

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

THOMAS C. & PAMELA MCINTOSH

PLAINTIFFS

VERSUS

1:06-cv-1080-LTS-RHW

**STATE FARM FIRE AND CASUALTY COMPANY;
and FORENSIC ANALYSIS & ENGINEERING CORP.**

DEFENDANTS

NOTICE OF VIDEO DEPOSITION WITH DOCUMENT REQUESTS

PLEASE TAKE NOTICE that on **Tuesday, September 11, 2007, at 9:00 a.m., at the office of Scruggs Law Firm, 4836 Main Street, Moss Point, Mississippi**, the Defendant, **STATE FARM FIRE & CASUALTY COMPANY**, in the above entitled action will take the deposition of **ZACH SCRUGGS** as a witness for all purposes, upon oral examination pursuant to Rule 30(b)(1) and (4) Federal Rules of Civil Procedure, before a Court Reporter or some other Notary Public, who is a disinterested and unrelated officer authorized by law to administer oaths and also before a certified videographer. The Deposition will continue from day to day until completed. You are invited to attend and cross examine.

REQUESTS FOR PRODUCTION OF DOCUMENTS AND TANGIBLE THINGS

COMES NOW the Defendant, **STATE FARM FIRE & CASUALTY COMPANY**, by and through its counsel of record and files this its Requests for Production of Documents and Tangible Things pursuant to Rule 30(b)(5) of the Federal Rules of Civil Procedure as follows, to-wit:

DEFINITIONS

As used in these requests, the term "documents" includes but is not limited to all handwritten, typed, printed or photostated matter, and drafts, duplicates, carbon copies or any

other copies thereof, in the possession, custody or control of the witness or witness's counsel, including without limiting the generality of the definition: all letters, correspondence, emails, memoranda, notes, reports, statements, paraphrases of statements, drawings, tape recordings, graphs and charts, printouts and communications, work papers, studies, agreements, contracts, records of telephone calls, video tapes or discs or other electronic recording devices, audio tape or discs or other such electronic recording devices, photographs or other images, and in all cases copies in the possession, control or custody of witness or their attorneys, representative, agents, or anyone acting for or on the witness's behalf in addition to the originals.

As used in these requests, the term "you" includes but is not limited to you, Scruggs Law Firm, Scruggs Katrina Group (hereinafter "SKG"), their agents, attorneys or staff and any other law firms/entities.

Wherever the production of documents is requested herein, this means that Defendant requests that the witness provide legible, genuine copies of said documents.

REQUEST NO. 1: For the period from August 2005 to the present, please produce any and all documents constituting or referring to communications in any form between "you" and the following:

- Kerri Rigsby
- Cori Rigsby
- Patricia Lobrano (Cori and Kerri Rigby's mother)
- Mississippi Attorney General's Office including but not limited to, the Attorney General himself
- American Broadcast Company (ABC Network)
- United States Attorney's Office
- The Federal Bureau of Investigation
- Any representative of the U.S. Government
- Brian Ford
- Manny Manon
- Nellie Williams

- Any adjuster who performed services for a company hired by State Farm to work on Katrina claims
- Any engineer who performed services for a company hired by State Farm to work on Katrina claims
- Any employee of a company which performed engineering or adjusting services for State Farm on Katrina claims
- Any employee of State Farm who worked on Katrina claims
- Joe Rhee
- CBS News
- Anita Lee
- Any other media outlet
- Carron Rockco
- Heidi Fisher
- Michelle Lee

REQUEST NO. 2: For the period from August 2005 to the present, please produce any and all documents received by “you” from or provided by “you” to the following:

