner sent
3 to the bank. Mr. Turner changed the date on that, and
4 not only that, but after Mr. Turner sent the request
5 for only records in my name with my social security
6 number, Mr. Turner called up the clerk in the subpoena
7 office at First Bank and demanded anything with my
8 signature on or any other statement. I mean, he
9 demanded the records for Animal Advocates.

10 And in that last protective hearing, I
11 told you that Mr. Turner would either send the court
12 order or they would call on the phone and request
13 documents for Animal Advocates, the nonprofit, and you
14 said at that time if he does that he's going to be in
15 big trouble, and I said, he has done it before, and
16 then you said again that you would send him to jail
17 for a long time if he --

18 THE COURT: Do you have any proof that
19 he called them?

20 MS. CUMMINS: I spoke with Allen Novack
21 in the subpoena office --

22 THE COURT: Do you have any proof that's
23 not hearsay?

24 MS. CUMMINS: Yes, I have a letter from
25 the bank.

1 THE COURT: That's hearsay. Do you have
2 any proof that's not hearsay?

3 MS. CUMMINS: The letter is -- I
4 submitted it as an exhibit.

5 THE COURT: It's still hearsay.

6 MS. CUMMINS: I was saying --

7 THE COURT: Hold on. It's still
8 hearsay --

9 MS. CUMMINS: I was --

10 THE COURT: -- listen. Do you have any
11 witness that can come testify to say that he called
12 and demanded these records?

13 MS. CUMMINS: I could subpoena a
14 witness to do that.

15 THE COURT: Okay. Well, bring them in.

16 MS. CUMMINS: Okay. Well, shall we set
17 a hearing?

18 THE COURT: They're coming here.

19 MS. CUMMINS: Okay.

20 THE COURT: I mean, I can't take
21 something that somebody told you happened and use that
22 as evidence. That's not evidence.

23 MS. CUMMINS: Well, Your Honor, there
24 is more than that.

25 THE COURT: Okay.

1 MS. CUMMINS: My name is not on the
2 Animal Advocates' account. My social security number
3 is not on the Animal Advocates' account. I
4 resigned -- I thought I resigned last October, but I
5 actually resigned in October of 2012 when I was trying
6 to take another job, and I was forced to resign.

7 My name is not there, and there is no
8 way Mr. Turner could have gotten that information
9 without specifically demanding Animal Advocates'
10 records. And in court you said he's not allowed to
11 have those records.

12 THE COURT: I signed a court order
13 saying -- listen, I signed a court order saying what
14 he could have, right?

15 MS. CUMMINS: Yes.

16 THE COURT: Okay. And the bank should
17 only give him what I signed in the order. He can't
18 make them give it to him by calling.

19 MS. CUMMINS: You don't know
20 Mr. Turner. In the last -- (inaudible) my doctor.
21 And Mr. Turner doesn't care what order that you write
22 or send. He's going to send something else to them
23 behind my back and behind the Court's back --

24 THE COURT: Do you have a copy of the
25 forged document he sent to the bank?

1 MS. CUMMINS: Yes.

2 THE COURT: Where is that?

3 MS. CUMMINS: Well, he filed a document
4 stating I signed something for January 2010 to January
5 of 2016, and I never signed that.

6 THE COURT: Okay. Where is it?

7 MS. CUMMINS: What?

8 THE COURT: Where is that document?

9 MS. CUMMINS: Mr. Turner filed it in
10 his reply.

11 THE COURT: Okay.

12 MS. CUMMINS: If he did -- if they
13 would have given him the documents accidentally, which
14 they did not, he still could never use them, because
15 they are the records of Animal Advocates.

16 THE COURT: Right. No, I don't
17 disagree with you. I think that the order that we
18 sent, wasn't that marked out in there? There was a
19 sentence in that order that was marked out so that he
20 couldn't get those records, right?

