

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

FRANK B. McCUNE, JR.

PLAINTIFF

VS.

CIVIL ACTION NO. 3:11CV423 TSL-MTP

UNITED STATES DEPARTMENT OF JUSTICE;  
OFFICE OF U.S. ATTORNEY GENERAL  
SOUTHERN DISTRICT OF MISSISSIPPI;  
MERCHANT AND FARMERS BANK;  
THE MEMBERS EXCHANGE CREDIT UNION F/K/A  
INDUSTRIAL EMPLOYEES CREDIT UNION;  
UNION PLANTERS BANK A/K/A REGIONS  
FINANCIAL CORPORATION; AMERIPRISE  
FINANCIAL SERVICES F/K/A AMERICAN  
EXPRESS FINANCIAL SERVICES; and  
VARIOUS "JOHN DOES"

DEFENDANTS

ORDER ON JOINT AGREED MOTION IN LIMINE

This cause came on to heard on the Joint Agreed Motion in Limine prohibiting disclosure to the jury that Robert L. Gibbs was a member of the board of directors of a company owned by plaintiff, and for related relief, and the Court being fully advised in the premises is of the opinion that said motion is well taken and should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the parties, their attorneys and witnesses shall not mention, refer to or interrogate concerning, or attempt to convey during the trial in any manner, either directly or indirectly, any information relating to the fact that plaintiff's counsel, Robert L. Gibbs, was a member of the board of directors of Neo Ventures; that Mr. Gibbs' name shall be redacted from any document published to the jury; and that plaintiff and all counsel shall not make any reference to the fact that this motion has been filed and granted and that counsel warn and caution each and every one of the witnesses to strictly follow these instructions.

SO ORDERED, this the 29th day of July, 2013.

s/David Bramlette  
UNITED STATES DISTRICT COURT JUDGE

AGREED TO:

s/ Robert L. Gibbs  
ATTORNEY FOR PLAINTIFF,  
FRANK B. McCUNE, JR.

s/ Angela G. Williams  
ATTORNEY FOR DEFENDANT,  
UNITED STATES DEPARTMENT OF JUSTICE

s/ Frank W. Trapp  
ATTORNEY FOR DEFENDANT,  
MERCHANTS & FARMERS BANK

s/ Terry R. Levy  
ATTORNEY FOR DEFENDANT,  
MEMBERS EXCHANGE CREDIT UNION

s/ William R. Ray  
ATTORNEY FOR DEFENDANT,  
AMERIPRISE FINANCIAL SERVICES