

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE  
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY,  
BUSINESS COURT

SEABISCUIT FOODS, INC., )

Plaintiff, )

vs. )

THOMAS EDWARD MCDUGAL, )

Defendant. )

No. 15-927-BC

FILED  
2015 AUG 19 PM 3:36  
CLERK & MASTER  
DAVIDSON COUNTY CHANCERY CT.  
D.C. & M.

**NOTICE REGARDING INITIAL VOLUNTARY DISCLOSURE  
OF BASIC, NON-PRIVILEGED INFORMATION AND DOCUMENTS**

Prior to the Court scheduling a Case Litigation Plan Conference, the parties are encouraged to voluntarily furnish to each other basic, non-privileged information and documents a party's attorney considers to be relevant to issues in the case and/or which inform or are relied upon by a party in support of its case.

The disclosure requested herein is voluntary; the Court does not have the authority to order this. The disclosure requested herein does not eliminate future discovery.

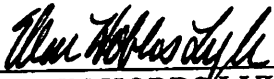
The incentive for initial voluntary disclosure is to eliminate the time, cost and potential time in court to accomplish the exchange of basic information that parties would otherwise incur during the course of discovery. By engaging in initial voluntary disclosure parties may avoid unnecessary and protracted discovery, and at the same time facilitate early evaluation, assessment and settlement of the case. Initial voluntary disclosure of information also adds value to the Case Litigation Plan Conference.

Examples of items appropriate for voluntary disclosure are these:

- A list of fact witnesses, their contact information and identification of the information each witness knows whose testimony the disclosing party intends to use to support its claims or defenses
- Documents not attached to the pleadings which inform the issues; were used by the parties with respect to events in issue; provide governance; and/or provide definitions
- Documents (i.e., emails, schedules, spreadsheets, financial records, letters, etc.) which the disclosing party intends to use to support its claims or defenses
- A computation of each category of damages claimed by the disclosing party, including the documents or other non-privileged evidentiary material on which each computation is based

Voluntary disclosure includes labeling, titling, and organizing information especially electronic information, for easy identification and access. A discovery/data “dump” is counter-productive and does not constitute initial voluntary disclosure.

As a means to effectuate efficient initial voluntary disclosure and prevent future disputes over the items that were included in the initial voluntary disclosure, each disclosing party should include a cover sheet listing the specific items included in the initial voluntary disclosure.

  
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ELLEN HOBBS LYLE  
BUSINESS COURT JUDGE

cc: Roland W. Baggott, III  
Thomas Edward McDougal

  
MAILED  
8-19-15