

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**SHELTON CHARLES,**  
**Plaintiff,**

v.

**TEXAS LOTTERY COMMISSION AND  
GARY GRIEF IN HIS INDIVIDUAL AND  
OFFICIAL CAPACITY,**  
**Defendants.**

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**Civil Action No. A-06CA158LY**

**PLAINTIFF SHELTON CHARLES' FIRST REQUESTS  
FOR PRODUCTION TO DEFENDANT TEXAS LOTTERY COMMISSION**

TO: Defendant, Texas Lottery Commission, by and through its attorney of record, Mr. William Deane, Assistant Attorney General, P.O. Box 12548, Austin, Texas 78711.

The following Requests for Production are propounded to the above Defendant and are to be responded to by and in accordance with the Federal Rules of Civil Procedure. Production is requested within thirty (30) days of service hereof at the offices of Plaintiff's attorneys, Howard & Kobelan, 100 Congress Avenue, Suite 1720, Austin, Texas 78701, as set forth in the Federal Rules of Civil Procedure.

Respectfully submitted,

**HOWARD & KOBELAN**  
100 Congress Avenue, Ste. 1720  
Austin, Texas 78701  
(512) 480-9300  
(512) 480-9374

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Derek A. Howard  
State Bar Number 10064600  
Robert W. Schmidt  
State Bar Number: 17775429

**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

By my signature above, I, Robert W. Schmidt, certify that a true and correct copy of the above and foregoing document has been forwarded via Certified Mail - Return Receipt Requested to the following on this \_\_\_\_day of August 2006:

Mr. William Deane  
Assistant Attorney General  
P.O. Box 12548  
Austin, Texas 78711

*Via Certified Mail – Return Receipt Requested*

## INSTRUCTIONS

1. The following Requests are to be responded to separately and fully, by furnishing all information in your possession, custody or control, including all information to which you have a superior right to compel from a third party, such as your agent, authority, or representative.
2. If you cannot respond to any given Request for Production, set forth in complete detail all efforts you engaged in to try to determine the Response(s) thereto and why a specific response cannot be provided.
3. Documents should be provided by the party or parties responding hereto as they become available, but in any event, not later than the date and time specified hereinabove. Further, these Requests for Production are continuing in nature and require supplemental responses should the responding party or parties generate or obtain further pertinent information or documents between the time their Response hereto is filed and documents produced at the time of trial.
4. In answering these requests, you are further instructed as follows:
  - (a) You are under a duty to supplement your responses to these requests after you have completely responded to them, if you obtain information upon the basis of which: (1) you know that your previous answer was incorrect or incomplete when made, or (2) you know that the answer though correct and complete when made is no longer true and the circumstances are such that if failure to amend the answer is in substance misleading.
  - (b) Your supplemental responses must be filed not less than thirty (30) days prior to the beginning of trial unless the Court finds that a good cause exists for permitting or requiring earlier or later supplementation.
5. If you refuse to respond to these requests, the Court may enter an order compelling you to do so and also assess reasonable expenses incurred in obtaining the order against you including reasonable attorney's fees.
6. Failure to respond to these requests within the time allowed may result in the entry of a judgment against you or other sanctions by the Court as provided by the Federal Rules of Civil Procedure.
7. Each document produced in response to these Requests should be referenced with the number(s) of the relevant Request and subsection, if any, pursuant to which it is being produced.

8. The selection of documents from files and other sources shall be performed in such a manner as to insure that the file or other source from which a document is obtained may be identified, and documents attached to other documents or materials shall not be separated unless sufficient records are kept to permit reconstruction of the grouping.
9. These Requests seek all documents as defined herein below which are available to the party or parties responding hereto or in the actual or constructive possession, custody or control of any of them from any source wherever situated, including, but not limited to, documents from any files records papers, memoranda, notes. employees, counsel and former counsel of any party to this litigation, Plaintiff or Defendant and including, but not limited to, documents in the actual or constructive possession, custody or control (as defined herein below) or any department, division, subsidiary, affiliate, or predecessor or successor corporation of any responding party.
10. If the response to any requests may be derived or ascertained from your business records, and the burden of deriving the document would be substantially the same for Plaintiff and you, you must specify the records from which the document may be obtained. However, that specification must be in sufficient detail to allow Plaintiff and Plaintiff's counsel to locate and identify the documents as easily as you can, and must include reasonable opportunity to examine, audit or inspect such records and to make copies, compilation, abstracts or summaries.
12. If you object to part of a request and refuse to respond to any part of said request, state precisely your objection and respond to the best of your ability your remaining portion of that request. If you object to the scope or time period of a request, then refuse to respond with an answer for that scope or time period, state your objection, and respond to the request within the appropriate scope for the appropriate time.
13. If a privilege or work-product immunity is claimed as a ground for not responding to any request in whole or in part, describe the factual base for the claim of privilege or work product immunity in sufficient detail so as to permit the Court to ascertain the validity of such claim.
14. All documents as to which any privilege is claimed must nevertheless be secured, marked, identified, held separate and retained intact by the party claiming such privilege, subject to ruling by the Court as to the claimed privilege. Pursuant to the Federal Rules of Civil Procedure a party asserting privilege must submit a privilege log. For any such document which you claim to be privileged from discovery, state:
  - (a) The document is being withheld, including any Bates number;
  - (b) Identify the request to which the information or material relates;

