

HEATHER DOBROTT,

Plaintiff

v.

Timothy S. Darnell

Defendant

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IN THE DISTRICT COURT

COUNTY COURT AT LAW NO. 1

DALLAS COUNTY, TEXAS

**DEFENDANT'S RESPONSE TO REQUEST FOR PRODUCTION**

Defendant provides the attached response to the rule 196 of the Texas Rules of Civil Procedure, Request for Production.

By: \_\_\_\_\_

Tim Darnell – Pro Se

**Certificate of Service**

I certify that a true copy of the above was served on each attorney of record or party in accordance with the Texas Rules of Civil Procedure on June 10, 2011.

\_\_\_\_\_  
Tim Darnell

# Defendant's Reply to Request for Production from Plaintiff

## 1. General Objections

General objection is made to the production request to the extent that virtually all of the proposed discovery is of no relevance to the subject matter of this cause/suit and will not lead to the discovery of admissible evidence. Tex. R. Civ. P. 192.3(a) Plaintiff is basing this groundless lawsuit on **no existing documentary or forensic evidence whatsoever**, and is filing this suit, according to her own words, to “subpoena service providers here.” The suit is a waste of the defendant’s time and resources, as well as the court’s. Plaintiff is using Defendant Darnell to discover who the real publisher of heatherdobrott.com is.

## 2. Request for Production

- (1) *All financial records for Timothy S. Darnell from January 1, 2009 to the present including but not limited to personal checking, personal savings, joint checking, joint savings, investment accounts etc. from which payments can be made or withdrawn.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (2) *All records for credit cards, debit cards, money orders obtained and the like in your name or that of a family member in your household from January 2009 to the present.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (3) *All records from any paypal or similar type accounts in your name, the name of a family member in your household, Portfolio Marketing Group, Advantage Conferences or any other name or entity of which you have control or influence over from January 2009 to the present.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of

admissible evidence. Information or material responsive to the request has been withheld.

- (4) *All correspondence and evidence exchanged between you and Jack Weinzierl concerning Heather Dobrott or "Soapboxmom."*

One document enclosed. See the documents and things previously produced in the Collin County Cause No. 296-04376-07.

- (5) *Documents reflecting contact information for representatives of Advantage Conferences / Portfolio Marketing Group.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (6) *All correspondence between you and Jerry Weinzierl.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. No documents exist.

- (7) *All correspondence between you and Aaron Weinzierl.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. No documents exist.

- (8) *All correspondence between you and Theplanet.com Internet Services Inc. and its employees and representatives since 2005.*

No correspondence or documents regarding Theplanet.com Internet Services Inc exist.

- (9) *Records of all payments to Theplanet.com Internet Services Inc. by you or an entity you control using any method of payment since 2005.*

No correspondence or documents regarding Theplanet.com Internet Services Inc exist.

- (10) *All correspondence between you and Rackco.net / Axxa Commerce LLC and any of its employees or representatives since 2005.*

No correspondence exists

- (11) *Records of all payments made to Racko.net / Axxa Commerce LLC by you or an entity you control using any method of payment since 2005.*

No payments occurred. I have never heard of Racko.net / Axxa Commerce LLC.

- (12) *All correspondence between you and Twitter.com and its employees and representatives since January 2009.*

Defendant has a Twitter account, but has not corresponded with Twitter, its employees and representatives.

- (13) *Detailed bills showing records for all cell phone / mobile communications devices that could be used to post to Twitter and / or www.heatherdobrott.com that you, or anyone else in you immediate family had access to for August 2009 to present.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (14) *All correspondence between you and www.namecheap.com and its employees and representatives since 2005.*

No correspondence exists. I have never heard of namecheap.com.

- (15) *Records of all payments made to www.namecheap.com by you or an entity you control using any method of payment since 2005.*

No correspondence exists, and no payments were ever made to www.namecheap.com I have never heard of namecheap.com.

- (16) *All correspondence and documents related to the removal of threads and posts from Scam.com and Scribd.com.*

All correspondence related to the removal of threads and posts on scam.com were previously deleted. There is no correspondence with scribd.com.

- (17) ----- (sic)

No Request in Plaintiff's Request for Discovery exists for a number 17.

