

NO. GN 1-23456

ABC SERVICES CORPORATION OF AUSTIN, L.P.	§	IN THE DISTRICT COURT OF AUSTIN,
	§	
	§	
Plaintiff,	§	
	§	
	§	
vs.	§	TRAVIS COUNTY, TEXAS
	§	
XYZ, INC.	§	
	§	
Defendant.	§	261st JUDICIAL DISTRICT

ABC SERVICES CORPORATION OF AUSTIN, L.P. REQUEST FOR COURT REPORTER’S RECORD

TO: LINDA DOYLE, Court Reporter for the 261st Judicial District Court, P.O. Box 1748, Austin, Texas 78767-1748.

Under Texas Rule of Appellate Procedure 34.6, ABC Services Corporation of Austin, L.P. requests the official court reporter to prepare the Reporter’s Record. The portions of the proceedings to be included are as follows: (i) The entire hearing on the Defendant’s motion for partial summary judgment held on August 15, 2005; and (ii) the entire hearing on the Plaintiff’s motion for summary judgment on November 14, 2006:

Under Texas Rule of Appellate Procedure 37.3, ABC Services Corporation of Austin, L.P. accepts responsibility to pay for the preparation of the court Reporter’s Record and is willing to pay the court reporter’s fee for preparing the record.

Respectfully submitted,

SMITH, FRANKLIN & JONES

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CERTIFICATE OF SERVICE

On February ____, 2007, a copy of the foregoing instrument was served, in compliance with Texas Rules of Civil Procedure 21 and 21a, on the following in the manner listed below:

Mary J. Green
RODGERS & HAMMERSTEIN
515 Congress Ave., Suite 0000
Austin, Texas 78701

Via Regular Mail

Counsel for Appellee/Defendant

Ms. Diane O'Neal
Appellate Court Clerk
THIRD COURT OF APPEALS
Price Daniel, Sr. Bldg., Room 101
P.O. Box 12547
Austin, Texas 78711-2547

Via Regular Mail

John M. Smith