

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ERIC TUTTOBENE, <i>et al.</i> ,	)	
	)	
Plaintiffs	)	
	)	No. 3:10-0978
v.	)	Judge Sharp/Brown
	)	<b>Jury Demand</b>
THE ASSURANCE GROUP, INC., <i>et al.</i> ,	)	
	)	
Defendants	)	

O R D E R

A hearing was held with the parties in this matter on September 8, 2014. The accounting firm of Carr Riggs & Ingram (the "Firm") is willing to undertake an audit in this matter and they are, therefore, appointed as an expert witness for the Court in this case. Their expenses will be initially borne by the Defendants subject to the agreement of the parties and the results of the case. If the parties have a disagreement on the matter the Court, following resolution of the case, will apportion the expense of the Firm between the parties. The Defendants remain responsible for payment of the Firm's billing absent further order of the Court.

The Firm is requested to secure the documents provided the Plaintiff concerning Mr. Tuttobene's payments and then determine what additional records are necessary to determine what payments are reasonably due Mr. Tuttobene, and whether the records properly relate to 1099s provided Mr. Tuttobene. The Firm is also requested to determine approximately how long they believe this

process will take and provide an estimate of the cost for the audit of Mr. Tuttobene's records.

There are five additional Plaintiffs in the Tennessee cases. The Firm is requested to also provide an estimate of what work they believe would be needed to provide a similar audit of those five additional agents.

The Firm should keep both attorneys advised of their progress in the matter, and both sides are directed to provide the Firm with full cooperation in providing records and information so that their audit may be complete.

To the extent difficulties or questions arise, the parties or the Firm may request either a hearing in court or a telephone conference with the Magistrate Judge about the matter.

The **Clerk** is directed to add the Firm to the docket as an interested party: **Carr, Riggs & Ingram, Suite 190, 3011 Armory Drive, Nashville, 37201 (615-665-1811) [sschumpert@cricpa.com](mailto:sschumpert@cricpa.com).**

It is so ORDERED.

/s/ Joe B. Brown  
JOE B. BROWN  
United States Magistrate Judge