- (c) Identify the privilege asserted and the reason for withholding the information;
  - (d) The author or source of the document;
  - (e) Each individual or other person to whom the document has been sent;
  - (f) The date of the document;
  - (g) The title of the document;
  - (h) The Number of pages of the document; and
  - (i) The general subject matter of the document.
15. If any document otherwise responsive to any Request was, but is no longer in existence or no longer in any responding party's actual or constructive custody, control, or possession, state whether each such document:
- (a.) Is missing or lost;
  - (b.) Has been destroyed;
  - (c.) Has been transferred voluntarily to others; or
  - (d.) Has been otherwise disposed of.

Also, for each such document, explain the circumstances surrounding the disposition of each document, identify the person(s) directing or authorizing its destruction or transfer, and state the date(s) of such direction or authorization. Further identify each such document by listing its author and addressee, describing the nature (e.g., letter, memorandum, telegram, chart, photograph, etc.), setting forth its date, subject matter, and content and stating whether the document (or copies) are still in existence, and if so, their present location(s).

16. To the extent that information called for by these Requests is unknown, so state and set forth such remaining information as is known. If any estimate or approximation can reasonably be made in place of unknown information, also set forth your best estimate, including designation as such.
17. For purposes of interpreting or construing the scope of any Request made herein, the terms used shall be given their most expansive and inclusive interpretations unless otherwise specifically limited in the Request itself. This includes, without limitation, the following:

- (a.) construing "and" as well as "or" in the disjunctive or conjunctive as necessary to make the Request more inclusive; and
  - (b.) construing the singular form of the word to include the plural and the plural form of the word to include the singular.
18. Each Request below, unless otherwise specified, refers to all documents created, sent, dated or during any time to the present time which are or were at constructive possession, custody or control, and to all communications of which any responding party is aware or which were made and/or received by any person during the above-noted frame.
19. During trial on the merits of this cause or any hearing related to this cause, the party propounding these requests will object to any responding party's introduction into evidence or use of any document which has not previously been produced for the propounding party's inspection pursuant to these requests a reasonable time beforehand.

## DEFINITIONS

1. As used herein, the term “*defendant*”, “*Defendant*”, is inclusive and shall include Texas Lottery Commission, its respective current and former officers, directors, partners, employees, servants, agents, attorneys, and shareholders, if any, of the referenced person(s) or entity and should be deemed to reflect gender and number as the text of the Requests for Production may require.
2. “*You*” or “*you*” or “*yours*” refers to whom these requests are addressed, and such terms include any other person or entity acting for or on behalf of Texas Lottery Commission.
3. “*Plaintiff*” shall the plaintiff named in this suit.
4. As used herein, the term “*or*” shall mean “*and/or*”.
5. As used herein the term “*all*” shall mean any and all.
6. As used herein, the term "person" means natural person, corporation, partnership, form, association, joint venture, or any other form of business entity, and other incorporated or unincorporated governmental, public, social or legal entities. A reference to any person shall include, where applicable, its divisions, subdivisions, controlled persons, attorneys, brokers, agents, and all officers, directors, partners, shareholders, employees, affiliates, parent companies, subsidiaries or other persons acting or purporting to act on its behalf.
7. The term "*identify*", "*identification*" or any synonym thereof when referring to a person shall mean to state his full name, present or last known business and residential address title, present employer, present job description, employment history and phone numbers. When referring to a public or private corporation, partnership, association or other organization or to a governmental entity or agency, “*identify*” means to state its full name, present or last known pertinent business address or operating address, the name of its chief executive officer and phone number.
8. As used herein the term "*identify*" or "*identification*" when used with respect to a document as defined herein, means to:
  - (a.) Describe the nature of the document (such as a letter, memorandum, invoice, telegram, etc.);
  - (b.) State the date, if any, appearing on the document, or, if none, the date upon which such document was prepared;
  - (c.) Describe in general the subject matter and substance of the document;

