Evan Caron August 22, 2016

	August	22, 2016		
1	CAUSE NO.	Page 1		
2	ERIC TORRES, ADAM SINN, XS CAPITAL MANAGEMENT,) IN THE DISTRICT COURT		
3	L.P., and ASPIRE COMMODITIES, LP.,)		
4	Plaintiffs)		
5	VS.)) HARRIS COUNTY, TEXAS		
6	CRAIG TAYLOR and ATLAS)		
7 8	COMMODITIES, L.L.C., Defendants))) 157TH JUDICIAL DISTRICT		
9	Defendancs) 15/IH UUDICIAL DISIRICI		
10	CAUSE NO. 2015-49014			
11	ERIC TORRES,) IN THE DISTRICT COURT		
12	Plaintiff)		
13	vs.) HARRIS COUNTY, TEXAS		
14	S. JAMES MARSHALL)		
15	Defendant) 157TH JUDICIAL DISTRICT		
16				
17				
18	ORAL AND VIDEOTAPED DEPOSITION OF			
19	EVAN CARON			
20	August 22, 2016			
21	Volume 1			
22				
23	ORAL AND VIDEOTAPED DEPOSITION OF EVAN CARON,			
24	Volume 1, produced as a witness at the instance of the			
25	Defendants Craig Taylor, Atla	as Commodities, LLC, and		

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Page 2
                                                                                                         Page 3
 1 S. James Marshall, and duly sworn, was taken in the
                                                                             APPEARANCES
    above-styled and numbered cause on the 22nd of
                                                             FOR THE PLAINTIFFS:
    August, 2016, from 4:56 p.m. to 7:28 p.m., before
                                                                 Mr. Kenneth M. Krock
                                                                 RAPP & KROCK
    Julie A. Jordan, CSR, RPR, in and for the State of
                                                          5
                                                                 1980 Post Oak Boulevard
    Texas, reported by machine shorthand, at Courtyard
                                                                 Suite 1200
                                                          6
                                                                 Houston, Texas 77056
    Austin Airport, 7809 East Ben White Boulevard, Austin,
                                                                 (713) 759-9977
                                                          7
                                                                 (713) 759-9967 (Fax)
    Texas 78741, pursuant to the Texas Rules of Civil
                                                                 E-MAIL: kkrock@rk-lawfirm.com
   Procedure and any provisions stated on the record or
                                                          8
                                                             FOR THE DEFENDANTS CRAIG TAYLOR, ATLAS COMMODITIES, LLC.
 9
    attached hereto.
                                                          9
                                                            AND S. JAMES MARSHALL:
10
                           . . . . .
                                                         10
                                                                 Mr. Geoffrey Berg
                                                                 BERG FELDMAN JOHNSON BELL LLP
11
                                                         11
                                                                 4203 Montrose Boulevard
12
                                                                 Suite 150
                                                         12
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                                                                 E-MAIL: gberg@bfjblaw.com
15
                                                         14
                                                             FOR THE WITNESS:
16
                                                         15
17
                                                                 Mr. Richard D. Weaver (Via Telephone)
                                                         16
                                                                 THE WEAVER LAW FIRM
                                                                 1800 Bering Drive
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                                                                 Houston, Texas 77057
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21
                                                                 (713) 626-9708 (Fax)
                                                         19
                                                                 E-MAIL: rweaver@weaverlawyers.com
22
                                                         20
                                                            ALSO PRESENT:
23
                                                         21
                                                                 Ms. Debra Austin, Videographer
                                                         22
24
                                                         23
                                                         24
25
                                                         25
                                                Page 4
                                                                                                        Page 5
 1
                           INDEX
                                                         1
                                                                         THE VIDEOGRAPHER: We're on the record at
 2
                                                         2 4:56.
3
   Appearances..... 3
   EVAN CARON, VOLUME 1
 4
                                                                                 EVAN CARON,
        Examination by Mr. Berg..... 5
        5
                                                            having been first duly sworn, testified as follows:
        Further Examination by Mr. Berg..... 120
                                                                                EXAMINATION
 6
   Signature and Changes...... 124
                                                           BY MR. BERG:
                                                         6
7
                                                                    Will you state your name for the record.
                                                                0.
