

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO

TOM RETZLAFF  
Plaintiff,

v.

LYNDA YVONNE DE LA VINA,  
DIANE BAKER WALZ, KYLE  
MERLETTE SNYDER, KATHERINE ANNE  
POPE,  
Defendants.

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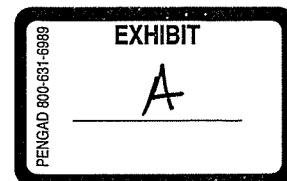
NO: 5:08-CV-00170-OLG

**FIRST AMENDED NOTICE OF INTENTION TO TAKE ORAL VIDEO-RECORDED DEPOSITION OF PLAINTIFF TOM RETZLAFF**

TO: Tom Retzlaff through his attorney of record Louis D. Martinez, Law Office of Louis D. Martinez, 1004 S. St. Mary's Street, San Antonio, Texas 78205; and to Tom Retzlaff, P.O. Box 92, San Antonio TX 78291 0092.

Please take notice that Defendants Lynda de la Vina, Diane Walz, Kyle Snyder, and Katherine Pope (the Defendants), named in their personal capacities by Plaintiff Tom Retzlaff, and represented by the Office of the Attorney General, will depose Retzlaff by sworn oral examination beginning at 10:00 a.m. on September 24, 2008. This deposition notice is pursuant to the Court's July 2008 Order compelling Retzlaff's testimony. The answers and documentation obtained during this deposition may be read and used in evidence on the trial of this case on behalf of Defendants.

Also, Li-Dan Xu likewise gives notice here that answers and documentation obtained during this deposition may be read and used in evidence on behalf of Defendant Xu, in another defamation case brought by Retzlaff, acting pro se, styled: *Retzlaff v. Xu*, No. 336876 (Co. Ct. At Law No. 7, Bexar County, Tex.).



Retzlaff's deposition will occur at the **Office of the Texas Attorney General, 3460 Northeast Parkway (Pride Hall – conference room), San Antonio, TX 78218**, and will be recorded stenographically by a representative of Integrity Legal Support Solutions, 512-320-8690. In addition to the stenographic recording, the deposition may also be video-taped.

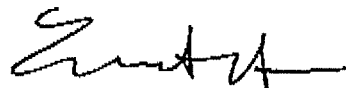
Respectfully submitted,

GREG ABBOT  
Attorney General of Texas

KENT C. SULLIVAN  
First Assistant Attorney General

DAVID S. MORALES  
Deputy Attorney General for Litigation

ROBERT B. O'KEEFE  
Chief, General Litigation Division



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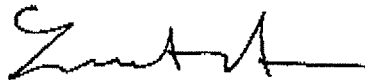
ATTORNEYS FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document has been served by facsimile transmission and U.S. Postal Service Mail to Louis D. Martinez and to Plaintiff Tom Retzlaff on September 11, 2008, as follows:

**Louis D. Martinez**  
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210-223-1263 (Fax)  
Counsel of Record for Plaintiff

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LARS HAGEN  
Assistant Attorney General