

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

CIVIL ACTION NO. 01-7089-CIV-LENARD/MCALILEY

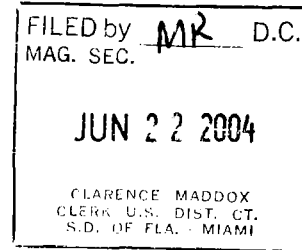
BETH FORRY,

Plaintiff,

v.

FEDERATED FINANCIAL SERVICES, INC.,

Defendant.



UNITED STATES EQUAL
EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

and

BRANDY WILCOX, SARAH HOFFMAN,
LYNDA FLEEK and TAREN BUSICK,

Intervenor Plaintiffs,

v.

FEDERATED FINANCIAL SERVICES, INC.,

Defendant.

**ORDER GRANTING PLAINTIFF EEOC'S MOTION TO COMPEL
FINANCIAL WORTH INFORMATION FROM DEFENDANT**

This matter is before the Court upon Plaintiff EEOC's Motion to Compel Financial Worth Information (DE #169). The Court having been duly informed in this matter, it is ORDERED AND ADJUDGED that:

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Plaintiff EEOC's Motion to Compel Financial Worth Discovery is hereby **GRANTED**.

Defendant Federated Financial Services, Inc. shall produce to Plaintiffs:

- a. A corporate representative to provide sworn testimony regarding Defendant's financial worth, as outlined in paragraphs b and c below, as well as 1 through 8 of EEOC's Second Notice of Taking Rule 30(b)(6) deposition duces tecum, attached hereto as Exhibit A of this Order. The deposition duces tecum shall be conducted on Tuesday, July 13, 2004, 10 a.m., at the EEOC Miami District Office, 2 South Biscayne Blvd., Suite 2700, Miami, FL 33131.
- b. Documents responsive to Request Nos. 1-13, 1-14, 1-15, 1-16, and 1-17 of EEOC's First Request for Production of Documents at least ten (10) calendar days before Plaintiff EEOC's Fed.R.Civ.P. 30(b)(6) deposition duces tecum regarding Defendant's financial worth. These documents should include the time period from January 1, 2001 to the date they are produced to Plaintiff EEOC, prior to the deposition.
- c. A response to Interrogatory No. 1-17 of EEOC's First Set of Interrogatories at least ten (10) calendar days before Plaintiff EEOC's Fed.R.Civ.P. 30(b)(6) deposition duces tecum regarding Defendant's financial worth. The response should include the time period from January 1, 2001 to the date they are produced to Plaintiff EEOC, prior to the deposition.
- d. The parties shall enter into a confidentiality agreement negotiated and signed by all the parties on or before close of business Thursday, June 24, 2004. If the parties fail to agree on the language or conditions of the confidentiality agreement on or before close of business June 24, 2004, the party wishing to

seek relief from the Court must file a motion with the undersigned no later than Friday, June 25, 2004. The moving party shall also submit a courtesy copy of the motion directly to Chambers. Pursuant to a showing of non-agreement, the Court will enter an Order outlining the specific terms of the confidentiality agreement as it relates to Defendant's financial worth information.

- e. Failure by the parties to enter into a confidentiality agreement shall not be grounds for Defendant's non-compliance with paragraphs a through c above.

DONE AND ORDERED in Chambers, in Miami, Florida, this 21st day of June, 2004.


CHRIS M. MCALILEY
UNITED STATES MAGISTRATE JUDGE

Copies to: Cheryl A. Cooper, Esq. (305/536-4494, Fax)
John F. Phillips, Esq. (954/765-1975, Fax)
Andrew Henschel, Esq. (305/999-0181, Fax)
Christopher J. Whitelock, Esq. (954/463-0410, Fax)

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CIVIL ACTION NO. 01-7089-CIV-LENARD

BETH FORRY,

Plaintiff,

v.

FEDERATED FINANCIAL SERVICES, INC.

Defendant.

UNITED STATES EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

FEDERATED FINANCIAL SERVICES, INC.,

Defendant.

