**Timeline of Events: Tom R. Welding PC Case**

**April 24, 2024**Kyle conducts the first on-site support visit to Tom’s business for the Welder Control Project and receives a payment of $112.50 for ¾ hour of tech time. Receipt #1238.

**May 15, 2024**Second on-site support visit for the Welder Control Project. Tom pays $450 for 3 hours of tech time. Receipt #1300.

**May 16, 2024**Kyle emails Tom to clarify the scope of work and reiterates the purchase of a Pentium II PC for legacy integration as a “backup tower.” — not a new system. Emphasis is placed on the complexity of getting ISA cards and legacy software functioning.

**May 17, 2024**Kyle begins technical engagement with MTI (via liaison Dennis) and Tom, confirming the ISA integration issue is substantial. No statement is made promising a “new” PC; in fact, communications clarify the difficulty in sourcing legacy hardware.

**May 20, 2024**Tom visits North Point Computers and pays $678 (Receipt #1311) for a Pentium II PC, ISA card installation, and data transfer. On this day, Jose purchases the Pentium II PC from an eBay vendor. Confirmation of the sale and FedEx tracking is archived.

**May 21 – July 2024**Kyle performs over 8 hours of technical labor as part of the "Welder Control Project," specifically the "Backup PC Project" and the beginning of the "Virtualization Project":

* Sourced and tested a legacy industrial Pentium II PC with ISA slots (1.0 h)
* Installed ISA cards, confirmed seating and DOS compatibility (1.0 h)
* Cloned Tom’s original DOS hard disk, created recovery images (3.0 h)
* Resolved OS boot issues on legacy PC, altered BIOS and boot files (1.5 h)
* Phone consultation with Tom, who agreed to pursue virtualization (0.5 h)
* Ordered and tested ISA bridge emulation hardware (1.0 h)

**June 17, 2024**Tom contacts Kyle via email. Kyle refers him to Jose for further communication. Jose confirms the project is incomplete due to unpaid labor, and offers clarification—not a denial of delivery. No promises of a “new” PC are made.

**July 11, 2024 (approx.)**Tom retrieves his original PC and ISA cards from North Point Computers indicating that he has a technician from MTI on site for further troubleshooting. Credit card payment is unavailable at pickup. Kyle does not provide an exact amount due, but Tom is informed of a substantial unpaid labor balance exceeding 8 hours.

**August 2024 – March 2025**No communication is received from Tom. The replacement Pentium II PC and USB-to-ISA adapters remain secured.

**September 10, 2024**Tom drops off his original PC for repair, experiencing HDD failure. Kyle restores the operating system onto a refurbished hard drive.

**September 12, 2024**Tom picks up the repaired system and pays $150 for labor and $44 for a refurbished IDE hard disk. Receipt #1650. Kyle again requests updated configuration info and reminds Tom about unpaid project time hindering pickup of his “backup tower.”

March 27, 2024

Tom comes to the North Point Computers location at 62 S King St. and requests a refund of $900 at the point of sale. Kyle let’s Tom know that he cannot perform that request as he doesn’t have access to the necessary software privileges in our payment gateway system. He also let’s him know he is well past the refund window and that he cannot refund an amount without the receipt being presented. Additionally, he reminds Tom that he has a labor balance that’s still unpaid hindering the delivery of his Pentium II “backup tower.”

**April 4, 2025**Tom sends an email titled “Refund Request,” falsely claiming he never received a system and was not informed of any balance.

**April 5, 2025**Jose replies seeking clarification and resolution.

**April 6, 2025**Kyle asks Jose for a record of what was delivered to prepare a unified response.

**April 8, 2025**Tom’s final pre-suit email states “We Are Waiting,” confirming expectation of further action—not dissatisfaction.

**April 9, 2025**Jose offers to ship the configured Pentium II PC and USB-to-ISA adapters via FedEx with tracking. Tom declines.

**April 30, 2025**Jose receives a formal legal threat from Tom.

**May 2, 2025**Tom files suit against North Point Computers.

**May 3, 2025**Jose is served with lawsuit paperwork.

**May 12, 2025**Jose files a Defendant’s Answer and Counterclaim.

**May 26, 2025**Kyle documents the complete scope of the Welder Control Project, specifying 8 hours of labor, the transition from the Backup PC Project to the Virtualization Project, and the technical data needed from MTI to complete the work.

**Exhibit G – In-Store Policy Signage**

* “No refunds on special order items or labor.”
* “All labor subject to 8.25% Texas state sales tax.”
* “Purchasing a computer does NOT include setup of operating system, transfer of files, or software installation. These are additional services and are quoted separately.”
* “Software license keys are NOT transferable unless explicitly noted.”

**Exhibit H – Technician Communication Summary**

* Kyle confirms attempts to run the MTI software on the original PC, the purchased Pentium II PC, and in a virtualized setup. None succeeded. Concludes issue lies with ISA software communication, not the machine.

**Exhibit I – Sales Documentation**

* eBay receipt and FedEx shipment detail show the exact Pentium II PC was purchased and delivered. This was never a new machine and could not be, given the age of the hardware.

**Exhibit J – Clarification Email From Jose**

* Jose confirms no promise of a “new” machine was made. Notes customer’s misunderstanding and documents offer to ship completed system.

**Exhibit K – Evidence of Payment Receipts**

* #1238 – April 24, 2024 – $112.50
* #1300 – May 15, 2024 – $450.00
* #1311 – May 20, 2024 – $678.00
* #1650 – September 12, 2024 – $194.00