

EXHIBIT 2

**To WMJK Ltd.'s Motion for Continuance
Of THA's Summary Judgment Hearing**

Unofficial Copy Office of Marilyn Burgess District Clerk

TANGLEWOOD HOMES ASSOCIATION, INC.,	§	IN THE DISTRICT COURT
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	133rd JUDICIAL DISTRICT
	§	
WMJK, LTD.,	§	
	§	
<i>Defendant.</i>	§	HARRIS COUNTY, TEXAS

**DEFENDANT WMJK, LTD.’S FIRST SET OF REQUESTS
FOR ADMISSION TO TANGLEWOOD HOMES ASSOCIATION, INC.**

TO: Tanglewood Homes Association, Inc.

Defendant WMJK, Ltd. hereby requests that Plaintiff Tanglewood Homes Association, Inc. (“THA”) furnish full and complete responses to the following Requests for Admission in accordance with Rule 198 of the Texas Rules of Civil Procedure.

Respectfully submitted,

RUSTY HARDIN & ASSOCIATES, LLP

/s/ Rusty Hardin

Rusty Hardin
 State Bar No.: 08972800
 Lara Hudgins Hollingsworth
 Texas Bar No. 00796790
 Terry Kernell
 State Bar No. 11339020
 Emily Smith
 State Bar No. 24083876
 1401 McKinney Street, Suite 2250
 Houston, Texas 77010-4035
 Telephone: (713) 652-9000
 Facsimile: (713) 652-9800
 rhardin@rustyhardin.com
 lhollingsworth@rustyhardin.com
 tkernell@rustyhardin.com
 esmith@rustyhardin.com

Unofficial Copy Office of Marilyn Burgess District Clerk

and

WILSON CRIBBS & GOREN
Reid Wilson
Texas Bar No. 21711500
Omar Izfar
Texas Bar No. 24041171
2500 Fannin Street
Houston, Texas 77002
Telephone: (713) 547-8504

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing instrument will be served upon counsel of record Agent for Plaintiff on August 16, 2019 by e-service, pursuant to Rule 21a:

Mark Maney
Maney & González-Félix, P.C.
712 Main St., Suite 2100
Houston, Texas 77002
mmaney@maneylaw.com

Andrew P. Tower
5850 San Felipe, Suite 500
Houston, Texas 77057
andy@atowerassoc.com

/s/ Emily Smith
Emily Smith

Unofficial Copy Office of Marilyn Burgess District Clerk

DEFINITIONS

The following definitions shall have the following meanings, unless the context requires otherwise:

1. “You” and “Your” refer to Plaintiff Tanglewood Homes Association, Inc., and any agents, representatives, or other persons acting on its behalf, under its control, or at its direction.
2. “Communication” and “correspondence” mean any contact whatsoever or any transmission or exchange of words, numbers, graphic material, or other information, either orally, electronically, or in writing, whether made, received, or participated in, and includes, but is not limited to, any conversation, correspondence, letter, notes, memorandum, inter-office or intra-office correspondence, telephone call, telegraph, telegram, telex, telecopy, facsimile, E-mail, Internet communication, telefax, cable, electronic message, audio or video recording, discussion, face-to-face meeting, or conference of any kind (whether in person, by audio, video, telephone, or in any other form).
3. You are reminded that your responses to these Requests must be supplemented in accordance with the Texas Rules of Civil Procedure.
4. You are obligated to produce documents which are in your possession, custody, or control in accordance with the Texas Rules of Civil Procedure.
5. Please produce any documents responsive to these Requests at the same time that you serve your written responses to these Requests. Please produce them at the offices of Rusty Hardin & Associates, LLP, 1401 McKinney Street, Suite 2250, Houston, Texas 77010. Unless other specified herein, you are instructed to respond as follows:
 - a. whenever a requested document or group of documents is kept or found in a file, please produce the file along with the document or documents. Whenever a requested document or group of documents is kept or found in a file drawer, file box, or other place, before the same is produced, please attach thereto a copy of the

label, number, or title on the file drawer, file box, or other place in which the document or group of documents was found or from which it was removed.

