

1 This is the deposition of Cori Rigsby. The date
2 is May 1st, 2007. The location is First Federal
3 in Pascagoula, Mississippi. (OATH ADMINISTERED).
4 Reserve reading and signing.

5 MR. BANAHAN: Before we get started with
6 Cori Rigsby's deposition, we had asked on the
7 break if we could have an agreement that
8 Exhibit 7 remain under seal or be placed
9 under seal. It was offered and it was not
10 offered with any protection or under seal.
11 We'll stipulate to that. But we would ask
12 that it be placed under seal. I understand
13 that the plaintiff's counsel has an objection
14 to that. We're in the process of filing a
15 motion at this time for protective order with
16 regard to other policyholder information. It
17 could be consistent with Judge Walker's prior
18 rule eggs on that not to distribute this
19 outside the context of this litigation, and I
20 would just ask that counsel at least let
21 Judge Walker have an opportunity to rule on
22 that motion before this was distributed.
23 Okay.

24 MR. DICK SCRUGGS: On behalf of of the
25 McIntoshs, the plaintiffs in this case, this

1 objection is -- or this request, this motion,

2 is untimely. The witness, who was deposed
3 and who was shelled (-) and questioned about
4 Exhibit 7 that you referred to, this roster,
5 is gone. That deposition is over, subject to
6 any objections that were made on the record
7 to her testimony. So I think you're a little
8 late. I did offer on the record at the front
9 end of the deposition to putted whole thing
10 under seal. You declined that. Then you
11 this into the record over our concerns that
12 you were opening the door to lots of things,
13 including competing orders between Judge
14 Acker and perhaps (-) the judge in
15 Mississippi, two different federal courts
16 making evidentiary rulings on the same
17 matter, and I made that record as well
18 yesterday. So you're a little late on this
19 one. The deposition is over. This is two
20 hours later, hour and a half at least later
21 of the, and you have questioned this witness
22 extensively about it, placed it into the
23 record under no seal and opened the door not
24 only to that, but to any other confidential
25 proprietary information about State Farm,

3

1 which this purports to be. So we do intend
2 to resist any sort of a motion to seal
3 something ex post after you used it in
4 questioning the witness.

5 MR. BANAHAN: And I understand. My only
6 question was would y'all agree to let Judge
7 Walker, rather than us get him on the phone,
8 would y'all agree to let us file our motion.
9 It will be file the on today and let it's be
10 ruled on outside your litigation team.

11 MR. DICK SCRUGGS: As long as this time
12 we get a SKHAPBS to respond to your motion.

13 MR. BANAHAN: Not following you before.

14 MR. DICK SCRUGGS: He's sealed up before
15 ex parte by State Farm and I would like the
16 opportunity in this case to respond **.

17 MR. BANAHAN: That's fine with us. No
18 problem.

19 MR. WYATT: There's already been
20 questions and answers in the record of the
21 deposition about this document.

22 MR. BANAHAN: I understand. And those
23 thing can't be -- nothing can be done about
24 that now at this time point John I'm not
25 asking that that be sealed at all. All I'm

4

1 asking is that is that document -- no action
2 be taken with it outside of the parameters of
3 your -- the Scruggs Katrina group until Judge
4 Walker can rule on a motion for protective
5 order on that document only, not the
6 testimony.

7 MR. DICK SCRUGGS: We will not -- I
8 guess we'll obviously wait for Judge Walker
9 so we don't get him on the phone right now.

10 MR. BANAHAN: That's all I was trying to
11 do.

12 MR. DICK SCRUGGS: And interrupt this
13 and give you an appropriate amount of time.
14 But we offered on the front end to put the
15 whole thing under seal and you declined that
16 and then confronted this witness with this
17 document without any protection, questioned
18 her extensively about it. I question is
19 dollars her about it, and you put it in play.
20 And then, you know, after the witness was
21 released and the deposition was over, you had
22 a change of heart about one document that was
23 not protected, notwithstanding my offer to do
24 it. And so it's fair game.

25 MR. BANAHAN: No. I understand. As

5

1 long as we -- and y'all certainly have an
2 opportunity to respond to whatever motion we
3 file, but we'll file it today and it's going
4 to be very short.

5 MR. DICK SCRUGGS: Okay.

6 MR. BANAHAN: Okay.

7 MR. HAWLEY: John, if I can just
8 responsible to your question off the record I
9 took to be a little bit different from what

10 you've asked on the record.

11 (OFF RECORD) you've talked about any
12 implication this might have either on the
13 injunction or judge Atker's instructions to
14 us as a group yesterday. Based to what
15 you've said to us on the record I don't see
16 any real interplay between the injunction and
17 your request.

18 MR. BANAHAN: You convince immediate off
19 the record of that.

20 MR. HAWLEY: Okay.

21 MR. BANAHAN: I don't disagree with you.

22 MR. HAWLEY: All right.

23 (OFF RECORD) (Dick Scruggs out; Zac
24 Scruggs in).

25 VIDEOGRAPHER: This is the videotape

6

1 deposition of Cori Rigsby, taken in the
2 matter of Thomas and Pamela McIntosh versus
3 State Farm fire and casualty company, et al.,
4 case number 106CV1080 in the United States
5 District Court for the Southern District of
6 Mississippi, Southern Division. The date is
7 May 1st, seven. The location is 903 Jackson
8 Avenue, Pascagoula, Mississippi. The time as
9 indicated on the video screen is 2:49:00 p.m.
10 My name is Dot Clay. I'm a legal video
11 specialist with the Dancel group. Will

12 counsel please introduce themselves.
13 MR. WEBB: Webb for State Farm.
14 MR. BANAHAN: John Banahan, State Farm.
15 MR. WALKER: Jeff walker, State Farm.
16 MS. MORGAN: State Farm Kelly State
17 Farm.
18 MR. MULLEN: State Farm.
19 MS. MORGAN: Forensic analysis and
20 engineering corporation.
21 MR. HAWLEY: For Cori Rigsby.
22 MR. WYATT: For the McIntoshs.
23 MR. ZAC SCRUGGS: For the McIntoshs
24 (OATH ADMINISTERED).
25

7

1 EXAMINATION
2 BY MR. WEBB:
3 Q. Ms. Rigsby, I know you've done this
4 before, testified, but for formality, , please
5 would you state your full name for us?
6 A. Cori Rigsby **.
7 Q. And are you the same Cori Rigsby who at
8 one time because you were married was also known
9 as Cori Moran?
10 A. Yes.
11 Q. Okay. And you probably know this,
12 either from communications with other folks here
13 or otherwise, my name is Dan Webb. I'm a lawyer
14 from Tupelo, Mississippi. I represent State Farm,

15 along with Mr. Banahan and some others here.

16 As I'm sure you've been reminded in the
17 course of giving testimony before, I may ask you
18 questions that you respond to with a uh-huh or an
19 nuh-uh, and if I ask you to say a yes or no, I'm
20 not doing that to be rude to you. I just want to
21 make sure that we get the transcript as accurate
22 as we can as we go through it; okay?

23 A. Okay.

24 Q. If I ask you a question you don't
25 understand, can we have an agreement that you'll

8

1 stop me right there and tell me you don't
2 understand it?

3 A. I'll do that.

4 Q. Is there anything about going on with
5 you here today that you think would interfere with
6 your ability to understand and answer the
7 questions that we have for you?

8 A. No.

9 Q. Okay. You're not understood any
10 medication or have any medical conditions that
11 would interfere with your ability to do that?

12 A. No more than usual.

13 Q. Okay. Well, is there anything?

14 A. No. No.

15 Q. Okay. Where do you currently reside?

16 A. 10021 mockingbird circle in motion

17 motion.

18 Q. How long have you lived there?

19 A. I believe I've lived about five years,
20 coming up on the 5th year.

21 Q. Did you grow up in Jackson County?

22 A. Did I.

23 Q. A native of Ocean Springs?

24 A. Gautier.

25 Q. Gautier. Okay. And was the mockingbird

9

1 Lane?

2 A. Circle.

3 Q. -- circle house that you live in, was
4 that the house that you and your ex-husband,
5 Mr. Moran lived in?

6 A. Yes.

7 Q. So you lived in that both when you were
8 married and obviously now?

9 A. Yes.

10 Q. In the last -- have you ever lived at
11 Kerri's house on -- what is it -- you tan take?

12 A. No, I have not.

13 Q. Never, even on a temporary basis?

14 A. No, I have not.

15 Q. At any point in time, do you recall in
16 the past whether your mother and your stepfather
17 lived with you where you currently reside?

18 A. They, distribution after the hurricane.

19 Q. Do you remember approximately when that

20 was?

