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August 1, 2025

Via ECF: The Honorable Melissa Andrews
Texas Business Court, Third Division
William P. Clements Building
300 West 15th Street, Suite 606
Austin, Texas 78701

RE: *Jerry B. Reed v. Rook TX LP, et al.*, NO. 25-BC03A-0007 (Third Division), Defendants Rook TX LP and Rook GP LLC's Response to Plaintiff's Discovery Letter.

Dear Judge Andrews:

Rook TX LP and Rook GP LLC ("Defendants") have pending motions set for hearing on August 18. Plaintiff served discovery while those motions are pending, and Defendants timely responded by identifying their objections with specificity and stating they would comply with non-objectionable requests. TEX. R. CIV. P. 193.2(b).

However, Defendants object to producing information or documents that:

- (1) Infringe on the rights of individual owners of a beneficial interest in Defendants to remain anonymous under Texas Government Code Section 466.411, or
- (2) Pre-date the formation of Defendants because (i) the information would not exist in the possession, custody, or control of Defendants and (ii) is inconsistent with Plaintiff's pleading in this case, which shapes the scope of discovery.

I. "UNRESOLVED" REQUESTS

Notably, Plaintiff's Summary of Discovery Dispute is limited to specific requests for production.¹ Defendants responded to or agreed to produce responsive documents, to the extent they exist, for many of Plaintiff's "unresolved" requests.²

However, Defendants objected to the following requests:

¹ Plaintiff-Letter at 2.

² See Requests Nos. 1, 4, 5, 7, 8, 10, 11, 12, 14, 18.

Request Number	Issue
2	Seeks Defendants' Beneficial Ownership Information filings, which were not mandatory for Defendants.
3	Regards the ticket purchases.
6	Asks who gave the winning tickets to Defendants. While objectionable, Defendants provided responsive information in Interrogatory No. 11.
9, 13	Asks about Defendants' distribution of winnings.
15	Seeks Defendants' tax returns. Defendants identified specific objections to this request in addition to the issue of statutory anonymity.

A. Plaintiff cannot discover information protected from disclosure by the Lottery Act.

Plaintiff requests “records identifying persons” who are Defendants’ limited partners and members,³ and who received lottery winnings. The Lottery Act allows winners to remain anonymous by creating an entity to present the winning ticket. Under the Act, a natural person “who is an owner of a beneficial interest in a legal entity that is a prize winner ... may [] choose to remain anonymous and prohibit all personally identifiable information from being released to the public.”⁴ Rook TX LP submitted the Lottery Claim Form.⁵

Plaintiff sues to enforce the Lottery Act, which also creates the statutory right to anonymity. Plaintiff cannot both embrace that act while rejecting the protections it affords. The fact that subject matter jurisdiction rests on formation documents does not matter either. Plaintiff has the relevant documents his negligence claim is based on, and Defendants agreed to produce a redacted version of Rook TX LP’s partnership agreement.

Finally, Plaintiff’s compromise of redacting public filings is no solution because this information is expressly protected by statute—not even Plaintiff is entitled to it. Plaintiff cannot make an end-run around the statute just because he sued the entity who received payment.

³ Defendants identified Rook GP LLC’s members.

⁴ TEX. GOV’T CODE § 466.411(a).

⁵ Third. Am. Pet. ¶ 63.

B. Information pre-dating Defendants' formation is not discoverable and does not belong to them.

Defendants object to discovery regarding events before their formation. Plaintiff claims Rook GP LLC was formed June 14, 2023 and Rook TX LP was formed June 15, 2023.⁶ However, Plaintiff propounded numerous requests about the April 2023 ticket purchases.

Plaintiff cannot have it both ways. Plaintiff's case rests on the claim that Defendants did not exist when the tickets were purchased in April 2023—the sole basis for his negligence claim against Defendants. The remaining negligence claims involving ticket purchases specifically exclude the Rook Defendants. Plaintiff cannot ignore his own judicial admissions and ask for documents that, under Plaintiff's theory, cannot belong to the Rook Defendants. Plaintiff's attempt to obtain information about other individuals involved in the ticket purchases is an improper fishing expedition.

Respectfully submitted,
TROUTMAN PEPPER LOCKE LLP

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⁶ Third Am. Pet. ¶ 62.

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing instrument on opposing counsel on August 1, 2025 as follows:

By electronic service

/s/ David E. Harrell, Jr.
David E. Harrell, Jr.

CERTIFICATE OF COMPLIANCE

I hereby certify that this document complies with Local Rule 5(a) and contains 648 words, excluding the case caption, any index, table of contents or table of authorities, signature blocks, attached evidence, or any required certificates.

/s/ David E. Harrell, Jr.
David E. Harrell, Jr.

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