141-307474-19

FILED
TARRANT COUNTY
9/5/2019 3:04 PM
THOMAS A. WILDER
DISTRICT CLERK

# STATE OF TEXAS
# SUBPOENA
# CAUSE NO. 141-307474-19

| | |
|---|---|
| **VICTOR MIGNOGNA,**<br><br>**Plaintiff,**<br><br>**v.**<br><br>**FUNIMATION PRODUCTIONS, LLC, MONICA RIAL, RONALD TOYE, and JAMIE MARCHI,**<br><br>**Defendants.** | **IN THE DISTRICT COURT OF**<br><br>**141st JUDICIAL DISTRCT**<br><br>**TARRANT COUNTY, TEXAS** |

**TO ANY SHERIFF OR CONSTABLE OF THE STATE OF TEXAS OR OTHER PERSON AUTHORIZED TO SERVE AND EXECUTE - GREETINGS: YOU ARE HEREBY COMMANDED TO SUMMON:**

Plaintiff Victor Mignogna
By and through attorneys
Beard Harris Bullock Hughes
Ty Beard
Carey-Elisa Christie
Jim E. Bullock
100 Independence Place, Suite 300
Tyler, Texas 75703
-OR-
WHEREVER HE MAY BE FOUND

☒ YOU ARE COMMANDED to appear at the place, date and time specified below to testify at the trial.

| PLACE OF TESTIMONY | COURTROOM |
|---|---|
| Tom Vandergriff Civil Courts Building,<br>100 North Calhoun Street,<br>Fort Worth, TX, 76196 | 141st District Court<br>3rd Floor |
| | DATE AND TIME |
| | September 6, 2019 at 10:00 a.m. |

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

| PLACE OF DEPOSITION | DATE AND TIME |
|---|---|
| | |

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☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or tangible things at the place, date, and time specified below (list documents or tangible things):

*SEE* "EXHIBIT A" for a listing of documents to produce and permit inspection and copying of

| PLACE | DATE AND TIME |
|---|---|
| | |

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

| PREMISES | DATE AND TIME |
|---|---|
| | |

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. Texas Rule of Civil Procedure 176.8(a).

| ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) | DATE |
|---|---|
| */s/ J. Sean Lemoine*<br>Attorney for Plaintiffs | September 5, 2019 |

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

J. Sean Lemoine
State Bar No. 24027443
sean.lemoine@wickphillips.com
**WICK PHILLIPS GOULD & MARTIN, LLP**
3131 McKinney, Suite 100
Dallas, Texas 75204
Telephone: 214.692.6200
Facsimile: 214.692.6255

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| PROOF OF SERVICE | | |
|---|---|---|
| SERVED | DATE | PLACE |
| | | |
| SERVED ON (PRINT NAME) | | MANNER OF SERVICE |
| | | |
| SERVED BY (PRINT NAME) | | |
| | | |

**See Attached**
****Affidavit****

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the State of Texas that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____

_____
SIGNATURE OF SERVER

ADDRESS OF SERVER:

_____

_____

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CAUSE NO: 141-307474-19

| | | |
|---|---|---|
| VICTOR MIGNOGNA | § | IN THE DISTRICT COURT |
| | § | |
| Vs. | § | |
| | § | 141ST JUDICIAL DISTRICT |
| | § | |
| | § | |
| FUNIMATION PRODUCTIONS, LLC, ET AL | § | |
| | § | TARRANT COUNTY, TEXAS |

## AFFIDAVIT OF DELIVERY

Came to my hand on September 5, 2019 at 9:57 AM,
Executed at:100 Independence Place, Tyler, Texas 75703
within the county of SMITH at 10:18 AM on **September 5, 2019**
by delivering to:

**Plaintiff Victor Mignogna**
**By and Through attorneys**
**Beard Harris Bullock Hughes**

By personally delivery to **Jim E. Bullock** in person, a true copy of the Subpoena having first endorsed thereon the date of the delivery, along with $10 cash witness fee.

**BEFORE ME,** the undersigned authority, on this day personally appeared **Michael J. Collins,** who after being duly sworn on oath states: "My name is **Michael J. Collins.** I am a person over eighteen (18) years of age and I am competent to make this affidavit. I am a resident of the State of Texas. I have personal knowledge of the facts and statements contained in this affidavit and aver that each is true and correct. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I am familiar with the Texas Rules of Civil Procedure, and the Texas Practice and Remedies Codes as they apply to service of process. I am approved by the Supreme Court of Texas, Misc. Docket No. 05-9122 under Rule 103 and 501.2 of the TRCP to deliver citations and other notices from any District, County and Justice Courts in and for the State of Texas."

Reference:

By: _____
**Michael J. Collins, PSC- 359 Expires 7/31/2020**

**Subscribed and Sworn to by Michael J. Collins, Before Me, the undersigned authority, on this 5 day of September, 2019.**

MARCUS COLLINS
My Notary ID # 125744355
Expires June 29, 2022

_____
**Notary Public in and for the State of Texas**

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