21 A. They moved in toward the end of February
22 after the hurricane, so that would be '06, right.

23 Q. Yes, ma'am?

24 A. February observation six after the
25 hurricane.

10

1 Q. Hurricane was August 29 of '05?

2 A. Right.

3 Q. So they moved in with you in
4 mockingbird?

5 A. Yes.

6 Q. In February of '06?

7 A. Yes.

8 Q. How long did they live there?

9 A. Till -- they moved out the first part of
10 August.

11 Q. And they moved out the first part of
12 August of '06?

13 A. Yes.

14 Q. Where did they move to?

15 A. A condominium unit over in Biloxi.

16 Q. Do you know what the name of the
17 condominium unit is?

18 A. I think it's the legacy.

19 Q. Not really sure about that?

20 A. Not really sure. One of the newer ones
21 built since the hurricane or was it --

22 A. I don't know. There was construction
23 work going on, so I don't know whether it's been
24 repaired or if it was new.

25 Q. TKPHAOU don't know whether it was a

11

1 survivor --

2 A. Right.

3 Q. -- or whether it's been built since
4 then? I have attached and I have a copy here,
5 too, if you Guice want to see it, the exhibit as
6 Exhibit 1 to your deposition, a copy of the -- a
7 re-notice of deposition with document requests?

8 A. Yes, sir.

9 Q. As I understand it, you were actually
10 eastbound served with a subpoena?

11 A. Yes.

12 Q. I believe Mr. Banahan's office actually
13 did that or you may not even know?

14 A. I was served with a subpoena.

15 Q. In WEBGS connection with that subpoena,
16 I'm not asking you to tell me anything concerning
17 communications with your lawyers, but in response
18 to that, what did you do with that subpoena when
19 you were served with it?

20 A. I think I talked to Kerri about the
21 subpoena.

22 Q. Okay.

23 A. And then originally I was expecting a
24 different subpoena and I thought it was that one.

25 Q. What subpoena, if you know, were you

12

1 expecting?

2 A. I don't know what case it was in.

3 Q. Okay.

4 A. It was just another subpoena I was told
5 was coming, so when this one came in, I thought it
6 was the other one.

7 Q. But you don't know what case it was in?

8 A. No.

9 Q. Do you know what lawyer it was coming
10 from?

11 A. No.

12 Q. So basically I sat on this for a couple
13 of days without reacting.

14 Q. I see?

15 A. At any point in time did you read
16 through the document requests that are anytime.

17 A. I can did.

18 Q. Without referring at least initially to
19 specific document request, were in any efforts
20 that you made to see if you could locate any of
21 the documents or other items mentioned in the
22 subpoena?

23 A. There were.

24 Q. Okay. Tell me what you did and let's
25 look at number one. Tell me what you did with

13

1 request number one?

2 A. This is the tax returns?

3 Q. Yes, ma'am.

4 MR. HAWLEY: Mr. Webb, could I just
5 interrupt for one second. Sorry.

6 MR. WEBB: Absolutely.

7 MR. HAWLEY: HAU I never got a KOEFPT
8 re-notice. Did the document request change
9 from the original.

10 WEBB: No, it did not.

11 MR. HAWLEY: I've got the original one
12 here. I want to make sure I'm following what
13 you have.

14 MR. BANAHAN: Only the date.

15 WEBB: Okay. Is that --

16 MR. HAWLEY: Thank you.

17 MR. WEBB: Sure.

18 Q. Obviously you don't have any documents
19 here with you today?

20 A. I do not.

21 Q. Did you collect any documents, prepare
22 them, give them to any of the counsel involved in
23 the case?

24 A. I did.

25 Q. In anticipation of response to the

14

1 subpoena?

2 A. Yes, sir.

3 Q. Did you prepare documents or collect

4 documents with respect to request number one?

5 A. I could not -- no, I could not locate
6 those. And to back up, when my mother and her
7 husband moved in the house February of '06.

8 Q. Yes, ma'am.

9 A. I had to take everything out of the
10 attic. We closed in the attic. It was just
11 chaos. We lived like we never lived before. Bars
12 in the foyer dining room exercise equipment ** so
13 to say disarray is a understatement. When I moved
14 her out of there. Stuff in the garage, stuff in
15 the storage units. I still have had you astuff,
16 so I've ** never quite recovered from living with
17 my mother.

18 Q. I take it you're offering that as a
19 reason why --

20 A. Why I'm not -- usually I'm a very
21 organized person. Since Katrina there's multiple
22 places these documents could be. I could put my
23 hands on some of the tax returns, I'm sure, but
24 it's going to take me time to.

25 Q. All right. So you don't have any of the
1 tax returns --

2 A. Not with me.

3 Q. -- or other financial documents at this
4 time. Do you have a person who prepares your
5 taxes?

6 A. I do.

7 Q. Who is that?

8 A. Her name a chair Lundy from Hattiesburg.

9 Q. Clair Lundy from Hattiesburg?

10 A. (Nodding head affirmatively).

11 Q. How long has Mrs. Lundy worked for you?

12 A. At least since '03 or '04.

13 Q. Have you filed a tax return for '05?

14 A. Yes, but not for '06.

15 Q. Not for '06, but you have filed one for

16 '05?

17 A. Yes, sir.

18 Q. Okay. And.

19 Q. And -- well, it's after April 156789 I

20 assume --

21 A. Extension.

22 Q. You have an extension?

23 A. Yes, sir.

24 Q. Do you know when that extension is

25 through?

16

1 A. It's usually through August.

2 Q. Well, I don't think it has to be.

3 Senate what yours is that you recall?

4 A. I never file my taxes on time. I

5 usually get them in by August.

6 Q. Okay. I'm not suggesting anything about

7 nine timing of the tack return.

8 A. Right.

9 Q. I just was asking the question if you
10 knew KPA*BLGT exactly when the extension was?

11 A. No I don't.

12 Q. With respect to number two, there's a
13 request to produce any and all documents
14 reflecting any communications between you and
15 Richard Scruggs from August 2005 to the present?

16 MR. HAWLEY: Mr. Webb, we talked about
17 this yesterday in Kerri's deposition, but we
18 did file objections and obviously want to
19 note an attorney-client privilege objection
20 here to any documents, if they exist, that
21 would be -- fall in that category.

22 WEBB: Okay. I understand. For purpose
23 I was record I'm just making clear I've
24 stated the request and --

25 MR. HAWLEY: Sorry for the interruption

17

1 Dan sure. The position is the same that the
2 documents are not going to be produced, as we
3 understand it.

4 MR. ZAC SCRUGGS: Sure. To the extent
5 it wasn't done yesterday, we join in that
6 objection, but I understand.

7 Q. The same thing with respect to number
8 three, which refers to Mr. Zac Joe's (-) across
9 the table from me (Zach for the purpose of the
10 record none of those documents would be produced

11 if there are any?

12 MR. HAWLEY: Correct Zac correct.

13 MR. HAWLEY: For the record TPHORPTD all
14 the written observation send to *E sent to
15 Mr. Banahan on try ** Dan SKP-PB we can also
16 incorporate whatever positions we took with
17 these documents, if we could, PROfrom
18 Ms. Kerri Rigsby's deposition, if we could.
19 Handle it that way.

20 MR. HAWLEY: I think the responses and
21 objections are slightly ** different between
22 Cori and Kerri, but with that distinction,
23 the answer is yes.

24 Q. And as a follow-up to Mr. HAUly's point,
25 I understand you did collect some documents?

18

1 A. Yes.

2 Q. What kind of documents did you get?

3 A. From this request.

4 Q. What kind of TKO*UBLGTs did you get that
5 you you provided to counsel?

6 A. A calendar.

7 Q. A calendar?

8 A. It was a calendar for this year and I
9 had started going through some of the e-mails
10 corporation. I had save e-mails, going through to
11 see if any of them pertain to the request.

12 Q. The calendar that you're talking about,
13 let me see if I can locate that?

14 A. If you want to stay in order, we can.

15 Q. Well, let me ask you this ability
16 calendar that you mentioned. Sit electric or on
17 paper?

18 A. It's electronic. I printed out a copy.

19 Q. And where do you maintain that calendar
20 electronic HRAOEFRPBLGTS on my home computer.

21 Q. What kind of computer is that?

22 A. A Delle.

23 Q. Delle?

24 A. Desktop.

25 Q. TKAOUFPB if it has a number or other

19

1 name designation?

