

or entities associated with the Church of Scientology. Petitioners were attorneys of record in Cause No.C-2013-1082B; *Monique Rathbun v. David Miscavige, et al.*, in the 207th Judicial District Court, Comal County, Texas. Petitioners successfully represented Mrs. Rathbun for more than two years at the trial and appellate levels, but were abruptly terminated without cause by Mrs. Rathbun. After Petitioners were removed as attorneys of record, the suit was dismissed by Mrs. Rathbun while the case was before the Texas Supreme Court. Petitioners have a financial interest in anything of value received by the Rathbuns in connection with the matters made the subject of the Contingency Attorney Fee Contract (“the Contract”) between the Rathbuns and Petitioners. Petitioners seek to investigate an anticipated suit by Petitioners.

3. The subject matter of the anticipated action is whether anything of value has been or will be, directly or indirectly, paid to or received by the Rathbuns in connection with their claims. Petitioners have a financial interest in any such settlement for their fees and expenses incurred on behalf of the Rathbuns.

4. The following persons are expected to have interests adverse to those of Petitioners in connection with the anticipated suit:

Monique Rathbun and Mark Rathbun
501 Sunset
Ingleside On the Bay, Texas 78362
Telephone: (281) 250-4577 (Mrs. Rathbun)
Telephone: (361) 249-6800 (Mr. Rathbun)

5. This Petition is filed in Bexar County, Texas, where venue of the anticipated suit will lie, as provided by the Contract.

Request to Depose

6. Petitioners ask the Court to issue an order authorizing the oral deposition, by *subpoena duces tecum*, of Monique Rathbun and Mark Rathbun, identified above. A copy of the

requested Notices of Deposition, with *subpoena duces tecum*, are attached hereto as Exhibits A and B. Petitioners expect to elicit from the Rathbuns the facts and circumstances concerning the termination of Petitioners' legal services; dismissal by the Rathbuns of the above-referenced suit; statements by the Rathbuns concerning Petitioners' representation; the Rathbuns' communications, directly or indirectly, with the adverse parties from said suit; the Rathbuns' financial situation and changes thereto at all relevant times; and the promise, payment, or receipt of anything of value to the Rathbuns directly or indirectly pertaining to the contract or their claims.

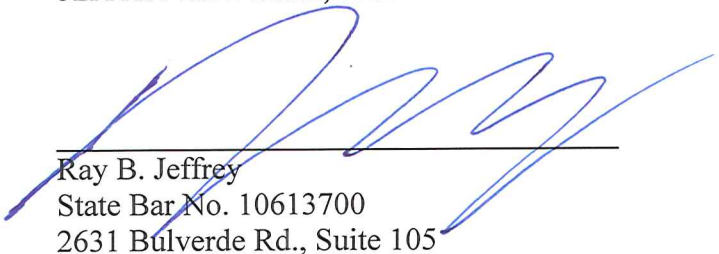
7. Allowing Petitioners to take the requested depositions may prevent a failure or delay of justice in the anticipated suit. There is significant circumstantial evidence to indicate that Petitioners may have causes of action against the Rathbuns. However, it is a serious undertaking for attorneys to take legal action against former clients, and Petitioners have an obligation, under Rule 13 TRCP, to make reasonable inquiry that the anticipated suit is well grounded.

Prayer

8. For these reasons, Petitioners ask the Court to set this Petition for hearing at least 15 days after service, and upon hearing, grant an Order authorizing the oral deposition, by *subpoena duces tecum*, of Monique Rathbun and Mark Rathbun, as requested above.

Respectfully submitted,

JEFFREY LAW FIRM, P.C.



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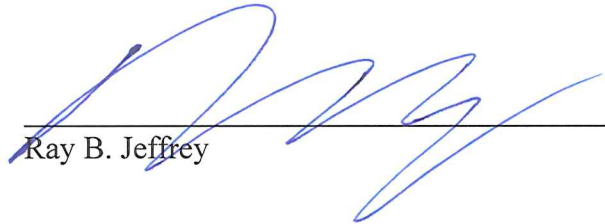
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PETITIONERS

VERIFICATION BY UNSWORN DECLARATION

My name is **Ray B. Jeffrey**. My date of birth is November 2, 1958. My address is 2631 Bulverde Rd, Suite 105, Bulverde, Texas 78163. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Comal County, State of Texas, on the 5th day of July, 2017.



Ray B. Jeffrey

CERTIFICATE OF SERVICE

I certify that, in accordance with Rule 202, a true copy of the above was forwarded to a process server for personal hand delivery on each necessary party in accordance with the Texas Rules of Civil Procedure on July 5th, 2017.

Monique Rathbun
Marty Rathbun
501 Sunset
Ingleside on the Bay, TX 78362



Ray B. Jeffrey