

**U.S. District Court**  
**Southern District of Mississippi (Southern)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-00577-LTS-RHW**

Kuehn et al v. State Farm Fire and Casualty Company et al  
Assigned to: District Judge L. T. Senter, Jr  
Referred to: Magistrate Judge Robert H. Walker  
Demand: \$75,000  
Cause: 28:1332 Diversity-Insurance Contract

Date Filed: 08/29/2008  
Jury Demand: Both  
Nature of Suit: 110 Insurance  
Jurisdiction: Diversity

Date Filed	#	Docket Text
03/26/2009	<u>60</u>	REPLY to Response to Motion re <u>54</u> MOTION for Protective Order MOTION to Quash MOTION to Stay, <u>55</u> Memorandum in Support of Motion, <u>57</u> Response in Opposition to Motion, filed by State Farm Fire and Casualty Company (Banahan, John) (Entered: 03/26/2009)
03/26/2009	<u>59</u>	NOTICE of Service of Subpoena to Produce Documents, Information or Objects Upon Lawrence J. Tucker by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 03/26/2009)
03/26/2009	<u>58</u>	NOTICE of Service of Subpoena to Testify at a Deposition or to Produce Documents in a Civil Action Upon Lawrence J. Tucker by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 03/26/2009)
03/24/2009	<u>57</u>	RESPONSE in Opposition re <u>54</u> MOTION for Protective Order MOTION to Quash MOTION to Stay and <u>55</u> Memorandum in Support filed by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A, Minor deposition pages 1-91, # <u>2</u> Exhibit A, Minor deposition pages 91-147, # <u>3</u> Exhibit A, Minor deposition pages 147-179, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D)(Denham, Earl) (Entered: 03/24/2009)
03/18/2009		TEXT ONLY ORDER reducing time for response re <u>54</u> MOTION for Protective Order MOTION to Quash MOTION to Stay filed by State Farm Fire and Casualty Company. Because this motion involves a deposition noticed for 3/30/2009, Plaintiffs' Response to <u>54</u> shall be filed by 5:00 p.m. Tuesday, 3/24/2009; Defendant's reply shall be filed by 12:00 noon 3/26/2009. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on March 18, 2009. (Joffe, Scherry) (Entered: 03/18/2009)
03/17/2009	<u>56</u>	ATTACHMENT re <u>54</u> MOTION for Protective Order MOTION to Quash MOTION to Stay by State Farm Fire and Casualty Company (Banahan, John) (Entered: 03/17/2009)
03/17/2009	<u>55</u>	MEMORANDUM in Support re <u>54</u> MOTION for Protective Order MOTION to Quash MOTION to Stay filed by State Farm Fire and Casualty Company (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Banahan, John) (Entered: 03/17/2009)
03/17/2009	<u>54</u>	MOTION for Protective Order, MOTION to Quash, MOTION to Stay by State Farm Fire and Casualty Company (Attachments: # <u>1</u> Exhibit Good Faith Certificate and Affidavit of Counsel)(Banahan, John) (Entered: 03/17/2009)
03/12/2009	<u>53</u>	NOTICE of Withdrawal of Plaintiffs' <u>29</u> Motion to Compel Rule 30(b)(6) Deposition by Henry Kuehn, June P. Kuehn re <u>29</u> MOTION to Compel Rule 30(b)(6) Deposition (Carter, Kristopher) (Entered: 03/12/2009)
03/05/2009	<u>52</u>	NOTICE of Issuance of Subpoena by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 03/05/2009)

