

**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. 1:06-cv-433-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

RELATORS' SUMMARY OF REASONS FOR DISCOVERY

In its March 20, 2009 Order, docket entry [266], this Court asked for a concise summary of the Relators' reasons for wishing to depose Mike Church, Ron Muchk (or Mucha) and Linda Muchk (or Mucha). (Relators understand that the proper spelling of the couple's name may be "Mucha," rather than "Muchk.") All of those individuals are eye witnesses to the damage caused to the McIntosh home during Hurricane Katrina:

- Mike Church is cited in Brian Ford's October 12, 2005 engineering report as "report[ing] that houses were blown apart and debris was thrown into the McIntosh house at approximately 8 AM and floodwater began rising at 11 AM." *See* Relators' Consolidated Pre-Hearing Response to All Dispositive Motions, docket entry [264], at Exhibit 1, Affidavit of Benjamin R. Davidson dated March 12, 2009, and Tab B thereto at *3.

- Ron and Linda Muchk (or Mucha) are cited in the expert report Dr. Ralph Sinno prepared for *McIntosh v. State Farm* as next-door neighbors of the McIntoshes who provided eye witness accounts that “confirm wide spread structural failures before the water surge” and “describe intense winds on the early morning of August 29.” *McIntosh v. State Farm Fire and Cas. Co.*, 1:06-cv-1080, docket no. [811], Exhibit 3 thereto at *8.

Accordingly, Relators respectfully request permission to take the depositions of the seven witnesses identified in the affidavit of Benjamin R. Davidson in support of the Relators’ consolidated pre-hearing response to all dispositive motions, docket entry [264], as well as the additional discovery requested therein that relates to the McIntosh home.

THIS the 27th of March, 2009

Respectfully submitted,

/s/ C. Maison Heidelberg
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CERTIFICATE OF SERVICE

I, C. Maison Heidelberg, attorney for Cori Rigsby and Kerri Rigsby, 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:

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