- (d.) Identify each person who wrote, signed, dictated, or otherwise participated in the preparation and creation of the document;
  - (e.) Identify each person as defined herein, who was an addressee or recipient thereof or received a copy of such document; and
  - (f.) State whether such document now exists, and if so, the present location of such document and identify each person as defined herein, having custody of the document.
9. As used herein, the term "*identify*" or "*identification*" when used in context other than in paragraphs 7 and 8 above means to provide such information as would enable a reasonably intelligent person to locate, describe, understand, evaluate or analyze the subject matter, including, without limiting the generality of the foregoing, locations, boundaries, descriptions, identifying marks, dates, amounts, terms, names, parties, values, numbers, labels, provisions, witnesses, signatories, writers, draftsmen, owners, debtors, creditors, principals, sureties, co-signers, partners, agents, officers, employees and custodians of subject matters.
10. The term "*data compilations and recordings*" used in this request refers only to such data compilation and recordings required in the use of appropriate devices to translate the information they contain into usable form. You need not produce a data compilation and recording when the requested information contained therein has been translated into usable form and that translation is produced in response to request for documents made herein.
11. The term "*document(s)*" when used in this request shall mean original writings, handwritten, typed, or otherwise reproduced and any non-identical copies, whether different from the original because of notes, addenda, supplements, amendments, revisions, exhibits and appendices made thereto which were made upon such copy or otherwise, formal or informal either (a) in your possession, custody, or control or (b) generated by, known to or seen by you but not now in your possession, custody, or control, regardless of where located and whether or not the original is still in existence. Such "documents" shall include, but are not limited to any photographs, books, pamphlets, agreements, records, tape recordings, checks, check stubs, journals, general and subsidiary ledgers, accounting entries, books of accounts, accounts, bills, notes, invoices, purchase orders, vouchers, receipts, correspondence, interoffice and intra office communications, communications, cables, telexes, TWX and other teletype communications, facsimiles, memoranda, reports, studies, summaries, minutes, minute books, notes, agendas, bulletins, notices announcements, instructions, drawings, plans, specifications, sketches, charts, manuals, brochures, schedules, time sheets or logs, price lists, telegrams, formal records, diary calendars, daily calendars, appointment books, financial statements, advertisements, e-mails, computer or electronic files and documents, and other data compilations in which information can be obtained, or

translated, if necessary, by the person or entity to which this request is directed. In all cases, where originals and non-identical copies are not available, "documents" also mean copies of originals, identical, copies, and non-identical copies.

12. As used herein, the term "*relating to*", "*referring to*", or "*pertaining to*" shall mean in any way concerning, constituting, referring to, relating to, analyzing, discussing, describing, considering, modifying, supporting, qualifying, terminating, provoking, canceling, negating, refuting or listing, unless qualified by word of limitation.
13. As used herein, the term "*communication*" means any conveyance or transfer of any information from one person to another by any means or in any form. This includes, but is not limited to, all types of documents or oral communications.
14. As used herein, the term "*oral communications*" means communication that includes any meeting, conference, telephone conversation, telephone conference or in-person conversation.
15. As used herein, the term "*meeting*" means any encounter between two or more persons during which an oral or written communication occurred and shall include, but not be limited to, formal and informal gatherings, conversations, and telephone communications.
16. As used herein, the term "*actual or constructive custody, control, or possession*" means and includes physical possession or control and any legal or equitable right to possess, control or secure the document or any copy thereof from any other person, governmental entity, or other entity having actual physical possession thereof.

## **REQUESTS FOR PRODUCTION**

Please produce all of the following:

**REQUEST FOR PRODUCTION NO. 1:** All documents contained in Plaintiff's personnel file(s) in the possession of Defendant Texas Lottery Commission, including, but not limited to, all grievances, human resources investigations, and charges or complaints of discrimination filed by or against Plaintiff.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 2:** All documents contained in Defendant Gary Grief's personnel file(s), including, but not limited to, evaluations, grievances, human resources investigations, and charges of discrimination. This request does not include or seek the production of social security numbers, bank account information, drivers license numbers, insurance information or information relating to the employee's family members, if any, contained in the requested personnel file(s).

