

BAT WORLD SANCTUARY and
AMANDA LOLLAR,

Plaintiffs,

vs.

MARY CUMMINS,

Defendant Pro se

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IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

352nd JUDICIAL DISTRICT

DEFENDANT'S OBJECTION TO PLAINTIFFS' MOTION FOR CONTEMPT

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes the Defendant Mary Cummins, Defendant Pro se, and objects to Plaintiffs' Motion for Contempt, and in support shows the following:

I.

November 4, 2011 Judge Bonnie Sudderth heard Plaintiffs' motion to compel the disclosure of Defendant's home address. Defendant at that time stated she feared Plaintiffs' attorney would give her private confidential home address to Plaintiffs. Defendant believes that Plaintiffs' attorney would anonymously share Defendant's address via the Internet ultimately to parties who have threatened to harm Defendant. Defendant stated she felt her safety was in danger.

Judge Sudderth at that time stated to Defendant and Court,

"I understand your distrust of the other side, that's -- that is certainly understandable. Mr. Turner is an officer of the Court. He risks his Bar license if he violates an order of the Court like that. So these kinds of protective orders are -- I wouldn't say they're routine, but I would say that they're commonly used and the attorneys understand the implications of the order, and they understand their obligations to follow the order. And certainly if he were to violate that order it would be a very, very serious matter and he understands that."

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On November 28, 2011 this Court signed an order (Exhibit 1) ordering Defendant to furnish and disclose to Randy Turner, attorney for the Plaintiffs, her home address within ten days. Defendant has not disclosed her home address to Plaintiffs' attorney for good reason.

3.

Based on Plaintiffs' attorney's continued actions and behavior Defendant believes that he would definitely immediately and anonymously share Defendant's home address with Plaintiff if not the entire Internet and public. Plaintiffs' attorney knows he would not be found in contempt because he would share the address anonymously which would be untraceable to him. Therefore he would have no fear of being punished for violating the order. He has no reason to abide by it.

Judge Sudderth stated in court that "he (Plaintiffs' attorney) risks his Bar license if he violates an order of the Court like that." Defendant believes that Plaintiffs' attorney would not have a problem violating the court order for the above mentioned reasons. He also would not have a problem violating Bar regulations and code of ethics.

In Plaintiffs' November 8, 2011 deposition by Defendant Plaintiffs' attorney repeatedly and intentionally violated the Bar code of ethics by failing to properly represent his client. Plaintiffs' attorney intentionally closed his eyes during Plaintiff's deposition (Exhibit 2) knowing full well that three video cameras were rolling with one aimed directly at him. He did not look at any of the numerous never seen before paper exhibits which Defendant showed to Plaintiff. He can even be seen nodding off on video during same deposition (Exhibit 3). He was even using his phone to text and/or email during his client's deposition many times (Exhibit 4). Plaintiffs' attorney was sent video

1 of the deposition which shows this behavior besides stills. Defendant will gladly give the
2 court a copy of the full deposition if requested.

3 During the course of this case Plaintiffs' attorney has been extremely unethical. He
4 orally threatened to throw Defendant in jail for not removing other people's websites. He
5 filed a motion for contempt on a knowingly void injunction then never set the hearing.
6 He did this to harass Defendant and make her look bad to the public. He has filed
7 motion after motion, hearing after hearing to try to harass Defendant and cause her to
8 expend considerable amount of money on airfare, hotel rooms and mailings. He is
9 hoping Defendant will run out of money, fail to reply then lose by default. Just recently
10 Plaintiffs' attorney stated in email that if Defendant didn't sign an impossible injunction
11 against herself, **"the lawsuit will crank up into high gear again with endless**
12 **hearings, depositions, motions and, eventually, a trial. I am fine doing that. I**
13 **litigate for a living."**

14 On top of this Plaintiffs' attorney has been displaying inappropriate and
15 unprofessional behavior toward Defendant. Plaintiffs' attorney kept looking
16 inappropriately at Defendant, namely at her crotch and chest (Exhibits 5, 6) during
17 Plaintiff's deposition. He has done this in the court house and Defendant's deposition as
18 well. This was just the first time Defendant decided to have a video showing
19 Defendant's view of Plaintiffs' attorney. Even though Defendant previously motioned to
20 Plaintiffs' attorney that this behavior was inappropriate it did not stop. Defendant finally
21 sent an email to Plaintiffs' attorney cc'd to his assistant Kelly Bozeman and law partner
22 Tom McKenzie requesting that he stop this inappropriate behavior (Exhibit 7).
23 Defendant believes that Plaintiffs' attorney would violate a court order as easily as he
24 violated Bar regulations and attorney code of ethics besides basic social courtesies.

