

CAUSE NO. DF-24-18010

IN THE MATTER OF
THE MARRIAGE OF

GWENDOLYN ULIJASZ-McKEMIE
AND
JASON McKEMIE

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IN THE DISTRICT COURT

254TH JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

PETITIONER'S RESPONSE TO RESPONDENT'S
REQUESTS FOR DISCLOSURE

TO: Respondent Jason McKemie, pro se, via e-service.

COMES NOW Gwendolyn Ulijasz-McKemie, Petitioner in the above-entitled and numbered cause, and serves her Response to Respondent's Requests for Disclosure.

Respectfully submitted,

SULLIVAN & COOK, LLC

/s/ Ethan Scroggins

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**ATTORNEYS FOR PETITIONER,
GWENDOLYN ULIJASZ-McKEMIE**

CERTIFICATE OF SERVICE

This is to certify that on this 23rd day of June, 2025, a true and correct copy of the foregoing document has been sent by electronic filing and service to all counsel and pro se parties of record.

/s/ Ethan Scroggins

Ethan Scroggins

REQUESTS FOR DISCLOSURE

1. State the correct names of the parties to the lawsuit.

RESPONSE:

Gwendolyn Ulijasz-McKemie, Petitioner

Jason McKemie, Respondent

2. State the name, address, and telephone number of any potential parties.

RESPONSE: None known at this time.

3. State the legal theories and, in general, the factual bases for the claims or defenses of Petitioner.

RESPONSE:

The legal theories and factual bases of Petitioner's claims are as contained in Gwendolyn Ulijasz-McKemie's pleadings, motions, and other papers filed or exchanged in this cause, as well as any amended or supplemental pleadings and motions Gwendolyn Ulijasz-McKemie may file.

For example, see the following as contained in Petitioner's pleadings:

The parties were married on or about June 22, 2024 and ceased to live together as spouses on or about December 2024.

The marriage has become insupportable because of discord or conflict of personalities between Petitioner and Respondent that destroys the legitimate ends of the marriage relationship and prevents any reasonable expectation of reconciliation.

Respondent has squandered community assets by making grossly excessive expenditures of community assets. Respondent has spent and wasted community funds at a time when Respondent knew or should have known that Petitioner would have objected to these expenditures. These expenditures of property are in direct violation of Respondent's duty as co-manager of the community estate.

Petitioner owns certain separate property that is not part of the community estate of the parties, and Petitioner requests the Court to confirm that separate property as Petitioner's separate property and estate.

Petitioner requests the Court to reimburse Petitioner's separate estate for property used by Petitioner's separate estate to confer a benefit on the community estate that, if not repaid or reimbursed, would result in unjust enrichment to the community estate. The property of

Petitioner's separate estate was used to pay a debt, liability, or expense that in equity and good conscience should have been paid from the community estate, and Petitioner requests the Court to reimburse Petitioner's separate estate the amount of the debt, liability, or expense paid by Petitioner's separate estate.

Petitioner requests the Court to reimburse Petitioner's separate estate for property used by Petitioner's separate estate to confer a benefit on Respondent's separate estate that, if not repaid or reimbursed, would result in unjust enrichment to Respondent's separate estate. The property of Petitioner's separate estate was used to pay a debt, liability, or expense that in equity and good conscience should have been paid from Respondent's separate estate, and Petitioner requests the Court to reimburse Petitioner's separate estate the amount of the debt, liability, or expense paid by Petitioner's separate estate.

Respondent Jason McKemie, as Petitioner Gwendolyn Uljasz-McKemie's spouse, had a fiduciary relationship with and a fiduciary duty to Gwendolyn Uljasz-McKemie. As a result of their fiduciary relationship, Gwendolyn Uljasz-McKemie reposed a special confidence in Jason McKemie, and Jason McKemie had a duty in equity and good conscience to act in good faith and with due regard for Gwendolyn Uljasz-McKemie's interests.

Jason McKemie, in violation of his duty to Gwendolyn Uljasz-McKemie, has breached his duty to Gwendolyn Uljasz-McKemie by misappropriating community funds.

Respondent Jason McKemie committed fraud when he intentionally failed to disclose years of unpaid taxes and unpaid debts and pressured Petitioner into paying those amounts using her separate property because of their relationship.

Jason McKemie installed software on Gwendolyn Uljasz-McKemie's phone and computers with the purpose of tracking her electronic activity and monitoring her communications. Jason McKemie, without Gwendolyn Uljasz-McKemie's consent, accessed Gwendolyn Uljasz-McKemie's personal accounts, financial accounts, utility accounts, and business accounts. Once the relationship started turning sour, Jason McKemie furthered his intrusion and made efforts, many successful, to delete information, restrict Gwendolyn Uljasz-McKemie's access to the accounts, and to monitor Gwendolyn Uljasz-McKemie. Jason McKemie also utilized tracking devices put into Gwendolyn Uljasz-McKemie's vehicle and bags in order to track her physical location.