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 3:** All reviews, performance appraisals, investigations, or studies relating to Plaintiff's employment.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 4:** All documents relating to Plaintiff's job evaluations, achievements and awards.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 5:** All documents which constitute, reflect or relate to any comparison made between Plaintiff and any individual employed by Defendant Texas Lottery Commission in the period of time beginning 1 year prior to Plaintiff's employment through the present who held the same or similar position, title, job duties or job description as Plaintiff..

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 6:** All documents that were identified or reviewed or relied upon by you in responding to Plaintiff, Shelton Charles' First Set of Interrogatories to Defendant, Texas Lottery Commission.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 7:** All documents relating to or reflecting the facts and circumstances of any discipline of Plaintiff or concerning any alleged misconduct engaged in by Plaintiff during Plaintiff's employment by Defendant Texas Lottery Commission.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 8:** Any and all reports, letters of commendation, reviews, or other similar documents relating to Plaintiff's job performance not contained in Plaintiff's personnel file.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 9:** Any and all documents reflecting or relating to wages, benefits, merit increases, bonuses, insurance or any other forms of compensation that the Texas Lottery Commission paid to Plaintiff during his employment with Defendant Texas Lottery Commission.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 10:** All personnel and policy manuals, handbooks, and other memoranda concerning employee policies, rules, discipline, performance, and compensation in use during that period of time in which the Plaintiff was employed with the Defendant Texas Lottery Commission.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 11:** All statements of witnesses or potential witnesses or persons interviewed by Defendant Texas Lottery Commission in connection with this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 12:** Documents you intend to introduce into evidence during the trial of this lawsuit.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 13:** Any and all policies, statements, memoranda, guidelines, contracts, agreements, proposals, grants, loans, appropriations, rules, statutes, or other documents relating to Defendant Texas Lottery Commission's policies or practices regarding discrimination.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 14:** Any and all policies, statements, memoranda, guidelines, contracts, agreements, proposals, grants, loans, rules, statutes, or other documents relating to Defendant Texas Lottery Commission's policies or practices regarding compliance with laws applicable to Defendant Texas Lottery Commission.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 15:** Any and all contracts, agreements, grants, appropriations, proposals, loans, rules, statutes, or other documents evidencing, documenting, recording, constituting, or relating to the source of funds from which Defendant Texas Lottery Commission may pay any settlements or judgments in any lawsuit or legal claim against Defendant Texas Lottery Commission.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 16:** Any insurance policy, contractual indemnity agreement, or any other agreement with a third party which could or would cover, in

whole or in part, the claims of any party to this lawsuit, including but not limited to payment of attorneys fees, or any settlements or judgments.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 17:** Any and all copies of memoranda, correspondence, notes, emails, electronically stored or generated information or other documents relating to your decision to terminate Plaintiff.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 18:** All documents that support your contention that Plaintiff was not retaliated against.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 19:** All documents that support any affirmative defense you have pled.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 20:** A copy of any Complaint or Petition and any judgment or settlement agreement in any and all lawsuits filed against Defendant Texas Lottery Commission within the last five years in which a discrimination, retaliation, or a violation of 42 U.S.C. § 1983 or the Texas Whistleblower Act was alleged.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 21:** Copies of any and all books, documents or other tangible things which may or may not be introduced at trial, but which may have a bearing on this lawsuit and may be used as demonstrative evidence at trial.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 22:** All disciplinary actions, terminations, counseling, write-ups, demotions, human resources investigations or other documents referring to or constituting adverse employment actions considered by or taken by Defendant Texas Lottery Commission against any individual who held the same or similar position, title, job description or who performed similar duties as Plaintiff and who was employed by Defendant in the period of time beginning one year prior to Plaintiff's employment through the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 23:** All disciplinary actions, reprimands, terminations, counseling, write-ups, demotions, human resources investigations or other similar documents in which an employee of Defendant Texas Lottery Commission was alleged or found to have acted in an insubordinate manner. This request for production is limited to the period of time beginning one year prior to Plaintiff's employment through the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 27:** A copy of any movies, videotapes, photos, graphics, created or used by Defendant Texas Lottery Commission during the last five years for training any of its employees or agents, which in any way relate to:

