

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

THOMAS C. and PAMELA McINTOSH

PLAINTIFFS

VS

CIVIL ACTION 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

**E. A. RENFROE & COMPANY, INC.'S
JOINDER IN STATE FARM'S MOTION TO COMPEL
CORI AND KERRI RIGSBY TO ANSWER DEPOSITION QUESTIONS**

E.A. RENFROE & COMPANY, INC. ("Renfroe") herein joins in the Motion to Compel Cori and Kerri Rigsby to Answer Deposition Questions and supporting memorandum filed by State Farm Fire & Casualty Company ("State Farm") [Docket Nos. 945 and 946, respectively] and further shows as follows:

1. On December 21, 2007, State Farm filed its Motion to Compel Cori and Kerri Rigsby to Answer Deposition Questions. As explained by State Farm in its motion and supporting memorandum, witnesses Cori Rigsby and Kerri Rigsby have continuously declined to answer deposition questions and failed to produce documents, relying on claims of attorney-client privilege and work-product protection. These objections were again raised by the Rigsbys' counsel and plaintiffs' counsel, in response to questions posed by both State Farm and Renfroe, at Cori Rigsby's November 19, 2007 deposition and Kerri Rigsby's November 20, 2007 deposition.
2. For the reasons set forth by State Farm, the Rigsbys' and plaintiffs' claims of attorney-client privilege and work-product protection are without basis and the objections to State Farm and Renfroe's questions should be overruled. Renfroe, therefore, joins with State

Farm in seeking from this Court an order requiring the Rigsbys to fully respond to questions that were previously unanswered due to improper objections including questions concerning the Rigsbys' use of State Farm laptops and misappropriation of documents.

3. On December 28, 2007, the Court entered its text only order accelerating the briefing schedule on State Farm's motion to compel and setting deadlines of January 4, 2008 for plaintiffs' response and January 9, 2008 for any reply by State Farm. Renfroe understands the need to expedite a resolution of this matter and, by this joinder, seeks not to delay resolution but only to inform the Court that it, as well as State Farm, is entitled to have answers to the questions that were improperly objected to by Cori Rigsby and Kerri Rigsby. *See*, for example, the colloquy cited at pages 2-5 of State Farm's supporting memorandum [Docket No. 946].

Wherefore, E.A. Renfroe & Company, Inc., pursuant to Fed. R. Civ. P. 37, seeks an order of the court overruling the objections interposed by the Rigsbys' and plaintiffs' counsel at Cori Rigsby's November 19, 2007 deposition and Kerri Rigsbys' November 20, 2007, deposition and ordering them to fully respond to questions concerning their use of State Farm laptops and misappropriation of documents.

DATED: January 3, 2008.

Respectfully submitted,

E. A. RENFROE & COMPANY, INC.

By: s/ H. Hunter Twiford, III
H. Hunter Twiford, III
One of its Attorneys

OF COUNSEL:

H. Hunter Twiford, III (MSB 8162)
David A. Norris (MSB 100616)
Stephen F. Schelver (MSB 101889)
McGLINCHEY STAFFORD PLLC
Suite 1100, City Centre South
200 South Lamar Street (Zip – 39201)
Post Office Box 22949
Jackson, Mississippi 39225-2949
Telephone: (601) 960-8400
Facsimile: (601) 960-8431
Email address: htwiford@mcglinchey.com;
dnorris@mcglinchey.com; sschelver@mcglinchey.com

and

Christine Lipsey (*pro hac vice*)
McGLINCHEY STAFFORD PLLC
14th Floor, One American Place
Baton Rouge, LA 70825
Telephone: (225) 383-9000
Facsimile: (225) 343-3076
Email address: clipsey@mcglinchey.com

and

James F. Hibey (*pro hac vice*)
Catherine J. Serafin (*pro hac vice*)/
Joseph Walker (*pro hac vice*)
HOWREY LLP
1299 Pennsylvania Avenue, N. W.
Washington, DC 20004-2402
Telephone: (202) 783-0800
Facsimile: (202) 383-6610
Email address: hibeyj@howrey.com;
walkerj@howrey.com

