

**GERALD ANTHONY GARCIA**  
**Plaintiff**

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**IN THE DISTRICT COURT**

**V.**

**438<sup>th</sup> JUDICIAL DISTRICT**

**VIA METROPOLITAN TRANSIT**  
**Defendant**

**OF BEXAR COUNTY, TEXAS**

**ORDER GRANTING MOTION TO COMPEL ANSWERS TO INTERROGATORIES**

On December 10, 2009, the court considered plaintiff's motion to compel answers to interrogatories and to render a judgment in favor of plaintiff for the failure of defendant to answer the interrogatories previously served on that party and its attorney of record, Nissa Dx.

After considering the motion, the court decided that the request should be granted.

It is ORDERED that defendant's answer be stricken and default judgment rendered in movant's favor; or that defendant shall provide answers to the interrogatories previously served upon defendant within ten (10) days after the date of signing this order.

It is ORDERED that if defendant fails to answer the interrogatories, then his pleadings shall be stricken from the record without further order and thereafter, plaintiff may obtain a judgment in his favor.

It is ORDERED that Mark Kx is awarded the sum of \$1000.00 in attorney fees against VIA Metropolitan Transit, for its failure to reply to the interrogatories.

Signed on: \_\_\_\_\_.

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**Judge Presiding**

APPROVED AS TO FORM AND SUBSTANCE:

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Mark Kx  
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