

**U.S. District Court  
Southern District of Mississippi (Southern)  
CIVIL DOCKET FOR CASE #: 1:08-cv-00018-LTS-RHW**

Politz et al v. Nationwide Mutual Fire Insurance Company et al      Date Filed: 01/17/2008  
Assigned to: District Judge L. T. Senter, Jr                                      Jury Demand: Plaintiff  
Referred to: Magistrate Judge Robert H. Walker                              Nature of Suit: 110 Insurance  
Cause: 28:1332 Diversity-Insurance Contract                                      Jurisdiction: Diversity

| Date Filed | #          | Docket Text   |
|------------|------------|---|
| 05/18/2009 |            | Minute Entry for proceedings held before District Judge L. T. Senter, Jr: Pretrial Conference held on 5/18/2009; Discovery for both parties is re-opened for 60 days, followed by 15 days in which to file any further motions to the Court. Jury Trial continued; both Pretrial Conference and Jury Trial to be rescheduled at later date; APPEARANCES: Kristopher W. Carter, Earl L. Denham for Plaintiff; Mickey Cowan, Elizabeth M. Locke, Daniel F. Attridge for Defendant. (Peters, Catherine) (Entered: 05/18/2009)                  |
| 05/18/2009 | <u>340</u> | ORDER granting Plaintiff's <u>272</u> Motion <i>in Limine</i> , subject to exceptions; granting Nationwide's <u>279</u> Motion <i>in Limine</i> ; granting Nationwide's <u>280</u> Motion <i>in Limine</i> ; granting Nationwide's <u>285</u> Motion <i>in Limine</i> ; granting Nationwide's <u>286</u> Motion <i>in Limine</i> ; granting Nationwide's <u>290</u> Motion <i>in Limine</i> ; granting Nationwide's <u>291</u> Motion <i>in Limine</i> . Signed by Senior Judge L. T. Senter, Jr, on 05/18/2009 (kbo) (Entered: 05/18/2009) |
| 05/18/2009 | <u>339</u> | ORDER denying Nationwide's <u>281</u> Motion <i>in Limine</i> to exclude evidence and argument concerning Option K of its homeowners policy; denying Nationwide's <u>282</u> Motion <i>in Limine</i> to exclude evidence of the valuation of the insured dwelling. Signed by Senior Judge L. T. Senter, Jr, on 05/18/2009 (kbo) (Entered: 05/18/2009)   |
| 05/18/2009 | <u>338</u> | MEMORANDUM OPINION ON NATIONWIDE MOTIONS <i>IN LIMINE</i> TO EXCLUDE EVIDENCE OF REPLACEMENT COST <u>282</u> AND TO EXCLUDE EVIDENCE AND ARGUMENT CONCERNING REPLACEMENT COST COVERAGE UNDER OPTION K <u>281</u> . Signed by Senior Judge L. T. Senter, Jr, on 05/18/2009 (kbo) (Entered: 05/18/2009)   |
| 05/18/2009 | <u>337</u> | MEMORANDUM OPINION AND ORDER DENYING PLAINTIFF'S MOTION <i>IN LIMINE</i> TO EXCLUDE NATIONWIDE'S EXHIBITS DX288 AND DX289. Signed by Senior Judge L. T. Senter, Jr, on 05/18/2009 (kbo) (Entered: 05/18/2009)   |
| 05/18/2009 | <u>336</u> | ORDER granting in part and denying in part Nationwide's <u>283</u> Motion <i>in Limine</i> to exclude evidence and argument concerning sums claimed as additional living expenses. Signed by Senior Judge L. T. Senter, Jr, on 05/18/2009 (kbo) (Entered: 05/18/2009)   |
| 05/18/2009 | <u>335</u> | MEMORANDUM OPINION ON NATIONWIDE MOTION <i>IN LIMINE</i> <u>283</u> TO EXCLUDE EVIDENCE OF ADDITIONAL LIVING EXPENSES. Signed by Senior Judge L. T. Senter, Jr, on 05/18/2009 (kbo) (Entered: 05/18/2009)   |