- b. Electronic and magnetic data shall be produced in Group IV, single-page TIFF format, 300 dpi, with a standard image view load file (e.g., compatible with Relativity or Summation) that indicates page breaks. Each document image file shall be stamped with the unique Bates number of the page of the document in question, followed by the extension "TIF." Each TIFF image file should be one page and should reflect how the source document would appear if printed to hard copy. In addition to TIFF images, each production will include text files corresponding to the TIFF files. These text files will contain the full text of each native electronic document ("Extracted Text"). The Extracted Text shall be provided in searchable ASCII text format (or Unicode text format if the text is in a foreign language) and shall be named with the unique Bates number of the first page of the corresponding TIFF document followed by the extension ".txt". Images generated from native electronic documents (i.e., emails, word processing documents, spreadsheet, and presentations) shall also either be produced in their native format or be produced with metadata reflecting author, recipient, subject, and data generated and transmitted, where available, in an index file in comma delimited format.

6. "Document" is defined pursuant to Rule 192.3(b) and specifically shall be construed to include text messages, electronic mail, electronic calendars, and documents which reside only in electronic form. These documents are to be produced in hard-copy form, printed or in PDF form. If this is not feasible, Plaintiff shall contact Defendant to make other arrangements which will ensure timely production.

7. "Petition" refers to the latest filed petition on behalf of the Plaintiff.

8. "Person(s)" means all natural persons, corporations, partnerships, sole proprietorships, unions, associations, firms, federations and any other type of entity.

9. "Communications" is used herein in its broadest sense to encompass any transmission or exchange of information, ideas, facts, data, proposals, or any other matter, whether between individuals or between or among members of a group, whether face-to-face, by telephone, or by means of written, electronic, or other medium.

10. A singular form of a noun or pronoun shall be considered to include within its meaning the plural form of the noun or pronoun so used, and vice versa; the use of the masculine form of a pronoun also includes within its meaning the feminine form of the pronoun so used, and vice versa; and the use of any tense of any verb includes also within its meaning all other tenses of the verb so used.

11. “And” as well as “or” refers to all documents, persons or entities inclusively.

12. “Any” refers to any and all documents, persons or entities inclusively, not the option of responding as to some but not to others.

13. All entities referred to herein shall be deemed to include their parent companies, subsidiaries, affiliates, directors, officers, employees, agents and representatives thereof, including attorneys.

14. “Relating to,” “regarding,” “referring to,” “demonstrating” and “reflecting” are used in their broadest possible sense, and mean anything that, directly or indirectly, generally or specifically, regards, relates to, refers to, concerns, contains, constitutes, contradicts, evidences, embodies, comprises, reflects, mentions, identifies, states, deals with, comments on, responds to, describes, demonstrates, analyzes or is in any way whatsoever, directly or indirectly, relevant to the subject.

15. These Requests shall be deemed continuing so as to require further and supplemental responses if You obtain or discover additional information, documents, or tangible things between the time of its initial responses and the time of trial.

16. “Tanglewood” refers to the Houston neighborhood developed by Tanglewood Corporation, and which currently comprises 23 separate sections.

17. “2002 Amendments” refer to the amendments to the Restrictive Covenants approved by Tanglewood’s homeowners in 2002.
18. “2018 Amendments” refer to the amendments to the Restrictive Covenants approved by Tanglewood’s homeowners in 2018.
19. “Restrictive Covenants” refer the restrictive covenants adapted by Tanglewood for each of its 23 sections.
20. “Section 5” refers to Section 5 of the Tanglewood development.
21. “Section 7” refers to Section 7 of the Tanglewood development, and which encompasses 1661 Tanglewood Boulevard.
22. “1661 Tanglewood Boulevard” refers to the location of Defendant WMJK, Ltd.’s headquarters.
23. “Tanglewood Policy Manual” refers to the policy manual adopted by the Tanglewood Homes Association in 1997.
24. “Tanglewood Corporation” refers to the entity that originally developed Tanglewood.

Unofficial Copy Office of Maitlyn Burgess District Clerk

REQUESTS FOR ADMISSION

1. Admit 1661 Tanglewood Boulevard has been used as a commercial property for more than 25 years.

RESPONSE:

2. Admit 1661 Tanglewood Boulevard was used as a commercial property at the time the 2002 Amendments were approved by the Tanglewood Homes Association.

RESPONSE:

3. Admit 1661 Tanglewood Boulevard was used as a commercial property at the time the 2018 Amendments were approved the Tanglewood Homes Association.

RESPONSE:

4. Admit 1661 Tanglewood Boulevard contains a commercial structure.

RESPONSE:

Unofficial Copy Office of Marilyn Burgess District Clerk