**PLAINTIFF EEOC'S SECOND NOTICE OF TAKING RULE 30(b)(6)
DEPOSITION DUCES TECUM**

TO: Christopher J. Whitelock, Esq.
300 SE 13th Street
Fort Lauderdale, FL 33316

John Phillips, Esq.
1401 South Andrews Avenue
Ft. Lauderdale, FL 33516

VERITEXT, LLC
19 W. Flagler St., Suite 1020
Miami, FL 33130
(305) 371-1884

Andrew Henschel, Esq.
801 Northeast 167th Street
2nd Floor
North Miami Beach, FL 33162

PLEASE TAKE NOTICE THAT Plaintiff, the United States Equal Employment Opportunity Commission, pursuant to Fed. R. Civ. P. 30 (b)(6), will take the deposition upon oral examination of the Noticed Corporation at the date, time and place indicated below.

Deponent: FEDERATED FINANCIAL SERVICES, INC.

Date/Time: Tuesday, March 9, 2004
9:30 A.M.

Place: U.S. Equal Employment Opportunity Commission
Miami District Office
2 South Biscayne Boulevard, Suite 2700
Miami, Florida, 33131

The Noticed Corporation shall designate one or more officers, agents, or other persons who can testify on its behalf with respect to the following matters:

1. The revenues of Defendant from January 1, 1998 to the present, as reflected by Federated Financial Service Inc.'s tax returns, and other financial statements recording such information, including but not limited to Defendant's audited (or unaudited, if audited is unavailable) financial statements, balance sheets, and Annual Reports.
2. The value of all assets held by Defendant, including subsidiaries owned by or connected to the Defendant, from January 1, 1998 to the present.
3. The purchase and/or lease of assets by Defendant from January 1, 1998 to the present.
4. The amount of intangible assets held by Defendant from January 1, 1998 to the present, including but not limited to, bank accounts, money market accounts, certificate of deposits, stocks, bonds, mutual funds, securities, promissary notes (specifying the approximate current market value of each).
5. The net worth of Defendant from January 1, 1998 to the present.
6. The projected earnings of Defendant.
7. The number of individuals employed by Defendant from January 1, 1998 to the present.
8. The corporate establishments or business entities associated with, related to, or registered under the corporate umbrella of Defendant Corporation (whether superior and/or subordinate establishments within the organization or hierarchy for Defendant in effect from January 1, 1998 to present). This includes, but is not limited to, Defendant's relationship to IT Management, Inc., CME Advertising, Federated Financial Counseling Services, Inc., Equipment Management and Leasing, Inc., Credit Counseling U.K. Limited, Inc., F.E.L., Inc., Federated Financial Services Credit Counseling Corp., S&M Enterprises, Inc. of South Florida, Creative Counseling

Management, Inc., Debt Management Associates Credit Counseling Group, Inc., Marge Enterprises, Inc., Brite Start Counseling Corp., Brite Start, Inc., Awaken Without Debt, Amanecer Sin Deudas, Inc., Liberty Financial Consulting Corp., Saverio Enterprises, Inc., Federated Financial Debt Management Group, Inc., Federated Financial Services, Inc.Com, Lincoln Credit Services, Inc., Jon Pastore, Inc., Simple Computer Solutions, Inc., Federated Consumer Counseling Institute, Inc., and M&S Probeauty, Inc.

The deposition will be conducted before an officer authorized by law to administer oaths and otherwise duly qualified to take depositions and will continue from day to day until completed. **At least ten (10) days prior to the deposition, the witness should produce any and all documents relating to the matters identified in 1 through 8, above.** The deposition will be taken for discovery purposes pursuant to the Federal Rules of Civil Procedure.

Respectfully submitted,

ERIC S. DREIBAND
General Counsel

JAMES L. LEE
Deputy General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel

DELNER FRANKLIN-THOMAS
Regional Attorney

MICHAEL FARRELL
Supervisory Trial Attorney

CHERYL A. COOPER
Trial Attorney
Florida Bar No. 0171591

U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

Miami District Office
One Biscayne Tower, Suite 2700
Two South Biscayne Boulevard
Miami, FL 33131-1805
Tel.: (305) 530-6009 or (305) 530-6001
Fax: (305) 536-4494

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served this 28th day of January, 2004, by facsimile and U.S. Mail to the following:

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CHERYL A. COOPER
Trial Attorney