21 MS. CUMMINS: He was only allowed my
22 records with my name and social security number.

23 THE COURT: Right. Okay.

24 MS. CUMMINS: Well, specifically he
25 told you we sent it, called them up and demand Animal

1 Advocates, and you said he would be in big trouble if
2 he did --

3 THE COURT: No, I don't think I did.
4 He can't demand something from them. They would be in
5 violation if they gave it to him just because he
6 called them. They have to follow the Court's order.

7 MS. CUMMINS: Yes, but even if he
8 threatened them, and they gave him the documents, he
9 still couldn't use them, it's not part of the court
10 order, and they're not mine.

11 THE COURT: Okay. You have no evidence
12 that he called them.

13 MS. CUMMINS: I can get evidence. I
14 can definitely get evidence, but there is just --
15 there is no way in the world that he could get Animal
16 Advocates' documents, because my name and number is
17 not on there anywhere.

18 THE COURT: Then you should have a
19 problem with your bank. Your bank should not be
20 giving those to him if that's the case. You should be
21 calling your bank and saying why would you give those
22 to him.

23 MS. CUMMINS: Your Honor, I told you
24 this in the protective order hearing. In the last
25 case Mr. Turner demanded all of my records, including

1 (inaudible) for a back injury. I went to get a
2 protective order on the medical records, and I got --
3 then he requested an authorization, which that means
4 that he can only have the documents related to my
5 back. Well, Mr. Turner forged that and sent it to my
6 doctor, and then my doctor called and said, well, no,
7 this isn't any different. It says no limitation on
8 any records, I have to give him everything.

9 THE COURT: Okay. But my order -- my
10 order doesn't say that. Do you have a copy of the
11 forged order? I'm looking at an order right here that
12 says the bank record authorization, and it looks like
13 it's marked out where it says any and other records
14 pertaining to any account of mine under my social
15 security number, and that's marked out.

16 Is there a different order that you are
17 saying he forged? Because this is actually your
18 authorization. You signed this.

19 MS. CUMMINS: Yes, I -- I signed an --
20 the one that I signed from -- let me see. The one
21 that I signed is Exhibit 8, and it's the one that says
22 confidential, under seal, not public.

23 THE COURT: Yes, that's what I'm
24 looking at right now.

25 MS. CUMMINS: Okay. And that says

1 August 27th, 2010 to the present. Well, Mr. Turner
2 demanded and sent in another one that says January
3 1st, 2010 to the present, and Mr. Turner received
4 documents from January 1st, 2010 to the present, he
5 received records (inaudible) -- and he also illegally
6 got the records of Animal Advocates.

7 THE COURT: Okay.

8 MS. CUMMINS: The bank -- he -- I never
9 signed an authorization for Animal Advocates. I
10 couldn't if I wanted to. I can't authorize --

11 THE COURT: I think you have an issue
12 with your bank giving him those, and you might want to
13 talk to your bank and ask them why they gave him
14 documents that there wasn't an authorization for.

15 MS. CUMMINS: Yes, I will, but in any
16 case, Mr. Turner shouldn't -- if he realized he
17 accidentally got the documents, he shouldn't have looked
18 at them, and he should have returned them. The bank
19 has asked him twice to return them, because they
20 weren't authorized, and they weren't allowed to give
21 them.

22 THE COURT: Okay.

23 MS. CUMMINS: He is not allowed to have
24 those documents. So Mr. Turner has violated the
25 protective order on documents, and he violated the

1 bank authorization.

2 And the rest of -- I also added in this
3 motion here is the -- perjury. Now, this lawsuit is
4 identical to a lawsuit that Mr. Turner filed on me in
5 April of 2016. It's copied and pasted, same exact
6 lawsuit, even the claims -- were reversed, and that
7 means it's meritless and frivolous (inaudible).

8 And in this case, I think I was sued
9 the last time in a defamation litigation act -- and
10 still have the citizen's participation act. It's a
11 frivolous and meritless lawsuit exactly like this
12 lawsuit.

