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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/25/2007

On May 22, 2007, SPECIAL AGENT (SA) WILLIAM P. DELANEY met with the SOURCE at a pre arranged location. The SOURCE stated he had telephonically contacted TIM BALDUCCI on May 21, 2007 to discuss the Order Compelling Arbitration in the matter of JONES, FUNDERBURG, SESSUMS, PETERSON AND LEE, LLC versus RICHARD SCRUGGS et al which BALDUCCI had faxed to the SOURCE on May 4, 2007. An FD-302 was written to this file by SA DELANEY on May 24, 2007 regarding the consensually recorded telephone conversation.

Subsequent to the telephone conversation with BALDUCCI, the SOURCE sent by fax a letter to LARRY MOFFETT, GRADY TOLLISON and the MISSISSIPPI STATE SUPREME COURT on May 21, 2007.

The SOURCE provided a copy of the letter to SA DELANEY. The original copy of the letter will be maintained in the Confidential file, a redacted copy is attached to this FD-302 and is made a part of the substantive file.

194A-JN-32354-6

Investigation on 05/22/2007 at Calhoun City, MississippiFile # 194A-JN-32354; ⁻⁶ 270D-JN-32355-A-2 Date dictated 05/25/2007by SA William P. Delaney *wpd*

DOGWOOD LETTER 302
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PHONE/FAX 662-628-5131

FAX TRANSMISSION
DATE: MAY 21, 2007

IN RE: JONES, FUNDERBURG, SESSUMS, PETERSON & LEE, LLC.
VS.
SCRUGGS, et al. CAUSE NO. L07-135

TO: MR LARRY D. MOFFETT, ESQ.
FAX NUMBER 662-232-8940

MR. GRADY F. TOLLISON, JR., ESQ
FAX NUMBER 662-234-7095

GENTLEMEN:

Judges Howorth and Elliott have declined to hear this matter and I find that it would be in the best interest of all parties if I also declined to sit, therefore we are requesting the Supreme Court to appoint another judge to hear this case. We will ask the Supreme Court to expedite the appointment of another judge. Once another Judge is appointed I will forward all briefs, motions, etc. which you have sent to me, to him/her.

In view of our recusal the hearing scheduled for Thursday, the 24th of May, 2007 will necessarily be continued.

Your understanding in this matter will be appreciated.

Sincerely,