- (a.) what constitutes workplace retaliation or harassment in the workplace or at Defendant Texas Lottery Commission's facilities;
- (b.) reducing workplace retaliation or harassment; and
- (c.) handling retaliation or harassment reports and/or complaints.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 28:** Any brochures, pamphlets, codes of conduct, instructions, training information, policies, or procedures created or distributed by Defendant to its employees, officers, directors, agents, servants, representatives, persons, or entities in the last five years regarding Defendant's policies on harassment or retaliation, or the treatment of employees in the workplace.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 29:** Any and all policies, statements, memoranda, guidelines, contracts, agreements, proposals, grants, loans, appropriations, rules, statutes, or other documents relating to Defendant Texas Lottery Commission's policies or practices on Internal Affairs Investigations and proper procedure for the same.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 30:** All notes, memoranda, statements and/or affidavits taken by any person who investigated any complaint filed by Plaintiff against Defendant Texas Lottery Commission.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 31:** All investigations and documents reviewed or considered by Defendant Texas Lottery Commission in connection with an investigation conducted by Defendant Texas Lottery Commission relating to Plaintiff's firing.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 32:** Any documents relating to any alleged problem, potential problem, deficiencies, and/or potential deficiencies in the operation of Defendant Texas Lottery Commission's Disaster Recovery site.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 33:** All contracts entered into between Texas Lottery Commission and SunGuard from January 1, 2000 to the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 34:** A list or other documentation showing on-site staff employed by SunGuard staff on site at the Texas Lottery Commission from January 1, 2000 to the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 35:** All reports provided to the Texas Lottery Commission by SunGuard since January 1, 2001.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 36:** A list or other documentation showing SunGuard personnel with access to the computer room and Disaster Recovery/Business Resumption site at the Texas Lottery Commission since January 1, 2000.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 37:** All billing statements from SunGuard to the Texas Lottery Commission from January 1, 2000 to the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 38:** Contracts entered into between the Texas Lottery Commission and Northrop Grumman from January 1, 2000 to the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 39:** A list or other documentation of on-site staff employed by Northrop Grumman Staff for the Texas Lottery Commission since January 1, 2000.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 40:** Reports provided by Northrop Grumman to the Texas Lottery Commission since January 1, 2000.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 41:** A list or other documentation showing Northrop Grumman personnel with access to the Texas Lottery Commission computer room and Disaster Recovery/Business Resumption site from January 1, 2000 to the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 42:** All billing statements of work done by Northrop Grumman submitted to the Texas Lottery Commission since January 1, 2000.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 43:** All written complaints or grievances made by employees of the Texas Lottery Commission from January 1, 2000 to the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 44:** Documents showing starting salaries, salary increases, raises or promotions for all employees in Defendant Texas Lottery Commission's IT/IR Division from January 1, 2000 to the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 45:** Communications sent to or received from State Representative Kino Flores concerning the termination of Shelton Charles.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 46:** Test schedules and operational readiness logs of the Disaster Recovery/Business Resumption site from January 1, 2000 to the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 47:** Equipment lists of the Texas Lottery Commission for the Disaster Recovery/Business Resumption site from January 1, 2000 to the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 48:** Documentation showing all former Texas Workforce Commission employees hired by the Texas Lottery Commission from January 1, 2000 to the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 49:** All procedures and policies of the Texas Lottery Commission allegedly followed by the Texas Lottery Commission in the termination of Shelton Charles.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 50:** The employee grievance policy in effect at the time Shelton Charles was fired.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 51:** Any documents or communications referencing the termination of Plaintiff Shelton Charles between Gary Grief, Human Resources, Mike Fernandez, and Joe Goebler.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 51:** Any documents or communications referencing Shelton Charles' complaints of discrimination between Gary Grief, Human Resources, Mike Fernandez, and Joe Goebler.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 51:** Any documents relating to or referencing Shelton Charles' communications with members of the Texas Legislature relating to Defendant

Texas Lottery Commission, including any communications between Gary Grief, Human Resources, Mike Fernandez, and Joe Goebler.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 52:** Any equipment lists of the Texas Lottery Commission for its Computer Room from January 1, 2000 to the present.

**RESPONSE:**

**REQUEST FOR PRODUCTION NO. 52:** Any audit reports of Defendant Texas Lottery Commission relating to personnel, human resources, information technology, information resources, computer security, or the Disaster Recovery/Business Resumption site from January 1, 2000 to the present.

**RESPONSE:**