

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. 1:06ev433-LTS-RHW

SUPPLEMENTAL DECLARATION OF EDWARD D. ROBERTSON, JR.

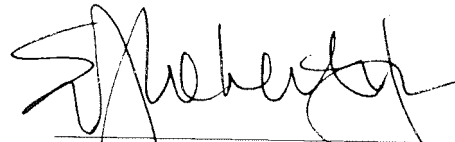
1. This declaration is made from personal knowledge and pursuant to penalties of perjury.
2. I am an attorney and a member of the Missouri Bar.
3. I am a member of the law firm of Bartimus, Frickleton, Robertson & Gorny, P.C. The firm's principal place of business is at 11150 Overbrook Road, Leawood, KS 66211. My principal place of business is at 715 Swifts Highway, Jefferson City, Missouri 65109.
4. This declaration is made to clarify certain incorrect factual assumptions made by the Court in reaching its conclusion to disqualify Realtor's counsel in this case, namely that undersigned counsel had any knowledge of any arrangement for the payment of any funds for any purpose to Cori Rigsby or Kerri Rigsby prior to public reporting of such an arrangement in newspapers of general circulation available to counsel for State Farm and to this Court.
5. The Relators in this case, Cori Rigsby and Kerri Rigsby, signed a contract creating the attorney-client relationship with the law firm of Bartimus, Frickleton, Robertson & Gorny, P.C. to pursue their False Claims Act case. The Relators did not enter into a

contract with the Scruggs Law Firm or with any firm that was a member of the Scruggs Katrina Group to form an attorney client relationship as regards this False Claims Act case. Both Graves, Bartle and Marcus and the Scruggs Law Firm were asked to join the case as co-counsel with Bartimus, Frickleton, Robertson & Gorny, P.C. which was the sole firm with whom the Relators signed an attorney employment contract.

6. I did not learn of any agreement made by either the Scruggs Law Firm and/or Scruggs Katrina Group to hire or otherwise compensate Kerri Rigsby or Cori Rigsby for any purpose until that arrangement was reported in late August, 2006, in newspapers of general circulation in Mississippi more readily available to both this Court and to counsel for State Farm than to undersigned counsel in Missouri.
7. Once I learned of the arrangement through the public media, I sought and received assurances from members of the Scruggs Law Firm that Relators had not been hired to do any work for and had not been paid in connection with the False Claims Act case. I further informed members of the Scruggs Law Firm that BFRG could not and would not participate in any payment to Kerri or Cori Rigsby for any purpose.
8. I also received assurances that the Scruggs Law Firm and/or Scruggs Katrina Group had obtained an opinion from an expert in matters relating to attorney ethics that the arrangement was ethical.
9. I did not learn of the specific terms of the arrangement between Scruggs Katrina Group and Cori Rigsby and Kerri Rigsby until the late Summer or early Fall of 2007, when I was asked to represent the Scruggs Katrina Group to defend this Court's initial ruling denying the disqualification motion of State Farm after State Farm filed its Petition for Mandamus with the United States Court of Appeals for the Fifth Circuit, challenging this

Court's ruling that State Farm's decision to settle a number of cases with Scruggs Katrina Group and only thereafter to wait until June, 2007 to file its initial motion to disqualify the members of Scruggs Katrina Group, constituted a waiver by State Farm of an ethical basis for disqualification because of State Farm's failure to file the motion in a timely manner, that is, more than ten months after counsel for State Farm (and this Court) knew or should have known of the existence of the arrangement as a result of media reports.

FURTHER DECLARANT SAYETH NAUGHT.



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