Jason McKemie violated Gwendolyn Uljasz-McKemie's right of privacy by installing devices meant to monitor and track Gwendolyn Uljasz-McKemie's activity in her residence, on her personal belongings, and in her vehicles without her consent. Jason McKemie committed an intentional intrusion upon Gwendolyn Uljasz-McKemie's solitude, seclusion, or private affairs and concerns which would be highly offensive to a reasonable person. Jason McKemie is liable to Gwendolyn Uljasz-McKemie for her actual damages, mental anguish and suffering, punitive damages and costs.

Texas Civil Practice and Remedies Code § 123.002 provides a cause of action against a person who intercepts, attempts to intercept or employs another to intercept or attempt to intercept a communication. Jason McKemie violated that statute by putting tracking devices in every aspect of Gwendolyn Uljasz-McKemie's life and by installing software on Gwendolyn

Ulijasz-McKemie's devices meant to copy and intercept communications and actions. Jason McKemie is liable to Gwendolyn Ulijasz-McKemie for statutory damages under §123.004 in the amount of \$10,000 for each occurrence, actual damages, punitive damages, and reasonable attorney's fees and costs.

By putting tracking devices in every aspect of Gwendolyn Ulijasz-McKemie's life and intentionally obstructing and eliminating access to financial accounts and various other personal matters, and through the routine hacking and unauthorized access to Gwendolyn Ulijasz-McKemie's computer files, electronic devices and accounts, Jason McKemie has acted intentionally or recklessly, in an extreme and outrageous manner that exceeds the bounds of civil decency that has caused Gwendolyn Ulijasz-McKemie severe emotional distress. Jason McKemie is liable to Gwendolyn Ulijasz-McKemie for her actual damages, mental anguish and suffering, punitive damages and costs.

It was necessary for Petitioner to secure the services of Sullivan & Cook, LLC, licensed attorneys, to prepare and prosecute this suit. To effect an equitable division of the estate of the parties and as a part of the division, judgment for attorney's fees, expenses, and costs through trial and appeal should be granted against Respondent and in favor of Petitioner for the use and benefit of Petitioner's attorney; or, in the alternative, Petitioner requests that reasonable attorney's fees, expenses, and costs through trial and appeal be taxed as costs and be ordered paid directly to Petitioner's attorney, who may enforce the order in the attorney's own name. Petitioner requests postjudgment interest as allowed by law.

4. State the amount and any method of calculating economic damages.

RESPONSE: Reasonable and necessary attorney's fees, expenses, and costs incurred by Petitioner in relation to this cause of action. Additionally, over \$50,000 for separate property spent on Respondent's debts and an additional \$50,000 in damages as the result of Petitioner's civil claims against Respondent for breach of fiduciary duty, fraud, invasion of privacy, wiretapping, intentional infliction of emotional distress. The damages for the civil claims are based on each occurrence or action by Respondent Jason McKemie pursuant to statute and the harm that Petitioner suffered as a result.

5. State the names, addresses, and telephone numbers of persons having knowledge of relevant facts, and give a brief statement of each identified person's connection with the case.

RESPONSE:

Gwendolyn Ulijasz-McKemie
c/o Ethan Scroggins
Sullivan & Cook, LLC
600 E. Las Colinas Blvd. Ste. 1300
Irving, Texas 75039
Tel: (214) 520-7494
Petitioner

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Counsel for Petitioner

Jason McKemie
Respondent

Edward M. Gardner CPA
2519 South Boulevard Suite 100, Houston, Texas 77098
Telephone: (713) 942-1040
Petitioner's CPA

6. Produce a copy or description of all documents, electronically stored information, and tangible things that Petitioner has in her possession, custody, or control and may use to support her claims or defenses.

RESPONSE: See the documents produced in response to Respondent's discovery requests and Exhibit A, the discovery log for Petitioner.

7. Produce the originals or copies of any indemnity or insurance agreement under which any person may be liable to satisfy part of all of a judgment.

RESPONSE: None.

8. Produce the originals or copies of any settlement agreements described in Rule 192.3(g) of the Texas Rules of Civil Procedure.

RESPONSE: None.

9. Produce the originals or copies of any discoverable witness statements described in Rule 192.3(h) of the Texas Rules of Civil Procedure.

RESPONSE: None.