

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

WESTERN RESERVE LIFE ASSURANCE)
CO. OF OHIO,)
Plaintiff,)
)
vs.)
) C.A. No. 09-470-S
JOSEPH CARAMADRE, RAYMOUR)
RADHAKRISHNAN, ESTATE PLANNING)
RESOURCES, INC., HARRISON CONDIT,)
and FORTUNE FINANCIAL SERVICES,)
INC.,)
Defendants;)
_____)

WESTERN RESERVE LIFE ASSURANCE)
CO. OF OHIO,)
Plaintiff,)
)
vs.)
) C.A. No. 09-564-S
JOSEPH CARAMADRE, RAYMOUR)
RADHAKRISHNAN, ESTATE PLANNING)
RESOURCES, INC., HARRISON CONDIT,)
and FORTUNE FINANCIAL SERVICES,)
INC.,)
Defendants.)
_____)

STIPULATION AND ORDER

WHEREAS, Defendant Fortune Financial Services, Inc. (“Fortune Financial”) has propounded requests for production of documents to plaintiff Western Reserve Life Assurance Co. of Ohio (“Western Reserve”); and

WHEREAS, Western Reserve has not produced the documents listed on Exhibit A on the grounds that it contends such documents are either non-responsive to Fortune Financial’s requests, not discoverable or otherwise privileged; and

WHEREAS, Western Reserve has agreed to produce to Fortune Financial the documents listed on Exhibit A, subject to the entry of this Order, in an effort to resolve as many discovery disputes as possible; and

WHEREAS, Western Reserve and Fortune Financial have agreed to the entry of this Order,

It is hereby STIPULATED and ORDERED as follows:

Western Reserve's production of documents shall not constitute a waiver in this or any other litigation or matter of any privilege (including without limitation the attorney-client privilege and the attorney work product privilege) in (a) those documents; (b) any communications or documents relating to the subject-matter of those documents; or (c) any communications or documents relating to the individuals or entities who sent, received, or are named in those documents. This is an Order under Federal Rule of Evidence 502(d) that any privilege that may have been raised in documents produced by Western Reserve is not waived as a result of disclosure of those documents in connection with this Litigation, and this stipulation and order governs all persons or entities in all state or federal proceedings, whether or not they were parties to this Litigation. Without limiting the foregoing, this stipulation shall not affect Western Reserve's legal right to assert privilege claims over documents in any other proceeding, and this shall not be used in any other proceeding to argue that Western Reserve's production of documents in this Litigation constituted a waiver of any privilege.

ENTER:

W8MML 10/29/13
Date

/s/ Jeffrey Brenner

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/s/ Michael J. Daly

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CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2013, a copy of the foregoing was electronically filed with the Clerk of the Court and is electronically served on all counsel of record. This filing is available through the Court's CM/ECF system.

/s/ Michael J. Daly

EXHIBIT A

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