   Reporter's Certificate..... 126
8
                                                                    Evan Caron.
   Further Certificate..... 129
                                                                    Okay. Mr. Caron, have you ever given a
9
10
                                                           deposition before?
                                                         10
                           EXHIBITS
                                                        11
                                                                A.
11
   EXHIBIT
                 DESCRIPTION
                                                PAGE
                                                                    Okay. This is a little bit different. So I'm
12
                                                           going to kind of set out a few guidelines -- general
   Exhibit 1
                 Photograph.....
13
   Exhibit 2
                 Text messages.....
                                                        15
14
                  (CONFIDENTIAL SINN 000230-000232)
                                                                         It's not like a general conversation. You
   Exhibit 3
                 List of calls and messages
15
                                                           have to wait for me to finish my question so the court
                  (SINN 000244-000245).....
                                                 82
16
                                                           reporter can take down everything I say and then I'll
   Exhibit 4
                 List of calls and messages.
                                                           wait for you to finish your answer so she can take down
17
                 (CONFIDENTIAL SINN 000225-0000229)
   Exhibit 5
18
                 12/23/13 message log
                                                        19
                                                            everything you say. All right?
                 (ACL-TAYLOR000018.....
                                                        20
                                                                A. Yes.
19
    ****Exhibit No. 2 and Exhibit No. 4 marked confidential
                                                        21
                                                                Q. Okay. And that's good. She's going to need
20
   and bound under separate cover.
                                                           audible answers for everything. It's difficult for her
21
22
                        VIDEOTAPE (S)
                                                            to record uh-huh, huh-uh, that type of thing.
   File 1.....
23
                                                        24
                                                                         So can you do audible answers?
   File 2.....
                                                 57
24
   File 3.....
                                                                A. Yes.
                                                        25
25
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54 to 57

_	Auguse	,	2010 54 00 57
	Page 54		Page 55
1	Q. What about from August 2013 until	1	about, wanted him to move on.
2	December 24th, 2013?	2	Q. Did he bring it up?
3	A. Was that the date of the	3	A. No. I don't he was never bitter or never
4	Q. Well	4	angry about it to me, as far as I recall.
5	A. Yeah.	5	Q. Did he bring it up at all?
6	Q. I'm just asking if you have any specific	6	A. Not to my recollection.
7	memory in that timeframe of having a conversation with	7	Q. Did he strike that.
8	Adam Sinn in which Craig Taylor or Atlas came up?	8	Did Eric Torres tell you what he did with
9	A. I don't recall if those dates were part me	9	his phone in this case?
10	talking about Craig or Atlas during those days.	10	A. No.
11	Q. Okay. What about Adam Sinn talking about	11	(Exhibit 1 marked)
12	Craig Taylor or Atlas?	12	THE VIDEOGRAPHER: (Indicating.)
13	A. Again, I think you know, again, it's for	13	Q. (BY MR. BERG) Mr. Caron, I am going to hand
14	me to recall a text message, we Adam was living in	14	you what I've marked as Exhibit 1 to your deposition.
15	Puerto Rico, I believe, at the time. And so most of the	15	Do you recognize that picture?
16	conversations we had were probably over text message or	16	A. Yes, I do.
17	a group message.	17	Q. Can you identify yourself in this picture?
18	Was there a conversation? Possibly. I	18	A. I'm second from the left.
19	don't recall any specific conversation regarding Craig	19	Q. The one drinking?
20	and/or Atlas.	20	A. Yes.
21	Q. What about with Mr. Torres?	21	Q. Okay. Who is the person to your right?
22	A. Again, as I mentioned earlier, I think that	22	A. That's Barry Hammond.
23	the post settlement was not a was not a thing that we	23	Q. To I'm sorry.
24		24	A. Oh, my my right?
25	it was not something that I wanted to talk to them	25	Q. In the picture to your right.
