

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 TO
[214] "RELATORS' 7.2(h) MOTION FOR EXTENSION OF TIME
TO RESPOND TO PENDING DISPOSITIVE MOTIONS"**

Defendant/Counter-Plaintiff State Farm Fire and Casualty Company, improperly denominated in the First Amended Complaint as "State Farm Mutual Insurance Company" ("State Farm"), respectfully submits this Response to [214] "Relators' 7.2(h) Motion For Extension of Time to Respond to Pending Dispositive Motions" ("Motion for Extension"). State Farm would show:

1. For the reasons set forth earlier today in State Farm's [216] Response and [217] Response Memorandum in Opposition to [212] "Relators' Motion for Leave to Propound Expedited Document Requests in Order to Respond to Defendants' Pending Dispositive Motions," no discovery is necessary "in order [for the Rigsbys] to prepare responses, rebuttals, or supporting memoranda," to the pending dispositive motions. ([205] at 2.)

2. Further, on August 7, 2008, this Court expressed its intent "to reach the merits of all the pending motions as soon as it is practical to do so." ([205] at 1.) State Farm shares that

desire, especially given the amount of time that has elapsed since the filing of State Farm's dispositive motions:

<u>Date</u>	<u>Event</u>
April 8, 2008	State Farm files its Dispositive Motions [91-98]
July 30, 2008	New Counsel Enter Appearance for the Rigsbys [197-201]
August 7, 2008	Court Enters Scheduling Order for Pending Motions [205]
August 15, 2008	Rigsbys Request Discovery [212] – Two Weeks Before First Motion Responses Due

3. Given that State Farm's dispositive motions have been pending for almost five months without a response and that the Rigsbys have known of their response deadlines since August 7, 2008, State Farm does not believe the Rigsbys' request for an extension of time is consistent with this Court's expressed intent "to reach the merits of all the pending motions as soon as it is practical to do so." ([205] at 1.)

4. Despite the above and while State Farm maintains its opposition to the Rigsbys' proposed discovery, State Farm does not oppose a brief extension of the specific deadlines set forth in this Court's August 7, 2008 Scheduling Order. [205]

5. Due to the short nature of this Response and the lack of case citations herein, State Farm respectfully requests the Court to waive Miss. Unif. Dist. Ct. R. 7.2(D)'s requirement for a separate response memorandum of authorities.

WHEREFORE, PREMISES CONSIDERED, while State Farm opposes the Rigsbys' proposed discovery, State Farm does not oppose a brief extension of the specific deadlines set forth in this Court's August 7, 2008 Scheduling Order. State Farm also seeks such supplemental, additional or alternative relief as may be appropriate in the premises.

This the 27th day of August, 2008.

Respectfully submitted,

STATE FARM FIRE AND CASUALTY COMPANY

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PRO HAC VICE

CERTIFICATE OF SERVICE

I, E. Barney Robinson III, one of the attorneys for State Farm Fire and Casualty Company, 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 or as otherwise set forth below:

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THIS the 27th day of August, 2008.

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