

CAUSE NO. 2021CCV-60554-4

LUCY ZUNIGA, Individually and	§	IN THE COUNTY COURT
VIVIAN SIMAJ-SANTOS, Individually	§	
And as Personal Representative of The	§	
ESTATE OF JASSON JOSUE	§	
VILLALOBOS ZUNIGA	§	
	§	
<i>Plaintiffs</i>	§	
	§	
v.	§	AT LAW NO. 4
	§	
AMERICAN DIRECTIONAL BORING,	§	
INC., d/b/a ADB UTILITY	§	
CONTRACTORS INC.; AT&T, INC.,	§	
THE KEELEY COMPANIES, S.S.	§	
CONSTRUCTION AND DRILLING LLC	§	
	§	
<i>Defendants</i>	§	NUECES COUNTY, TEXAS

DEFENDANT AT&T, INC.'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Defendant AT&T, INC. ("Defendant"), and files this, its Original Answer to Plaintiffs' Original Petition and Jury Demand (the "Petition"). In support thereof, Defendant respectfully shows the Court as follows:

I.

General Denial

Pursuant to Texas Rule of Civil Procedure 92, Defendant generally denies each and every allegation in the Petition and demands strict proof thereof as required by the Texas Rules of Civil Procedure.

II.

Verified Special Denial

Pursuant to Rule 93 of the Texas Rules of Civil Procedure, AT&T Inc. asserts that Plaintiffs named or sued the wrong respondent or defendant. AT&T Inc. is not a proper party.

More specifically, AT&T Inc. is a holding company only and conducts no business other than to own the stock of its subsidiaries. It had no involvement in the action complained of in the Petition, and engaged in none of the alleged acts, omissions, or conduct of which Plaintiffs complain. AT&T Inc. demands strict proof thereof by a preponderance of the evidence pursuant to Texas Rules of Civil Procedure 92 and 93. Southwestern Bell Texas d/b/a AT&T Texas is the entity with the relationship to this matter. See Verification of Wayne Adams, Ex. A attached hereto.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that the Court render judgment that Plaintiffs take nothing from Defendant in this case. Defendant prays for all such other relief, at law and in equity, to which Defendant may be justly entitled.

Respectfully submitted,

**UHL, FITZSIMONS, JEWETT, BURTON,
WOLFF & RANGEL, PLLC**

By: /s/ Jaime S. Rangel

Jaime S. Rangel
State Bar No. 24033759
Ryan M. Lammert
State Bar No. 24074571
4040 Broadway, Suite 430
San Antonio, Texas 78209
(210) 829-1660
(210) 829-1641 – Fax
jrangel@ufjlaw.com
rlammert@ufjlaw.com

***ATTORNEYS FOR DEFENDANT
AT&T, INC.***

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was this the 4TH day of June 2021 served upon all counsel of record via the Court's E-filing system and as otherwise required by the Texas rules of Civil Procedure:

Simon B. Purnell
Daniel R. Griffin
Charles E. Hardy Jr.
GRIFFIN PURNELL LLC
615 N. Upper Broadway, Suite 900
Corpus Christi, TX 78401
simon@griffinpurnell.com
dan@griffinpurnell.com
chase@griffinpurnell.com

Antonio B. Gonzalez
A. GONZALEZ LAW FIRM PLLC
924 Leopard St.
Corpus Christi, Texas 78401
agonzalezlawfirm@gmail.com
ATTORNEYS FOR PLAINTIFFS

/s/ Jaime S. Rangel
JAIME S. RANGEL

EXHIBIT A

AFFIDAVIT

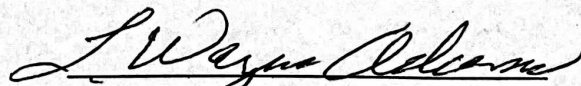
STATE OF TEXAS

§
§
§

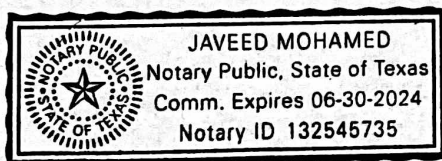
COUNTY OF DENTOS

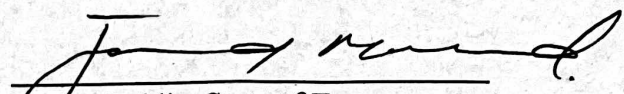
Before me, the undersigned notary, on this day personally appeared, L. WAYNE ADAMS, Director of Investment Management for AT&T Management Services, L.P., a person whose identity is known to me, who, being duly sworn, deposed as follows:

1. My name is L. Wayne Adams, I am over eighteen (18) years of age, am of sound mind, have never been convicted of a felony or crime involving moral turpitude, and am otherwise legally competent to make this affidavit.
2. I am a Director of Investment Management for AT&T Management Services, L.P. I have been employed with AT&T Management Services, L.P. or its predecessors in interest since 1993. As part of my job, I am familiar with the corporate structure and business practices of Southwestern Bell Telephone Company d/b/a AT&T Texas.
3. I have reviewed Sections I. and II. of Defendant AT&T Inc.'s Original Answer for filing in connection with that certain lawsuit styled and numbered as Cause No. 2021CCV-60554-4; LUCY ZUNIGA, Individually and VIVIAN SIMAJ-SANTOS, Individually and as Personal Representative of the ESTATE OF JASSON JOSUE VILLALOBOS ZUNIGA v. AMERICAN DIRECTIONAL BORING INC., d/b/a ADB Utility Contractors Inc., AT&T, Inc., The Keeley Companies, S.S. Construction and Drilling, LLC; In the County Court at Law No. 4 of Nueces County, Texas. All of the statements and assertions contained in those paragraphs and their subparts are within my personal knowledge and are true and correct.


L. WAYNE ADAMS

Subscribed and sworn to before me on this the 3rd day of June, 2021.




Notary Public, State of Texas