2 A. I have no idea.

3 Q. How old sit?

4 A. Three years maybe.

5 Q. Okay. Had it about three years?

6 A. I think I remember it being about three
7 years old.

8 Q. Since August 29th, 19 -- excuse me, not
9 19 -- I'm showing my age -- 2005, the date of the
10 hurricane. Other than that desktop computer and
11 the computer that you had that was issue today you
12 for Hurricane Katrina, have you had access to or
13 used any other laptop or desktop computers?

14 A. I've had access to. I only own one
15 computer, which is my home computer and I'd have

16 state farm computers a lot over the years. That
17 was primarily what I would use when I was out in
18 the field.

19 Q. Specifically from that time period,
20 though, the date of the Katrina making land fall
21 on the Gulf Coast on August 29th of 2005, were the
22 only two compute irrelevance that were yours
23 regularly that you used your State Farm laptop, as
24 you referred to it, and your desktop?

25 A. Yes, sir.

20

1 Q. That's your personal computer; correct?

2 A. Yes.

3 Q. I seem to understand that your answer to
4 the question implied that there might be other --
5 another computer or a laptop that you might have
6 had access to that was not yours. Did I
7 misunderstand that?

8 A. No, you did not.

9 Q. What other computers did you use that
10 were not yours TKURS this period of time?

11 A. SKG issued me a computer, and I've never
12 used it, but it was issued for my use if I needed
13 it.

14 Q. SKG?

15 A. Scruggs Katrina group.

16 Q. What kind of computer is this?

17 A. It's laptop, Delle laptop.

18 Q. **?

19 A. I've never used it.

20 Q. Never even turned it on?

21 A. I didn't get the password so it was just
22 easier too use my computer.

23 Q. Didn't sound fair to give you a laptop
24 with no pass word?

25 A. No ** I couldn't figure it out.

21

1 Q. How long have you had that laptop in
2 your possession?

3 A. It was oh, gosh, I don't know, August,
4 September maybe of '06, maybe later.

5 Q. And I understand your testimony, you've
6 never used it for any purpose at all?

7 A. I don't remember ever using that
8 computer.

9 Q. Did you in response to the request for
10 information in the subpoena provide that computer
11 or laptop back to counsel?

12 A. No I did not.

13 Q. Okay. So you printed off the electronic
14 calendar for '06?

15 A. Yes, sir.

16 Q. Do you have an electronic calendar that
17 goes back to '05?

18 A. No, sir.

19 Q. And why would that be?

20 A. I'm not very computer literate and I

21 just realized I had Outlook on my calendar -- on
22 my computer.

23 Q. Okay.

24 A. And that's when I started using the
25 calendar.

22

1 Q. Okay. So when did you start calendaring
2 then?

3 A. I can't know of this year.

4 Q. January 1st?

5 A. Yes.

6 Q. Okay. And did not do that before?

7 A. No, sir.

8 Q. Okay. And with respect to not doing it
9 before and I mean before January 1st of 2006, did
10 you --

11 MR. ZAC SCRUGGS: Object. I think the
12 testimony was January 1st of seven; is that
13 right.

14 A. Seven.

15 Q. Oh, I'm sorry. I actually thought you
16 said 2006. I apologize. Before that time when
17 you started putting your calendar on your laptop
18 or on your desktop, did you maintain calendar in
19 paper form?

20 A. Yes.

21 Q. What kind of paper?

22 A. Well, at first I had the State Farm had
23 an Outlook, and I used that calendar on the State

24 Farm computer.

25 Q. And that was on the State Farm laptop?

23

1 A. And that was on the State Farm laptop.

2 Q. All right.

3 A. And between that time I didn't maintain
4 a calendar.

5 Q. Okay. Between what time?

6 A. TPWAEPB between the time I left State
7 Farm and January of '07.

8 Q. KAO*FRPBLGTS then January '07 I
9 discovered -- or late Dean December early January
10 I discovered I had Outlook and started may my
11 calendar back.

12 Q. But you've never maintain add paper
13 calendar?

14 A. No.

15 Q. Just wanted to be clear about that.

16 Let's see. Let's see if we --. Request number
17 four, dealing with requests for documents
18 reflecting communications between you and the
19 Scruggs Katrina group, SKG, I believe, we both are
20 using here as that designation, from August 2005
21 to the present, including but not limited to
22 documents regarding your employment with SKG,
23 leaving aside any documents that may have been
24 created related to the representation of you,
25 certainly by Mr. Hawley or the representation by

24

1 you in any context by the Scruggs Katrina group
2 and related TOEPBL your employment with the
3 Scruggs Katrina group, are there any documents
4 that you have in your possession or that you know
5 exist that relate only to your employment?

6 A. No.

7 MR. ZAC SCRUGGS: Dan, obviously, it's
8 sterile work product ** objection, but
9 subject to that objection, you can answer if
10 there are any.

11 A. Not that I'm aware of.

12 Q. Okay. From reviewing -- from reviewing
13 testimony I believe you gave in the Renfroe case
14 over in Alabama, as I recall -- as I recall, you
15 guys went to work for the Scruggs Katrina group
16 sometime in 2006?

17 A. Yes.

18 Q. That is formally employed in some
19 capacity?

20 A. Yes.

21 Q. Okay. And on the basis of being paid
22 \$150,000 a year?

23 A. Is that a question?

24 Q. Yes.

25 A. Yes.

25

1 Q. Okay. Any other compensation?

2 A. No.

3 Q. Have you received any other compensation
4 other than the payment of however you received
5 payment of your salary since you've gone to work
6 for them?

7 A. No.

8 Q. Any benefits?

9 A. No.

10 A. You mean like health insurance --

11 Q. Yeah.

12 A. -- or 401(k)?

13 A. No.

14 Q. Do you recall at this point whether you
15 get a W-2?

16 A. No. 1099.

17 Q. 1099. So do you consider yourself to be
18 an independent contract to the Scruggs group?

19 MR. ZAC SCRUGGS: Object to the form.

20 MR. HAWLEY: Object to the form, but
21 answer if you can.

22 MR. WEBB: I knew that was coming.

23 MR. HAWLEY: There's an echo in here.

24 MR. BANAHAN: **.

25 Q. Let me skip on down here to number five.

26

1 Please produce a copy, any and all document us
2 reflecting communication between you ask your
3 mother Patricia Lobrano from August 2005 including
4 but any documents regarding your employment with

5 Scruggs Katrina group, the taking of information
6 from State Farm and KPHAO*UPLGT communications
7 regarding the McIntosh claim?

8 A. There are -- none of that existence.

9 Q. Okay. As I understand it --

10 MR. ZAC SCRUGGS: And I'm going to
11 object to the extent that that seeks work --
12 excuse me -- attorney client protection of
13 the privilege as to Ms. Lobrano.

14 MR. WEBB: I understand.

15 Q. As I understand it, and you can correct
16 me if I'm wrong about this, you had no involvement
17 personally in the McIntosh claim?

18 A. I did not.

19 Q. Okay. Either from the time the claim
20 was reported all the way through any decision that
21 was made on the claim, you didn't have any
22 involvement in that?

23 A. That's correct.

24 Q. There was an objection made when I asked
25 about the independent contractor. I thought that

27

1 you had said that you considered yourself to be an
2 independent contractor, subject to the objection.

3 A. That's what I said.

4 MR. BANAHAN: Didn't pop up over here
5 Zach Zac tried to sneak it by.

6 MR. BANAHAN: Kind an eye on you.

7 Q. And number six was a request for

8 documents, including calendar's, diaries, day
9 planners, which include references to your
10 employment with Renfroe, State Farm, assignments
11 and/or your employment with SKG from August 2005
12 to the present. I understand that only thing you
13 have is from January 1, 2007 forward?

14 A. Yes, sir.

15 Q. And that's on Outlook?

16 A. That's on Outlook and I did provide
17 those to my attorneys.

18 Q. But nothing -- but no calendaring, no
19 diaries, no day planners or anything like that
20 prior to that date?

21 A. No, sir.

22 Q. I mean, you're not saying that they
23 exist and they may be in some of the those boxes
24 that are spread all around all over the place?

25 A. No, sir.

28

1 Q. Request number seven is a request for
2 production of documents reflecting any expenses
3 incurred in connection with the printing and/or
4 copying of State Farm documents in June 2006,
5 including receipts for paper purchase for use or
6 you in print or copying such documents, tones or
7 print cartridges for cop AOEK such documents,
8 represental of any copy machines or printers for
9 use in printing and/or copying such documents **.

10 Do you have any such items?

11 A. No, sir.

12 Q. With respect to the printing of the
13 documents, and I'll -- Strike that. I'll go back
14 and refer to a phrase that's come out at least to
15 my knowledge in the deposition earlier of your
16 sister, and perhaps in some other testimony
17 referring to the collection of information during
18 the first weekend in June called the data dump?

