

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

	§	
THOMAS C. and PAMELA McINTOSH,	§	
	§	
Plaintiffs,	§	CIVIL ACTION NO.
	§	
v.	§	1:06-CV-1080-LTS-RHW
	§	
STATE FARM FIRE & CASUALTY CO, et	§	
al.,	§	
	§	
Defendants.	§	

**CORI RIGSBY AND KERRI RIGSBY'S MOTION FOR LEAVE
TO INTERVENE TO PROTECT PRIVILEGES**

Cori Rigsby and Kerri Rigsby, by counsel, move pursuant to Fed. R. Civ. P. 24 for leave to intervene in this action to protect attorney-client and work product privileges.

The purpose of intervention is to seek review of Magistrate Judge Walker's December 11, 2007 order denying motions to quash notices of deposition seeking testimony and documents from two of the Rigsbys' attorneys, Richard Scruggs and Zach Scruggs. If permitted to stand, the December 11th order will permit a violation of the Rigsbys' attorney-client and work product privileges. These privilege issues are explained in the Rigsbys' objection to the December 11th order, filed simultaneously with this motion to intervene.

The Rigsbys are entitled to intervene as of right pursuant to Fed. R. Civ. P. 24(a), or, alternatively, permissively pursuant to Fed. R. Civ. P. 24(b). As explained in the accompanying

memorandum of law, the holder of a privilege, particularly the attorney-client privilege, need not rely on others to protect it but may intervene to protect it himself.

Accordingly, the Rigsbys' motion for leave to intervene must be granted.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on December 27, 2007, I caused to be served via ECF a copy of the foregoing Motion for Leave to Intervene to Protect Privileges on counsel of record as follows:

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