13 Now, in this lawsuit Mr. Turner never
14 showed any of the elements of defamation, and then in
15 the appeals court they ruled that Mr. Turner didn't
16 have to show any elements of defamation because
17 defamation is assumed. It also stated that Mr. Turner
18 didn't even have to tell me once he stopped --
19 defamatory. I never knew, no one ever told me, I
20 still don't know what they thought was defamatory.

21 THE COURT: Okay. Are you talking
22 about something that has already gone to the appellate
23 court and they've ruled on?

24 MS. CUMMINS: Yes, I'm talking --

25 THE COURT: Why do I need to hear that?

1 I'm not -- I'm not the appellate court.

2 MS. CUMMINS: I'm trying to show you
3 that Mr. Turner and his client have committed forgery,
4 fraud, and perjury.

5 THE COURT: Okay. What did they forge
6 in this case?

7 MS. CUMMINS: In this case they forged
8 a contract.

9 THE COURT: Okay. What did they -- and
10 this case was over, right? I mean, they've already
11 got a judgment. What have they forged since the
12 judgment?

13 MS. CUMMINS: Well, they forged the
14 contract --

15 THE COURT: Hold on. Hold on. Is the
16 contract what the case was about and you lost?

17 MS. CUMMINS: That was reversed,
18 actually.

19 THE COURT: Okay. But there is a
20 judgment against you, right, in this case?

21 MS. CUMMINS: Yes, Your Honor, but the
22 judgment was obtained through perjury, fraud, and
23 forgery.

24 THE COURT: Okay. Then appeal it.
25 That's the appellate court. You need to go up there

1 -- that was in the 352nd. If you don't --

2 MS. CUMMINS: The law states I have to
3 first start at the trial court, and I --

4 THE COURT: You haven't filed a motion
5 for new trial or anything, so I don't know what --

6 MS. CUMMINS: Yes, I did.

7 THE COURT: Huh?

8 MS. CUMMINS: Yes, I did.

9 THE COURT: Okay. What happened with
10 that?

11 MS. CUMMINS: It was never heard.

12 THE COURT: Okay. So as an operation
13 of law it's denied, so then you're supposed to appeal
14 it.

15 MS. CUMMINS: No, Your Honor, if there
16 is new evidence or I've uncovered recently evidence of
17 fraud, forgery, or perjury, I have to come back to the
18 trial court for the next --

19 THE COURT: Okay. So you're filing a
20 claim against them, some type of lawsuit against them
21 now, or -- I don't understand what you are doing.

22 MS. CUMMINS: Well, I'm filing this
23 motion, one for the defense; and two, for the fraud
24 and the perjury and forgery, because the basis of this
25 case is Ms. Lollar stated she was investigated, and

1 cleared of all wrongdoing, and that was false.

2 Ms. Lollar provided documents in this case which were
3 false. Ms. Lollar stated she had (inaudible) -- no,
4 she lost it before the trial, and she lied at trial
5 that she had it.

6 MR. TURNER: Your Honor, at this
7 point --

8 THE COURT: Hold on. Hold on.
9 Go ahead.

10 MR. TURNER: Your Honor, I'd like to
11 object. I mean, we're going on and on about a trial
12 that was held four years ago. It went to the Court of
13 Appeals, the Supreme Court of Texas denied the
14 petition.

15 This court has jurisdiction for
16 postjudgment enforcement of the judgment, and I'm
17 going to object to Ms. Cummins continuing to talk
18 about her complaints about the outcome of the
19 underlying lawsuit.

20 THE COURT: Yeah, I don't need to hear
21 about the underlying lawsuit, because that's already
22 done.

23 MS. CUMMINS: Well, no, I have to say
24 one thing. I'm quoting a law here. The court has the
25 discretion to -- wait, one second here. Courts have

1 vacated judgment that were obtained on the basis of
2 false evidence or testimony.

