

NO. D-1-GN-18-001835

NEIL HESLIN	§	IN THE DISTRICT COURT
	§	
<i>Plaintiff</i>	§	
	§	
VS.	§	
	§	261ST DISTRICT COURT
ALEX E. JONES, INFOWARS, LLC,	§	
FREE SPEECH SYSEMS, LLC and	§	
OWEN SHROYER,	§	
	§	
<i>Defendants</i>	§	TRAVIS COUNTY, TEXAS

DESIGNATION OF FILINGS FOR CLERK'S RECORD

TO THE CLERK OF THE COURT:

Alex E. Jones, Infowars, LLC, Free Speech Systems, LLC AND Owen Shroyer, Defendants, filed a notice of appeal in this case on October 2, 2018. In accordance with APPELLATE RULE 34.5(a) and (b), Alex E. Jones, Infowars, LLC, Free Speech Systems, LLC and Owen Shroyer, Defendants, request the clerk to prepare a clerk's record of the proceedings in this case for inclusion in the appellate record.

Alex E. Jones, Infowars, LLC, Free Speech Systems, LLC and Owen Shroyer, Defendants, request the following items be included in the clerk's record. This list includes those items required by Appellate Rule 34.5(a).

1. Plaintiff's Original Petition and Request for Disclosure (filed April 16, 2018)
2. Letter from Plaintiff's attorney requesting issuance of Citations (filed April 23, 2018)
3. Citation to Alex Jones (dated May 2, 2018)
4. Citation to Infowars, LLC (dated May 2, 2018)
5. Citation to Free Speech Systems, LLC (dated May 2, 2018)

6. Citation to Owen Shroyer (dated May 2, 2018)
7. Defendants' Original Answer (filed June 18, 2018)
8. Defendants' attorney's vacation letter (filed June 27, 2018)
9. Plaintiff's attorney's vacation letter (filed June 28, 2018)
10. Defendants' attorney's amended vacation letter (filed June 29, 2018)
11. Letter from Defendants' attorney regarding removal of former associate as counsel for Defendants (filed June 29, 2018)
12. Defendants' First Amended Answer (filed July 13, 2018)
13. Defendants' Motion to Dismiss Under the Texas Citizens Participation Act (filed July 13, 2018)
14. Defendants' Notice of Hearing on Motion to Dismiss (filed July 19, 2018)
15. Letter from Defendants' attorney transmitting thumb drive containing video exhibits to (1) Defendants' First Amended Answer, and (2) Defendants' Motion to Dismiss Under the Texas Citizens Participation Act (filed July 23, 2018) Note: Thumb drives to be included in Clerk's Record.
16. Assignment by Presiding Judge (filed August 10, 2018)
17. Letter from Judge Scott Jenkins regarding assignment of case (filed August 16, 2018)
18. Plaintiff's Motion for Sanctions for Intentional Destruction of Evidence (filed August 17, 2018)
19. Plaintiff's Motion for Expedited Discovery in Aid of Plaintiff's Response to Defendants' TCPA Motion (filed August 17, 2018)
20. Letter from Defendants' attorney requesting no hearing be held subject to previously filed vacation letter and opposition to Plaintiffs' Motion for Sanctions and Plaintiff's Motion for Expedited Discovery (filed August 21, 2018)
21. Defendants' Response to Plaintiff's Motion for Sanctions and Motion for Expedited Discovery (filed August 23, 2018)

22. Plaintiff's Response to Defendants' Motion to Dismiss Under the Texas Citizens Participation Act (filed August 27, 2018)
23. Supplemental Affidavit in Support of Defendants' Motion to Dismiss Under the Texas Citizens Participation Act (filed August 27, 2018)
24. Defendants' First Amended Response to Plaintiff's Motion for Sanctions and Motion for Expedited Discovery and Defendants' Motion for Sanctions (filed August 27, 2018)
25. Supplemental Affidavits in Support of Defendants' Motion to Dismiss Under the Texas Citizens Participation Act (filed August 28, 2018)
26. Supplemental Affidavit in Support of Defendants' First Amended Response to Plaintiff's Motion for Sanctions and Motion for Expedited Discovery and Defendants' Motion for Sanctions (filed August 28, 2018)
27. Defendants' Objections to Plaintiff's Evidence Submitted in Response to Defendants' Motion to Dismiss Under the Texas Citizens Participation Act (filed August 29, 2018)
28. Defendants' First Supplement to Motion to Dismiss Under the Texas Citizens Participation Act (filed August 29, 2018)
29. Supplemental Affidavit in Support of Defendants' First Amended Response to Plaintiff's Motion for Sanctions and Motion for Expedited Discovery and Defendants' Motion for Sanctions (filed August 29, 2018)
30. Defendants' Second Amended Answer (filed August 29, 2018)
31. Defendants' Second Supplement to Motion to Dismiss Under the Texas Citizens Participation Act (filed August 30, 2018)
32. Supplemental Affidavit in Support of Defendants' First Amended Response to Plaintiff's Motion for Sanctions and Motion for Expedited Discovery and Defendants' Motion for Sanctions (filed August 30, 2018)
33. Letter from Defendants' attorney transmitting thumb drive containing video exhibits to Defendants' Second Supplement to Motion to Dismiss (filed August 30, 2018). Note: Thumb drives to be included in Clerk's Record.
34. Letter from Plaintiff's attorney transmitting flash drive containing exhibits to Plaintiff's Response to Defendants' Motion to Dismiss (filed August 30, 2018)

35. Order of Plaintiff's Motion for Expedited Discovery in Aid of Plaintiff's Response to Defendants' TCPA Motion (filed August 31, 2018)
36. Defendants' Request for Rulings on Timely Filed Objections to Plaintiff's Evidence (filed September 11, 2018)
37. Letter from Defendants' attorney requesting assistant be copied on email correspondence and filings entered by the Court (filed September 14, 2018)
38. Defendants' Second Renewed Request for Rulings on Timely Filed Objections to Plaintiff's Evidence (filed September 25, 2018)
39. Defendants' Motion for Protective/Confidentiality Order (filed September 28, 2018)
40. Plaintiff's Motion for Contempt Under Rule 215 (filed October 1, 2018)
41. Alex E. Jones, Infowars, LLC, Free Speech Systems, LLC and Owen Shroyer's Notice of Interlocutory Appeal (filed October 2, 2018)
42. Letter from Defendants' attorney advising Court of the filing of Defendants' Notice of Appeal and staying proceedings (filed October 2, 2018)
43. Letter from Third Court of Appeals confirming notice of appeal and outlining procedures (filed October 3, 2018)
44. Designation of Court Reporter's Record (filed October 10, 2018)

Respectfully submitted,

GLAST, PHILLIPS & MURRAY, P.C.

By: /s/ Mark C. Enoch

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ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of October, 2018, the foregoing was served by Texas Online electronic service to the following:

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/s/ Mark C. Enoch

Mark C. Enoch