03/05/2009	<u>51</u>	NOTICE of Issuance of Subpoena by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 03/05/2009)
03/05/2009	<u>50</u>	NOTICE of Issuance of Subpoena by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 03/05/2009)
03/05/2009	<u>49</u>	NOTICE of Issuance of Subpoena by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 03/05/2009)
03/05/2009	<u>48</u>	NOTICE of Issuance of Subpoena by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 03/05/2009)
03/02/2009		TEXT ONLY ORDER denying <u>47</u> Motion to Stay; granting <u>47</u> Motion for Extension of Time to File Response/Reply re <u>36</u> MOTION to Disqualify Counsel. Defendants shall file their responses to the <u>36</u> Motion to Disqualify or or before 4/15/2009. No further written order will issue from the Court. Signed by Magistrate Judge Robert H. Walker on March 2, 2009 (King, Steve) (Entered: 03/02/2009)
02/27/2009	<u>47</u>	MOTION to Stay re <u>36</u> MOTION to Disqualify Counsel <i>or Alternatively</i> , MOTION for Extension of Time to File Response/Reply as to <u>36</u> MOTION to Disqualify Counsel by State Farm Fire and Casualty Company (Mullen, Harry) (Entered: 02/27/2009)
02/26/2009	<u>46</u>	NOTICE to Take Deposition of Lawrence J. Tucker by Henry Kuehn, June P. Kuehn (Denham, Earl) (Entered: 02/26/2009)
02/26/2009	<u>45</u>	NOTICE to Take Deposition of H. Scot Spragins by Henry Kuehn, June P. Kuehn (Denham, Earl) (Entered: 02/26/2009)
02/17/2009	<u>44</u>	NOTICE to Take Deposition of Rick Moore by Henry Kuehn, June P. Kuehn (Denham, Earl) (Entered: 02/17/2009)
02/13/2009		Set/Reset Scheduling Order Deadlines: Discovery due by 3/31/2009 Motions due by 4/14/2009 (King, Steve) (Entered: 02/13/2009)
02/13/2009		TEXT ONLY ORDER granting <u>39</u> Motion for Extension of Time to Complete Discovery. As to the appraisal issue, discovery shall be completed on or before 3/31/2009, and motions shall be filed on or before 4/14/2009. No further written order will issue from the Court. Signed by Magistrate Judge Robert H. Walker on February 13, 2009 (King, Steve) (Entered: 02/13/2009)
02/13/2009	<u>43</u>	NOTICE to Take Deposition of John A. Voelpel, III by Henry Kuehn, June P. Kuehn (Denham, Earl) (Entered: 02/13/2009)
02/13/2009	<u>42</u>	NOTICE to Take Deposition of John G. Minor by Henry Kuehn, June P. Kuehn (Denham, Earl) (Entered: 02/13/2009)
02/12/2009	<u>41</u>	NOTICE to Take Deposition of John A. Voelpel, III (Second Re-Notice) by State Farm Fire and Casualty Company (Banahan, John) (Entered: 02/12/2009)
02/12/2009	<u>40</u>	NOTICE to Take Deposition of John G. Minor (Second Re-Notice) by State Farm Fire and Casualty Company (Banahan, John) (Entered: 02/12/2009)
02/12/2009	<u>39</u>	MOTION for Extension of Time to Complete Discovery <i>Previously Set for Completing Discovery Limited to Whether the Appraisal Award in the Underlying Matter is Valid</i> by State Farm Fire and Casualty Company (Banahan, John) (Entered: 02/12/2009)
02/12/2009	<u>38</u>	NOTICE of Appearance by Harry Benjamin Mullen on behalf of State Farm Fire and Casualty Company (Mullen, Harry) (Entered: 02/12/2009)
02/12/2009	<u>37</u>	NOTICE of Appearance by John A. Banahan on behalf of State Farm Fire and Casualty Company (Banahan, John) (Entered: 02/12/2009)
02/11/2009	<u>36</u>	MOTION to Disqualify Counsel by Henry Kuehn, June P. Kuehn (Denham, Earl) (Entered: 02/11/2009)