3 THE COURT: But I don't have
4 jurisdiction any more. That's the problem. I don't
5 have jurisdiction to go back and hear the case.

6 MS. CUMMINS: No, you don't have
7 jurisdiction to go back and hear the whole case, but
8 if you are presented with evidence of false evidence
9 or testimony, you have the power to vacate the
10 judgment.

11 THE COURT: Okay.

12 MS. CUMMINS: This judgment is based on
13 forgery, fraud, and perjury. It says here you may set
14 aside the verdict for fraud, misrepresentation, or
15 misconduct. That is what happened in the case, and
16 the proper method for me is to start filing this
17 motion with the trial court, as I have done today.
18 There is no evidence that I ever -- there is
19 nothing --

20 THE COURT: Okay. I'm not hearing that
21 case again right now.

22 MS. CUMMINS: No, you are not hearing
23 that case, but this is the motion for perjury, fraud,
24 and forgery.

25 THE COURT: What do you want me to do

1 to them today?

2 MS. CUMMINS: Well, one, they're in
3 contempt of two court orders, and they should be
4 sanctioned; and, two, you said that if Mr. Turner
5 violated a court order you would send him to jail for
6 a long time.

7 THE COURT: Yes, and you haven't given
8 me any proof that he has done that.

9 MS. CUMMINS: There is no way possible
10 for anyone to get the records that were not in my name
11 without my social security number. It's impossible.
12 There is no other way it could happen. Even if he
13 were to -- if the bank gave them to him by accident,
14 as soon as he realized it, he should have not -- he
15 should have called the bank and returned them.

16 THE COURT: Okay.

17 MS. CUMMINS: I did not authorize those
18 records. The bank is not authorized to give them to
19 him.

20 THE COURT: I agree with you on that.
21 They shouldn't have -- your bank has a real issue, you
22 better call them and talk to them.

23 MS. CUMMINS: Yes, but no matter what,
24 if the bank accidentally gave Mr. Turner \$1,000 and they
25 were only supposed to give him \$100, that doesn't mean

1 he keeps the \$1,000.

2 THE COURT: Right. Okay. I'm going to
3 deny your motion for contempt. What else do you have
4 today?

5 MS. CUMMINS: What? Wait. He's
6 not --

7 THE COURT: Your motion for contempt is
8 denied. What else do you have other than that?

9 MS. CUMMINS: He is in contempt of the
10 authorization in the protective order. He posted
11 those records online. They're online. I have proof
12 of that. He added even more last night. He posted
13 them online, and he is not allowed to have any of
14 Animal Advocates' records, can't have them, can't use
15 them.

16 THE COURT: Okay. You've offered no
17 proof that he posted them online other than there is a
18 website that has stuff online. So if you can --

19 MS. CUMMINS: Your Honor --

20 THE COURT: Okay. The hearing is over.

21 MS. CUMMINS: Ms. Lollar posted them
22 online --

23 THE COURT: Okay.

24 MS. CUMMINS: -- and Mr. Turner added
25 Ms. Lollar to the e-file Texas account so she could

1 post documents instantly, she is who posted it.

2 THE COURT: Okay.

3 MS. CUMMINS: I have proof that they
4 posted the documents online with the -- under the
5 protective order. I mean, their bank records are
6 under the protective order, and I have never violated
7 it, I've never posted it.

8 And also, any records that were
9 obtained -- all of these bank records, I was supposed
10 to get copies from the bank directly, and I did not.

11 THE COURT: Call your bank.

12 MS. CUMMINS: No. I would have to pay
13 for them. I can't afford it. It is supposed to come
14 from the bank, it's in the court order.

15 THE COURT: Okay.

16 MS. CUMMINS: -- copies through the
17 bank.

18 THE COURT: Would you like to file a
19 motion for contempt against the bank?

20 MS. CUMMINS: Your Honor, that's not
21 necessary. These documents have not been
22 authenticated, and they never will be authenticated.
23 I don't have a copy. I don't know what is real or
24 not. I can never get a copy of Animal Advocates'
25 records.

