

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

**DEFENDANT/COUNTER-PLAINTIFF
STATE FARM FIRE AND CASUALTY COMPANY'S
NOTICE OF SUPPLEMENTAL PRODUCTION**

Defendant/Counter-Plaintiff State Farm Fire and Casualty Company, improperly denominated in the First Amended Complaint as “State Farm Mutual Insurance Company” (“State Farm”), submits this Notice of Supplemental Production. State Farm would show:

Nothing in this submission constitutes consent by State Farm to the Rigsbys serving as witnesses or Relators in this Action or to the use or introduction by them of any stolen evidence. State Farm does not waive the protections provided by prior Orders of this Court in *Thomas C. McIntosh and Pamela McIntosh v. State Farm Fire & Casualty Co., et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv1080-LTS-RHW and in this Action. State Farm further does not stipulate to the authenticity or admissibility of any materials produced in connection with this Notice.

Subject to the above, E. Barney Robinson III, one of the attorneys for State Farm, hereby gives notice to the Court and to counsel that the following materials were served today on all counsel listed on

this Notice's Certificate of Service contained on CD (via hand delivery for Jackson, MS and Ridgeland, MS counsel and via FedEx for all counsel outside of Jackson or Ridgeland, MS):¹

- (1) January 11, 2008 J. Brian Ford Deposition (with exhibits) in *Thomas C. McIntosh and Pamela McIntosh v. State Farm Fire & Casualty Co., et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv1080-LTS-RHW;
- (2) May 14, 2007 John B. Kelly Deposition (with exhibits) in *James Bukvic and Tracy Bukvic v. State Farm Fire and Casualty Company*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv188-LTS-RHW;
- (3) September 17, 2007 Jack Kelly Deposition in *Thomas C. McIntosh and Pamela McIntosh v. State Farm Fire & Casualty Co., et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv1080-LTS-RHW;
- (4) April 30, 2008 John B. Kelly Deposition (with exhibits) in *Gerald L. Carney, Sr. v. State Farm Fire and Casualty Company, et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:07cv142-LTS-RHW;
- (5) June 21-22, 2007 Cori Rigsby Deposition (with exhibits) in *Melissa and Andrew Marion v. State Farm Fire and Casualty Company, et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv969-LTS-RHW;
- (6) May 1, 2007 Cori Rigsby Deposition (with exhibits) in *Thomas C. McIntosh and Pamela McIntosh v. State Farm Fire & Casualty Co., et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv1080-LTS-RHW;
- (7) November 19, 2007 Vol. II Cori Rigsby Deposition (with exhibits) in *Thomas C. McIntosh and Pamela McIntosh v. State Farm Fire & Casualty Co., et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv1080-LTS-RHW;

¹ Note: Certain transcripts (and/or exhibits) being produced recite that they are subject (in whole or in part) to a protective order or under seal order. To the best of State Farm's knowledge, all materials being produced in connection with this Notice of Supplemental Production – with one exception discussed *infra* – are: (a) no longer subject to a protective order or under seal; or (b) are subject to delisting by State Farm (either due to the matter being State Farm's material and/or having been designated as confidential in the first instance by State Farm). Accordingly, they may be produced in this Action.

State Farm has so far been unable to confirm to its satisfaction whether exhibit 7 to the April 30 and May 1, 2007 Cori and Kerri Rigsby deposition transcripts in *McIntosh* is still subject to restrictions. For that reason, out of abundance of caution, Exhibit 7 to those depositions is not being produced at this time.

Please note that some of the materials produced – (including materials other than transcripts) – may contain personal identifiers. For that reason, receiving counsel and Parties should deal carefully with these materials and remember that all filings with the Court - including attachments - must comply with Fed. R. Civ. P. 5.2. Specifically, Social Security or taxpayer-identification numbers; dates of birth; names of minor children; full financial account numbers, may **not** appear in the public record, except as allowed by applicable rule (usually with redactions).

- (8) January 17, 2006 Kerri Rigsby Deposition in *Gary Kottner and Edith Kottner v. State Farm Florida Insurance Company*; in the Circuit Court in and for Escambia County, Florida;
- (9) June 20, 2007 Kerri Rigsby Deposition (with exhibits) in *Melissa and Andrew Marion v. State Farm Fire and Casualty Company, et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv969-LTS-RHW;
- (10) May 1, 2007 Kerri Rigsby Deposition (with exhibits) in *Thomas C. McIntosh and Pamela McIntosh v. State Farm Fire & Casualty Co., et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv1080-LTS-RHW;
- (11) November 20, 2007 Kerri A. Rigsby Vol. II Deposition (with exhibits) in *Thomas C. McIntosh and Pamela McIntosh v. State Farm Fire & Casualty Co., et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv1080-LTS-RHW;
- (12) October 10, 2007 Brian Ford Deposition (with exhibits) in *Thomas C. McIntosh and Pamela McIntosh v. State Farm Fire & Casualty Co., et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv1080-LTS-RHW;
- (13) May 25, 2007 Kerri Rigsby Deposition (with exhibits) in *Melissa and Andrew Marion v. State Farm Fire and Casualty Company, et al.*; in the United States District Court for the Southern District of Mississippi, Southern Division, no. 1:06cv969-LTS-RHW;
- (14) Updated Flood Claim File, No. 24-Z494-638 for Thomas and Pamela McIntosh, With Updated CSR, SJ000867 - SJ001373;
- (15) Documents SJ000852, SJ000853, SJ000854, SJ000855 - SJ000866; and
- (16) Certified copies of the Homeowners and Flood Insurance policies for Thomas and Pamela McIntosh, SJ000621 - SJ000761 and SJ000762 - SJ000851, respectively.

This the 29th day of April, 2009.

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:

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This the 29th day of April, 2009.

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