	Page 56		Page 57
1	A. That's Sean Kelly.	1	number of facts in this case and that is one I believe
2	Q. And to your immediate left in the picture?	2	we'll all be able to agree on.
3	A. That's Barry Hammond.	3	A. Yeah.
4	Q. And to his immediate left?	4	MR. BERG: Why don't we do you want to
5	A. Paul Sarver.	5	change the tape?
6	Q. And standing in front to his left?	6	THE VIDEOGRAPHER: Off the record at
7	A. That's Eric Torres.	7	5:54.
8	Q. And standing behind to his left?	8	(Recess from 5:54 p.m. to 5:56 p.m.)
9	A. Adam Sinn.	9	THE VIDEOGRAPHER: Back on the record at
10	Q. What are they all doing?	10	5:56.
11	A. They're putting their middle middle finger	11	Q. (BY MR. BERG) Mr. Caron, the picture attached
12	up.	12	as Exhibit 1 to your deposition was taken on
13	Q. What does that mean?	13	December 24th, 2013, is that right?
14	A. F you.	14	MR. KROCK: Objection, form.
15	Q. Okay. Very good of you to sensor yourself	15	A. I don't recall the exact date, but I'm
16	that way. But since I think we're mostly adults here,	16	assuming that
17	it means fuck you, right?	17	MR. BERG: 23rd.
18	A. Generally accepted American yeah.	18	MR. KROCK: Is that the date?
19	Q. Vernacular?	19	MR. BERG: What do you mean it's not the
20	A. Yes.	20	date? Do you want to tell me the date or do you want me
21	Q. Okay. So do you remember this picture being	21	to dig through here?
22	taken?	22	MR. KROCK: Oh, no, I don't know it off
23	A. I was fairly inebriated. I believe it was a	1	the top of my head. I'm going to look and see if I have
24	•	24	it in the exhibit.
25	Q. I think that we'll be able to stipulate a	25	MR. BERG: Okay.
			**

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August 22, 2016
                                                                                                         58 to 61
                                                                                                                Page 59
                   MR. KROCK: But I know it's not the 24th,
                                                               1 he -- I think every picture on his Facebook has him
 2 because that's Christmas Eve.
                                                               2 putting the middle finger up. He's not saying F you to
 3
         ٥.
              (BY MR. BERG) 23rd. December 20 -- did I
                                                               3 the world. It's just -- it's a thing guys do.
 4 say -- December 23rd, 2013, is that right?
                                                                          Had you been discussing Craig Taylor before
         A. If that's the time stamp, then, yes, that's --
                                                                this picture?
   that's -- that's accurate.
                                                                                (Phone interruption)
             All right. What -- whose -- whose house is
                                                              7
                                                                                MR. BERG: Is that you?
 8 this?
                                                                                MR. KROCK: May have been.
         A. I believe Adam Sinn had a Christmas party. I
 9
                                                              9
                                                                           (BY MR. BERG) Had you been discussing
10 believe it's his -- his apartment.
                                                                 Craig Taylor before this picture was taken?
                                                             10
11
             Why aren't you holding up your middle finger?
                                                                      A.
            I wasn't instructed -- I don't know. I mean,
                                                             12
                                                                          Had you been discussing Atlas when this
13 I don't -- from -- from my recollection, again I was
                                                                 picture was taken?
14 probably a handful of drinks in. I'm not an alcoholic.
                                                                      A.
15 I don't think very much. Christmas parties and special
                                                                      Q.
                                                                          Had you been discussing James Marshall when
16 events I tend to indulge myself a bit. But I don't
                                                                this picture was taken?
17 believe it was an -- it was like an impromptu thing. I
                                                                      A.
                                                                         No.
   didn't think that I needed to put my middle finger up.
                                                                      ٥.
                                                                          At the point this picture was taken, do you
19
             What was the purpose, as you understood it, at
                                                                recall what your general impression of Craig Taylor was?
20 the time of the others putting their middle finger up?
                                                                          I didn't -- I mean, he wasn't on my mind. It
21
             From my memory, again, I -- I think it was
                                                                 wasn't -- I didn't think about Craig Taylor.
22 just being -- everyone was being funny. I think there's
                                                                          Neg- -- not negative, not positive?
23 multiple pictures. We used to do it all the time. I
                                                             23
                                                                               MR. KROCK: Objection to form.
24 mean, these guys used to do it all the time. Kind of
                                                                         Skewed negative considering what had happened.