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| 05/18/2009 | <u>334</u> | ORDER denying Nationwide's <u>128</u> Motion to Exclude testimony of Plaintiff's expert witness; denying Nationwide's <u>130</u> Motion to Strike testimony of Plaintiff's expert witness; denying Nationwide's <u>132</u> Motion to Strike testimony of Plaintiff's expert witness; denying Plaintiff's <u>274</u> Motion <i>in Limine</i> to exclude the testimony of three of her treating physicians. Signed by Senior Judge L. T. Senter, Jr, on 05/18/2009 (kbo) (Entered: 05/18/2009) |
| 05/18/2009 | <u>333</u> | MEMORANDUM OPINION ON MOTIONS CONCERNING EXPERT WITNESSES <u>128 130 132 274</u> . Signed by Senior Judge L. T. Senter, Jr, on 05/18/2009 (kbo) (Entered: 05/18/2009)  |
| 05/18/2009 | <u>332</u> | MEMORANDUM OPINION AND ORDER ON NATIONWIDE'S MOTION <i>IN LIMINE</i> <u>284</u> TO EXCLUDE EVIDENCE IN SUPPORT OF PLAINTIFF'S CLAIM FOR DEBRIS REMOVAL. The Motion is granted in part and denied in part. Signed by Senior Judge L. T. Senter, Jr, on 05/18/2009 (kbo) (Entered: 05/18/2009)   |
| 05/18/2009 | <u>331</u> | OPINION AND ORDER DENYING NATIONWIDE MOTION <i>IN LIMINE</i> <u>278</u> AND DENYING PLAINTIFF'S MOTION <i>IN LIMINE</i> AS MOOT IN LIGHT OF THE ORDER <u>294</u> ENTERED ON THE PARTIES' MOTIONS <u>125 157</u> FOR ESTOPPEL. Signed by Senior Judge L. T. Senter, Jr, on 05/18/2009 (kbo) (Entered: 05/18/2009)   |
| 05/15/2009 | <u>330</u> | REPLY to Response to Motion re <u>278</u> MOTION in Limine <i>No. 1 to Exclude Evidence, Testimony or Argument That Plaintiff's Property Was Destroyed Solely By Wind</i> , <u>304</u> Response to Motion filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/15/2009)  |
| 05/15/2009 | <u>329</u> | REPLY to Response to Motion re <u>281</u> MOTION in Limine <i>No. 4 to Exclude Evidence, Testimony or Argument Relating to Option K Coverage and Replacement Cost</i> , <u>307</u> Response in Opposition, filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/15/2009)   |
| 05/15/2009 | <u>328</u> | REPLY to Response to Motion re <u>292</u> MOTION for Trial in Separate Phases, <u>318</u> Response in Opposition to Motion filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/15/2009)   |
| 05/15/2009 | <u>327</u> | REPLY to Response to Motion re <u>316</u> Response in Opposition to Motion, <u>290</u> MOTION in Limine <i>No. 13 to Preclude Plaintiff's Designation of Entire Depositions to be Admitted as Trial Evidence</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 05/15/2009)  |
| 05/15/2009 | <u>326</u> | REPLY to Response to Motion re <u>288</u> MOTION in Limine <i>No. 11 to Exclude Evidence, Testimony or Argument Regarding Alleged Third-Party Witnesses</i> , <u>314</u> Response in Opposition, filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 8, # <u>2</u> Exhibit 9)(Gibbes, Laura) (Entered: 05/15/2009)  |
| 05/15/2009 | <u>325</u> | REPLY to Response to Motion re <u>310</u> Response in Opposition, <u>284</u> MOTION in Limine <i>No. 7 to Exclude Evidence, Testimony or Argument Concerning Debris Removal Coverage or Expenditures</i> filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/15/2009)   |

