

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA ex rel.

CORI RIGSBY and KERRI RIGSBY
RELATORS/COUNTER-DEFENDANTS

Vs.

STATE FARM MUTUAL INSURANCE COMPANY
DEFENDANT/COUNTER-PLAINTIFF, et al.

CASE NO. 1:06cv433-LTS-RHW

DECLARATION OF MARY WINTER

1. This declaration is made from personal knowledge and pursuant to penalties of perjury.
2. I am an attorney and a member of the Missouri Bar.
3. By making the disclosures in this declaration I am not waiving any claim of attorney client privilege related to any of these disclosures.
4. I am a member of the law firm of Bartimus, Frickleton, Robertson & Gorny, P.C. The firm's principal place of business is at 11150 Overbrook Road, Leawood, KS 66211. My principal place of business is at 715 Swifts Highway, Jefferson City, Missouri 65109.
5. On April 14, 2006, I and other attorneys, including Edward D. "Chip" Robertson, Jr., Anthony DeWitt, and Todd Graves met for the first time with Relators Cori and Kerri Rigsby. Richard Scruggs was also present. The meeting occurred in Pascagoula, MS.
6. Relators entered into an attorney-client relationship with Counsel at that time, and provided information to Counsel that is protected by the attorney- client privilege.

7. At that meeting, Relators provided information about acts by State Farm that they believed constituted fraud on the federal government stemming from State Farm's handling of claims following Hurricane Katrina.
8. I met with Cori and Kerri Rigsby again April 20, 2006 in Pascagoula, MS. Also present at that meeting were Anthony DeWitt and Zachary Scruggs.
9. The purpose of the meeting was to obtain detailed information for use in preparing an evidentiary disclosure to be given to the United States Department of Justice at a meeting with the U.S. Attorney in Jackson, MS on April 21, 2006.
10. Relators indicated that the laptop computer in their possession contained stored e-mail messages sent to them by State Farm employees substantiating the Relators' claims that adjusters were being told by State Farm employees to maximize all payments for flood damage payable by the National Flood Insurance Program and to minimize or deny all payments for wind damage payable by State Farm.
11. Relators also indicated that the laptop computer in their possession contained stored documents that included a roster of engineering firms used in the Hurricane Katrina claims process in Mississippi, and an instruction manual issued by State Farm advising how to adjust Hurricane Katrina claims for State Farm.
12. I recall asking Relator Cori Rigsby if this information was contained on the laptop computer's hard drive or if it was being viewed on a server. Relator Cori Rigsby stated that the information was contained on the laptop computer hard drive and that the computer had not or was not connected to servers at State Farm or E.A. Renfroe.
13. The documents contained on Relators' laptop computer hard drive were necessary for use in drafting the evidentiary disclosure for presentation to the U.S. Attorney at the meeting

on April 21, 2008. The documents were transferred from the Relators' computer hard drive to a USB thumb drive. The documents were then transferred from the USB thumb drive to the hard drive on my laptop computer as a back-up copy.

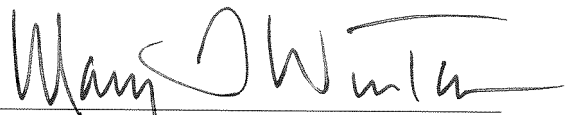
14. I did not use the Relators' laptop computer for any purpose.

15. I did not at any time seek or obtain passwords or access of any kind to any computer server or database at State Farm or E.A. Renfroe.

16. Other than opening the documents downloaded to my computer for the purpose of confirming that they had been properly copied to my laptop computer's hard drive, I did not review all of the documents and I did not draft the evidentiary disclosure for the meeting with the U.S. Attorney on April 21, 2008. I did review the evidentiary disclosure provided to the U.S. Attorney on April 21, 2008.

17. The documents that were downloaded onto my laptop computer remained dormant on my laptop computer for a period of time without being opened or transferred to any other person or computer. The documents were subsequently deleted from my laptop computer.

FURTHER DECLARANT SAYETH NAUGHT.



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