25 like, Hey, you know. If you look at Sean Kelly, he --
                                                             25 But at -- you know, when lawsuit was over or whatever --
                                                  Page 60
                                                                                                               Page 61
 1 if the lawsuit was over at the time, and I believe it
                                                              1 I don't remember his last name. Johnny.
 2 was, you know, things are settled and, you know, big
                                                                          Did they tell you this in writing?
 3 boys move on.
                                                                      A.
                                                                         I believe so. I believe it was -- I believe
             (BY MR. BERG) Did you do business with
        ٥.
                                                                it was on IM.
   Craig Taylor at that time?
                                                                      Q. An instant message?
6
        A.
            I believe I was not allowed to.
                                                                         Yeah -- ves.
 7
             Why?
                                                                      Q. And the instant message, as you recall it,
8
        A.
             Craig Taylor informed the broker that I talked
                                                                said, We are no longer allowed to do business with you?
9
   to that I was not allowed to transact with them.
                                                                               MR. KROCK: Objection, form.
        O. Which broker?
10
                                                             10
                                                                      A. I -- again, the exact message was not, We're
11

    A. Alex Molinas.

                                                             11 not allowed to do business with you, but the exact
12
            And what did he tell him?
                                                                message from my -- again, general message was, We're not
13
             I was not allowed to do business with Alex.
        A.
                                                                doing business with you. So take it up with Craig or
14
        ٥.
             That you personally?
                                                                something of that mat- -- of that effect. If you want
15
             Me personally was not allowed to do business
        A.
                                                                to do business, take it up with Craig. But both Johnny
  with Alex.
                                                                 and Alex were not going to show me any markets.
16
17
        ٥.
             When did he tell you that?
                                                             17
                                                                          (BY MR. BERG) Had you asked them to?
18
        A.
             Sometime when I was working at Mercuria, post
                                                             18
                                                                         I did.
```

24 business. I believe it was Alex Molinas and Johnny -- I 25 don't remember his last -- Gonzales. Johnny Gonzales?

A. Yes. Atlas had good markets and I wanted

Q. When the lawsuit was over?

22 to -- I thought it was over, but, hey, you know,

23 everybody settled and time to get back to -- back to

19

20

21

lawsuit.

Yeah. I just -- I assumed that Craig was

You kept that to yourself?

23 holding a grudge and I didn't -- didn't think anything 24 of it. It sucked and there's eight other brokers at the

And did you report this to others at Mercuria?

time and just part of my -- part of how I did business.

19

20

21

٥.

A.

٥.

98 to 101

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Page 98
                                                                                                                Page 99
 1 junior guys and guys who don't have any clout in the
                                                               1 damaged, I would -- because of the position that I'm in
 2 market can probably say whatever they want and sour --
                                                               2 as in kind of more of a managerial role than a specific
 3 and a lot of people believe it's sour grapes of. The --
                                                               3 trading role, it would be difficult for me to get
 4 interesting part is depending on what part of the
                                                               4 another job if I was involved in a lawsuit or -- or some
 5 structure you're in, if you're in a management role it's
                                                              5 type of criminal or civil investigation. Whereas people
 6 a lot more important.
                                                                 who are trading with their own money have a lot more
                   People talk a lot of bad things about
                                                              7 flexibility. They don't have to answer to anybody. So,
 8 maybe John Armold, you know, but he's worth billions,
                                                                 yeah, that's basically it.
 9 right? So that's kind of like people saying, Oh,
                                                                            (BY MR. BERG) My question, though, is about
10 John Arnold sucks. Well -- well, no, you suck and John
                                                              10 their opinion, not about the effect on them.
11 Armold is really successful. So there's a lot of that.
                                                                           Some of the opinions matter.
12 There's a lot of posturing and positioning. I think it
                                                             12
                                                                                MR. KROCK: Objection, form.
13 makes a lot more of an impact when it's somebody who is
                                                             13
                                                                          Some of them don't. Just depends on who
                                                                      A.
14
    generally accepted to be, like, either management or
                                                                they're coming from.
   senior making claims about other people.
15
                                                             15
                                                                      Q.
                                                                           (BY MR. BERG) Okay. Does Adam Sinn's opinion
16
              (BY MR. BERG) So Adam Sinn, for example, is
                                                             16 matter?
