

Date: 12/12/16
Time: 10:03 AM
Initials: AM

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the
Eastern District of Texas

SECURITIES AND EXCHANGE COMMISSION

Plaintiff

v.

WILLIAM E. MAPP, III, WARREN K. PAXTON, JR.,
CALEB J. WHITE, and SERVERGY, INC.

Defendant

Civil Action No. 4:16-cv-00246

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Unity Resources, L.L.C. c/o Mark Mersman, Registered Agent
To be found at 4401 Druid Hills Dr., Frisco, TX 75034

(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

See Attachment A

Place: Polsinelli PC
2950 N. Harwood Street, Suite 2100
Dallas, TX 75201

Date and Time:
12/22/2016 10:00 am

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 12/08/2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party)

Warren K. Paxton, Jr., who issues or requests this subpoena, are:

Matthew Martens/1875 Pennsylvania Ave NW/Washington DC 20006/matthew.martens@wilmerhale.com/202-663-6000

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

DOCUMENTS REQUESTED

REQUEST NO. 1

Documents sufficient to identify the ownership of Unity Resources from January 2012 through December 2014, including the percentage ownership of each owner.

REQUEST NO. 2

Documents sufficient to identify the relationship between Unity Resources and any of:

- Unity #9-A, L.L.C.;
- Unity 12-C, L.L.C.;
- Legacy Income Royalty Fund, L.L.C.;
- Cypress Income Fund, L.L.C.; or
- Cypress Income Fund II, L.L.C.

REQUEST NO. 3

Documents sufficient to identify all members or managers of Unity Resources from January 2012 through December 2014.

REQUEST NO. 4

All minutes of any meetings of members or managers of Unity Resources held during the period from January 2012 through December 2014.

REQUEST NO. 5

A true and correct copy of any Unity Resources membership agreement in effect at any time during the period from January 2012 through December 2014.

REQUEST NO. 6

Documents sufficient to identify any conflict of interest disclosures made by Unity Resources, its members, or its managers to any members or managers of Unity Resources.

REQUEST NO. 7

Any documents related to the sale of mineral rights to or the purchase of mineral rights by Byron C. Cook, his family, or other entities owned, in whole or part, or controlled by Byron C. Cook or his family, including but not limited to BK Cook Family Limited Partnership, LP, Ken Cook, Ginnie Cook Davis, or Katie Louise Cook.

REQUEST NO. 8

Any documents related to the sale of mineral rights to or purchase of mineral rights by Joel Hochberg, his family, or other entities owned, in whole or part, or controlled by Joel Hochberg or his family, including but not limited to Hochberg Holdings Limited Partnership.

REQUEST NO. 9

Any documents related to the sale of mineral rights to or purchase of mineral rights by Trade Rare, LLC.

REQUEST NO. 10

Documents sufficient to identify any payments to Byron C. Cook or Joel Hochberg.