

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA**

|                                     |   |                                   |
|-------------------------------------|---|-----------------------------------|
| IN RE:                              | ) |                                   |
|                                     | ) |                                   |
| TERRY MANUFACTURING                 | ) | CASE NO. 03-32063-WRS             |
| COMPANY, INC.                       | ) | CHAPTER 7                         |
|                                     | ) |                                   |
| Debtor                              | ) |                                   |
|                                     | ) |                                   |
| <hr/>                               |   |                                   |
| IN RE:                              | ) |                                   |
|                                     | ) |                                   |
| TERRY UNIFORM                       | ) | CASE NO. 03-32213-WRS             |
| COMPANY, LLC                        | ) | CHAPTER 7                         |
|                                     | ) |                                   |
| Debtor                              | ) |                                   |
|                                     | ) |                                   |
| <hr/>                               |   |                                   |
| J. Lester Alexander, III            | ) | Adversary Proceeding No. 05-03050 |
| Trustee of Terry Manufacturing Co., | ) |                                   |
| Inc. And Terry Uniform Company,     | ) |                                   |
| LLC                                 | ) |                                   |
| Plaintiff                           | ) |                                   |
|                                     | ) |                                   |
| vs.                                 | ) |                                   |
|                                     | ) |                                   |
| Clifton Albright, et. al.           | ) |                                   |
|                                     | ) |                                   |
| Defendants.                         | ) |                                   |
|                                     | ) |                                   |
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**DEFENDANT TYRONE C. MALLOY’S INITIAL DISCLOSURES PURSUANT TO  
FED. R. BANKR. P. 7026(a)(1)**

Defendant Tyrone Cecil Malloy (“Defendant” “Mr. Malloy”) by and through his counsel, hereby makes the following Initial Disclosures pursuant to Fed. R. Bankr. P. 7026(a)(1) and the Court’s Scheduling Order with respect to the above-referenced adversary proceeding. Defendant makes these disclosures based upon the information now available to him and reserves the right to amend and/or supplement these disclosures as new or additional information becomes available.

**1(A) The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:**

1. Tyrone C. Malloy, M.D., J.D.  
c/o Metropolitan Atlanta OB/GYN  
4201 Rainbow Drive  
Decatur, Georgia 30034  
Subject of Information: All issues related to the facts of this case as they relate to Defendant Malloy, Defendant Malloy's defenses to the allegations of the Amended Complaint, the alleged payments to Defendant Malloy, and any documents associated therewith.
2. Roy Terry  
Roanoke, AL
3. L. Lester Alexander, III  
Trustee of Terry Manufacturing Company, Inc. and Terry Uniform Company, LLC  
Subject of Information: All issues related to the facts of this case and/or the claims and defenses associated with the Complaint, including but not limited to, issues involving the alleged insolvency of the Debtor.
4. Any other individuals named in the documents associated with this matter, including but not limited to the other defendants in this matter.
5. Any other individuals that may be named in the initial disclosures filed by the other parties to this matter.

**1(B) A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment:**

Defendant is continuing to search for relevant documents and will produce the documents if and when those documents are located. Defendant is also required to serve responses to

document requests previously served by Plaintiff on or before February 23, 2006. Defendant hereby incorporates by reference those responses and the documents that will be produced in response thereto (if any) into these initial disclosures.

**1(C) A computation of any category of damages claimed by the disclosing party, making available for inspection and copying under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.**

As of this time, Defendant Malloy has not sought any damages, monetary or otherwise, from Plaintiff in this action. Defendant, however, reserves his right to make a claim under § 502(h) of the Bankruptcy Code. At this time, the amount of such a claim is unknown.

**1(D) For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy all or part of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.**

Defendant Malloy is unaware at this time of any insurance agreements applicable to the claims asserted in this matter.

Respectfully submitted this 1st day of February, 2006.

THE SHIELDS LAW FIRM

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| Inc. And Terry Uniform Company,            | ) |                                   |
| LLC  | ) |                                   |
| Plaintiff                                  | ) |                                   |
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| vs   | ) |                                   |
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| Clifton Albright, John Bernard III; et al. | ) |                                   |
|  | ) |                                   |
| Defendants.                                | ) |                                   |
|  | ) |                                   |
| <hr/>                                      |   |                                   |

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the within and foregoing Defendant Tyrone C. Malloy's Initial Disclosures Pursuant to Fed. R. Bankr. P. 7026(a)(1) by the Court's electronic mail service and/or by depositing a copy of same in the United States mail with adequate postage affixed thereto addressed to the following:

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This 1<sup>st</sup> day of February, 2006.

THE SHIELDS LAW FIRM

/s/ Robert L. Shields, III  
Robert L. Shields, III