1 THE COURT: Okay.

2 MS. CUMMINS: I didn't get a copy of my
3 records. I can't authenticate -- the bank did not
4 authenticate them, and the clerk did not authenticate
5 them through Mr. Turner, therefore they can never be
6 introduced as an exhibit or evidence, and it can't be
7 used.

8 THE COURT: Okay.

9 MS. CUMMINS: Okay. Your Honor, you
10 are not allowed to give me legal advice, but you must
11 advise me of my rights.

12 What are my rights in order to have
13 this judgment reversed and vacated due to perjury,
14 fraud, and forgery?

15 THE COURT: This isn't a criminal case,
16 so you don't have rights like you do in a criminal
17 case, if that's what you're asking.

18 MS. CUMMINS: Actually, you do have the
19 right, you have to tell me what my rights are, right
20 to appeal, right to a writ, I don't know, I'm an
21 indigent out-of-state pro se, I'm not an attorney.

22 THE COURT: I'm not your attorney
23 either, so if you -- you can appeal anything that I do
24 if you want to try to appeal it.

25 MS. CUMMINS: Okay. Your Honor, what

1 is -- okay, the -- Mr. Turner also filed a
2 certification -- and I object to that because he is
3 not allowed to use any records in this case or in any
4 other case, and he's not allowed to share them in any
5 way, and he's not going to be able to submit them into
6 evidence because they've never been authenticated, and
7 I object to him using any financial records in this
8 case or any other case.

9 MR. TURNER: Your Honor, If I -- if
10 we're going to hear my motion now, I would like to go
11 first since it's my motion.

12 THE COURT: Yes, that's fine.

13 MS. CUMMINS: Your Honor, what's the
14 status -- what are you going to -- what's happening
15 with the bank records?

16 THE COURT: Hold on. Hold on. He's
17 going to tell me what his motion is.

18 MR. TURNER: Your Honor, we obtained
19 these bank records properly with the use of the bank
20 records -- with the authorization signed by
21 Ms. Cummins. We have bank records pertaining to her,
22 and this Court has never signed a protective order in
23 this case; however, there has been discussion about
24 using the bank records.

25 There is another lawsuit between

1 Ms. Lollar and Ms. Cummins in the County Court at Law.
2 Ms. Cummins filed an affidavit of indigency. We
3 responded -- we objected to her claim of indigence,
4 and we have a hearing this coming Monday on her claim
5 of indigence.

6 The bank records show that they clearly
7 refute her claim of indigence. I would like this
8 Court's permission to use those bank records in the
9 County Court at Law proceeding, and I would
10 respectfully suggest that the County Court at Law
11 judge can make appropriate orders for -- to keep those
12 records from the public, but we should be allowed to
13 use the bank records that were lawfully obtained in
14 another court proceeding. And so that's what I'm here
15 for is I'm asking the Court to let me use these bank
16 records in the County Court at Law in response to her
17 claim of indigence.

18 THE COURT: Okay. Would you like to
19 reply to that?

20 MS. CUMMINS: Yes, I would. The
21 protective order says it can't be shared with any
22 other Court. Now, my bank records show I haven't had
23 a bank account since 2013.

24 THE COURT: Let me see the protective
25 order. When was that signed?

1 MR. TURNER: There was not one.

2 THE COURT: Where is the protective
3 order?

4 MS. CUMMINS: It's in my filings. It's
5 exhibit -- let me look here. It's Exhibit 7.

6 THE COURT: Okay. Hold on. Let me get
7 there. So that should be just above the one we just
8 looked at, which was the authorization. Let's see.
9 Okay. There is that. Okay. Exhibit -- here's an
10 amended order granting motion for a bank record
11 authorization. Is that it?

