

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

TOM RETZLAFF	)	
Plaintiff,	)	
	)	
v.	)	NO. 5:08-CV-00170-OLG
	)	
LYNDA YVONNE DE LA VINA,	)	
DIANE BAKER WALZ, KYLE	)	
MERLETTE SNYDER,	)	
KATHERINE ANNE POPE,	)	
Defendants.	)	

---

VIDEOTAPED DEPOSITION OF TOM RETZLAFF  
September 24, 2008

---

BE IT REMEMBERED that the videotaped deposition of TOM RETZLAFF was reported by Lydia L. Edwards, Certified Shorthand Reporter, by machine shorthand on September 24, 2008, at the Office of the Attorney General of Texas, located at 3460 North east Parkway, San Antonio, Texas, between the times of 10:32 o'clock a.m. and 3:30 o'clock p.m., after which time the deposition was reduced to writing and set forth as follows:



APPEARANCES

INDEX OF EXHIBITS

FOR THE PLAINTIFF:  
 Tom Retzlaff, Pro Se  
 P.O. Box 92  
 San Antonio, Texas 78291

FOR THE DEFENDANT:  
 Lars Hagen  
 Assistant Attorney General  
 P.O. Box 12548  
 Capitol Station  
 Austin, Texas 78711-2548  
 (512) 463-2120

ALSO PRESENT:  
 Gail Jensen (UTSA Counsel)  
 Louis D. Martinez

DESCRIPTION	MARKED	IDENTIFIED
Exhibit A Deposition Notice	5	
Exhibit B Medical Records Release	106	110
Exhibit C 1-28-08 Letter	111	111
Exhibit D 3-17-08 Letter	112	112
Exhibit E 3-21-08 Letter	113	113
Exhibit F Decision Letter	134	134
Exhibit G 11-20-07 emails	154	154
Exhibit H 2/24-25/08 emails	164	166

TABLE OF CONTENTS

APPEARANCES - - - - - 2

INDEX OF EXHIBITS - - - - - 4

TOM RETZLAFF  
 Examination by Mr. Hagen - - - - - 6

CHANGE OF VIDEOTAPES - - - - - 49, 106, 161

DEPOSITION AMENDMENT SHEETS - - - - - 215

WITNESS SIGNATURE PAGE - - - - - 219

REPORTER'S CERTIFICATE PAGE - - - - - 220

(Before the deposition commenced, an instrument was marked for identification as Exhibit A.)

THE VIDEOGRAPHER: This is the videotaped deposition of Tom Retzlaff. This is the beginning of Tape 1. Today's date is September 24th, 2008. We are on the record at 10:32.

MR. HAGEN: Okay. This is a Defendants' deposition. I think Louis Martinez who is here wanted to make a clarifying statement about his role in today's deposition, I think.

MR. MARTINEZ: I think as well. For the purposes of the record, I would like to state that while I was the attorney of record in the state court case filed in the County Court at Law No. 10 in Bexar County, Texas, Cause No. 336249, once this case was removed, due to the fact that I don't have a federal license, I don't consider myself to be the attorney of record in this case. Although I have not been formally removed from this case, I, for purposes of the record, wanted to clarify that. Mr. Retzlaff will be proceeding pro se in this deposition. I'm here as another party present, but will not be representing him.

THE REPORTER: Would you raise your