- Kerri Rigsby
- Cori Rigsby
- Patricia Lobrano (Cori and Kerri Rigby’s mother)
- Mississippi Attorney General’s Office including but not limited to, the Attorney General himself
- United States Attorney’ s Office
- The Federal Bureau of Investigation
- Any representative of the U.S. Government
- Brian Ford
- Manny Manon
- Nellie Williams
- Any adjuster who performed services for a company hired by State Farm to work on Katrina claims
- Any engineer who performed services for a company hired by State Farm to work on Katrina claims
- Any employee of a company which performed engineering or adjusting services for State Farm on Katrina claims
- Any employee of State Farm who worked on Katrina claims
- Joe Rhee
- CBS News
- Anita Lee
- Any other media outlet
- Carron Rockco
- Heidi Fisher
- Michelle Lee

In the event that you contend that any of the documents requested herein are subject to the Preliminary Injunction issued by Judge William Acker in the case styled *E. A. Renfroe v. Kerri Rigsby, et al.*, it is requested that you forward those documents to Judge Acker's office for review and provide a privilege log identifying those documents sufficient to allow an appropriate motion to compel with reference thereto. Any documents that are not subject to the aforesaid Preliminary Injunction should be produced.

REQUEST NO. 3: Please produce any and all documents which were represented to "you" to have been downloaded or removed from State Farm's system or removed from any State Farm office and include in your response any documents in any form evidencing any type of compensation paid or promised for such documents.

REQUEST NO. 4: For the period from August 2005 to the present, please produce or provide access to your personal and business computer hard drives/or other electronic storage devices which may contain any of the documents or communications responsive to the above requests. This request specifically excludes any and all other information stored thereon which is not responsive to those requests.

REQUEST NO. 5: For the period from August 2005 to the present, please produce any and all employment records of Kerri Rigsby and Cori Rigsby, including contracts and documents showing dates of hire and compensation in any form, as well as any confidentiality agreements signed by them.

REQUEST NO. 6: Please produce any and all documents or electronically stored information purporting to be State Farm documents or information that Scruggs Katrina Group, Scruggs Law Firm or any of the firms associated with it obtained from any other source other than State Farm.

REQUEST NO. 7: Please produce the original October 12, 2005, engineer report purported to be prepared by Forensic Analysis & Engineering Company regarding 2558 S. Shore Drive, Biloxi, MS.

REQUEST NO. 8: Please produce the original sticky note on the October 12, 2005, engineer report referenced in Request No. 7.

REQUEST NO. 9: Please produce any and all documents evidencing communications in any form with Attorneys Jeff Marr , John Wiggins, Chip Merlin, Christopher VanCleave, Buddy Gunn, Richard (Flip) Phillips or anyone in their respective offices regarding documents taken by the Rigsby sisters.

REQUEST NO. 10: Please produce all notes or databases, electronic or otherwise prepared by you, Scruggs Law Firm, Scruggs Katrina Group (hereinafter "SKG"), their agents, attorneys or staff prepared after reviewing the documents taken from State Farm by the Rigsby sisters.

REQUEST NO. 11: Please produce any and all documents evidencing communications in any form between you, Scruggs Law Firm, Scruggs Katrina Group (hereinafter "SKG"), their agents, attorneys or staff or Cori and Kerri Rigsby and Attorney Mike Moore from August 2005 to June 11, 2007, regarding State Farm.

REQUEST NO. 12: Please produce any and all notes or databases in any form referring to or containing the information taken from State Farm by Kerri and/or Cori Rigsby.

Respectfully submitted,
BRYAN, NELSON, SCHROEDER
CASTIGLIOLA & BANAHAN, PLLC
Attorneys for Defendant,
STATE FARM FIRE & CAS. CO.
BY: s/John A. Banahan
JOHN A. BANAHAN

CERTIFICATE OF SERVICE

I, **JOHN A. BANAHAN**, one of the attorneys for the Defendant, **STATE FARM FIRE & CASUALTY COMPANY**, do hereby certify that I have this date electronically filed the foregoing Notice of Video Deposition of Zach Scruggs with Document Requests with the Clerk of Court using the ECF system which sent notification of such filing to the following to:

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DATED, this the 28th day of August, 2007.

/s/ John A. Banahan
JOHN A. BANAHAN

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