

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

COOPER TIRE AND RUBBER CO.

PLAINTIFF

V.

CIVIL ACTION NO.: 3:02CV210-SA-JAD

JOHN BOOTH FARESE, et. al

DEFENDANTS

**ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFF'S OBJECTIONSTO MAGISTRATE'S ORDER ON MOTION TO COMPEL
DEFENDANTS' RESPONSES TO DISCOVERY RELATED TO PUNITIVE DAMAGES**

CAME ON FOR HEARING the Plaintiff's Objections to the Magistrate's Order on Motion to Compel Defendants' Responses to Discovery Related to Punitive Damages [556] and the Court, being fully advised in the premises, finds that the Objections should be granted in part and denied in part.

IT IS, THEREFORE, ORDERED that each Defendant shall produce the following documents for the years 2000-2007: balance sheets, financial statements showing net worth, and federal 1040 forms. In addition, the corporate defendants, Farese Farese & Farese, P.A. and Bruce Kaster, P.A., shall also produce profit and loss statements for the years 2000-2007.

These documents shall be filed under seal with the clerk no later than December 31, 2008, and at the same time shall be reviewed only by personnel employed by Smith & Fawer, LLC and by one Certified Public Accountant designated by Smith & Fawer, LLC.

To the extent that Plaintiff's Objections to Magistrate's Order on Motion to Compel Defendants' Responses to Discovery Related Punitive Damages seeks additional relief beyond what has been ordered by the Court, those Objections are denied without prejudice for reconsideration

should the trial of this matter proceed to a punitive damages phase.

SO ORDERED this the 19th day of December, 2008.

s/ Sharion Aycock
U.S. DISTRICT JUDGE