

COMMONWEALTH OF KENTUCKY
COUNTY OF FRANKLIN CIRCUIT COURT
DIVISION I
CASE NO. 17-CI-1348

JEFFREY C. MAYBERRY, *et al.* PLAINTIFFS

vs. **[PROPOSED] ORDER GRANTING THE TIER 3
PLAINTIFFS' MOTION TO PRESERVE EVIDENCE**

KKR & CO., L.P., *et al.* DEFENDANTS

Having considered the motion of Ashley Hall-Nagy, Tia Taylor and Bobby Estes (the "Tier 3 Plaintiffs") to preserve evidence in this action, and good cause appearing, the Court grants the motion and orders that:

1. KRS (including Kentucky Retirement Systems, Kentucky Public Pensions Authority, CERS, KERS and SPRS), its Trustees and Officers, and the Office of the Attorney General ("OAG") and their respective employees, agents and attorneys, including the law firms of Calcaterra Pollack LLP ("CALCATERRA FIRM") and Stoll Keenon Ogden PLLC, shall preserve all documents (including emails and other electronically stored information (ESI)) — including drafts and communications — relating to the investigation contracted by and between the Commonwealth of Kentucky and KRS on the one side, and the CALCATERRA FIRM on the other; and

2. KRS shall turn over to the Tier 3 Plaintiffs whatever report(s) are turned over to the OAG, at the same time.

So ORDERED this ____ day of May, 2021.

PHILLIP J. SHEPHERD, JUDGE
Franklin Circuit Court, Division I