25 4.

1 Defendant again states that nothing can be learned from her home address. No mail
2 is received there and nothing is registered there. Defendant does not own the property.
3 That address is not on Defendant's driver's license of which Plaintiff has a copy. All
4 criminal records would have the address on the driver's license. Defendant has gone to
5 not only great lengths but costs to keep her home address private.

6 5.

7 If an investigation is needed into the home address of Defendant, Defendant offers
8 the following. Defendant will agree to a hand scan. Defendant will request that a private
9 investigator (PI) chosen by Defendant receive the address. The PI can investigate the
10 address and Defendant's name to see if there are any assets, complaints, criminal
11 records, anything related to Defendant at this address. The PI can give the resulting
12 report to Plaintiffs' attorney or the Judge minus the address at the Plaintiffs' cost. Justice
13 will be served while Defendant's safety is preserved.

14 WHEREFORE Defendant prays;

15 That Plaintiffs' Motion for Contempt be denied;


16 That Plaintiffs' be held responsible for the costs of this action; and

17 That the Court order any and all other relief that the Court finds appropriate.

18 Respectfully submitted,

19
20 Mary Cummins, Defendant Pro se
21 645 W 9th St, #110-140
22 Los Angeles, CA 90015-1640
23 Phone 310-877-4770
24 Email: mmmaryinla@aol.com

25 By:


Mary Cummins, Defendant Pro Se

CERTIFICATE OF SERVICE

I, Mary Cummins, hereby certify that a TRUE COPY of the above **DEFENDANT'S OBJECTION TO PLAINTIFFS' MOTION FOR CONTEMPT** was served on the Plaintiffs' Attorney of record by FAX and by FIRST CLASS MAIL at
Randy Turner
Turner & McKenzie
1800 N. Norwood Dr # 100
Hurst, Texas 76054
Fax: 817-268-1563
this 20th Day of December, 2011



Mary Cummins, Defendant Pro se
645 W 9th St, #110-140
Los Angeles, CA 90015-1640
Phone 310-877-4770
Email: mmmaryinla@aol.com

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CAUSE NO. 352-248169-10

BAT WORLD SANCTUARY and
AMANDA LOLLAR,
Plaintiffs

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IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

352nd JUDICIAL DISTRICT

v.

MARY CUMMINS,
Defendant

ORDER ON PLAINTIFFS' MOTION TO COMPEL DISCOVERY RESPONSES

On the 4th day of November, 2011 came on to be heard the Motion to Compel Discovery Responses filed by the plaintiffs. The plaintiffs appeared in person and by and through their attorney of record. The defendant appeared pro se.

After hearing the evidence and argument the Court finds that the motion should be granted.

IT IS THEREFORE ORDERED that the defendant, Mary Cummins, shall furnish and disclose to Randall Turner, attorney for the plaintiffs, her home address within 10 days after this order is signed. It is further ordered that Randall Turner shall not disclose or divulge Mary Cummins' home address to any other person. This order does not prohibit Randall Turner's office staff and/or a Licensed Private Investigators hired by Mr. Turner from seeing the home address of Mary Cummins during the performance of their ordinary duties as employees of Randall Turner. However, the office staff and/or Licensed Private Investigators shall not disclose the home address of Mary Cummins to any other person, including the plaintiffs.