19 A. Yes.

20 Q. That's a phrase that I've heard. Does
21 that describe what was going on during that
22 weekend?

23 A. Yes.

24 Q. Okay. And how did you understand -- how
25 do you understand or what do you understand the

29

1 phrase data dump to mean from your perspective?

2 A. Just the -- there was a large amount of
3 documents produced that weekend, printed and
4 copied. So I just assume it to mean the
5 accumulation of a large bunch of documents.

6 Q. Okay. There was an accumulation of a
7 large PWUFRBLG of documents that weekend; correct?

8 A. Correct.

9 Q. By you -- I understand you and your
10 sister Kerri and a friend of yours named Michelle
11 Lee. There was a Karen?

12 A. Rocko.

13 Q. Rocko (-). Then and then there was
14 another person.

15 A. Heidi fisher (-)

16 Q. Heidi fisher. Were these three persons
17 friends of both yours and Kerris?

18 A. Well, they knew both of us. They're
19 mine my friends but they've known both of us for
20 years.

21 Q. I see. Are you the person that
22 contacted them to enlist their assistance to help
23 you and Kerri do the data dump?

24 A. Yes I was.

25 Q. Okay. How long before that weekend, if

30

1 you recall did you, make that contact?

2 A. One day, maybe two days.

3 Q. Okay. Would two days be approximately
4 Wednesday before Saturday or where -- what --

5 A. I don't remember mark, it on a calendar.
6 I just remember it was a spur of the moment
7 decision and I asked them very last minute. And
8 so I'm guessing that Wednesday would be a -- you
9 know AURBGS good guess.

10 Q. Do you remember telling either of them
11 or any of them, collectively or singly, why it was
12 you were asking them to help you do that?

13 A. No. I didn't give them any explanation.

14 Q. Were -- did they ask you?

15 A. No.

16 Q. Okay.

17 A. I told them I needed help.

18 Q. Okay. And when you said you need help,
19 what did you say you needed help for?

20 A. I said I needed some help manning a
21 computer and doing some printing and it was -- I
22 had a deadline.

23 Q. Okay. And what did you tell them the
24 deadline was?

25 A. I didn't.

31

1 Q. Okay. You just said you had a deadline?

2 A. Have a deadline I have to meet.

3 Q. Okay. What kind of deadline did you
4 have, if you recall?

5 A. Now, in my mind, I -- the information I
6 was getting was from the server, State Farm
7 server.

8 Q. Yes, ma'am.

9 A. And it was my understanding that the
10 servers weren't be being monitored over the
11 weekend because State Farm can monitor every time
12 you go into a computer. They can pull up all my
13 e-mails. They can tell every time I go into CSR.
14 We leave a foot print. So you really didn't go
15 anywhere in the State Farm net work without being
16 follow.

17 Q. Does sound like you know a little more

18 than you're letting on?

19 MR. ZAC SCRUGGS: Object to the
20 TPOEURPBLG.

21 A. So it's my understanding, I could be
22 completely wrong, my understanding was that the
23 Birmingham office where this server was housed
24 would not be manned over the weekend, so Monday
25 morning when they came to work they were going to

32

1 know what we had copied. So that was my deadline,
2 Sunday evening.

3 Q. Oh, okay. So you assumed that somebody
4 in the Birmingham office would know what you had
5 downloaded when they came in?

6 A. That's what I thought.

7 Q. Okay. Did you receive any communication
8 that Monday indicating or telling you that there
9 was a problem related to downloading?

10 A. No, I did not.

11 Q. Okay. Let's back up just a little bit
12 and talk about the communications. Let me ask you
13 specifically with respect to Michelle Lee, do you
14 have a recollection of ever telling Michelle Lee
15 that the reason you were printing and/or
16 downloading documents and I preface this statement
17 by saying I don't mean to be OEFRPBS I was or
18 indelicate, but Jim I'm just going to say it as I
19 understand the circumstance, to protect Kerri's

20 butt?

21 A. Protect -- No.

22 Q. Okay.

23 A. I don't recall that.

24 Q. Okay. When you say you don't recall
25 that, Russian it didn't occur?

33

1 A. Yes.

2 MR. ZAC SCRUGGS: Object to the form.

3 A. So rephrase the question. Just make
4 sure I understand what you're asking me.

5 Q. Okay. Thank you for doing that. My
6 question to you is did -- specifically is did you
7 ever tell my sell shell Lee that reason you guys
8 was downloading documents was to protect Kerri's
9 butt?

10 A. No, I did not.

11 Q. Okay. Do you recall overhearing Kerri
12 make any such comment to Michelle Lee?

13 A. No.

14 Q. Do you recall overhearing any
15 conversations between Kerri and TPHEUFT three
16 friends of yours as to why you were downloading
17 documents and printing documents?

18 A. I'm sorry. Between Kerri and my
19 friends?

20 Q. Yes, ma'am.

21 A. Well, we were all there together. I'm
22 pretty sure -- I don't remember Kerri having a

23 private conversation, but the way we were set up,
24 the computers were in two different rooms. The
25 sorting was going -- so we always weren't

34

1 together, but no to answer your question, no, I
2 don't recall ever hear willing anything like that.

3 Q. And the computers were in separate
4 rooms. Were they connected --

5 A. No, sir.

6 Q. -- by a network?

7 A. I don't --

8 Q. Don't know. And when you say the
9 computers, what computers exactly are you talking
10 about?

11 A. We had two State Farm laptops,
12 SKPHAOEUPB Kerris.

13 Q. And any others?

14 A. Those were the only two computes or we
15 were working on on the data dump weekend.

16 Q. You did not use your desk top that
17 weekend?

18 A. No, sir.

19 Q. And you had printers obviously?

20 A. Yes, sir.

21 Q. And just to be reprecise, a little while
22 back you used the word copy or copying and I
23 thought that you plenty printing. Do you use
24 those words somewhat interchange PWHRAOEFRPBLGTS I

25 do.

35

1 Q. Okay. So just talking about printing,
2 printing alone, what you were doing, as I
3 understand it in a general sense was, off of your
4 State Farm laptops you were printing -- you were
5 finding documents; correct?

6 A. Correct.

7 Q. And you were printing those documents;
8 correct?

9 A. Correct.

10 Q. And was the printing all done or
11 initiated by either your or Kerri?

12 A. Yes. That's correct.

13 Q. Okay. So your friends weren't given
14 direct access to the State Farm system or were
15 they?

16 A. They were on the computer. They didn't
17 have our password.

18 Q. Okay.

19 A. And they didn't really know what they
20 were doing. I gave them the directions and
21 control alter F5 print. So, you know, yes, I
22 wrote down instructions where to get TKPW* once
23 they puddle up each claim.

24 Q. Did you keep a copy of the instructions,
25 no, I did not.

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1 Q. Did you turn them over to anyone?

2 A. No, I did not.

3 Q. Throw them away?

4 A. Yes, sir.

5 Q. Okay. So you wrote instructions down.
6 Did you do it after you called them offer before,
7 if you remember?

8 A. It was after. It was after they got,
9 there actually.

10 Q. Okay. And what kind of printers, if you
11 remember, or printer did you have?

12 A. Those were the HP. They were the State
13 Farm printers, the HPs.

14 Q. Did you have another printer or printers
15 there?

16 A. I have a personal printer, but we didn't
17 use it.

18 Q. Okay. Did you ever use your personal
19 printer to print downloaded information pertaining
20 to State Farm?

21 A. To the -- from the data dump?

22 Q. Ever, not just the data dump?

23 A. I'm sure I did.

24 Q. How would you have had information that
25 you could print on a PRAOEUPBTER that was not the

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1 State Farm printers or printer?

2 A. If I forwarded something to my home
3 computer, an e-mail, it would haveton to be an

4 e-mail, that would not only thing that I would
5 have access to, then I could print an e-mail from
6 my home computer. I've Dodge that.

7 Q. Do you remember sitting here what you
8 forwarded?

9 A. Oh, there were -- I forward a loft
10 things, I mean things from -- I've been on cat fee
11 for eight years, recipes from girlfriends when I
12 was in Daytona, 2004, jokes that were funny, you
13 know, e-mails directives during Katrina. So there
14 were several e-mails that I forward today my home
15 computer that I wanted to keep from hi State Farm
16 computer.