12 MS. CUMMINS: I'm sorry, I --

13 THE COURT: And then above that I'm
14 looking at a bunch of internet stuff.

15 MS. CUMMINS: Let me find it. Hold on
16 one second.

17 THE COURT: That's Exhibit 7. That's
18 the amended order granting motion for bank record
19 authorization.

20 MS. CUMMINS: I'm looking for it right
21 now.

22 THE COURT: Okay. Yeah, I would like
23 to see the protective order so we make sure he doesn't
24 violate it.

25 MS. CUMMINS: You granted the

1 protective order on October 8th, and it is -- okay,
2 Judge, the protective order is Exhibit 1, and
3 defendant's reply verifying records.

4 THE COURT: Okay. Let me pull that up.
5 I see a letter -- okay, protective order. I never
6 signed it. Do you have a signed one?

7 MS. CUMMINS: I -- well -- Mr. Turner
8 said he would send you one, and you --

9 THE COURT: I'm not asking you what
10 Mr. Turner said. I'm asking do you have a signed one?

11 MS. CUMMINS: No, I don't -- one signed
12 by me and one by Mr. Turner.

13 THE COURT: Do you have one signed by
14 the Court?

15 MS. CUMMINS: No, Your Honor, but you
16 stated in court that you -- that there is a protective
17 order.

18 THE COURT: Okay. If there is no
19 protective order signed, there is no protective order.

20 MS. CUMMINS: What? Wait. Your Honor,
21 I requested twice for the Court to sign it.

22 THE COURT: I mean, I can sign it. It
23 just hasn't been signed. You don't have a signed copy
24 of it, and I don't see one in the file.

25 MS. CUMMINS: But you stated in court

1 that you -- that there is a protective order.

2 THE COURT: Okay. And what does that
3 protective order say?

4 MS. CUMMINS: It says here --

5 THE COURT: I can read this one.

6 MS. CUMMINS: Okay.

7 THE COURT: You don't need to read this
8 to me. But it is -- there is no protective order in
9 place that's -- I have to sign it for it to be in
10 place. There is no protective order.

11 MS. CUMMINS: But, Your Honor, that
12 can't be.

13 THE COURT: Okay.

14 MS. CUMMINS: I was told twice that you
15 would sign it.

16 THE COURT: Okay.

17 MS. CUMMINS: It's true it isn't
18 signed. You agreed to it, and Mr. Turner wrote it, I
19 approved the form.

20 THE COURT: All right. Mr. Turner,
21 here is what I suggest you do. Before you file
22 anything over in the county court with regards to any
23 of these records that you've obtained in here, ask the
24 judge over there how they want you to handle it. I
25 mean, don't start filing financial records in that

1 court until you talk to the judge. Is it Judge
2 Rymell?

3 MR. TURNER: Yes.

4 THE COURT: Okay.

5 MR. TURNER: No, no, it's been -- she
6 recused herself.

7 THE COURT: Okay.

8 MR. TURNER: It's Judge Hrabel now.

9 THE COURT: Judge Hrabel, okay. Just
10 tell Judge Hrabel you are in possession of some
11 documents that you got in this court, and how would he
12 like for you to handle them in his court.

13 MR. TURNER: Okay. My plan was to
14 tender them for an in-camera inspection.

15 THE COURT: And that's fine, however he
16 wants to do it.

17 MR. TURNER: Okay.

18 THE COURT: Okay.

19 MR. TURNER: So I have your permission
20 to tender them as an in-camera -- for an in-camera
21 inspection?

22 THE COURT: You can tender something to
23 a sitting judge, yes.

24 MR. TURNER: Okay.

25 THE COURT: And he can choose how he

1 wants to handle it.

2 MR. TURNER: Now, another related
3 question I have regarding the use of these bank
4 records, they indicate lots of criminal activity; tax
5 fraud, donor fraud, I would like the Court's
6 permission to show these records to law enforcement
7 agencies.