SIGNED this 28 day of November 2011.
Bonnie Tucker
JUDGE PRESIDING

MAILED COPY TO ALL ATTORNEYS
AND PRO SE PARTIES OF RECORD
11/28/11 *BB*

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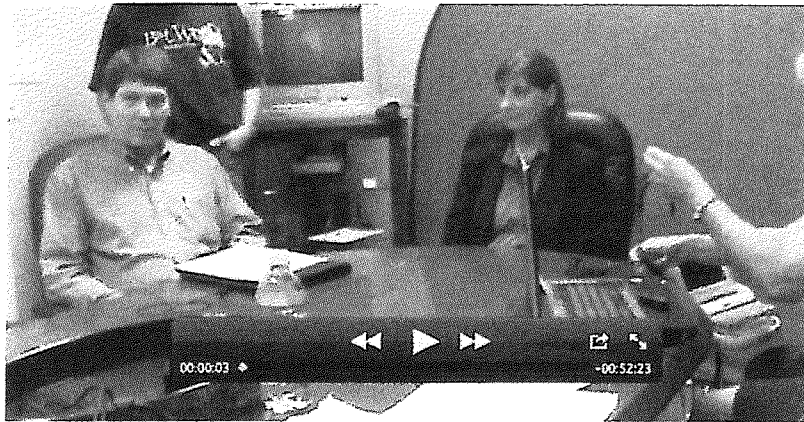
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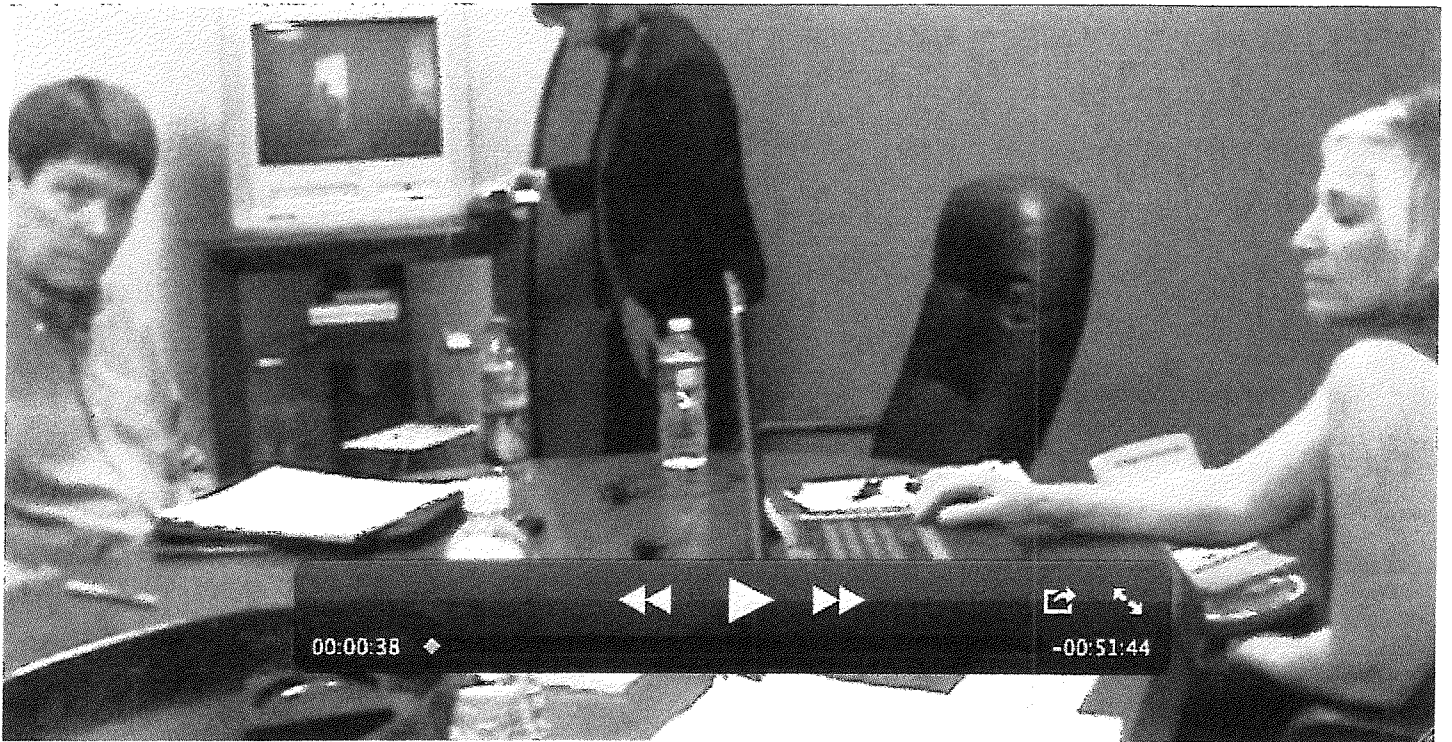
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From: Mary Cummins <mmaryinla@aol.com>

To: Randy <Randy@TurnerMcKenzie.com>; Kelly <Kelly@TurnerMcKenzie.com>; Tom <Tom@TurnerMcKenzie.com>

Subject: Your client's video of her deposition

Date: Mon, Nov 28, 2011 2:40 pm

Attachments: turner_looks_at_top.jpg (69K), turner_inappropriate_stare.jpg (81K)

I was just at my mailbox. I still have not received the video that your client took of her deposition. You told me on November 8 that you would send that video by the end of the week. I told you I'd send you my video the day that I received hers. We both agreed not to charge each other anything. Please, send her video so I can send you mine.

In the meantime here are a couple of stills. In the first one you are staring at my chest. In the second one you are staring at my crotch. I could clearly see you staring at me as you were directly in front of me. These are not the only times you have done this. You've also done this in the court house and at my deposition. In the future please do not stare at me inappropriately. It's rude and creepy. I was not even wearing a low cut top.

Mary Cummins

2 Attached Images

