

CERTIFICATE OF SERVICE

_____ This is to certify that a true and correct copy of the foregoing instrument has been forwarded to all attorneys of record in accordance with the applicable Texas Rules of Civil Procedure, on this the ____ day of August, 2003.

GERALD L. BOLFING

RESPONSE TO REQUEST FOR DISCLOSURE

1. R.194.2(a):

State the correct names of the parties to the lawsuit.

RESPONSE:

Plaintiff:

Sharon Lee
c/o Mr. Peter G. Malouf
Marcellene Malouf
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(214) 969-7373
FAX (214) 969-7648

Defendants:

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c/o Gerald L. Bolfig
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(254) 776-6000
FAX (254) 776-8555

Charles R. Smith, D.O.
c/o David Dumas/Bill Merchant
Haley & Davis, P.C.
510 N. Valley Mills Drive, Suite 600
Waco, Texas 76710
(254) 776-3336
FAX (254) 776-6823

Parkview Regional Hospital and
Province Healthcare Company
c/o John M. Curney, Jr.
Curney, Garcia, Farmer, Pickering & House, P.C.
411 Heimer Road
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(210) 377-1990
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Greg Caton, Alpha Omega Labs and
Herbologics, Ltd.

c/o Kenneth Michael Wright/Richard D. Moreno
Wright & Moreno, L.L.C.
P. O. Box 1416
Lake Charles, Louisiana 70602-1416
(337) 439-6930
FAX (337) 439-6730

2. R.194.2(b):

State the name, address, and telephone number of any potential parties.

RESPONSE:

None.

3. R.194.2(c):

State the legal theories and, in general, the factual bases of Plaintiff's claims or defenses.

RESPONSE:

This Defendant has filed a General Denial which puts Plaintiff to the burden of proving her case by a preponderance of the evidence. This Defendant did not sell, advertise or distribute the product in question.

4. R.194.2(d):

State the amount and any method of calculating economic damages.

RESPONSE:

Defendant has filed a General Denial which puts Plaintiff to the burden of proving her case by a preponderance of the evidence, including the amount and any method of calculating economic damages.

Defendant contests the economic claim(s) of damages relating to the injury asserted by Plaintiff on the basis of (1) nature of the contact involved in the occurrence made the basis of the lawsuit; (2) lack of causal connection between claim(s) of economic damages and the occurrence made the basis of the lawsuit; and, (3) lack of basis or predicate for claim charges incurred were reasonable and necessary considering extent and duration of asserted injury.

5. R.194.2(e):

State the name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case.

RESPONSE:

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6. R.194.2(f):

For any testifying expert, state:

1. the expert's name, address, and telephone number;
2. the subject matter on which the expert will testify;
3. the general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or if the expert is not retained by, employed by, or otherwise subject to the control of the responding party, documents reflecting such information;
4. if the expert is retained by, employed by, or otherwise subject to the control of the responding party:
 - A). All documents, tangible things, reports, models or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and
 - B). The expert's current resume and bibliography.

RESPONSE:

Defendant has not reached the point in developing trial strategy to identify expert(s) that might be called in the trial of this lawsuit.

7. R.194.2(g):

Produce any discoverable indemnity and insuring agreement.

RESPONSE:

See attached.

8. R.194.2(h):

Produce any discoverable settlement agreements.

RESPONSE:

None.

9. R.194.2(i):

Produce any discoverable witness statements.

RESPONSE:

None.

10. R.194.2(j):

If this a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, produce all medical records and bills that are reasonably related to the injuries or damages asserted or, in lieu thereof, an authorization permitting the disclosure of such medical records and bills.

RESPONSE:

None.

11. R.194.2(k):

If this is a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills obtained by you by virtue of an authorization furnished by Plaintiff.

RESPONSE:

This Defendant does not have such authorization furnished by Plaintiff.