17
    someone who is respected and senior, correct?
                                                             17
                                                                                MR. KROCK: Objection, form.
                  MR. KROCK: Objection, form.
18
                                                             18
                                                                          Some circles maybe.
                                                                      A.
19
                   You can answer.
                                                             19
                                                                           (BY MR. BERG) Okay. And things he says can
20
        A. Management, no. Not in managerial level. I
                                                                have an effect, correct?
21 would think -- Adam Sinn is very successful, but he is a
                                                             21
                                                                      A.
                                                                           Depends on the person that it's being
   trader. He is a prop -- prop trader, which is he trades
                                                             22
                                                                communicated to.
23 on his account. They are technically in different
                                                             23
                                                                           What about Eric Torres?
24 categories, because a guy like me has to go get other
                                                                                MR. KROCK: Objection, form.
                                                             24
25 jobs. If I were -- if my reputation was irreparably
                                                                           Same situation. I mean, if people respect
                                                 Page 100
                                                                                                              Page 101
1 Eric Torres, they're going to respect his opinion. If
                                                                      A. Not to my recollection.
2 people don't respect Eric Torres, they won't respect his
                                                                          Okay. I'm going to ask you a few questions.
3 opinion, just like, you know, one person telling another
                                                              3 You understand that I represent Adam Sinn, Eric Torres,
 4 person to use a contractor, right? I mean, the
                                                                XS Capital Management and Aspire Commodities in the
 5 contractor is still going to get work, just maybe not
                                                                 lawsuit in which we're doing this deposition today?
6
   from -- from referrals.
                                                                      A.
                                                                          Yes.
                                                                           Okay. Let me -- do I understand right now
        0.
             (BY MR. BERG) All right. So it -- it depends
                                                                      Q.
   on the context, right?
8
                                                                 that you are not --
9
        A.
             Absolutely.
                                                              9
                                                                      A.
                                                                           (Indicating.)
10
             Depends on the speaker, correct?
                                                                          -- a trader at all?
            Context and -- yeah, content, context and --
                                                                      A. That is correct. I'm not trading.
11
        A.
                                                             11
12 and who -- who's communicating to whom.
                                                             12
                                                                           Okay. And that's been the case since sometime
13
             Right. And so in this small world of traders
                                                             13
                                                                in 2014, is that right?
14 and brokers in the commodities business in Houston,
                                                                          February of 2014.
                                                             14
                                                                      A.
                                                                          All right. Now, I know that Mr. Berg asked
   saying things can harm someone, correct?
                                                             15
                                                                you a bunch of questions about if you recall any
16
                  MR. KROCK: Objection, form.
17
        A. Again, based on what's being said, yes.
                                                                conversations where Mr. Sinn or Mr. Torres disparaged
18
                  MR. BERG: Okay. Pass the witness.
                                                                Mr. Taylor or Atlas or James Marshall.
                                                                               You recall him asking those questions?
19 Thank you.
                                                             19
20
                          EXAMINATION
                                                             20
                                                                      A. Yes.
                                                                                MR. BERG: Object to the form.
21 BY MR. KROCK:
                                                             21
22
                                                             22
                                                                           (BY MR. KROCK) Okay. And -- and I think that
             Mr. Caron, my name is Ken Krock.
23
                                                                your -- your answer was that you don't remember anything
                  Have we ever met before?
24
                                                                specific about -- that they had said that was
        A.
            No.
```

25

Have you ever spoken to me before?

disparaging about Atlas, Mr. Taylor or Mr. Marshall?

102 to 105

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Page 102
                                                                                                              Page 103
 1
                   MR. BERG: Object to the form.
                                                               1 James Marshall that had any effect on your opinion on
 2
             Nothing specific.
                                                               2 him?
              (BY MR. KROCK) Okay. And -- and certainly if
 3
                                                                      A.
                                                                           Not from them specifically --
 4 there was something significant that they said about
                                                                      Q.
                                                                           Okay.
 5 Atlas or -- and "they" being Eric Torres or Mr. Adam
                                                                      A.
                                                                           -- or directly. Sorry.
