

IN THE CHANCERY COURT OF JACKSON COUNTY, MISSISSIPPI

DAVID N. HARRIS, JR. , Individually and as  
member of DAVID N. HARRIS, JR. LAW FIRM, PLLC                      PETITIONER

VERSUS                                      CAUSE NO. 25-2361-AEC

ERIC BRIAN ROSENBERG    RESPONDENT

SUMMONS

THE STATE OF MISSISSIPPI

TO:            ERIC BRIAN ROSENBERG  
                 1207 LONDENBERRY LANE  
                 OCEAN SPRINGS, MISSISSIPPI 39564            OR    WHEREVER FOUND

NOTICE TO DEFENDANT

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to David N. Harris, Jr. Law Firm, P.L.L.C., the attorney for the Plaintiffs, whose address is 134 Rue Magnolia, Suite A, Biloxi, Mississippi, 39530. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this summons and complaint, or judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this the 9<sup>th</sup> day of December, 2025.

Clerk of County Court  
Jackson County, Mississippi

By: Sharon P. Adell



**PROOF OF SERVICE - SUMMONS**

BRIAN ROSE ROSENBERG  
Name of Person or Entity Served

I, the undersigned process server, served the summons and complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

FIRST CLASS MAIL AND ACKNOWLEDGEMENT SERVICE. By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgement and return envelope, postage prepaid, addresses to the sender. (Attach completed acknowledgement of receipt pursuant to M.R.C.P. Form 1B).

PERSONAL SERVICE. I personally delivered copies to \_\_\_\_\_, on the \_\_\_\_ day of \_\_\_\_\_, 2025, where I found said person in \_\_\_\_\_, County of the State of Mississippi.

RESIDENCE SERVICE. After exercising reasonable diligence, I was unable to deliver copies to said person within \_\_\_\_\_ County, Mississippi. I served the summons and complaint on the \_\_\_\_ day of \_\_\_\_\_, 2025, at the usual place of abode of said person by leaving a true copy of the summons and complaint with \_\_\_\_\_, who is the \_\_\_\_\_ (here insert wife, husband, son daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and complaint thereafter on the \_\_\_\_ day of \_\_\_\_\_, 2025, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

CERTIFIED MAIL SERVICE. By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the returned envelope marked "Refused").

At the time of service, I was at least 18 years of age and not a party to this action.

Process server must list below: (please print or type)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_

Fee for service: \$ \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

Personally appeared before me, the undersigned authority, in and for the State and County aforementioned, the within named \_\_\_\_\_, who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service - Summons" are true and correct as therein stated.

\_\_\_\_\_  
PROCESS SERVER

SWORN TO AND SUBSCRIBED TO ME, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

1584

**FILED**

IN THE CHANCERY COURT OF JACKSON COUNTY, MISSISSIPPI

DEC 09 2025

DAVID N. HARRIS, JR. , Individually and as member of DAVID N. HARRIS, JR. LAW FIRM, PLLC <sup>JOSH ELDRIDGE, CLERK</sup> BY Jhenol L. G... PETITIONER

VERSUS CAUSE NO. 25. 2361 - AEC

ERIC BRIAN ROSENBERG RESPONDENT

**PETITION FOR PROTECTIVE ORDER**

COMES NOW, Petitioner David N. Harris, Jr., individually and as member of David N. Harris, Jr. Law Firm P.L.L.C., file this Petition for Protective Order pursuant to Mississippi Code Ann. §25-61-9 seeking a protective order to the extent information provided to the City of Ocean Springs is exempt from disclosure pursuant to the provisions Mississippi law, and would show as follows:

**PARTIES**

1. Petitioner David N. Harris, Jr., is an adult resident citizen of Harrison County, Mississippi, and is the sole member of David N. Harris, Jr. Law Firm, P.L.L.C. which is a Mississippi professional limited liability company organized pursuant to the laws of the State of Mississippi.
2. Respondent Eric Brian Rosenberg is an adult resident citizen of Jackson County, Mississippi, and based on information and belief maintains a place of residence at 1207 Londonberry Lane, Ocean Springs, Mississippi 39564 and may be served in accordance with Mississippi law.

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## FACTS

3. Petitioner David N. Harris, Jr. serves as the city attorney for the City of Ocean Springs. Petitioner and the City of Ocean Springs (including all elected official representatives of the City, City staff, and City employees) maintain an attorney-client relationship.

4. On or about September 17, 2025, the City of Ocean Springs published a Request for Proposal (RFP) for the position of city attorney. See Request for Proposal attached as "Exhibit 1".

5. On or about September 24, 2025, Petitioner provided correspondence and information in response to the Request for Proposal. In compliance with the Request for Proposal requirements, Petitioner's correspondence and information confidential information provided to the City of Ocean Springs. Such documents and information can be provided to the Court for in camera inspection upon the direction of the Court.

6. On or about November 11, 2025, Respondent Eric Brian Rosenberg submitted a public records request to the City of Ocean Springs, Mississippi requesting as follows: "*I am seeking copies of all RFP's and RFQ's submitted to the city between July 1, 2025 and present for the position of city attorney.*"

7. On or about November 19, 2025, Petitioner received notice of Respondent's request and instructions regarding the requirement to file a petition for protective order to protect disclosure of confidential information pursuant to the provisions of Miss. Code Ann. §25-61-9.

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8. Miss Code Ann §25-61-9 (1)(a) specifically states:

(a) Records furnished to public bodies by third parties which contain trade secrets or confidential commercial or financial information shall not be subject to inspection, examination, copying or reproduction under this chapter until notice to third parties has been given, but the records shall be released no later than twenty-one (21) days from the date the third parties are given notice by the public body unless the third parties have filed in chancery court a petition seeking a protective order on or before the expiration of the twenty-one-day time period. Any party seeking the protective order shall give notice to the party requesting the information in accordance with the Mississippi Rules of Civil Procedure.

9. Petitioner seeks a protective order regarding the confidential proprietary information provided to the City of Ocean Springs, including but not limited to confidential information concerning the Petitioner's clients with personal identifiers and insurance company information. Such confidential information is not subject to disclosure pursuant to the Mississippi Public Records Act. See Miss. Code Ann § 79-23-1.

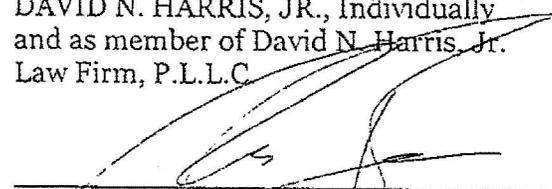
10. Further, Petitioner maintains attorney-client relationship with the City of Ocean Springs. Any and all communications between the attorney and client are privileged and not subject to disclosure. See Miss. Code. Ann §25-1-102; See also *City of Pascagoula v. Cumbest*, 399 So.3d 916 (Miss. App. 2024); and Miss. R. Evid. 502.

11. Petitioner seeks a protective order declaring all communications between Petitioner and the City of Ocean Springs, including all elected officials, employees and staff of the City of Ocean Springs made in the course of the attorney-client relationship privileged, and as such exempt from disclosure pursuant to the Mississippi Public Records Act.

WHEREFORE PREMISES CONSIDERED, Petitioner requests this Court enter a protective declaring Petitioners subject correspondence and information exempt from disclosure pursuant to the Mississippi Public Records Act and the attorney-client privilege. Petitioner requests additional relief deemed appropriate by the Court.

DAVID N. HARRIS, JR., Individually  
and as member of David N. Harris, Jr.  
Law Firm, P.L.L.C.

BY:

  
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