

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

E.A. RENFROE & COMPANY, INC.,	}	
	}	
Plaintiff,	}	
	}	CIVIL ACTION NO.
v.	}	06-AR-1752-S
	}	
CORI RIGSBY, et al.,	}	
	}	
Defendants.	}	

**MEMORANDUM OPINION AND ORDER**

Before the court are three motions dealing with a problem that has arisen during discovery being conducted in other cases involving the Katrina disaster. In those cases, persons to whom discovery requests have been directed express fear that their truthful and complete responses to the requests may violate this court's preliminary injunction of December 8, 2006. The first such motion was filed on June 18, 2008, by defendant, Cori Rigsby, seeking relief from this court's injunction in order to allow her safely to comply with the discovery ordered by the federal district court in Mississippi in *McIntosh v. State Farm*. The second was filed on June 24, 2008, by non-parties, Richard F. Scruggs, D. Zachary Scruggs, and The Scruggs Law Firm, P.A. ("Scruggs"). It is substantially the same as Cori Rigsby's motion of June 18, 2008, except that it also seeks access to materials from this court. The third was filed on June 25, 2008, by plaintiff, E.A. Renfroe & Company, Inc. ("Renfroe"). Renfroe's motion accompanies its opposition to the abovementioned

motions filed by Cori Rigsby and Scruggs and seeks an amendment to the protective order that was included in the injunctive order of December 8, 2006. Renfroe's proposed amendment would allow State Farm to obtain copies of the State Farm documents that are now held exclusively by this court and by counsel for the parties, that is, to the extent they are not also in the possession of the United States Attorney in the *qui tam* case brought by the Rigsbys as *relators*, and/or of the F.B.I., and/or of the Attorney General of Mississippi, and/or of the Mississippi Department of Insurance.

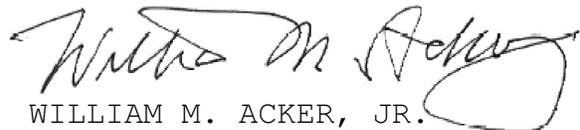
This court has no intent or valid reason to interfere with the operation of litigation proceeding in any other court, and, if there were such a reason, the passage of time has lessened, if not eliminated, any need to preclude disclosure in other cases of information obtained by the Rigsbys during their "data dump" or other acquisitions of materials subject to this court's injunction of December 8, 2006. Therefore, the court goes beyond the requests made in the motions of Cori Rigsby and Scruggs, and hereby ORDERS that Cori Rigsby, Scruggs, any and all witnesses, deponents, and entities subject to discovery requests in litigation now pending or to be filed in any other court are RELIEVED from any obligation imposed by this court not to disclose information, even though the materials being disclosed may be within the description contained in the injunction of December 8, 2006. To the extent not thus granted, this order

renders MOOT the motions by Cori Rigsby and Scruggs, as well as the objections to the motions presented by Renfroe.

Scruggs has gone further and has requested access to the sequestered documents for the purpose of assisting him in responding to discovery requests in other cases. Not because Scruggs claims that this court has no jurisdiction over him (although it is strange for a party who asserts lack of jurisdiction to request help from the court), but because the same request may be made by Scruggs to the appropriate United States Attorney, or to the Attorney General of Mississippi, both of whom have complete sets of the purloined documents, the court DENIES Scruggs's request for access. To obtain the documents from Scruggs was like pulling eye teeth. To give them back to him now would make little sense. Scruggs, of course, has the right to disclose and to comment upon whatever documents he has in his possession or that he can obtain without access to this court's set of documents.

Renfroe's motion to allow State Farm access to the materials covered by the injunction is well taken, and is GRANTED. Unless former counsel for the Rigsbys are willing to deliver their protected copies of the documents to State Farm, State Farm is hereby ALLOWED to make copies of the documents now held by counsel for Renfroe, but shall not make them available to the general public.

DONE this 1st day of July, 2008.

A handwritten signature in black ink, appearing to read "William M. Ackers, Jr.", written in a cursive style.

WILLIAM M. ACKER, JR.  
UNITED STATES DISTRICT JUDGE