

CAUSE NO. 199-596-97

DSC COMMUNICATIONS CORPORATION,

Plaintiff,

v.

EVAN BROWN,

Defendant.

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IN THE DISTRICT COURT OF

COLLIN COUNTY, TEXAS

219TH JUDICIAL DISTRICT

ORDER

On the 3<sup>rd</sup> day of December, 1998, came on for consideration before the Court, Plaintiff DSC's Motion to Compel Interrogatory Responses and For Sanctions (the "Motion"). The parties appeared through their attorneys of record and announced ready to proceed on the Motion.

After consideration of the arguments of counsel, the Motion and Defendant's Response,<sup>1</sup> the Court is of the opinion that the Motion should be GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that Plaintiff DSC's Motion shall be and is hereby GRANTED according to the following terms:

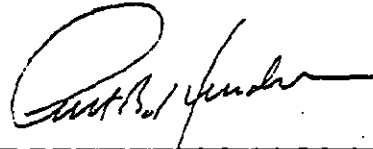
1. Brown's objections to Interrogatory No. 7 are not well founded. Accordingly, Brown's objections to Interrogatory No. 7 are overruled.
2. Brown shall respond to DSC's Interrogatory No. 7 by fully and completely disclosing the Solution to DSC by 10:00 a.m. on Monday, January 25, 1999.
3. The Solution, once disclosed by Brown, shall be forwarded to the Court under seal. DSC and Brown shall confer concerning the identity of the persons to whom the Solution may be disclosed, and shall advise the Court of any agreements that they reach. In the event the parties are unable to reach agreement concerning the persons

<sup>1</sup> Pursuant to Texas Rule of Civil Evidence 201, the Court took judicial notice of the material in its file concerning this case, including the evidence presented at the Temporary Injunction hearing on June 30, 1997.

to whom the Solution may be disclosed, the Court will enter a further order providing for the disclosure of the Solution to DSC.

4. After completely disclosing the Solution to DSC as required by this Order, and provided that Brown has otherwise complied with all of the provisions of this Order, Brown may apply to the Court to be compensated at the rate of no more than \$45 per hour for the time that Brown reasonably spent disclosing the Solution to DSC.
5. Brown shall not be permitted any further discovery in this matter unless and until he has fully complied with the disclosure required in paragraph 2 above, except upon order of the Court.
6. Brown shall pay DSC \$1,000.00 for its attorneys fees, costs and expenses expended in obtaining this order by Monday, January 25, 1999.
7. Should Brown fail to comply with the terms of this order, this Court will entertain a motion from DSC to strike Brown's pleadings pursuant to Texas Rule of Civil Procedure 215(2).

SIGNED this 8<sup>th</sup> day of December, 1998.



JUDGE PRESIDING