 6 Sinn -- if there was something significant that Mr. Sinn
                                                                      Q. Okay. Let me maybe ask it a little bit
 7 or Mr. Torres said about Eric -- about Craig Taylor or
                                                               7 differently.
 8 James Marshall or Atlas, you would remember that,
                                                                                Did anything that Mr. Torres or Mr. Sinn
   wouldn't?
 9
                                                              9 ever say to you, communicate to you by text, any -- or
10
                   MR. BERG: Object to the form.
                                                             10 any other way have any effect on your opinion of
11
            Yeah, depending on how -- how substantial
         A.
                                                                 Mr. Taylor or Mr. Marshall or Atlas's reputation?
12
   information was.
                                                                      A,
                                                                           No.
13
             (BY MR. KROCK) If it was something that had
                                                                           Okay. Did anything that Mr. Torres or
14 an effect on your opinion of Mr. Taylor, you would
                                                             14 Mr. Sinn say or do affect whether or not you did
15
   remember that?
                                                                 business with Atlas, Mr. Marshall or Mr. Taylor?
16
         A. I would.
                                                                           Nothing they said.
                                                                      A.
17
            Okay. And if it had an effect on your opinion
                                                                           Okay. Anything that they did affect --
                                                             17
                                                                      0.
   of Mr. Marshall, you -- you'd remember that?
                                                             18
                                                                          Nothing that they did.
                                                                      A.
             If it was significant enough, yes.
19
                                                             19
                                                                           Okay. My understanding was --
20
             And then if it had -- or if it had an effect
                                                             20
                                                                                MR. BERG: I'm sorry. Who's the "they"?
21 on your opinion of Atlas, you would remember that?
                                                             21 I think that's unclear.
22
         A.
             Yes.
                                                             22
                                                                                MR. KROCK: Oh, sure. Sure.
23
             Okay. And as we sit here today, do you recall
                                                                           (BY MR. KROCK) Did Mr. Sinn or Mr. Torres say
                                                             23
24 any disparaging comment or any comment whatsoever that
                                                             24 or do anything to you that affected your -- affected
25 Mr. Sinn or Mr. Torres made about Atlas, Craig Taylor or
                                                             25 whether or not you did business or continued to do
                                                 Page 104
                                                                                                              Page 105
 1 business with Atlas, Mr. Marshall or Mr. Taylor?
                                                                               THE WITNESS: I think she has --
                                                              1
             No, nothing outside the lawsuit.
                                                                               MR. KROCK: Okay. Let me change the
 3
             Okay. And --
        Q.
                                                              3 tape. Sure.
 4
        A.
             The first lawsuit.
                                                              4
                                                                               THE VIDEOGRAPHER: Off the record at
            The first lawsuit.
                                                              5 7:06.
6
                  And I believe that what you had said
                                                              6
                                                                                (Recess from 7:06 p.m. to 7:08 p.m.)
7 before was that you had discovered that in the petition
                                                                                THE VIDEOGRAPHER: Back on the record at
                                                              7
8 in that lawsuit that your name was actually mentioned in
                                                                7:08.
   that lawsuit?
9
                                                                           (BY MR. KROCK) You mentioned a couple of
10
        A. Yes.
                                                                names before. Alex Molina (sic), does that person or
11
        Q. And that was a lawsuit that was filed by
                                                                did that person work at Atlas?
12 Atlas -- by Mr. Taylor?
                                                                      A. I believe -- I believe so, yeah. They were --
13
        A. I believe so.
                                                             13 I believe they're a broker. Again, I could be wrong
14
            All right. So Mr. Taylor and -- and/or Atlas
                                                             14 with the last name specifically, but Alex worked at --
15 made the decision to put your name into a public
                                                             15 at Atlas.
16
  document that -- a petition in a lawsuit?
                                                             16
                                                                      Q. Okay. And then there was a Johnny that worked
17
             I believe so.
                                                                at Atlas?
        A.
                                                                          Johnny, yeah. I think his last name is
18
             Okay. And I -- do I understand you -- can you
                                                             18
                                                                      A.
19 recall the specific allegations that were made in that
                                                             19
                                                                 Gonzales.
                                                                         Okay. And so did I understand your testimony
20 lawsuit?
