

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

THOMAS C. and PAMELA McINTOSH

PLAINTIFFS

V.

NO. 1:06cv1080-LTS-RHW

STATE FARM FIRE & CASUALTY COMPANY,
FORENSIC ANALYSIS & ENGINEERING CORPORATION,
and E. A. RENFROE & COMPANY, INC. and
DOES 1 THROUGH 10

DEFENDANTS

**MOTION OF NON-PARTIES RICHARD F. SCRUGGS AND
D. ZACHARY SCRUGGS FOR LEAVE TO EXCEED PAGE LIMIT**

Non-parties Richard and Zach Scruggs (“the Scruggses”) respectfully request this Court to grant them leave to exceed the page limit provided by the Uniform Local Rules in their omnibus response to the Motions to Compel [Documents 1239, 1240] filed by Defendant State Farm Fire & Casualty Company (“State Farm”). In support of their Motion, the Scruggses state as follows:

1. State Farm has sought responses to more than 1,300 questions asked at the Scruggses’ depositions on July 21 and 22, 2008. The Scruggses asserted various privileges in response to most of the questions asked. State Farm has argued to this Court that the Scruggses have the burden to justify each invocation of their privileges.

2. State Farm filed its Motions to Compel on July 29, 2008. Except for an additional paragraph in the Motion directed toward Richard Scruggs and differences in citations to deposition transcripts, the Motions are virtually identical. In the interest of efficiency and uniformity, the Scruggses are preparing a single memorandum in response to both Motions.

4. Because of the length of the Scruggses’ depositions and the breadth of the privilege issues involved, an individual response to either Motion would require more than the thirty-five (35)

pages allotted by Uniform Local Rule 7.2(E). The Scruggses seek the Court's permission to submit an omnibus brief in response to both Motions, not to exceed sixty (60) pages in length.

FOR THESE REASONS, non-parties Richard and Zach Scruggs respectfully request the Court's leave to file a single brief in response to Defendant State Farm's Motions to Compel, not to exceed sixty (60) pages in length. The Scruggses request such other relief as the Court deems appropriate.

THIS, the 12th day of August, 2008.

Respectfully submitted,

RICHARD F. SCRUGGS AND ZACHARY SCRUGGS

Paul B. Watkins, Jr.

J. CAL MAYO, JR. (MB NO. 8492)

POPE S. MALLETTE (MB NO. 9836)

PAUL B. WATKINS, JR. (MB NO. 102348)

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CERTIFICATE OF SERVICE

I, Paul B. Watkins, Jr., one of the attorneys for non-parties Richard F. Scruggs and D. Zachary Scruggs, hereby certify that I have this date electronically filed the foregoing document with the Clerk of the Court using the ECF system, which sent notification of such filing to all counsel of record.

THIS, the 12th day of August, 2008.

Paul B. Watkins, Jr.
PAUL B. WATKINS, JR.