UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

v.

Case No: 3:07CR192-NBB-SAA

RICHARD F. SCRUGGS

MOTION TO AMEND CONDITIONS OF RELEASE FOR DEFENDANT RICHARD F. SCRUGGS

COMES NOW, Richard F. Scruggs ("Scruggs"), by and through undersigned counsel, who submits this motion to amend the conditions of Scruggs's release and proposed order amending the conditions of release for defendant Scruggs, as follows:

1. On November 28, 2007, United States Magistrate Judge S. Allan Alexander set the conditions of Scruggs's release. As a condition of his release, Scruggs is currently prohibited from using his airplane for any purpose other than emergency and charitable medical flights.

2. Scruggs has retained and is represented by John W. Keker, Brook Dooley, Travis LeBlanc and Warren A. Braunig of San Francisco, California law firm, Keker & Van Nest, L.L.P., as co-counsel in this action, as well as the contempt matters pending within the United States District Court for the Northern District of Alabama, which arise from a case captioned *Renfroe v. Rigsby*, N.D. Ala. Case No. 2:06-cv-1752-WMA.

3. Scruggs respectfully submits that the conditions of his release should be amended to permit Scruggs's counsel in this and the Alabama federal court actions to

use Scruggs's airplane (tail number N892S) to travel to and from California, Mississippi, and Alabama for purposes of preparing Scruggs's defense.

4. Counsel for the United States and Scruggs have discussed this matter, and the United States has agreed to forgo contest on this motion.

5. Attached to this motion a Exhibit "A" is a proposed order consistent with the release request.

WHEREFORE, PREMISES CONSIDERED, Defendant Richard F. Scruggs respectfully requests that this Honorable Court order that the conditions of Scruggs's release be amended to allow Scruggs's counsel in the Mississippi and Alabama actions to utilize Scruggs's aircraft for travel arising out of and/or related to Scruggs's defense of this and the Alabama actions.

Respectfully submitted, this the 7th day of December 2007.

/s/ William M. Quin, II WILLIAM M. QUIN, II (MSB NO. 10834)

Co-Counsel for Defendant *Richard F. Scruggs*

OF COUNSEL:

THE LANGSTON LAW FIRM, P.A. ATTORNEYS AT LAW 100 SOUTH MAIN STREET P. O. BOX 787 BOONEVILLE, MS 38829-0787 TELEPHONE: (662) 728-3138 FACSIMILE: (662) 728-1992

CERTIFICATE OF SERVICE

I, William M. Quin, II, Co-Counsel for the Defendant, Richard F. Scruggs, do hereby certify that on December 7, 2007, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

Timothy Reese Balducci tim@pattersonbalducci.com

Kenneth H. Coghlan kcoghlan@rayburnlaw.com

Thomas W. Dawson tom.dawson@usdoj.gov

Anthony L Farese tony@fareselaw.com

Joseph C. Langston jlangston@langstonlaw.com

Robert H. Norman bob.norman@usdoj.gov

David Anthony Sanders david.a.sanders@usdoj.gov

and I hereby certify that I have mailed by United States Postal Service the document to the following non-ECF participant:

Frank W. Trapp PHELPS DUNBAR P. O. Box 23066 Jackson, MS 39225-3066

DATED, this the 7th day of December, 2007.

/s/ William M. Quin, II WILLIAM M. QUIN, II