                                                             20
                                                                before that Alex and/or Johnny sent an instant message
21
        A. Not -- not specifically. I'm sure that
22 there's -- there are -- I mean, it's public record, so
                                                                 to you on behalf of Atlas saying that you were not to --
23 I'm assuming that it's out there somewhere. But, no, I
                                                                 going to be able to do business with Atlas?
                                                                      A. I think I originally messaged Alex or Johnny
24 don't specifically recall. I just remember it not being
                                                             25 said, Hey, are you guys -- can you guys start showing me
25 pleasant.
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Evan Caron August 22, 2016

126 to 129

			7	
1	CAUSE NO. 2	Page 126	1	Page 127 That the deposition transcript was submitted on
2	ERIC TORRES, ADAM SINN,) IN THE DISTRICT COURT	2	to Mr. Richard D. Weaver, attorney
3	XS CAPITAL MANAGEMENT, L.P., and ASPIRE)	3	for the witness, for examination, signature and return
	COMMODITIES, LP.,)	4	to me by;
4	Plaintiffa)	5	That the amount of time used by each party at the
5	Plaintiffs	}	6	deposition is as follows:
١.	vs.) HARRIS COUNTY, TEXAS	7	Mr. Kenneth M. Krock - 22 Minute(s)
6	CRAIG TAYLOR and ATLAS)		Mr. Geoffrey Berg - 01 Hour(s):48 Minute(s)
7	COMMODITIES, L.L.C.,)	В	Mr. Richard D. Weaver - NONE
)	9	That pursuant to information given to the
8	Defendants) 157TH JUDICIAL DISTRICT	10	deposition officer at the time said testimony was taken,
-	CAUSE NO. 2	2015-49014	11	the following includes counsel for all parties of
10	ERIC TORRES,) IN THE DISTRICT COURT	12	record:
11	ERIC TORRES,) IN THE DISTRICT COORT	13	Mr. Kenneth M. Krock, Attorney for Plaintiffs
l.,	Plaintiff)	1	Mr. Geoffrey Berg, Attorney for Defendants
12	vs.) HARRIS COUNTY, TEXAS	14	Craig Taylor, Atlas Commodities, LLC, and
13)		S. James Marshall
١.,	S. JAMES MARSHALL	1	15	Mr. Richard D. Weaver, Attorney for witness
14	Defendant) 157TH JUDICIAL DISTRICT	16	I further certify that I am neither counsel for,
15		,	17	related to, nor employed by any of the parties or
16	REPORTER'S CE		18	attorneys in the action in which this proceeding was
17	ORAL AND VIDEOTAPE EVAN C		19	taken, and further that I am not financially or
	August 2	2, 2016	20	otherwise interested in the outcome of the action.
18	Volum	me 1	21	Further certification requirements pursuant to
20	I, Julie A. Jordan, Cert	ified Shorthand Reporter in	1	Rule 203 of TRCP will be certified to after they have
21	and for the State of Texas, h	ereby certify to the	23	occurred.
22	following: That the witness, EVAN C	ARON, was duly sworn by the	24	occurred.