17 Q. Okay. Employmenting -- I'm not
18 particularly interested in the recipes unless you
19 have something --

20 A. One is really good. You might want to
21 rethink that.

22 Q. But going back to the issue about
23 limiting it only to State Farm documents that
24 relate to documents that you were involved in in
25 collecting yourself for purposes of collecting

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1 information about State Farm; okay? That's the
2 premise. With respect to those documents, do you
3 remember any e-mails or documents specific leap
4 that you forwarded to your home computer?

5 A. I do.

6 Q. What what?

7 A. I remember -- lucky king sent out a memo
8 about engineer reports about the SEPBGSD copy
9 being under lock and KAOEFPLT I forwarded that **.
10 There was some guideline instructions about how we
11 were to word the damage to the policyholder about
12 call -- instead of calling it -- call it wind and
13 water call it hurricane damage or vice versa, some
14 procedural stuff like that.

15 Q. Okay.

16 A. The engineer roster, and I believe at a
17 glance -- I couldn't see it that well -- but that
18 was the exhibit y'all were just talking about that
19 you didn't want out of the room.

20 Q. Are you testifying that that's actually
21 it or do you know?

22 A. KWROFPBLT I said from what I could see
23 over here, but there was an engineer roster that I
24 forward today my home computer as well.

25 Q. Okay.

39

1 A. And those were things I remember.

2 Q. Only one engineering roster that you
3 forward?

4 A. I only remember one. Of course, it
5 cough up date. It was constantly being updated,
6 so it's possible they tell did one at one time and
7 then I forward another one to myself after it had
8 been up dated. I just don't recall.

9 Q. Okay. And with respect to the data dump
10 weekend, who provided, if you know, the paper and
11 the -- well there's a question in here for -- any
12 other supplies, like Inc. cartridges or any other
13 supplies that you used? Who provided that to you
14 to use?

15 A. Well, we worked out of home some as well
16 as State Farm office, so while working with State
17 Farm already had supplies alter our home, so I
18 already had a stash, so to speak of some reams of
19 paper and I think cartridges because we have a
20 supply TPHAZ AOE.

21 A. They only hand out so many of those so
22 we like to stockpile them.

23 Q. Just a moment. A supply TPHAZ AOE?

24 A. Yes.

25 Q. What do you mean?

40

1 A. TPHA*EUFR charge of handing out staplers
2 or handing out and you have to go through them to
3 get your supplies, so you have to beg for a
4 cartridge here and there, so she was in charge of
5 the State Farm supplies.

6 Q. So the cart TREUPBLGs that you used were
7 State Farm?

8 A. Yes.

9 A. We're talk over each other?

10 Q. We are. We feel both have to do better?

11 A. Yes.

12 Q. And apologize to the extent I'm stepping
13 on what you have to same.

14 You didn't go out and purchase any paper
15 yourself?

16 A. I did.

17 Q. Where did you buy it. I don't remember.

18 Q. How did you pay for it?

19 A. I'm sure I paid for it -- I don't know.

20 Q. Were you ever reimburse bid anyone for
21 any expenses that you incurred during the data
22 dump weekend?

23 A. No.

24 Q. No one with the Scruggs Katrina group or
25 any government body reimburse you'd for any of

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1 those expenses?

2 A. No.

3 Q. Did you ever submit a I bill for those
4 things to anyone?

5 A. No.

6 Q. Request number eight, let's see, is a
7 request for documents that you claim support your
8 allegation I was wrongdoing by State Farm. Before
9 you respond to that, there are objections related
10 to that related to the Renfroe matter, perhaps
11 other objections. I understand y'all's position
12 as I assume -- I assume there would not be any
13 different -- from your perspective, Mr. Hawley,

14 any different objection to this with respect to
15 her testimony than in Kerri's?

16 MR. HAWLEY: Correct. Such that Judge
17 Acker's instructions to us would apply in
18 this deposition, and I think his instructions
19 said so.

20 MR. WEBB: Any -- and I know that
21 objections were state bit plaintiffs here as
22 well. I just want to make sure that the
23 record shows that. I'm not going to pursue
24 this and the reason I'm not going to pursue
25 this, at least in terms of demanding the

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1 documents Hoover is because objections have
2 been lodged without waiving the position.

3 MR. ZAC SCRUGGS: We would renut
4 objections we made yesterday, obviously.

5 BY MR. WEBB:

6 Q. Okay. Now, number nine is a I tell to
7 produce any and all documents other retained by
8 you which relate in any way to your form ERP
9 TKAOUFTs with Renfroe and company including plan
10 WAELS regarding estimation of damage to property
11 and ** or any other type of manual related to your
12 form ERP duties with EA Renfroe and company. Do
13 you have any such items in your possession?

14 A. It's possible that I do. I haven't had
15 an opportunity to locate these. These would be
16 some of the thing spread about in the storage

17 units and in the TKPWRAOPBLG. Not to my
18 knowledge, but I'm not go to say I don't.

19 Q. Okay. But subject to any directions you
20 might receive interest your counsel, is it your
21 intent to attempt to locate these?

22 A. Absolutely.

23 Q. Okay. With respect to number ten, it's
24 a request to produce a list of any and all
25 KPAOEURTS on bid you from August 2005 to the

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1 present date, list of all e-mail kept maintained
2 by you. Let me ask you this: You've identified
3 the laptop that was State Farm laptop that you
4 had; right?

5 A. Yes.

6 Q. You were given an A list, I assume
7 SAORPBLGS the cat PL why?

8 A. *FP yes.

9 Q. What was your alias with State Farm?

10 A. HYN Nancy V Victor. I had it for eight
11 years.

12 Q. That was the next question. It was the
13 same alias that you had on other catastrophes?

14 A. Yes.

15 Q. When you worked for Renfroe working with
16 State Farm?

17 A. That's correct.

18 Q. Okay. You didn't get a separate alias

19 for the Katrina catastrophe?

20 A. Correct.

21 Q. During this period of time and the
22 period of time reflected here is from August 2005
23 to the present date, at any point in there did you
24 have a personal e-mail account?

25 A. On the State Farm computer?

44

1 Q. At all.

2 A. Yes.

3 Q. Okay. What provider did you have that
4 account with?

5 A. AOL.

6 Q. America on line?

7 A. (Nodding head affirmatively).

8 Q. Any other?

9 A. BellSouth.

10 Q. Okay. Any other?

11 A. No.

12 Q. Do you recall what your e-mail address
13 was and your e-mail name on your BellSouth
14 account?

15 A. I don't.

16 Q. Okay.

17 A. It winked out one day and I haven't been
18 able to retrieve it.

19 Q. Okay. Can and what was the other one?

20 A. On my AOL?

21 Q. Yes.

22 A. Moran 205 12K3W4R8 Moran being your
23 married name before you were divorced.

24 A. Yes.

25 A. Yes.

45

1 Q. Moran 2058 at AOL do the come?

2 A. Yes.

3 Q. What's the number significant?

4 A. It's just a code.

5 Q. For anything?

6 A. After Moran, is that what you're asking?

7 Q. Yes, ma'am.

8 A. Oh, that was my husband's mother's phone
9 number.

10 Q. Okay. All right. Request number 11 is
11 a request to produce cop Eaves credit card
12 statements for credit card necessary your name for
13 which you were an TPHORZ signatory from
14 August 2005 to the present date. Do you have any
15 credit cards? Go ahead?

16 A. I do have a credit card.

17 Q. MasterCard visa?

18 A. I have a MasterCard that's from my bank
19 Keesler. It's a credit card and is a debit card.

20 Q. Is that the only credit card that you
21 had during this period of time?

22 A. No. I have a Victoria's secret.

23 Q. Okay. Leave -- you can leave out the

24 retail --

25 A. Okay.

46

1 Q. -- clothing stores. Anything that would
2 be, say, a Home Depot? You have anything like
3 that?

4 A. Sears.

5 Q. Sears.

6 A. Okay. Let me explain. I have
7 several -- I have credit card by I that come in
8 maybe on cards that I don't currently use anymore.
9 The only cards -- like still has a balance, but
10 I've cancelled the cards don't want to continue to
11 correct balance kind of thing. Only active credit
12 cards that I've had are my American stress and my
13 Keesler credit card.

14 Q. And you them active during that
15 August 2005 time forward?

16 A. Yes, sir.

17 Q. On any of your credit cards did you
18 charge TPHEUFT expenses related to the printing
19 downloading or copying of State Farm documents?

20 A. Not that I remember, no.

21 Q. Do you recall making purchases of
22 supplies, paper, otherwise, at any particular
23 store?

24 A. I'm drawing a blank. I can't -- I can't
25 remember where I would have done that.

47

1 Q. How much paper did you purchase, if you
2 recall?

3 A. I'm basing this on the answer I gave in
4 previous depositions. My -- my recollection is
5 purchasing three boxes of paper.