02/11/2009	<u>35</u>	NOTICE of Service of Response to Request for Production by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 02/11/2009)
02/05/2009	<u>34</u>	NOTICE of Receipt of Deposition of 30(b)(6), State Farm Fire and Casualty Company by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A)(Denham, Earl) (Entered: 02/05/2009)
02/05/2009	<u>33</u>	NOTICE to Take Deposition of (RE-NOTICE) John A. Voelpel, III by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 02/05/2009)
02/04/2009		Set/Reset Scheduling Order Deadlines: Discovery due by 2/27/2009 Motions due by 3/12/2009 (King, Steve) (Entered: 02/04/2009)
02/04/2009		TEXT ONLY ORDER Extending Deadlines. By agreement of the parties, discovery shall be completed on or before 2/27/2009, and motions shall be filed on or before 3/12/2009. No further written order will issue from the Court. Signed by Magistrate Judge Robert H. Walker on February 4, 2009 (King, Steve) (Entered: 02/04/2009)
02/03/2009	<u>32</u>	REPLY to Response to Motion ( <i>Plaintiffs Reply to <u>27</u> State Farm's Response to Plaintiffs' <u>23</u> Objection and Motion for Review of Text Scheduling Order Entered December 30, 2008, and the <u>15</u> Order on Motion for Clarification</i> ) filed by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit F, # <u>2</u> Exhibit G, # <u>3</u> Exhibit H, # <u>4</u> Exhibit I, # <u>5</u> Exhibit J, # <u>6</u> Exhibit K)(Denham, Earl) (Entered: 02/03/2009)
02/03/2009		TEXT ONLY ORDER granting <u>19</u> Motion to Amend/Correct Complaint. The motion is granted without opposition pursuant to Local Rule 7.2(C)(2). No further written order will issue from the Court. Signed by Magistrate Judge Robert H. Walker on February 3, 2009 (King, Steve) (Entered: 02/03/2009)
01/29/2009	<u>31</u>	Subpoena Returned Executed as to John A. Voelpel, III. (Spragins, Hal) (Entered: 01/29/2009)
01/29/2009	<u>30</u>	Subpoena Returned Executed as to Lewis Edward O'Leary, Jr. (Spragins, Hal) (Entered: 01/29/2009)
01/28/2009	<u>29</u>	MOTION to Compel <i>Rule 30(b)(6) Deposition</i> by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Denham, Earl) (Entered: 01/28/2009)
01/28/2009	<u>28</u>	NOTICE of Service of Response to Request for Production by Henry Kuehn, June P. Kuehn (Denham, Earl) (Entered: 01/28/2009)
01/27/2009	<u>27</u>	Response in Opposition to <i>Plaintiffs' Objection <u>23</u> to December 30, 2008 Text Scheduling Order and Order <u>15</u> on Motion for Clarification</i> filed by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 01/27/2009)
01/26/2009	<u>26</u>	Response in Opposition re <u>25</u> NOTICE to Take Deposition of Corporate Representative of State Farm Fire and Casualty Company by Henry Kuehn, June P. Kuehn (Denham, Earl) filed by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 01/26/2009)
01/20/2009	<u>25</u>	NOTICE to Take Deposition of Corporate Representative of State Farm Fire and Casualty Company by Henry Kuehn, June P. Kuehn (Denham, Earl) (Entered: 01/20/2009)
01/15/2009	<u>24</u>	NOTICE of Service of Disclosure by Henry Kuehn, June P. Kuehn (Denham, Earl) (Entered: 01/15/2009)
01/14/2009		TEXT ONLY ORDER finding as moot Plaintiffs' <u>16</u> Motion for Reconsideration in light of Plaintiffs' <u>23</u> Motion for Review of Magistrate Judge's Order. The former was intended as a motion for review, but was mislabeled by Plaintiffs' counsel when entered on the docket. NO FURTHER WRITTEN ORDER SHALL ISSUE. Signed by

		District Judge L. T. Senter, Jr., on January 14, 2009. (Cochran, Ronald) (Entered: 01/14/2009)
01/13/2009	<u>23</u>	MOTION for Review of Magistrate Judge Order re <u>15</u> Order on Motion to Clarify, Scheduling Order., Set/Clear Flags, ( <i>Plaintiffs Objections and Motion for Review of Text Scheduling Order entered December 30, 2008, and the <u>15</u> Order on Motion for Clarification</i> ) by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Denham, Earl) (Entered: 01/13/2009)
01/13/2009		DOCKET ANNOTATION as to # 16. Attorney's office is advised to re-file this document as a Motion to Review. This document will be terminated. (JCH) (Entered: 01/13/2009)
01/13/2009	<u>22</u>	NOTICE to Take Deposition of John G. Minor (RE-NOTICE) by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 01/13/2009)
01/12/2009	<u>21</u>	NOTICE of Service of Request for Production by Henry Kuehn, June P. Kuehn (Denham, Earl) (Entered: 01/12/2009)
01/12/2009	<u>20</u>	NOTICE of Service of Request for Production by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 01/12/2009)
01/09/2009	<u>19</u>	MOTION to Amend/Correct <u>1</u> Complaint, by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Denham, Earl) (Entered: 01/09/2009)
01/09/2009	<u>18</u>	NOTICE of Issuance of Deposition Subpoena for John A. Voelpel, III by State Farm Fire and Casualty Company re <u>17</u> Notice to Take Deposition (Attachments: # <u>1</u> Exhibit "A")(Spragins, Hal) (Entered: 01/09/2009)
01/09/2009	<u>17</u>	NOTICE to Take Deposition of John A. Voelpel, III by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 01/09/2009)
01/06/2009	<u>16</u>	MOTION for Reconsideration re <u>15</u> Order on Motion to Clarify, Scheduling Order., Set/Clear Flags, ( <i>Plaintiffs Objections and Motion for Reconsideration of Text Scheduling Order entered December 30, 2008, and the <u>15</u> Order on Motion for Clarification</i> ) by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Denham, Earl) (Entered: 01/06/2009)
01/05/2009	<u>15</u>	ORDER granting in part and denying in part <u>9</u> Motion to Clarify. Signed by Magistrate Judge Robert H. Walker on January 5, 2009 (King, Steve) (Entered: 01/05/2009)
01/05/2009	<u>14</u>	NOTICE of Issuance of Deposition Subpoena for John G. Minor by State Farm Fire and Casualty Company re <u>13</u> Notice to Take Deposition (Attachments: # <u>1</u> Exhibit "A")(Spragins, Hal) (Entered: 01/05/2009)
01/05/2009	<u>13</u>	NOTICE to Take Deposition of John G. Minor by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 01/05/2009)
01/05/2009	<u>12</u>	NOTICE of Issuance of Deposition Subpoena for Lewis Edward O'Leary, Jr. by State Farm Fire and Casualty Company re <u>11</u> Notice to Take Deposition (Attachments: # <u>1</u> Exhibit "A")(Spragins, Hal) (Entered: 01/05/2009)
01/05/2009	<u>11</u>	NOTICE to Take Deposition of Lewis Edward O'Leary, Jr. by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 01/05/2009)
12/31/2008	<u>10</u>	Supplemental NOTICE of Service of Disclosure by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 12/31/2008)
12/30/2008		TEXT ONLY SCHEDULING ORDER: CJRA Track : Standard. Amended Pleadings due by 1/9/2009, Discovery REGARDING THE APPRAISAL ISSUE due by 2/9/2009, Joinder of Parties due by 1/9/2009, Motions due by 3/2/2009. No further written order by the Court shall issue. Signed by Magistrate Judge Robert H. Walker on December 9, 2008 (JR) (Entered: 12/30/2008)

