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## SOAH DOCKET NO. 473-16-4619.WS PUC DOCKET NO. 45870

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FORMAL COMPLAINT OF	
ADC WEST RIDGE, L.P. AND	
CENTER FOR HOUSING	
<b>RESOURCES, INC. AGAINST</b>	THE
CITY OF FRISCO	

#### BEFORE THE STATE OFFICE PUBLIC LITETE OFFICE FILING CLERK OF

#### **ADMINISTRATIVE HEARINGS**

## <u>NOTICE OF ORAL DEPOSITION OF</u> <u>TOYIN FAWEHINMI AND SUBPOENA DUCES TECUM</u>

TO: Toyin Fawehinmi, by and through the City of Frisco, Texas, and its attorney of record, Art Rodriguez, Russell & Rodriguez, L.L.P., 1633 Williams Dr., Bldg. 2, Suite 200, Georgetown, Texas 78268

PLEASE TAKE NOTE THAT, Complainants ADC West Ridge Villas, L.P. and Center for Housing Resources, Inc. (collectively, "Complainants"), by and through their attorney, intend to take the oral deposition of Toyin Fawehinmi on December 19, 2016, at 2:00 p.m. at the law offices of Abernathy, Roeder, Boyd & Hullett, P.C. at 1700 Redbud Blvd., Suite 300, McKinney, Texas 75069 pursuant to PUC Procedural Rule 22.143, 16 Tex. Admin. Code § 22.145. The deposition will be taken before a court reporter and shall continue from day-to-day until completed. The deposition and any documents produced at or prior to such deposition may be used as evidence at the hearing on the merits. Please be advised that Ms. Terri Anderson, Mr. Jack Stowe, Mr. Levi Wild or any expert witness of Complainants may attend this deposition.

Toyin Fawehinmi is further commanded to produce at said time and place set forth above, the following books, records, papers, documents, or other tangible things:

- a. All documents provided to, reviewed by, or prepared by or for Toyin Fawehinmi in anticipation of his testimony in this proceeding.
- b. All written communications between Toyin Fawehinmi and any party to this proceeding relating to this proceeding or the subject matter of this proceeding.

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This notice and subpoena duces tecum was issued upon agreement of the parties, and the parties have waived the requirement of the issuance of a commission. This notice, as mailed to Toyin Fawehinmi through Art Rodriguez, shall also serve as a subpoena as authorized by Rule 176 of the Texas Rules of Civil Procedure.

Respectfully submitted,

# JACKSON WALKER L.L.P.

By: /s/ Mallory Beck

Leonard Dougal - State Bar No. 06031400 Ali Abazari - State Bar No. 00796094 Mallory Beck - State Bar No. 24073899 100 Congress, Suite 1100 Austin, Texas 78701 E: Idougal@jw.com T: (512) 236 2233 F: (512) 391-2112

ATTORNEYS FOR COMPLAINANTS ADC WEST RIDGE VILLAS L.P. AND CENTER FOR HOUSING RESOURCES, INC.

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# **CERTIFICATE OF SERVICE**

I hereby certify that the above and foregoing document was served as shown below on

this 9th day of December 2016:

Via email and U.S. First Class Mail Art Rodriguez
Russell & Rodriguez, L.L.P.
1633 Williams Drive; Building 2, Suite 200 Georgetown, Texas 78268 arodriguez@txadminlaw.com

Via email and U.S. First Class Mail Richard Abernathy Abernathy Roeder Boyd & Hullett, P.C. 1700 Redbud Boulevard, Suite 300 McKinney, Texas 75069 rabernathy@abernathy-law.com Attorneys for City of Frisco

Via email and U.S. First Class Mail Sam Chang Attorney – Legal Division Public Utility Commission of Texas P. O. Box 13326 Austin, Texas 78711-3326 sam.change@puc.texas.gov Attorney for Public Utility Commission of Texas

> /s/ Mallory Beck Mallory Beck

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