8 THE COURT: I don't know that that's
9 your duty.

10 MR. TURNER: It's not my duty, but we
11 would like to -- we feel like we need to notify the
12 authorities that a crime has been committed. We can
13 take that up later if you want me to brief it or
14 something.

15 THE COURT: Why don't you do that, and
16 see what your duty is as an officer of the court with
17 regards to something like that, and there may be some
18 duty with regards to the IRS. I'm sure there probably
19 is, but --

20 MR. TURNER: Okay. We'll -- I'll look
21 at that.

22 THE COURT: Look at that, and then -- I
23 mean, I don't think I can make you breach an ethical
24 duty.

25 MR. TURNER: Right.

1 THE COURT: If you have an ethical duty
2 to do something, I think you have to do it, and I
3 can't order you not to.

4 MR. TURNER: Okay. I only bring it up
5 because -- for the obvious reasons.

6 THE COURT: Okay. So is that all we
7 have then today?

8 MR. TURNER: Yes, sir.

9 THE COURT: All right. Ms. Cummins,
10 thank you for appearing by phone, and we'll talk soon,
11 I'm sure.

12 MS. CUMMINS: What is the status of the
13 Animal Advocates' bank statements? They have not been
14 given legal notice, no one has notified them of
15 anything that's happening.

16 THE COURT: Do you have Animal
17 Advocates' bank statements? Did they give those to
18 you?

19 MR. TURNER: Yes.

20 THE COURT: Do you need those?

21 MR. TURNER: Yes, they show that
22 Ms. Cummins uses the -- that organization as a piggy
23 bank --

24 THE COURT: Oh.

25 MR. TURNER: She uses money from that

1 organization to pay for fat farm, hundreds of dollars
2 in liquor expenses, and so, yeah, they -- it's her
3 money, and she's claiming indigence, so --

4 MS. CUMMINS: I object to the
5 statement and it should be stricken from the record
6 because the statement is evidence that has not been
7 submitted to the court, and it's false.

8 THE COURT: Okay. I'm going to let him
9 keep those records, but don't disclose them to
10 anybody.

11 MR. TURNER: Correct.

12 THE COURT: Again, I mean --

13 MR. TURNER: -- other than the
14 in-camera --

15 THE COURT: You can give them to --
16 well, obviously, you can give them to another court,
17 that's fine, yeah.

18 If you want to do a protective order --
19 do you still -- do we still want to do one, or do you
20 care or --

21 MS. CUMMINS: Yes.

22 MR. TURNER: I mean, I'm okay with a
23 protective order if there are exclusions for using
24 them in court and using them for law -- to disclose
25 them to law enforcement. I'm fine -- I'm fine not

1 disclosing them to anybody else.

2 MS. CUMMINS: Your Honor, did you sign
3 the protective order that's in the file?

4 THE COURT: Let me look at it here real
5 quick. Okay.

6 MR. TURNER: I think it will need to be
7 modified if the Court is going to allow us to use them
8 in a court proceeding or --

9 MS. CUMMINS: -- social security
10 numbers, driver's license numbers, bank numbers, in
11 all those records of other people.

12 THE COURT: No, I agree. I mean, I
13 don't think he needs to go out publishing these to a
14 bunch of people. I don't disagree with you on that.

15 MS. CUMMINS: Well, he did.

16 THE COURT: Okay. And you don't have
17 proof of that.

18 MS. CUMMINS: I do, and I sent it to
19 the Court.

20 THE COURT: Okay. You sent me a web
21 page.

22 MS. CUMMINS: No, no, it's one of the
23 exhibits in my filing --

24 THE COURT: Oh, well, there wasn't a
25 protective order in place at the time, so -- okay.

1 This order says -- that you were about to read to
2 me -- I guess you have it in front of you there.
3 Let's see. It says that it is ordered that all
4 financial information and documents obtained by the
5 parties in this cause, including bank records, shall
6 not be published or disclosed to any person or
7 otherwise made public to any person who is not a party
8 to this suit, an attorney for a party, or an
9 attorney's staff, or other judge --