12/19/2008	<u>9</u>	MOTION to Clarify ( <i>Motion for Clarification of Minute Entry Entered December 12, 2008 and Case Management Deadlines</i> ) by Henry Kuehn, June P. Kuehn (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 12/19/2008)
12/09/2008		Minute Entry for proceedings held before Magistrate Judge Robert H. Walker: Telephonic Case Management Conference held on 12/9/2008. The parties agree that the interpretation and effect of the appraisal clause contained in the insurance contract and the question of whether the existing appraisal award is valid should be bifurcated and addressed first. Therefore, the Court will allow discovery to proceed as to the appraisal issue only. Discovery shall be completed on or before February 9, 2009. Motions as to the appraisal issue shall be filed no later than March 2, 2009. Motions to join parties or amend pleadings shall be filed on or before January 9, 2009. An order will be entered. (JR) (Entered: 12/12/2008)
10/28/2008	<u>8</u>	NOTICE of Service of Disclosure by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 10/28/2008)
10/27/2008	<u>7</u>	Rule 16.1(A) Initial Order Telephonic Case Management Conference set for 12/9/2008 03:30 PM before Magistrate Judge Robert H. Walker (JR) (Entered: 10/27/2008)
10/10/2008	<u>6</u>	Corporate Disclosure Statement by State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 10/10/2008)
10/09/2008	<u>5</u>	ANSWER to <u>1</u> Complaint, with Jury Demand by State Farm Fire and Casualty Company.(Spragins, Hal) (Entered: 10/09/2008)
10/09/2008	<u>4</u>	NOTICE of Appearance by Hal S. Spragins on behalf of State Farm Fire and Casualty Company (Spragins, Hal) (Entered: 10/09/2008)
09/24/2008	<u>3</u>	SUMMONS Returned Executed by Henry Kuehn, June P. Kuehn State Farm Fire and Casualty Company served on 9/19/2008, answer due 10/9/2008. (Denham, Earl) (Entered: 09/24/2008)
09/05/2008		Case reassigned to District Judge L. T. Senter, Jr. (JCH) (Entered: 09/08/2008)
09/05/2008		TEXT ORDER OF RECUSAL. Pursuant to 28 U.S.C. Sec. 455(a) U.S. District Judge Louis Guirola, Jr., does hereby disqualify himself from any further participation in the above styled and numbered proceeding. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by District Judge Louis Guirola, Jr., on 9/5/2008. (CG) (Entered: 09/05/2008)
09/04/2008	<u>2</u>	Summons Issued as to State Farm Fire and Casualty Company. (JCH) (Entered: 09/04/2008)
08/29/2008	<u>1</u>	COMPLAINT against State Farm Fire and Casualty Company, John Does 1-10 (Filing fee \$ 350; receipt number B028464), filed by Henry Kuehn, June P. Kuehn. Jury trial requested by Plaintiffs. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A-C)(JCH) (Entered: 09/04/2008)