

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JO ANN HOWARD AND ASSOCIATES,)
P.C., et al.,)
)
Plaintiff(s),)
)
vs.)
)
J. DOUGLAS CASSITY, et al.,)
)
Defendant(s).)

Case No. 4:09CV01252 ERW

ORDER

The United States Marshals Service for the Eastern District of Missouri is directed to supervise seizure of all Cassity and Forever Defendants' files and electronic equipment currently located at Bellerive Cemetery, 740 North Mason Road, Creve Coeur, Missouri 63141, consisting of approximately 60 boxes of files located in three crypts and electronic equipment located in a shed and approximately 200 boxes of files located in a large crypt/storage area at Forever Oak Hill Cemetery, 10305 Big Bend Road, Kirkwood, Missouri 63122.

Plaintiffs' counsel shall confer with United States Marshals Service personnel to confirm the meeting time of **9:00 a.m.** on **Monday, September 16, 2013**, to secure these items. Plaintiffs shall secure a vehicle at Plaintiffs' cost suitable for transporting such boxes and electronic equipment and Plaintiffs shall provide personnel to load such boxes and electronic equipment. The boxes and electronic equipment shall be transported to the law firm of Gray, Ritter & Graham, P.C., located at 701 Market Street, Suite 800, St. Louis, Missouri 63101, where Plaintiffs' personnel shall deposit such boxes and electronic equipment as directed by a representative of Gray, Ritter & Graham, P.C.

So Ordered this 13th day of September , 2013.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JO ANN HOWARD AND ASSOCIATES,)
P.C., et al.,)
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Plaintiff(s),)
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ORDER FOR APPOINTMENT OF SUBSTITUTE CUSTODIAN

In a separate Order on this date, the Court directed the United States Marshals Service for the Eastern District of Missouri to supervise seizure of all Cassity and Forever Defendants' files and electronic equipment currently located at Bellerive Cemetery, 740 North Mason Road, Creve Coeur, Missouri 63141 and Forever Oak Hill Cemetery, 10305 Big Bend Road, Kirkwood, Missouri 63122.

IT IS HEREBY ORDERED that Plaintiffs in this matter shall be responsible for securing the transportation and personnel required to secure these items. Personnel from Plaintiffs' law firm shall be present at all times during this seizure. Plaintiffs are responsible for any and all charges incurred for seizure, transportation and storage of the following items:

1. Approximately sixty (60) boxes of files located in three crypts at Bellerive Cemetery, 740 North Mason Road, Creve Coeur, Missouri 63141.
2. Electronic equipment located in a shed on the Bellerive Cemetery, 740 North Mason Road, Creve Coeur, Missouri 63141.
3. Approximately two-hundred (200) boxes of files located in a large family crypt or storage area located at Forever Oak Hill Cemetery, 10305 Big Bend Road, Kirkwood, Missouri 63122.

IT IS FURTHER ORDERED that the boxes and electronic equipment shall be seized from the locations set forth above under the supervision of the United States Marshals Service and as directed by Plaintiffs' personnel and transported to the law firm of Gray, Ritter & Graham, P.C., located at 701 Market Street, Suite 800, St. Louis, Missouri 63101, where Plaintiffs' hired personnel shall deposit such boxes and electronic equipment as directed by a representative of Gray, Ritter &

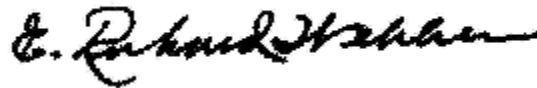
Graham, P.C. The law firm of Gray, Ritter & Graham, P.C., shall serve as substitute custodian of these items until further Orders of this Court.

IT IS FURTHER ORDERED that Plaintiffs, in consideration of the United States Marshal's consent to supervise seizure of these items, shall indemnify, hold harmless, and release the United States Marshals Service, their agents, servants, employees, and all others for whom they are responsible, from any and all liability and responsibility arising out of the case and custody of these items.

IT IS FURTHER ORDERED that Plaintiffs shall defend the United States Marshals Service, their agents, servants, employees, and all others for whom they are responsible, against all claims and actions arising out of said substitute custody and, further, shall indemnify and hold harmless and be responsible to pay and satisfy all claims and judgments that might arise out of said substitute custody and shall be responsible and indemnify and hold harmless the United States Marshals Service, their agents, servants, employees, and all others for whom they are responsible, for all attorneys' fees, costs, expenses and disbursements incurred in defending against such claims or actions arising out of said substitute custody.

IT IS FURTHER ORDERED that Plaintiffs shall submit, no later than **September 13, 2013**, by **4:00 p.m.**, through the Court's Electronic Case Management System, completed USM-285 Forms.

So Ordered this 13th day of September , 2013.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE

PROCESS RECEIPT AND RETURN

See instructions for "Service of Process by U.S. Marshal"

PLAINTIFF	COURT CASE NUMBER
DEFENDANT	TYPE OF PROCESS

SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION. ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285	
	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Signature of Attorney other Originator requesting service on behalf of:	<input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
-------------------------------------------------------------------------	--------------------------------------------------------------------------	------------------	------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. <i>(Sign only for USM 285 if more than one USM 285 is submitted)</i>	Total Process _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk _____	Date _____
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I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (*See remarks below*)

Name and title of individual served (<i>if not shown above</i>)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode
Address (<i>complete only different than shown above</i>)	Date _____ Time _____ <input type="checkbox"/> am <input type="checkbox"/> pm
Signature of U.S. Marshal or Deputy _____	

Service Fee	Total Mileage Charges including endeavors	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)

REMARKS:

INSTRUCTIONS FOR SERVICE OF PROCESS BY U.S. MARSHAL

Please type or print legibly, insuring readability of all copies. **DO NOT DETACH ANY COPIES.** Submit one complete set of this form (USM-285) and one copy of each writ for each individual, company, corporation, etc., to be served or property to be seized or condemned. The applicable fees for such service(s) (T28, USC Sec. 1921 establishes the fees for service of process by the U.S. Marshal) may be required prior to said service.

For service of any process upon an officer or agent of the United States Government, submit a copy of the writ and a set of Form USM-285 for each officer or agent upon whom service is desired. Submit three (3) additional copies of the writs for service upon the Government of the United States. The U.S. Marshal will serve one (1) upon the U.S. Attorney and will forward two (2) to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or his Deputy always certifies service on the U.S. Attorney and the Attorney General, regardless of whether other defendants on the writ were served.) Failure to provide any of the copies will delay service of the writ.

Complete all entries above the double line. Mark all applicable check boxes and use the "Special Instructions" to advise of any information that will assist the U.S. Marshal in expediting service.

If more than one writ and USM-285 is submitted on a single case, the U.S. Marshal will receipt for all of them on the first USM-285. You will receive for your records the last (No. 5) "Acknowledgment of Receipt" copy for all the USM-285 forms you submit. When the writ is served, you will receive the No. 3 Notice of Service copy. This copy will be identical to the return to the Clerk of the Court.

Upon completion of all services (if the Marshals fees were not requested or tendered in advance or if additional fees are indicated), you will receive a "Billing Statement" (copy 4 of USM-285) from the United States Marshal. (NOTE: Copy 4 should be returned, by you, to the U.S. Marshal, together with your payment of the amount owed.

Additional supplies of the USM-285 may be obtained from the Clerk of the U.S. District Court or U.S. Marshal, without cost.