

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

THE STATE OF TEXAS,	§	CIVIL NO.: 5:96CV91
	§	
Plaintiff	§	
	§	
VS.	§	JUDGE DAVID G. FOLSOM
	§	
THE AMERICAN TOBACCO COMPANY;	§	
R.J. REYNOLDS TOBACCO	§	MAGISTRATE:
COMPANY; BROWN & WILLIAMSON	§	JUDGE WENDELL C. RADFORD
TOBACCO CORPORATION; B.A.T.	§	
INDUSTRIES, P.L.C.; PHILIP	§	<b><u>JURY</u></b>
MORRIS, INC.; LIGGETT GROUP,	§	
INC.; LORILLARD TOBACCO	§	
COMPANY, INC.; UNITED STATES	§	
TOBACCO COMPANY; HILL &	§	
KNOWLTON, INC.; THE COUNCIL	§	
FOR TOBACCO RESEARCH-USA,	§	
INC. (Successor to Tobacco	§	
Institute Research Committee);	§	
and THE TOBACCO INSTITUTE, INC.,	§	
	§	
Defendants	§	

**SECOND AMENDED NOTICE OF  
VIDEO DEPOSITION OF JOSEPH E. BUMGARNER**

TO: All Known Defense Counsel (See Exhibit "1")

PLEASE TAKE NOTICE, that the undersigned counsel, pursuant to Rule 30 of the Federal Rules of Civil Procedure, on behalf of Plaintiff, The State of Texas, will take the video deposition of Joseph E. Bumgarner, c/o Environmental Protection Agency, 86 T.W. Alexander Drive, Research Triangle Park, Annex Building, Raleigh-Durham, North Carolina 27711 for the above-captioned case, 5:96CV91, for all purposes permitted by the Federal Rules of Civil Procedure and Evidence. The

video deposition will take place on November 11, 1996, before a fully authorized court reporter at Magistrate Judge Wendell C. Radford's Courtroom, Jack Brooks Federal Building, 300 Willow, Courtroom No. 5, Beaumont, Texas 77701, commencing at 10:00 a.m. and concluding no later than 5:00 p.m. as per agreement of the parties as reflected in Exhibit "A" attached hereto.

Magistrate Judge Wendell C. Radford will be presiding over the deposition.

You are invited to attend and participate in accordance with the Fed.R.Civ.P. and the Local Rules of the Eastern District of Texas.

Respectfully submitted,

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BY: \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing **Second Amended Notice of Video Deposition of Joseph E. Bumgarner** has the 21st day of October, 1996 been forwarded to all known counsel of record listed in Exhibit "1" by regular U.S. mail.

\_\_\_\_\_  
HUGH E. MCNEELY

**EXHIBIT "1"**

**SERVICE LIST FOR STATE OF TEXAS VS.  
THE AMERICAN TOBACCO COMPANY, ET AL**

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