10 MR. TURNER: Or I would say or other
11 court or law enforcement agency.

12 THE COURT: Well, we can amend this if
13 you want to give it to a law enforcement agency.

14 MR. TURNER: Okay.

15 MS. CUMMINS: Can you also include
16 making them -- force them to take down the content of
17 the records which they've already posted, including
18 filings --

19 THE COURT: When you say posted, posted
20 on the Internet?

21 MS. CUMMINS: Yes, Ms. Lollar posted it
22 on her blog and her Facebook page.

23 THE COURT: Okay. And you know she
24 has -- what? Yeah, I think this will be -- if there
25 is anything out there that is published that you have

1 control over, I think you should remove it. I don't
2 know that they have control over anything because you
3 haven't brought me competent evidence to show that.

4 MS. CUMMINS: Your Honor, that filing
5 was filed under seal, supposedly, how did it end up on
6 the Internet, because his client took it from e-file
7 Texas.

8 THE COURT: Do you have proof of that?

9 MS. CUMMINS: Pardon me?

10 THE COURT: Do you have proof of that?

11 MS. CUMMINS: Yes, her name and
12 address is in the e-file Texas, and she gets all files
13 from --

14 THE COURT: But you get them, too,
15 don't you?

16 MS. CUMMINS: Yes.

17 THE COURT: Well, maybe you posted it.

18 MS. CUMMINS: Of course I have
19 absolute evidence that Ms. Lollar owns that blog.

20 THE COURT: Okay. Next time you call
21 me, why don't you get -- or next time you come in
22 town, you can bring all that evidence and present it
23 to me.

24 I'm going to say this order does not
25 prevent another Court from using it as they see --

1 they deem reasonable.

2 MS. CUMMINS: Will you sign the
3 protective order?

4 THE COURT: I'm doing that right now.
5 I'm writing it out.

6 MS. CUMMINS: Okay.

7 I'd like to also request a copy of the
8 minutes.

9 THE COURT: Of the -- you want a copy
10 of the court reporter's record?

11 MS CUMMINS: Yes.

12 THE COURT: Okay. I signed the order.
13 It guess they'll upload it shortly.

14 MS. CUMMINS: Okay.

15 THE COURT: All right. So we'll talk
16 to you soon.

17 MS. CUMMINS: Okay.

18 THE COURT: Have a good day.

19 MR. TURNER: Thank you, Your Honor.

20 THE COURT: You're welcome.

21 MR. TURNER: We'll get a copy when
22 it's uploaded.

23 THE COURT: Okay. That's fine.

24 *-*-*-*-*-*-*-*

25

1 C E R T I F I C A T E

2 THE STATE OF TEXAS X

3 COUNTY OF TARRANT X

4 I, Christina Fett, Official Court Reporter in
5 and for the 141st District Court, State of Texas,
6 County of Tarrant, do hereby certify that the above
7 and foregoing contains a true and correct
8 transcription of all portions of evidence and other
9 proceedings requested in writing by counsel for the
10 parties to be included in this volume of the
11 reporter's record in the aforementioned cause, all of
12 which occurred in open court or in chambers and were
13 reported by me.

14 I FURTHER CERTIFY that this reporter's record
15 of the proceedings truly and correctly reflects the
16 exhibits, if any, admitted by the respective parties.

17 I FURTHER CERTIFY that I have no financial
18 interest in the matters shown herein, and that I am
19 not related to any of the parties or their counsel.

20 I FURTHER CERTIFY that the total cost for the
21 preparation of this reporter's record of the
22 proceedings is \$234.00, and was paid by Plaintiff.

23 WITNESS MY OFFICIAL HAND this the 13th day of
24 April, 2016.

25 /s/Christina Fett
Christina Fett, Texas CSR 4590
CSR Expires 12-31-17
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