

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JO ANN HOWARD &	)	
ASSOCIATES, P.C., <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Case No. 4:09CV01252 ERW
	)	
J. DOUGLAS CASSITY, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter comes before the Court on “Plaintiffs’ Motion to Enforce Court Order Requiring Production of Personal Financial Information by Brent Cassity” [ECF No. 1336].

On September 18, 2013, this Court issued an Order, which, among other things, required Brent Cassity to produce to Plaintiffs “all personal banking statements, credit card statements, and financial statements pertaining to the financial status of said individual[], for the period between July 1, 2011 to present [ECF No. 1279 at 11-12]. Two weeks after this Court issued the Order, Brent Cassity sent Plaintiffs’ counsel an email stating: “I do not have any bank accounts or credit cards that are not joint accounts with my wife” [ECF NO. 1336-1 at 2]. Since this communication, Brent Cassity has not contacted Plaintiffs’ counsel or indicated any intent to produce documents, and in his Response, he insists he has complied with the Court’s Order by informing Plaintiffs he has no “personal accounts” [ECF No. 1348].

In their Reply, Plaintiffs contend Brent Cassity’s “repeated discovery violations and

continued refusal to obey court orders warrants the sanction of default judgment against him and the waiver of any personal privileges Cassity may have as to pre-receivership documents within his possession, custody, or control.” [ECF No. 1354]. Plaintiffs ask the Court to set a five-day deadline for Brent Cassity “to produce all personal banking statements, credit card statements, and financial statements pertaining to his financial status for the period between July 1, 2011 to present, as ordered by the Court[,]” and request the Court to hold Brent Cassity in contempt until such documents are produced.

The Court will hold in abeyance Plaintiffs’ request for the sanction of default judgment, but will direct Brent Cassity to produce to Plaintiffs, within ten (10) days of entry of this Order, all personal banking statements, credit card statements, and financial statements pertaining to his financial status for the period between July 1, 2011 to present, as ordered by the Court. This production shall include documents pertaining to any financial interest, separately held, or jointly held with any individual or entity.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiffs’ request for the sanction of default judgment is **HELD IN ABEYANCE**.

**IT IS FURTHER ORDERED** that Brent Cassity shall produce to Plaintiffs, within ten (10) days of entry of this Order, all personal banking statements, credit card statements, and financial statements pertaining to his financial status for the period between July 1, 2011 to present, as ordered by the Court. This production shall include documents pertaining to any financial interest, separately held, or jointly held with any individual or entity. Failure to produce the documents as ordered likely will result in an order holding Brent Cassity in contempt of

court.

Dated this 20th day of December, 2013.

A handwritten signature in black ink, appearing to read "E. Richard Webber", written over a horizontal line.

E. RICHARD WEBBER  
SENIOR UNITED STATES DISTRICT JUDGE