

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 Defendant J. Douglas Cassity’s pro se “Motion to Strike False Statements in Court’s March 12th, 2014 Memorandum and Order and to Order Investigation of the Provider of Forged and/or Altered Documents to the Court” [ECF No. 1457].

In his Motion, Cassity asserts the following statement, found in the last sentence on page 4 of the Order, is false: “Moreover, during this time, Doug Cassity received payments totaling over \$3 million dollars for goods sold on eBay, . . .” Cassity claims he has never had an eBay account, and has never bought or sold anything on eBay. He contends the documents Plaintiffs provided to the Court, emails regarding eBay transactions engaged in by him, were forged or fraudulently created. Cassity asks the Court to order Plaintiffs to provide an explanation of the documents, and moves the Court to strike the challenged statement from the March 12, 2014 Order.

In their Response, Plaintiffs report they have conducted further investigation into the

questioned transactions, and “are now concerned that the emails introduced by Plaintiffs and relied upon by the Court may not be legitimate receipts, but rather may be part of a “phishing scam” [ECF No. 1480]. They state they cannot confirm the reliability of the emails, and they do not oppose Cassity’s Motion to strike.

Accordingly,

IT IS HEREBY ORDERED that J. Douglas Cassity’s pro se “Motion to Strike False Statements in Court’s March 12th, 2014 Memorandum and Order and to Order Investigation of the Provider of Forged and/or Altered Documents to the Court” [ECF No. 1457] is **GRANTED**.

IT IS FURTHER ORDERED that the last sentence beginning on page four and continuing on page five of this Court’s March 12, 2014 Order [ECF No. 1450], “Moreover, during this time, Doug Cassity received payments totaling over \$3million dollars for goods sold on eBay, and Brent Cassity and Tyler Cassity were spending tens of thousands of dollars on luxury goods and services[,]” shall be stricken, and shall be replaced with the following sentence: “Moreover, during this time, Brent Cassity and Tyler Cassity were spending tens of thousands of dollars on luxury goods and services.” In all other respects, the March 12, 2014 Order shall remain unchanged.

Dated this 7th day of April, 2014.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE