

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DIRECT LINE CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	No. 3:10-cv-0423
)	
MICHAEL L. CARRINGTON and JOHN DOE(S),)	Judge Trauger
)	
Defendants.)	

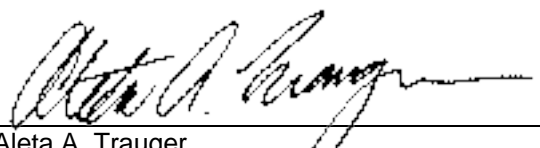
ORDER

This matter is currently pending on appeal before the Sixth Circuit Court of Appeals. The defendant has filed in this court a motion to make part of the record on appeal a binder of documents that was accepted as an exhibit during the May 1, 2012 hearing before Magistrate Judge Cliff Knowles. (See Hearing Tr., ECF No. 271, at 15 (expressly accepting into evidence a “notebook” with “29 tabs” offered by the plaintiff).) Pursuant to Rule 10(e) of the Federal Rules of Appellate Procedure, this court retains jurisdiction to correct and supplement the record as may be necessary if a material part of the record has been omitted by error or accident.

Although apparently accepted as an exhibit during the hearing and thus made part of the district court record, that binder of documents did not make its way into the court’s file and was never docketed separately, through error or omission. Accordingly, counsel for the plaintiff is **DIRECTED** to file electronically a complete set of the documents that were part of the binder, and to do so within **14 days** of the date this order is docketed. The set of documents should be denominated Exhibit 1 to the May 1, 2012 hearing, and must be accompanied by counsel’s affidavit or declaration certifying that the exhibit is a true and correct copy of the exhibit admitted into evidence at the May 1, 2012 hearing.

Once it has been filed, the exhibit **SHALL** be deemed part of the record of this court for purposes of appeal.

It is so **ORDERED**.



Aleta A. Trauger
United States District Judge