

NATHAN A. BOSIO³
BARRY C. CAMPBELL⁴
THI T. GILLIES²
ANTHONY R. LIBERATO
S. MITCHELL MCCAULEY
MICHAEL J. McELHANEY, JR.
WILL R. NORMAN
A. KELLY SESSOMS, III¹
ROBERT W. WILKINSON
BRETT K. WILLIAMS



WILKINSON, WILLIAMS,
BOSIO & SESSOMS, PLLC

OF COUNSEL:
JOHN M. KNARD
REBEKAH GREGORY

¹ ALSO LICENSED IN AL.

² LICENSED IN TX ONLY

³ ALSO LICENSED IN AL., IL., WV AND TX

⁴ ALSO LICENSED IN TX, LA, AND WASHINGTON, DC

December 10, 2024

Brian K. Herrington, Esq.
Chhabra Gibbs & Herrington, PLLC
120 N. Congress Street, Suite 200
Jackson, Mississippi 39201
bherrington@nationalclasslawyers.com

Re: Amy Divine, et al. vs. Securix, LLC
USDC, So. District of MS, So. Division
Cause No. 1:23-cv-00196-HSO-BWR

Dear Mr. Herrington:

On behalf of the City of Ocean Springs, I am providing you with responses to your Exhibit A to Subpoena. Where necessary, for clarification, I have added comments:

1. The contract(s) the City has/had with Securix, LLC or any of its related entities ("Securix")

Response: Attached hereto as Exhibit "A" is the contract entered into by the City of Ocean Springs. Attached hereto as Exhibit "B" is the Notice of Securix to cease operations.

2. The number of tickets ("Tickets") Securix has issued.

Response: Unknown. The City has no knowledge of Securix issuing tickets.

3. The identities of the recipients of the Tickets.

Response: Unknown. See response to request number 2. If the City of Ocean Springs issued a citation and an individual chose to enter the Diversion Program, that citation would have been dismissed and not presented to the Municipal Court Clerk. The City of Ocean Springs, Mississippi does not keep a record of dismissed citations.

4. The total dollar amount the City has received from Securix.

734 Delmas Avenue (39567) Post Office Box 1618 Pascagoula, MS 39568-1618
Tel. (228) 762-2272 Fax: (228-762-3223) www.wvbslaw.com

Response: The total amount the City has received from Securix is \$468,681.13.

5. The total dollar amount the City has received from Ticket recipients, if this dollar amount is different from the amount in No. 4.

Response: See response to number 4.

6. The number of recipients who received Tickets that the City has prosecuted.

Response: 23.

7. The outcomes of the cases mentioned in No. 6.

Response: 21 of the 23 cases were dismissed based upon proof of insurance, did not own the vehicle or the police officer did not appear at trial. Two individuals were found guilty.

8. If the Ticket's form or content has changed at any time, the iterations or versions of the Tickets.

Response: The City of Ocean Springs has no record of any change to the citation.

9. The information and documents the City's law enforcement officer(s) review before signing the affidavit contained in the Tickets.

Response: The individual officer will go to a secure portal which provided the insurance status of the vehicle captured in the photograph by the automatic license plate reader. The officer will compare the insured status along with the picture of the vehicle and the tag.

Note: The officer would have signed the ticket but an affidavit is not signed unless the citation is presented to the Municipal Court Clerk.

10. The actions the City performs in Securix's diversion program.

Response: None.

As I advised you in my letter of Friday, December 6, 2024, Patty Gaston is not available for deposition on December 13, 2024. I hope this information provided is sufficient for your needs.

Please feel free to contact me if you want to further discuss this matter.

Sincerely,



S. Mitch McCauley

SMM:tab