CERTIFICATE OF SERVICE

I, the undersigned H. Hunter Twiford, III, McGlinchey Stafford PLLC, hereby certify that on this day, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to the following:

Cameron M. Abel - cameron@tollisonlaw.com

Amy K. Averill - PHV - amy.averill@sablaw.com

John A. Banahan - john@bnsccb.com

Don John W. Barrett - dbarrett@barrettlawoffice.com

Robert E. Battle - PHV - rbattle@bfgwc.com; lspice@bfgwc.com; arodgers@bfgwc.com

John W. Bonds - PHV - john.bonds@sablaw.com

Thomas M. Byrne - PHV - tom.byrne@sablaw.com; jennifer.wagner@sablaw.com

Larry G. Canada - lcanada@gjtbs.com; msoleto@gjtbs.com

Christopher T. Conte - ctc@helmsinglaw.com; lds@helmsinglaw.com

Luke Dove - bethbailey1@aol.com; ldove81743@aol.com

Joseph M. Hollomon - jhollomon@att.net; joehollomonlaw@yahoo.com

Dewitt M. Lovelace - dml@lovelacelaw.com

Drew McLemore Martin - drewmartinlaw@gmail.com

Mary E. McAlister - paralegals@davidnutt.com; mcalister@davidnutt.com

David Neil McCarty - dmccarty@davidnutt.com; paralegals@davidnutt.com

Michael C. Moore - mm@mikemoorelawfirm.com

Rochelle R. Morgan - RRM@webbsanders.com; sns@webbsanders.com;
tsp@webbsanders.com; lma@webbsanders.com;
sew@webbsanders.com; jsr@webbsanders.com;
smf@webbsanders.com ; mks@webbsanders.com

Harry Benjamin Mullen - ben@bnsccb.com; layna@bnsccb.com; lawshark66@i-55.com

Matthew E. Perkins - perkins@bnsccb.com; layna@bnsccb.com; perkins.bnsccb@gmail.com

Kathryn Breard Platt - kbreard@gjtbs.com

James R. Robie - PHV - jrobie@romalaw.com

Norma Carr Ruff - ncr@webbsanders.com; lma@webbsanders.com;
csb@webbsanders.com; sew@webbsanders.com

Valerie Sanders - PHV - valerie.sanders@sablaw.com

George S. Shaddock - georghaddock@yahoo.com; mls.lawfirm@yahoo.com

Marshall H. Smith, Jr. - mhsmithjr@barrettlawoffice.com; rrbartlett@barrettlawoffice.com;
dmcmullan@barrettlawoffice.com

Michael R. Smith - PHV - msmith@zuckerman.com; khillian@zuckerman.com

William W. Taylor - PHV , III - wtaylor@zuckerman.com

Grady F. Tollison, Jr. - grady@tollisonlaw.com; becky@tollisonlaw.com

Dan W. Webb - dwebb@webbsanders.com; sns@webbsanders.com;
rrm@webbsanders.com; ceh@webbsanders.com;
kbw@webbsanders.com; lma@webbsanders.com;
sew@webbsanders.com; lfc@webbsanders.com;
jsr@webbsanders.com; smf@webbsanders.com;
amy@webbsanders.com; mks@webbsanders.com

William E. Whitfield, III - whitbill@bryantdukes.com; whitbill@aol.com

Harlan F. Winn , III - hwinn@bfgwc.com; lspice@bfgwc.com; arodgers@bfgwc.com

Derek A. Wyatt - dwyatt@davidnutt.com; paralegals@davidnutt.com;
mcalister@davidnutt.com

and I hereby certify that I have mailed by United States Postal Service the document to the following non-ECF participants:

NONE

THIS, the 3rd day of January, 2008.

s/ H. Hunter Twiford, III
H. HUNTER TWIFORD, III