24	officer and that the transcri	pt of the oral deposition	25	
1 25	is a true record of the testi	mony given by the witness;	-	
1			1	
		Page 128		Page 129
1	Certified to by me this	Page 128	1	FURTHER CERTIFICATION UNDER RULE 203 TRCP
1 2	Certified to by me this	Page 128 Page 128 Page 128	2	FURTHER CERTIFICATION UNDER RULE 203 TRCP The original deposition was/was not returned to the
1		Julie a Jordan 2016.	2	FURTHER CERTIFICATION UNDER RULE 203 TRCP The original deposition was/was not returned to the deposition officer on;
1 2	Julie A.	Jordan, Texas CSR 3203	3 4	FURTHER CERTIFICATION UNDER RULE 203 TRCF The original deposition was/was not returned to the deposition officer on; If returned, the attached Changes and Signature
1 2 3	Julie A. Expiration	Julie a Jordan 2016.	2	The original deposition was/was not returned to the deposition officer on; If returned, the attached Changes and Signature page contains any changes and the reasons therefor;
1 2 3	Julie A. Expiratio U.S. LEGA	Jordan, Texas CSR 3203 on Date: 12/31/17	2 3 4 5	FURTHER CERTIFICATION UNDER RULE 203 TRCF The original deposition was/was not returned to the deposition officer on; If returned, the attached Changes and Signature
1 2 3	Julie A. Expiratio U.S. LEGA	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT stration No. 344	2 3 4 5 6	The original deposition was/was not returned to the deposition officer on; If returned, the attached Changes and Signature page contains any changes and the reasons therefor; If returned, the original deposition was delivered
1 2 3	Julie A. Expiratio U.S. LEGP Firm Regi	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT stration No. 344	2 3 4 5 6 7	The original deposition was/was not returned to the deposition officer on; If returned, the attached Changes and Signature page contains any changes and the reasons therefor; If returned, the original deposition was delivered to Mr. Geoffrey Berg, Custodial Attorney;
1 2 3 4 5	Julie A. Expiratio U.S. LEGF Firm Regi 701 Brazo Suite 380	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street	2 3 4 5 6 7 8	The original deposition was/was not returned to the deposition officer on; If returned, the attached Changes and Signature page contains any changes and the reasons therefor; If returned, the original deposition was delivered to Mr. Geoffrey Berg, Custodial Attorney; That \$ is the deposition officer's
1 2 3 4	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Texas 78701	2 3 4 5 6 7 8 9 10	The original deposition was/was not returned to the deposition officer on; If returned, the attached Changes and Signature page contains any changes and the reasons therefor; If returned, the original deposition was delivered to Mr. Geoffrey Berg, Custodial Attorney; That \$ is the deposition officer's charges to the Defendants Craig Taylor, Atlas Commodities, LLC, and S. James Marshall, for preparing the original deposition transcript and any copies of
1 2 3 4 5 6 7	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Pexas 78701	2 3 4 5 6 7 8 9 10 11	The original deposition was/was not returned to the deposition officer on; If returned, the attached Changes and Signature page contains any changes and the reasons therefor; If returned, the original deposition was delivered to Mr. Geoffrey Berg, Custodial Attorney; That \$ is the deposition officer's charges to the Defendants Craig Taylor, Atlas Commodities, LLC, and S. James Marshall, for preparing the original deposition transcript and any copies of exhibits;
1 2 3 4 5 6 7 8	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Texas 78701	2 3 4 5 6 7 8 9 10 11 12	The original deposition was/was not returned to the deposition officer on; If returned, the attached Changes and Signature page contains any changes and the reasons therefor; If returned, the original deposition was delivered to Mr. Geoffrey Berg, Custodial Attorney; That \$ is the deposition officer's charges to the Defendants Craig Taylor, Atlas Commodities, LLC, and S. James Marshall, for preparing the original deposition transcript and any copies of exhibits; That the deposition was delivered in accordance
1 2 3 4 5 6 7 8 9	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Texas 78701	2 3 4 5 6 7 8 9 10 11 12 13	The original deposition was/was not returned to the deposition officer on
1 2 3 4 4 5 6 6 7 8 9 10	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Texas 78701	2 3 4 5 6 7 8 9 10 11 12 13 14	The original deposition was/was not returned to the deposition officer on
1 2 3 4 4 5 6 6 7 8 9 10 11	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Texas 78701	2 3 4 5 6 7 8 9 10 11 12 13 14 15	The original deposition was/was not returned to the deposition officer on
1 2 3 4 5 6 7 8 9 10 11 12	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Texas 78701	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	The original deposition was/was not returned to the deposition officer on
1 2 3 4 4 5 6 6 7 8 9 10 11	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Texas 78701	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	The original deposition was/was not returned to the deposition officer on
1 2 3 4 5 6 7 8 9 10 11 12 13	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Texas 78701	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	The original deposition was/was not returned to the deposition officer on
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1 2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Texas 78701	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	The original deposition was/was not returned to the deposition officer on
1 2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Texas 78701	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	The original deposition was/was not returned to the deposition officer on
1 2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Julie A. Expiration U.S. LEGF Firm Region 701 Braze Suite 380 Austin, T	Jordan, Texas CSR 3203 on Date: 12/31/17 NL SUPPORT Stration No. 344 os Street O, Austin Centre Texas 78701	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	The original deposition was/was not returned to the deposition officer on
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