

CAUSE NO. 1261

THE JOHN G. and MARIE
STELLA KENNEDY MEMORIAL
FOUNDATION

VS.

SYLVIA MENCHIACA BALLI
AGUILERA, ET AL

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IN THE DISTRICT COURT OF

KENEDY COUNTY, TEXAS

105TH JUDICIAL DISTRICT

OFFER OF EVIDENCE IN SUPPORT OF MOTION TO CHANGE VENUE

TO THE HONORABLE JUDGE OF SAID COURT:

ROSA MARIA AGUILAR, ET AL., and in support of their Motion to Change Venue offer the following evidence:

1. Movants incorporate herein the following documents on file with the court:
 - a.. Exhibits "A" – "R" attached to Movants' Motion to Change Venue;
 - b. the deposition of Plaintiff's Chief Financial Officer, Paul Baen, attached as Exhibit "B" to Plaintiff's Supplemental Response to Motion to Change Venue (hereinafter referred to as Plaintiff's Exhibit "B");
 - c. the depositions attached as Exhibit "C" to Plaintiff's Supplemental Response to Motion to Change Venue (hereinafter referred to as Plaintiff's Exhibit "C");
 - d. the original Court Reporter's Certificates from the depositions of the five Kenedy County residents and from the depositions of Fred Balli and Joe Balli conducted on September 26, 2001;
2. The enclosed original copy of the exhibits from the deposition of Paul Baen conducted on April 29, 2002;
3. The enclosed copies of the Court Reporter's Certificates from the depositions of the five Kenedy County residents and from the depositions of Fred Balli and Joe Balli conducted on September 26, 2001 (Exhibit "T");
4. The enclosed Offers of Oral Deposition Testimony of the depositions in Plaintiff's Exhibit "C" containing page and line references to the credible

- evidence of local prejudice preventing Movants from receiving a fair and impartial trial in the 105th Judicial District (Exhibit "U");
5. The enclosed copies of Plaintiff's Responses to the two sets of Interrogatories and Requests for Production in Support of Motion to Change Venue Propounded by Fred Ballí (Exhibit "V-1") and Joe Ballí. (Exhibit "V-2");
 6. The enclosed copies of Plaintiff's Amended Responses to Interrogatories and Requests for Production in Support of Motion to Change Venue Propounded by Fred Ballí (Exhibit "W");
 7. The enclosed copies of Plaintiff's Amended Responses to Interrogatories and Requests for Production in Support of Motion to Change Venue Propounded by Joe Ballí (Exhibit "X");
 8. The enclosed photos from Kenedy County (Exhibit "Y");
 9. The enclosed photos from Nueces County (Exhibit "Z").

Respectfully submitted,



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