6 Q. Okay. Three boxes two feet wide?

7 A. The box that the paper --

8 THE WITNESS: Sorry. That's me.

9 A. The box that the paper comes in, I think
10 it of would have been ream I was paper in it.

11 Q. Okay. A ream of paper being a separate
12 collection of blank paper, perhaps enclosed in a
13 wrapping?

14 A. Yes.

15 Q. And you think you bought three boxes of
16 ten reams each?

17 A. I think I did.

18 Q. Okay. But you don't remember where?

19 A. But I don't remember where.

20 Q. And that would be just for the
21 copying -- excuse me -- the printing use or was it
22 also for copying?

23 A. It's just what I purchased in planning
24 for the data dump weekend, and I don't remember
25 purchasing any more.

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1 Q. Okay. Do you remember doing any off
2 site -- by off site, I mean away from the house --

3 copying of documents?

4 A. Yes.

5 Q. Where did you do that?

6 A. Now, I didn't personally do it.

7 Michelle and Karen -- we didn't make any copies
8 with a copy a machine at my house. We printed off
9 the computer at my house.

10 Q. All right.

11 A. My copy machine is fairly slow. So
12 Karen and Michelle took the originals to a
13 friend's office and made the copies because they
14 had, you know, industrial size copy machine at
15 this office. So that's where the copies of the
16 documents were made.

17 Q. Okay. You've seen some of these
18 documents -- some of these documents before, I
19 believe.

20 MR. WEBB: Rochelle, I think maybe you
21 have a copy for counsel.

22 MS. MORGAN: Sorry.

23 BY MR. WEBB:

24 Q. But I want to show you Exhibit 2. Ask
25 if you can identify that for me, please, ma'am.

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1 A. This is the code of conduct I signed for
2 Renfroe October of '04.

3 Q. Okay. And Exhibit 3?

4 A. That's the employment agreement it and
5 looks like that I signed that August of '04.

6 Q. The employment agreement with Renfroe?

7 A. Yes.

8 Q. Those are documents, I believe you will
9 recall, that were introduced in the hearing before
10 Judge Acker?

11 A. Yes.

12 Q. Okay. Exhibit Number 4, tell me what
13 that is, please?

14 A. This looks like confidentiality
15 agreement with State Farm.

16 Q. And does that have your signature on it?

17 A. It does.

18 Q. And what is the date of that document?

19 A. Date of that is January of '05.

20 Q. Okay. and Exhibit Number 5 is what?

21 A. It's the same document, and it looks
22 like it's dated January of '06.

23 Q. Okay. Does that have your signature on
24 it as well?

25 A. It does.

50

1 Q. Okay. Referencing the document that you
2 have in your hand, Exhibit 5, is that a document
3 that you actually executed on or about the January
4 date of 2006 indicated there?

5 A. I'm going to assume yes.

6 Q. How did that document get to you for you
7 to do that, if you remember?

8 A. I don't remember. They would have
9 either had us go on the enter N sometimes they had
10 us go on the Internet for security aware SKP-PBSZ
11 we had to print out a document after we answered
12 some questions *EUFPLT. So it could have been
13 that,. B26789B stiff or they could have handed
14 this out. I don't remember how it came to my
15 attention (-)

16 Q. AFTS time that you execute that document
17 in January TPWEUBGS, had you personally downloaded
18 any documents from the State Farm system?

19 A. Downloaded. No, I don't believe so.

20 Q. Okay. Do you know if Kerri had done so
21 by that time?

22 A. You you would have to ask Kerri. I
23 don't know.

24 Q. I understand. But I was just asking if
25 you knew whether she did or not?

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1 A. SKWRAFPB '06.

2 Q. Yes, ma'am.

3 A. Not that I know of, no.

4 Q. Were there any other documents that
5 you're aware of that had been taken from State
6 Farm files by either you or Kerri as of January of
7 2006 other than that document that's dated October
8 the 12th that had a sticky note on it that's been
9 referred to in some other testimony?

10 A. Of the McIntosh.

11 MR. ZAC SCRUGGS: Object to the forge.

12 A. Okay.

13 Q. Anything other than that that either of
14 you had taken from State Farm?

15 MR. HAWLEY: Same objection.

16 MR. ZAC SCRUGGS: Same objection.

17 MR. HAWLEY: PW*B but you can answer if
18 you can.

19 A. Okay. Let me back up. Yes. Yes.

20 Q. What were those document?

21 A. I can't specifically name the documents.

22 Q. Do you know how they were obtained and
23 taken?

24 A. It seems to the best of my recollection
25 we had the McIntosh engineer reports. We did have

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1 some e-mails, some interoffice e-mails, and it
2 would have to be at that point I believe the
3 e-mails or engineer reports that we had and
4 those -- the engineer reports were hard copies at
5 that time. There were none on the system. So
6 they would have been located in the office.

7 Q. Okay. Let me make sure I understand
8 what you're saying. You were saying that there
9 were copies of nose documents that you just
10 described made as hard copies on a copy machine?

11 A. Yes, sir.

12 Q. Did you actually do any of that copying

13 yourself?

14 A. I might have. I don't remember. There
15 wasn't a -- the data dump weekend is easier to
16 remember because it was one big event with all
17 these documents. As far as duplicating or getting
18 documents prior to that, the first document that
19 we came across was the McIntosh document, and
20 that's what we -- we held on to that. After that,
21 if anything caught my interest, an e-mail I they
22 tell was odd or if I saw something that I thought
23 was irregular, at that time I would make a copy of
24 it so it could have been a memo they passed out.
25 It could have been an e-mail. I can't tell you

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1 specifically.

2 Q. Okay. Did you have an understanding
3 that at the time that you took those documents,
4 whether electronically or making copies out of the
5 State Farm system that your objections were in
6 violation that agreement you signed **?

7 MR. ZAC SCRUGGS: Object to the form.

8 A. Yes I'm sure when I took documents I was
9 breaking some sort of agreement.

10 Q. Not only with State Farm but Renfroe as
11 well as?

12 MR. HAWLEY: Same objection.

13 MR. ZAC SCRUGGS: Same objection.

14 MR. WEBB: Why don't we go off the
15 record for just a minute, please.

16 VIDEOGRAPHER: We're going off the
17 record. The time is 3:36.

18 (OFF RECORD) Scruggs Katrina Group
19 Scruggs Katrina Group Scruggs Katrina Group
20 Scruggs Katrina Group.

21 VIDEOGRAPHER: We're back on the record.
22 The time is three: Forty-seven.

23 BY MR. WEBB:

24 Q. Okay. As a follow-up to some of the
25 answers, questions and answer that we just stalked

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1 about related to the demand for documents, you
2 identified -- and other fulls, you identified the
3 TK*EFBG to. Could we have an agreement that to
4 the extent it exists now that the desktop be
5 preserved, its memory, and not otherwise altered
6 or destroyed?

7 MR. ZAC SCRUGGS: What desktop are you
8 talking about?

9 MR. WEBB: Her desktop computer.

10 MR. ZAC SCRUGGS: I don't know what to
11 agree to other than I don't think it's going
12 to be destroyed or given away or anything
13 like that, so --

14 MR. WEBB: Okay. And that the memory be
15 preserved, no instruction of anything that's
16 on a hard drive or otherwise.

17 MR. HAWLEY: I don't think we have a

18 problem with that that. You spoke with the
19 other witness yesterday. You heard what
20 Kerri say about other things having been
21 sucked out of her computer. You may get that
22 with Cori, too. I don't know the status of
23 that in termost mystery of the memory of her
24 computer.

25 MR. WEBB: Well, clearly I don't know

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1 the status of that either, but whatever -- I
2 just want alone agreement that whatever the
3 content of the memory --

4 MR. HAWLEY: Preserve the status quo. I
5 have no problem with that.

6 MR. WEBB: And perhaps we can -- or
7 we'll follow up with that at a later time.

8 Q. Have you applied any new memory or
9 changed out any drives on the computer, on your
10 computer, since the data dump?

11 A. No.

12 Q. Have you taken any hard drives out and
13 used those hard drives, sent them off somewhere
14 else and then put them back in there?

15 A. Now, I had a computer guy come to my
16 house when I lost some of my e-mails, and I don't
17 know what he did.

18 Q. Who is that?

19 A. I don't know. His name -- I think his
20 name is Scott. I don't know his last name. My

21 mother knew who he was. He has a full-time time
22 job as head of finance, somewhere but he does
23 computer repair.

24 Q. When you say your mother, that's
25 Mrs. Lobrano?

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1 A. Yes.

