

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

v.

CASE NO. 1:06cv433-LTS-RHW

STATE FARM MUTUAL INSURANCE COMPANY DEFENDANT/COUNTER-PLAINTIFF

and

FORENSIC ANALYSIS ENGINEERING CORPORATION;  
EXPONENT, INC.; HAAG ENGINEERING CO.;  
JADE ENGINEERING; RIMKUS CONSULTING GROUP INC.;  
STRUCTURES GROUP; E. A. RENFROE, INC.;  
JANA RENFROE; GENE RENFROE; and  
ALEXIS KING

DEFENDANTS

**STATE FARM FIRE AND CASUALTY COMPANY'S  
RESPONSE IN OPPOSITION TO MOTION  
FOR ADMISSION PRO HAC VICE REGARDING TODD P. GRAVES**

***(Incorporating by Reference Pending Disqualification Motion  
Pending before Honorable L.T. Senter, Jr.)***

Defendant/Counter-Plaintiff State Farm Fire and Casualty Company, improperly denominated in the First Amended Complaint as “State Farm Mutual Insurance Company” (“State Farm” or “Defendant”), subject to all its defenses, including its Rule 9 & 12 defenses, submits this Response in Opposition to Motion for Admission Pro Hac Vice regarding Todd P. Graves. (“Graves PHV Motion”). ([148].) State Farm would show:

1. For the same reasons set forth in its April 8, 2008 “Motion to Disqualify Bartimus, Frickleton, Robertson & Gorny, PC and Graves Bartle & Marcus, LLC,” (“Disqualification Motion”) ([103]) and the accompanying memorandum ([104]), State Farm opposes the Graves PHV Motion.

2. State Farm hereby incorporates by reference its Disqualification Motion and its accompanying memorandum, as well as docket items ([128, 133 & 134].)

WHEREFORE, PREMISES CONSIDERED, State Farm prays that its Disqualification Motion will be granted and the Graves PHV Motion denied.

This the 30<sup>th</sup> day of April, 2008.

Respectfully submitted,

STATE FARM FIRE AND CASUALTY COMPANY

By: s/E. Barney Robinson III (MSB #09432)  
Robert C. Galloway (MSB # 4388)  
Jeffrey A. Walker (MSB # 6879)  
E. Barney Robinson III (MSB #09432)  
Benjamin M. Watson (MSB #100078)

ITS ATTORNEYS

OF COUNSEL:

BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC  
17th Floor, AmSouth Plaza  
Post Office Box 22567  
Jackson, Mississippi 39225-2567  
(P)(601) 948-5711  
(F)(601) 985-4500  
(E) [bob.galloway@butlersnow.com](mailto:bob.galloway@butlersnow.com)  
(E) [jeff.walker@butlersnow.com](mailto:jeff.walker@butlersnow.com)  
(E) [barney.robinson@butlersnow.com](mailto:barney.robinson@butlersnow.com)  
(E) [ben.watson@butlersnow.com](mailto:ben.watson@butlersnow.com)

Michael B. Beers (ASB-4992-S80M)  
BEERS, ANDERSON, JACKSON, PATTY & FAWAL, P.C.  
Post Office Box 1988  
Suite 100  
250 Commerce Street (36104)  
Montgomery, Alabama 36102  
(P)(334) 834-5311  
(F)(334) 834-5362  
(E) [mbeers@beersanderson.com](mailto:mbeers@beersanderson.com)

*PRO HAC VICE*

**CERTIFICATE OF SERVICE**

I, E. Barney Robinson III, one of the attorneys for State Farm Fire and Casualty Company herein do hereby certify that I have this day caused a true and correct copy of the foregoing instrument to be delivered to the following, via the means directed by the Court's Electronic Filing System:

Michael C. Rader  
Anthony L. DeWitt  
Edward D. Robertson, Jr.  
Edward D. Robertson III  
James P. Frickleton  
Mary Doerhoff Winter  
BARTIMUS, FRICKLETON, ROBERTSON & GORNY, PC  
715 Swifts Highway  
Jefferson City, MO 65109  
(P) 573-659-4454  
(F) 573-659-4460

Todd P. Graves  
David L. Marcus  
Matthew V. Bartle  
GRAVES, BARTLE & MARCUS, LLC  
1100 Main Street #2600  
Kansas City, MO 64105  
(P) 816-305-6288

**ATTORNEYS FOR RELATORS**

Jeffrey S. Bucholtz  
Joyce R. Branda  
Patricia R. Davis  
Jay D. Majors  
UNITED STATES DEPARTMENT OF JUSTICE  
Civil Division  
P.O. Box 261  
Ben Franklin Station  
Washington, DC 20044  
(P) 202-307-0264  
(F) 202-514-0280

Dunnica O. Lampton  
Alfred B. Jernigan, Jr.  
Felicia C. Adams  
UNITED STATES ATTORNEY'S OFFICE  
Southern District of Mississippi  
Suite 500  
188 East Capitol Street  
Jackson, MS 39201  
(P) 601-965-4480  
(F) 601-965-4409

ATTORNEYS FOR THE UNITED STATES

H. Hunter Twiford III  
Stephen F. Schelver  
Candy Burnette  
MCGLINCHEY STAFFORD, PLLC  
Suite 1100, City Centre South  
200 South Lamar Street (39201)  
P.O. Box 22949  
Jackson, MS 39225-2949  
(P) 601-960-8400  
(F) 601-960-8432

John T. Boese  
Beth C. McClain  
FRIED, FRANK, HARRIS, SHRIVER & JACOBSON, LLP  
1001 Pennsylvania Avenue, NW  
Suite 800  
Washington, DC 20004-2505  
(P) 202-639-7220

ATTORNEYS FOR DEFENDANTS E.A. RENFROE & COMPANY, INC.  
GENE RENFROE AND JANA RENFROE

Larry G. Canada  
Kathryn Breard Platt  
GALLOWAY, JOHNSON, TOMPKINS, BURR & SMITH  
701 Poydras Street  
Suite 4040  
New Orleans, LA 70139  
(P) 504-525-6802  
(F) 504-525-2456

ATTORNEYS FOR HAAG ENGINEERING CO.

William C. Bell  
WILLIAM C. BELL, ATTORNEY  
Post Office Box 1876  
Ridgeland, MS 39157  
(P) 601-956-0360

ATTORNEY FOR JADE ENGINEERING

James C. Simpson, Jr.  
MONTGOMERY, BARNETT, BROWN, READ, HAMMOND & MINTZ, LLP  
2310 19th Street  
Gulfport, MS 39501  
(P) 228-863-6534  
(F) 228-367-1084

ATTORNEY FOR RIMKUS CONSULTING GROUP, INC.

Frank W. Trapp  
Kelly R. Blackwood  
PHELPS DUNBAR, LLP  
P.O. Box 23066  
Jackson, MS 39225-3066  
(P) 601-352-2300  
(F) 601-360-9777

ATTORNEYS FOR STRUCTURES GROUP

THIS the 30<sup>th</sup> day of April, 2008.

s/ E. Barney Robinson III (MSB #09432)  
E. Barney Robinson III (MSB #09432)