Filed: 3/23/2022 4:14 PM Rebecca Guerrero Travis County Clerk C-1-CV-18-006059 Ariana Edwards

## CAUSE NO. C-1-CV-18-006059

LSG VODKA LLC d/b/a PERSPECTV DISTILLING CO.,	<b>§</b>	IN THE COUNTY COURT
Plaintiff	§ §	
VS.	8 8 8	AT LAW NUMBER TWO
CHRISTOPHER NOVOSAD, D/B/A CREATIVE KAHUNA F/K/A TIKI2,	\$ 60 60 60	
Defendant.	§	TRAVIS COUNTY, TEXAS

## **ORDER**

The Court has fully considered Defendant Christopher Novosad's Renewed Motion to Compel and Plaintiff LSG Vodka LLC's arguments in response. The Court finds good cause to grant Novosad's motion, and hereby ORDERS that Novosad's motion is GRANTED as to the unresolved issues in the motion that were presented at hearing.

It is FURTHER ORDERED that within 14 days of this order, Plaintiff LSG Vodka LLC shall:

- 1. X Provide the information required under Tex. R. Civ. P. 193.3 for documents and communications LSG is withholding under claims of attorney-client privilege or work-product, including (i) the sender and recipient names of each withheld communication; (ii) the name(s) of who created each withheld document; (iii) the date a withheld communication was sent or a withheld document was creating; and (iv) a non-privileged description of the withheld document or communication sufficent to allow Novosad and the Court to assess LSG's claim of privilege or work-product.
  - If LSG does not serve this information within 14 days of this order, the Court will overrule LSG's claims of privilege and work-product and will order production of all documents and communications withheld under claims of privilege and work product.
- 2. X Show cause or other explanation for why the Court should not issue a spoliation finding over LSG's discoverable emails.

The Court further finds good cause to award Novosad his reasonable and necessary attorney's fees incurred in moving to compel under Tex. R. Civ. P. 215.1(d). Thus, the

Court also ORDERS LSG Vodka to pay Novosad his reasonable and necessary attorney's fees incurred in moving to compel, such amount to be decided after an evidentiary hearing. Novosad shall submit proof of reasonable and necessary fees within seven days of this order.

SIGNED on this March 22, 2022

ERIC M. SHEPPERD PRESIDING JUDGE

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## **Automated Certificate of eService**

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Associated Case Party: CHRISTOPHER NOVOSAD

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JT Morris		jt@jtmorrislaw.com	3/23/2022 4:14:01 PM	SENT

Associated Case Party: LSG VODKA LLC D/B/A PERSPECTV DISTILLING CO.

Name	BarNumber	Email	TimestampSubmitted	Status
Amy Welborn		awelborn@hpylaw.com	3/23/2022 4:14:01 PM	SENT

## **Case Contacts**

Name	BarNumber	Email	TimestampSubmitted	Status
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