2 Q. Did she actually contact Scott for you?

3 A. No, I did.

4 Q. Do you know where you called him you?

5 A. Well, whatever number she gave me.

6 Q. So you called a number she gave you,
7 asked for Scott, asked him to come to your house?

8 A. Yes, sir.

9 Q. When was that?

10 A. I'm guessing it was sometime around
11 August and September because August is when I
12 realized that a lot of the e-mails I had on my
13 computer were no longer there.

14 Q. August of what year?

15 A. '06. August of '06. So it would have
16 been after that and he came in and he said
17 somebody had attached some spy wear to my e-mails
18 and had retrieved them and that he didn't have
19 enough information to identify who was doing it or
20 what the e-mails were that were taken.

21 Q. Okay.

22 A. And he said I would have to send it to

23 have someone with more expertise than him to
24 determine. Then he put some software on my
25 computer, 134 anti spy wear so hopefully it

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1 wouldn't happen again.

2 Q. Do you know what kind of antispy wear he
3 put on?

4 A. I do not.

5 Q. Have you had any problems with that
6 since he put that anti spy wear on your computer?

7 A. I have not.

8 Q. Have you ever e-mailed anyone, any
9 lawyer with the Scruggs Katrina group from your
10 State Farm laptop?

11 A. I don't know.

12 Q. Okay. Specifically, have you ever
13 e-mailed Zac Scruggs from your State Farm laptop?

14 A. I know right around the time of the data
15 dump weekend, it seems like that I was getting
16 some things osteo computer that I wanted and I
17 might have forwarded something to Zac. It's
18 possible.

19 Q. From your State Farm computer?

20 A. From my State Farm, yes.

21 Q. Okay. Is there any other person that
22 you can recall? Dick shrugs, for example, do you
23 have any recollection of sending an e-mail
24 directly to Mr. Scruggs from your State Farm
25 laptop?

1 A. I do not.

2 Q. Anyone else with the Scruggs Katrina
3 group?

4 A. I don't have a recollection of doing it,
5 no.

6 Q. You did some copying off site on the
7 data dump weekend?

8 A. Yes, sir.

9 Q. Where was that done?

10 A. It was done at a place called Zachary's
11 construction.

12 Q. Zachary's construction (-)

13 A. Yes, sir.

14 Q. Oh, in the office part of Zachary's
15 construction?

16 A. Yes, sir.

17 Q. Okay. Where is that located?

18 A. It's in Moss Point.

19 Q. In Moss Point. And who owns that?

20 A. I don't know.

21 Q. Okay. How did you get access to that
22 office to do the copying?

23 A. Karen Rocko's boyfriend worked for
24 Zachary.

25 Q. Okay. What is his name?

1 A. Leonard (-)

2 Q. Leonard what?

3 A. I don't know.

4 Q. Do you know where Leonard lives?

5 A. Leonard lives in Texas.

6 Q. Do you know what town?

7 A. I do not.

8 Q. Have you had any contact with Leonard or

9 been in Leonard's presence since that weekend?

10 A. Leonard went out on the -- I think went

11 out with us around the fourth of July, so I would

12 have seen him since that weekend.

13 Q. So he -- does he still come back to the

14 Mississippi Coast on occasion?

15 A. He's does.

16 Q. Where does high normally go when he

17 comes back?

18 A. I'm assuming --

19 Q. If you know?

20 A. I'm guessing staying with Karen.

21 Q. Okay. They're still boyfriend,

22 girlfriend, not married?

23 A. They're engaged now.

24 Q. They're engaged now.

25 A. (Nodding head affirmatively).

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1 Q. Okay. Any dates set?

2 A. No.

3 Q. Okay. But you don't know his last name?

4 A. I do not know his last name.

5 Q. Do you have his phone number?

6 A. I do not have his phone number.

7 Q. Ever had his phone TPHUFRPBLGTS I've
8 never had his number.

9 Q. How did you, you personally, select the
10 State Farm documents to access?

11 A. When?

12 Q. When -- on the data dump weekend. Let's
13 focus on that?

14 A. From the engineer roster.

15 Q. Just from the engineer roster?

16 A. Well, that was the primary -- yes,
17 primarily.

18 Q. Okay. Primarily suggests that there
19 were other bases or things you used to AOEUFT
20 things you were going to access. What would that
21 be?

22 A. Well, if you'll remember, I said that I
23 had forwarded some e-mails from my State Farm
24 computer to my personal computer and there's a
25 possibility I forwarded 2001 Zac. So that could

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1 have been additional information I was given. But
2 as far as the download, as far as the download
3 from the computer, it was off that.

4 Q. When you say off that, let me ask you,
5 this is -- I'm referring to Exhibit 6 to Ms. Kerri
6 Rigsby's deposition derrick is that six, seven?

7 MR. BANAHAN: Seven is what you were
8 looking for.

9 MR. WEBB: No.

10 MR. BANAHAN: Okay. You wanted that.

11 Q. And do you recall seeing that before?

12 MR. HAWLEY: I'm sorry. I've gotten
13 mixed up. I have a copy of seven over here,
14 but what's the --

15 MR. WYATT: I think that's misleading.
16 I think the witness lever referred to that
17 document and you're handing her a separate
18 document, I believe.

19 A. This has policy numbers. This is not
20 what I used occasion you referred to seven in your
21 question and you're giving her six.

22 MR. WEBB: No. Actually I was referring
23 to seven in my question. She said she had
24 some recollection of using ** an engineer
25 roster and my question on the table if I can

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1 clarify it is whether she has ever seen that
2 document.

3 MR. WYATT: That's the engineering
4 roster sitting in front of you.

5 MR. ZAC SCRUGGS: Let's ask her have you
6 seen that document before.

7 A. I don't recall seeing this TKOUFPBLGTed
8 document that we used had the number on this side.

9 Q. Okay.

10 MR. BANAHAN: For the record, that's
11 six.

12 MR. WYATT: That's Exhibit 6.

13 MR. WEBB: Right.

14 Q. For the record, the document that you're
15 pointing to that you say you don't recall ever see
16 single exhibit six from Kerri's deposition?

17 A. Okay.

18 Q. Is that right?

19 A. Yes, that is exhibit six, yes.

20 Q. Okay. Thank you. Just so it's clear in
21 the record.

22 At any time before the data dump
23 weekend -- I'll represent to you that this
24 document is a copy of a list of clients of the
25 Scruggs Katrina group that was provided to the

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1 court?

2 A. Okay.

3 Q. In the McFarland lawsuit.

4 A. Okay.

5 Q. You were, I assume business, the time of
6 the data dump weekend aware of the McFarland
7 lawsuit, were you not?

8 A. I guess so. I don't know. I don't
9 remember the time line.

10 Q. Okay. Well, having -- your having said
11 that, let's go back and see if we can talk a

12 little bit about at least a general time line.

13 A. Okay.

14 Q. As I understand it, and let me caution
15 you here, once again, I think we need to try to be
16 careful for the reporter; okay?

17 A. Okay.

18 Q. Both of us.

19 As I understand it, the time line is
20 that the first meeting that you had with Mr. Dick
21 Scruggs was sometime in February of 2006.

22 A. Correct.

23 Q. And as I understand it -- this is based
24 on my understanding of your prior testimony --
25 that that meeting took place and was arranged --

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1 at your mother's, was around by her.

2 A. That is correct.

3 Q. And prior to that time, had you ever met
4 Mr. Scruggs?

5 A. No.

6 Q. Did you know who he was generally?

7 A. Yes.

8 Q. Okay. And you knew him as what before
9 your first meeting?

10 A. The tobacco lawyer.

11 Q. Okay. And had you ever met or known of
12 his son, Zac Scruggs, who's here with us today?

13 A. No.

14 Q. Okay. Had you -- Mr. Wyatt is here with

15 the Scruggs Katrina group. did you know him at
16 that time?

17 A. In February?

18 Q. Of '06.

19 A. I did not.

20 Q. There's another lawyer who's name I've
21 seen, among others, named Backstrom, Sidney
22 Backstrom. Did you know Mr. Backstrom at that
23 time (-)

24 A. No.

25 Q. So y'all met with Mr. Scruggs in

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1 February. Subsequent to that time, as I
2 understand it, there was a meeting or some
3 meetings involving both the United States
4 attorney's office as well as the Mississippi State
5 attorney general's office that took place in
6 February.

7 A. It could have --

8 Q. Excuse me. April. I'm sorry.

9 A. Okay. Yes.

10 Q. Do you have any recollection if at any
11 point in time during either your meeting with
12 Mr. Scruggs in February or subsequent meetings
13 whether there was any suggestion or request
14 forfrom anyone for you to get additional
15 information from State Farm?

