

CAUSE NO. 2019-77534

CLIFTON MONCEAUX,	§	IN THE DISTRICT COURT OF
	§	
Plaintiff	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
DISA GLOBAL SOLUTIONS, INC.,	§	
DISA HOLDING CORP., AND	§	
UNIVERSITY SERVICES	§	
DISAWORKS,	§	
	§	
Defendants	§	61st JUDICIAL DISTRICT

**SUPPLEMENT TO RESPONSE TO MOTION FOR INTERIM PROTECTIVE ORDER
TO NOTIFY COURT OF DENIAL OF MOTION IN SEPARATE PROCEEDING**

Defendants DISA Global Solutions, Inc. and DISA Holdings Corp., improperly identified as DISA Holding Corp. (“DISA”)¹ file this Supplement to Response to Plaintiff Clifton Monceaux’s Motion for Interim Protective Order *to notify the Court that on September 29, 2020, the 269th District Court denied an identical motion for interim protective order filed by Plaintiff’s counsel on behalf of a different plaintiff in another lawsuit.* (See 9.29.20 Order in *Roys v. DISA Global Solutions, Inc., et al.*, attached as Exhibit 8.) The *Roys* case is based on nearly identical facts and allegations as this case and involves the same counsel representing DISA and Plaintiff.

Like the plaintiff in this case, the plaintiff in *Roys* alleges that his urine sample drug test yielded a false-positive result and asserts claims of negligence and DTPA violations, among others. The documents at issue in *Roys* are essentially the same of documents at issue in this case, with

¹ DISA Global Solutions, Inc. is the only properly named DISA entity in this lawsuit. DISA Holdings Corp. is a Delaware corporation but does not operate as a drug test administrator, which is solely the purview of DISA Global Solutions, Inc. “University Services DISAWorks” is not the name any business entity to DISA’s knowledge and is not a party to this litigation. DISAWorks is not a business entity. It is a product developed by DISA Global Solutions, Inc.

the exception that documents specific to each plaintiff and his drug tests, of course, are different. In fact, *Roys* involves the same laboratory (Clinical Reference Laboratory) and the same medical review officer (University MRO, LLC) as this case.

The Plaintiff in *Roys* filed a motion for entry of protective order that is virtually identical to the one in this case. Accordingly, DISA's response to the motion in *Roys* is virtually identical to its response in this case and relied on the same legal arguments. There is no compelling reason this case should be treated any differently than *Roys*. DISA, therefore, requests the Court accept this Supplement to the Response to Motion for Interim Protective Order and, as the court did in *Roys*, enter an order denying Plaintiff's Motion for Interim Protective Order.

Date: October 1, 2020.

Respectfully submitted,

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CERTIFICATE OF SERVICE

On October 1, 2020, a true and correct copy of the foregoing was served via the Court's electronic filing system on counsel of record as follows:

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