- (18) *All correspondence, documents and evidence exchanged between you and any other party or entity concerning Heather Dobrott or "Soapboxmom."*

Pages enclosed. See the documents and things previously produced in the Collin County Cause No. 296-04376-07.

- (19) *All records that reflect the ownership and corporate filings for Advantage Conferences and its parent company Portfolio Marketing Group.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (20) *All tax records for Advantage Conferences and its parent company Portfolio Marketing Group.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (21) *All documents related to the alleged stalking of and the alleged death threats received by the Darnell and Weinzierl families.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (22) *All correspondence and documents exchanged between you and Cottonwood Creek Baptist Church including any member of its leadership, staff or your fellow members concerning Heather Dobrott or "Soapboxman."*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. No documents exist.

- (23) *Copies of the "FLOOD of emails and messages about all the lies and misinformation Heather Dobrott aka Soapboxmom is spreading over at scam.com."*

Objection no. 1: Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. I do not have any documents.

Objection no. 2: This discovery request as phrased is argumentative. It requires the adoption of an assumption, which is improper.

- (24) *The Summary Judgment Motion and Final signed Judgment for Advantage Conferences vs. The Better Business Bureau of Metropolitan Dallas.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (25) *All records for Treasures for the Kingdom that were filed with the IRS, those that document its claimed 501(c)3 status, all those reflecting the board members and their participation in meetings including, but not limited to minutes from board members.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (26) *All records for Treasures for the Kingdom that were filed with the IRS, those that document its claimed 501(c)3 status, all those reflecting the board members and their participation in meetings including, but not limited to minutes from board meetings.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (27) *All documents and correspondence that reflect Treasures for the Kingdom is affiliated with Central Christian Church of Frisco including, but not limited to those that show the church gave permission for Treasures for the Kingdom to Affiliate under them and those that show they are financially supporting the charity as an integrated auxiliary of a church is defined by the IRS.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (28) *All financial records, tax returns and K-1s for Portfolio Marketing Group, Advantage Conferences, Treasures for the Kingdom and any other "multi-million dollar business" that Defendant lost.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of

admissible evidence. Information or material responsive to the request has been withheld.

- (29) *All documents that reflect personal expenses including, but not limited to, jewelry, home repairs, dental work, graduation gifts, country club memberships, paid out of the Advantage Conferences business account were reimbursed with personal account money or reported as income on tax returns.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (30) *The Summary Judgment Motion and Final signed Judgment for Darnell vs. Dobrott.*

Objection. Request is overly broad and not relevant to this cause. Defendant objects on the ground that the burden of obtaining this Request for Discovery is substantially the same for the Plaintiff as for the Defendant. She is already in possession of these documents. Information or material responsive to the request has been withheld.

- (31) *All correspondence with Congressmen concerning Plaintiff's internet (sic) blogging.*

Objection. Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (32) *All correspondence with state and federal agencies concerning Plaintiff's internet (sic) blogging.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (33) *All correspondence with professional reputation management companies concerning Plaintiff's blogging.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. No documents exist.

- (34) *All documents that reflect the multi-million dollar status of the company(ies).*

Objection, this request seeks information which is vague, ambiguous, and beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (35) *All documents that reflect Plaintiff's causing the loss of the "multi-million dollar business."*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. See the documents and things previously produced in the Collin County Cause No. 296-04376-07.

- (36) *All documents (sic) reflect and substantiate that Plaintiff is "neurotic" and "mentally challenged."*

Objection 1: Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. See the documents and things previously produced in the Collin County Cause No. 296-04376-07.

Objection 2: This discovery request as phrased is argumentative. It requires the adoption of an assumption, which is improper.

- (37) *All documents that reflect Plaintiff's damaging "hundreds of peoples' businesses, lives and reputations."*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (38) *All documents that reflect your company name, Advantage Conferences, being trademarked and subsequent abandonment of said mark.*

Objection, this request seeks information which is beyond the scope of discovery, is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence. Information or material responsive to the request has been withheld.

- (39) *All documents that reflect that the allegations in this lawsuit constitute double jeopardy.*

Document enclosed. Collateral Estoppel is the more accurate legal term for the closely related concept of double jeopardy.