16 MR. ZAC SCRUGGS: Object to the form.

17 A. You're asking if they asked -- if they
18 asked Kerri or I to get information from State
19 Farm.

20 Q. (Nodding head affirmatively).

21 A. No.

22 Q. Did they ask you if you could?

23 A. I don't remember anybody asking me if I
24 could, no.

25 Q. Okay. And the McFarland lawsuit, I'll

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1 represent to you, according to the report records,
2 was filed on may the ninth. Exhibit Number 6th,
3 as I say, a document that was attached too that.
4 I'll represent that to you?

5 A. Okay.

6 Q. And that being the case, can you testify
7 under your oath that you did not use that document
8 for purposes of the data dump?

9 MR. ZAC SCRUGGS: Object to the form.

10 A. I don't remember -- I don't remember
11 using this. It was strictly that document.

12 Q. Okay. And by that document, you're
13 referring to a -- you're saying you used a
14 engineer roster?

15 A. Yes, sir.

16 Q. Okay. This document that comes from the
17 McFarland case, do you recall Kerri having it with
18 her during the data dump weekend?

19 A. She very well could have. We were

20 separated in different areas. Kerri could have
21 had this document.

22 Q. You do not -- do you know of Kerri going
23 on to any court Webb sites and downloading
24 documents related to any of the Scruggs litigation
25 that was going on before the data dump weekend?

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1 A. No, I don't know anything about that.

2 Q. Did you do that?

3 A. No.

4 Q. Okay. Do you know whether Kerri or
5 anyone, any one of your friends or yourself used
6 and went down through the list of Scruggs Katrina
7 group clients listed on that Exhibit 6 in front of
8 you and accessed information in the State Farm
9 system?

10 A. Not that I'm aware of.

11 Q. Okay. Having mentioned that you were in
12 some meetings at some point with law enforcement
13 people, US attorney's office, Mississippi State
14 attorney general's office, have you in the context
15 of any of your meetings with any of those people
16 been read rights, if you know what I mean?

17 A. No, I have not.

18 Q. Okay. You understand what I'm talking
19 about when I say that, read your rights about
20 anything you can do might be used against you in a
21 court of law?

22 A. I do understand the question.

23 Q. Have you, to your knowledge, either
24 through counsel or otherwise been granted any kind
25 of immunity from either prosecution or any civil

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1 liability that you might have for your actions?

2 A. Not that I'm aware PHAU.

3 MR. HAWLEY: Mr. Webb I'll just jump in
4 the same place I did with Kerri's deposition
5 earlier, both Kerri and Cori have been
6 cooperating witnesses with the federal
7 government SKP-FT state government of
8 Mississippi and they've both been directed no
9 to divulge the nature, scope or content of
10 investigations with the investigating
11 authorities. So I think any further question
12 as to what they were told or they told others
13 would be off limits.

14 MR. WEBB: Okay. With the -- insurance
15 and appreciate that from the stand point of
16 need to make the objection, but with that
17 understanding, were you ever told by anyone
18 with the state or federal government to look
19 in State Farm's system and see what you could
20 find.

21 A. No, sir, I was not.

22 Q. Were you ever -- was that ever suggested
23 to you by anyone other than yourself or Kerri?

24 A. No, sir.

25 Q. Okay. What about your mother?

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1 A. No, sir.

2 Q. Did she know you were doing that?

3 A. I don't think she did at that time.

4 Q. Meaning the data dump weekend?

5 A. Right. I don't think she knew. It's
6 hard to remember sometimes what you know now and
7 what you know then, but I don't believe anybody
8 knew except for Kerri and I that weekend.

9 Q. Currently, as I understand it, Mr. HAULy
10 represents you personally; is that correct?

11 A. Yes.

12 Q. The Scruggs firm represents you in some
13 other context; is that right?

14 A. That's correct.

15 Q. But not in the McIntosh case?

16 A. Correct.

17 Q. Okay.

18 A. That's my understanding.

19 Q. At any point in time after you first met
20 with Dick Scruggs, did you determine that you had
21 an opportunity to make any money off what you knew
22 or could find out from State Farm?

23 MR. ZAC SCRUGGS: Object to the form.

24 A. No.

25 Q (By Court Reporter)

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1 COURT REPORTER: Did someone else
2 object?

3 MR. HAWLEY: I did not, but thank you.

4 MR. WEBB: I'm surprised.

5 MR. BANAHAN: Wake up down there.

6 Q. Let me ask you some names of some
7 lawyers; okay?

8 A. Okay.

9 Q. Do you know a lawyer named buddy Gunn?

10 A. Buddy Gunn. That name sounds very
11 familiar. I don't think I've met him, but I think
12 that's Judy Guice's lawyer, but maybe I'm wrong.

13 Q. Do you know Ms. TKPWAOEUFRLPBLGTS I know
14 who she is. We have not met.

15 Q. Wasn't her house there close to the
16 house that your mother lives in?

17 A. Actually she was next door.

18 Q. But you never met her?

19 A. I never met her.

20 Q. Okay. Do you know a lawyer, his
21 nickname is flip? Do you know a lawyer named flip
22 Phillips?

23 A. Flip?

24 Q. Richard flip Phillips?

25 A. Is he bald?

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1 Q. Now, I'm not going to make a
2 representation to you about the statement of
3 Mr. Phillip's hair?

4 MR. ZAC SCRUGGS: Hardly.

5 Q. He's not?

6 A. Okay. Then I don't think I know him.

7 Q. Do you know the lawyer of a name

8 nickname of what lawyer that's bald?

9 A. He has had a nickname skip or skip AOE.

10 Seems like I know somebody that's PWAUPLD.

11 Q. Do you know a lawyer named chip her

12 land?

13 A. I don't personally know chip Merlin.

14 Q. Have you heard of the Merlin group?

15 A. I have.

16 Q. What do you know about Merlin group?

17 A. They were in court before Judge Center

18 about the class action center proposal between SKG

19 and State Farm.

20 Q. The Willard case (-)

21 A. Yes. I believe I remember them being in

22 the courtroom and their two scents.

23 Q. Other than that KWAEUBTS, if you would,

24 with the Merlin group, do you have any other

25 association or have you had any other association

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1 with the Merlin group?

2 A. No.

3 Q. Have you provided or do you know -- let

4 AOE ask you SPHEUS first: Have you provided any

5 documents to Merlin group?

6 A. No.

7 Q. Do you know Randy sanity KRAUZ from over
8 in Bay St. Louis?

9 A. No.

10 Q. Do you know William Weatherly from
11 Gulfport?

12 A. Moss.

13 Q. Have you provided any documents to
14 either Randy Santa Cruz or William Weatherly?

15 A. No.

16 Q. I remember some testimony that you gave
17 in -- matter of fact, I happen to have it right
18 here. And I'm just using this to refresh my
19 recollection as to what testimony was and you can
20 correct me if I'm wrong about it, but as I recall
21 when you testify in the Renfroe case in addition
22 to documents that you downloaded that came from
23 State Farm, either in the data dump weekend in
24 addition to -- or otherwise and in addition to
25 documents that you may have copied at the State

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1 Farm offices, that there were some training
2 materials that you had available just that you had
3 kept over a period of years that you also copied
4 and provided to the Scruggs Katrina group?

5 A. Actually, I just provided them with the
6 originals. I didn't cop identity.

7 Q. Okay. You didn't even copy those: Do
8 you remember what those documents were?

9 A. I remember one of them was how to
10 measure roofs, if it was a hip or a gable.

11 Q. Okay.

12 A. Ask then it had also maybe the different
13 triangles on it, maybe eye SOSlys, if you were
14 going to do the siding on the gabling of a house.
15 I think it was more generic stuff like that,
16 measurements possibly. Possibility sufficient
17 some stuff on exact mate and maybe file order, you
18 know, the order of a State Farm claim file.

19 Q. Were there any general training or
20 seminar type booklets or books that you recall in
21 that federal?

22 A. There could have been. Seems like there
23 might have been a Haag training manual from one of
24 the continuing ed conferences because Renfroe
25 generally had Haag come in at our yearly

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1 conference to train us on how to spot damages on
2 roofs and things like that, so there could have
3 been a Haag manual.

4 Q. And specifically do you remember if ever
5 seeing a document that dealt with wind/hail
6 certification?

7 A. That could have been in there as well.

8 Q. Okay.

9 A. Now wind hail certification, what do you
10 mean by that? That was a test that State Farm

11 gave, I believe.

12 MS. MORGAN: Can we go off the record

13 for a minute?

14 (OFF RECORD)

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