

FAYETTE CIRCUIT COURT
CIVIL BRANCH
THIRD DIVISION
CIVIL ACTION NO. 09-CI-5292

AUG 9 2011

AMERICAN SADDLEBRED HORSE
ASSOCIATION, INC.

PLAINTIFF

V.

ORDER

EDWARD R. BENNETT, CARL T.
FISCHER, JR., KRIS KNIGHT, TOM
FERREBEE, SIMON FREDRICKS,
M.D. AND LYNN W. VIA

DEFENDANTS

This matter came before the Court on Defendants' Motion For the Court To Order Plaintiff to Appear And Show Cause Why It Should Not Be Held In Contempt Of Court. The Court having reviewed the written arguments of both parties and entertained oral arguments on July 22 and July 29, 2011,

IT IS HEREBY ORDERED that:

(1) The Defendants' have stated a proper purpose to inspect records of the American Saddlebred Horse Association ("ASHA"), and they are entitled to inspect such records pursuant to this Court's orders dated December 2, 2010 and January 6, 2011.

(2) On or before August 15, 2011, ASHA shall produce for inspection and copying all ASHA records responsive to the requests contained in the letter from counsel for the Defendants to counsel for ASHA dated June 24, 2011 (attached as exhibit G to Defendants' motion). All electronic mail and attachments, except any which contain privileged communications, shall be produced via compact disk or a thumb drive in the same manner in which they are stored. Electronic mail and attachments containing privileged communications may be withheld or produced in paper format with appropriate redactions. ASHA shall produce a privilege log

identifying the records that have been withheld and redacted. The privilege log shall contain a description of each record that supports the claimed privilege. The Defendants may ask the Court to conduct an in-camera inspection of any records that are withheld or redacted to determine if those records should have been produced.

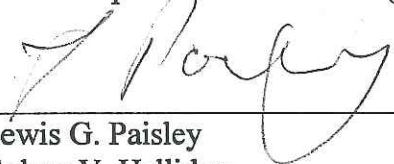
ASHA may produce its accounting records which are stored electronically either by: (a) electronic format with the Defendants' agreement to not disseminate any social security numbers or personal banking information; or (b) in paper format. If ASHA produces the accounting records in paper format, the Defendants may file a subsequent motion to require ASHA to produce the accounting records in electronic format.

(3) The Defendants shall file a separate motion, with a memorandum in support, if they wish to inspect American Saddlebred Registry records.

(4) ASHA shall file a separate motion, with a memorandum in support, if it wishes to withhold any records relating to the termination of Alan Balch's employment with ASHA.

/s/ JAMES D. ISHMAEL, JR.
JUDGE, FAYETTE CIRCUIT COURT
ATTEST: WILMA F. LYNCH, CLERK
FAYETTE CIRCUIT COURT
BY Conna Stoffer DEPUTY

Tendered pursuant to RFCC 19(B)(2)



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CERTIFICATE OF SERVICE


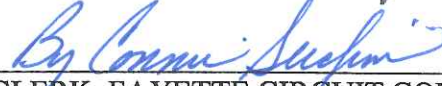
This is to certify that a true and correct copy of the foregoing Order was served upon the following parties, via First Class Mail, this _____ day of August, 2011:

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