

FILED

UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF ALABAMA

J.S. DISTRICT COURT
N.D. OF ALABAMA

SOUTHERN DIVISION

UNITED STATES OF AMERICA)
)
-vs-)
)
RICHARD F. SCRUGGS)
THE SCRUGGS LAW FIRM, P.A.)
_____)

CR-07-CO-0325-S

**ALLEGATIONS OF
CRIMINAL CONTEMPT OF COURT**

The Court has carefully reviewed the records and hearings in the case of *Renfroe v. Cori Rigsby Moran and Kerri Rigsby*, case number 2:06-CV-1752-WMA and reiterates its conclusion stated therein that there is probable cause to believe that attorney RICHARD F. SCRUGGS and THE SCRUGGS LAW FIRM, P.A., have been in criminal contempt of court. Pursuant to Title 18, United States Code, section 401(3), and Rule 42 of the *Federal Rules of Criminal Procedure*, the Court finds that there is probable cause to believe, and therefore **ALLEGES**, the following:

COUNT ONE:

1. At all times material to these Allegations, Cori Rigsby Moran and Kerri Rigsby were parties and defendants in the case of *E. A. Renfroe & Company, Inc. v. Moran and Rigsby*, case number 2:06-CV-1752-WMA, in the United States District Court for the Northern District of Alabama, subject to orders and injunctions of the Court. In said case, the plaintiff, Renfroe, sought the return of material allegedly wrongly taken from it by the

defendants, Cori Rigsby Moran and Kerri Rigsby.

2. On December 8, 2006, the Court entered a *Memorandum Opinion and Preliminary Injunction* which mandatorily ordered and enjoined Cori Rigsby Moran and Kerri Rigsby and their “agents, servants, employees, attorneys, and other persons in active concert or participation with them who received actual notice of this order by personal service or otherwise,” to:

deliver forthwith to counsel for plaintiff all documents, whether originals or copies, of each document and tangible thing, in any form or medium, that either of defendants or anyone acting in conjunction with or at the request or instruction of either of them, downloaded, copied took or transferred from the premises, files, records or systems of Renfro or of any of its clients, including, but not limited to State Farm Insurance Company and which refer or relate to any insurance claims involving damages caused or alleged to have been caused by Hurricane Katrina in the State of Mississippi.

Defendants and their agents, servants, employees, attorneys, and other persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise, are further ENJOINED not to further disclose, use or misappropriate any material described in the preceding paragraph unless to law enforcement officials at their request.

The *Memorandum Opinion and Preliminary Injunction* also contained provisions for the security and preservation of the material once delivered to plaintiff’s counsel. It became effective December 11, 2006.

3. The aforesaid order was clear and reasonably specific.

4. At all times material to these allegations, the defendants

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and
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were agents, servants, employees, and/or attorneys of Cori Rigsby Moran and Kerri Rigsby and were otherwise in active concert or participation with them within the meaning of the *Memorandum Opinion and Preliminary Injunction*.

5. At all times material to these allegations, the defendants

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were otherwise legally identified with Cori Rigsby Moran and Kerri Rigsby so as to be subject to penalty for criminal contempt should they wilfully violate and disobey, or wilfully cause, aid, or abet a violation and disobedience of, the aforesaid order.

6. At all times material to these allegations, the defendants

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possessed materials that were the subject of the order.

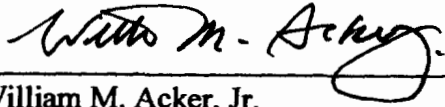
7. On or about December 12, 2006, the defendants,

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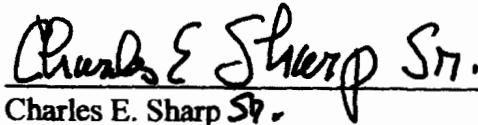
after receiving actual notice of the aforesaid order, committed acts constituting a criminal contempt of this Court, that is, each wilfully violated and disobeyed said order by causing materials subject to the order and in their possession to be delivered to a third party with the

specific intent of preventing said materials from being delivered to counsel for the plaintiff.

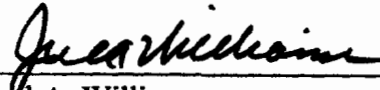
A TRUE BILL



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