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|            |            | 05/15/2009)  |
| 05/15/2009 | <u>324</u> | REPLY to Response to Motion re <u>291</u> MOTION in Limine No. 14 to Exclude Evidence, Testimony or Argument Regarding Settlement Discussions or Mediation Proceedings, <u>317</u> Response in Opposition to Motion filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 05/15/2009)               |
| 05/15/2009 | <u>323</u> | REPLY to Response to Motion re <u>283</u> MOTION in Limine No. 6 to Exclude Evidence, Testimony or Argument Concerning Uncompensated "Additional Living Expenses", <u>309</u> Response in Opposition, filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/15/2009)  |
| 05/15/2009 | <u>322</u> | REPLY to Response to Motion re <u>287</u> MOTION in Limine No. 10 to Preclude Plaintiff's Testimony, Argument, Evidence and Opinion Regarding Alleged Emotional Distress, <u>313</u> Response in Opposition, filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 9)(Gibbes, Laura) (Entered: 05/15/2009)                      |
| 05/14/2009 | <u>321</u> | REPLY to Response to Motion re <u>282</u> MOTION in Limine No. 5 to Exclude Evidence, Testimony or Argument Regarding Replacement Cost or Other Valuation Estimates for Plaintiff's Residence, <u>308</u> Response in Opposition,, filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/14/2009)                                   |
| 05/14/2009 |            | DOCKET ANNOTATION as to # 320. This document was inadvertently dated May 15, 2009. The document should have been dated May 14, 2009, but the attorney's office is not required to re-file. (JCH) (Entered: 05/14/2009)   |
| 05/14/2009 | <u>320</u> | REPLY to Response to Motion re <u>305</u> Response in Opposition, <u>279</u> MOTION in Limine to Exclude Any and All Testimony, Evidence and Argument Regarding Insurance Claims Other Than Plaintiff's Claims Against Nationwide filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 05/14/2009) |
| 05/14/2009 | <u>319</u> | ATTACHMENT re <u>318</u> Response in Opposition to Motion "Declaration of Technical Difficulties" by Helen Politz (Carter, Kristopher) (Entered: 05/14/2009)   |
| 05/14/2009 | <u>318</u> | RESPONSE in Opposition re <u>292</u> MOTION for Trial in Separate Phases filed by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 05/14/2009)   |
| 05/14/2009 | <u>317</u> | RESPONSE in Opposition re <u>291</u> MOTION in Limine No. 14 to Exclude Evidence, Testimony or Argument Regarding Settlement Discussions or Mediation Proceedings filed by Helen Politz (Carter, Kristopher) (Entered: 05/14/2009)   |
| 05/14/2009 | <u>316</u> | RESPONSE in Opposition re <u>290</u> MOTION in Limine No. 13 to Preclude Plaintiff's Designation of Entire Depositions to be Admitted as Trial Evidence filed by Helen Politz (Carter, Kristopher) (Entered: 05/14/2009)   |
| 05/14/2009 | <u>315</u> | Response in Opposition re <u>289</u> MOTION in Limine No. 12 to Exclude Evidence, Testimony or Argument That Pre-Contractual Conversations Expand Plaintiff's Policy   |

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|            |            | <i>Coverage by Nationwide Mutual Fire Insurance Company (Attachments: # Exhibit 1)(Gibbes, Laura) filed by Helen Politz (Carter, Kristopher) (Entered: 05/14/2009)</i>   |
| 05/14/2009 | <u>314</u> | <i>Response in Opposition re <u>288</u> MOTION in Limine No. 11 to Exclude Evidence, Testimony or Argument Regarding Alleged Third-Party Witnesses by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # Exhibit 2, # Exhibit 3, # Exhibit 4, # Exhibit 5, # Exhibit 6, # Exhibit 7)(Gibbes, Laura) filed by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 05/14/2009)</i>  |
| 05/14/2009 | <u>313</u> | <i>Response in Opposition re <u>287</u> MOTION in Limine No. 10 to Preclude Plaintiff's Testimony, Argument, Evidence and Opinion Regarding Alleged Emotional Distress by Nationwide Mutual Fire Insurance Company (Attachments: # Exhibit 1, # Exhibit 2, # Exhibit 3, # Exhibit 4, # Exhibit 5, # Exhibit 6, # Exhibit 7, # Exhibit 8)(Gibbes, Laura) filed by Helen Politz (Carter, Kristopher) (Entered: 05/14/2009)</i>   |
| 05/14/2009 | <u>312</u> | <i>Response in Opposition re <u>286</u> MOTION in Limine No. 9 to Exclude Evidence, Testimony or Argument Regarding Defendant's Unsuccessful Motions by Nationwide Mutual Fire Insurance Company (Attachments: # Exhibit 1)(Gibbes, Laura) filed by Helen Politz (Carter, Kristopher) (Entered: 05/14/2009)</i>  |
| 05/14/2009 | <u>311</u> | <i>Response in Opposition re <u>285</u> MOTION in Limine No. 8 to Exclude Evidence, Testimony or Argument Relating to Mississippi Department of Insurance Bulletins and Related Correspondence by Nationwide Mutual Fire Insurance Company (Attachments: # Exhibit 1)(Gibbes, Laura) filed by Helen Politz (Carter, Kristopher) (Entered: 05/14/2009)</i>  |
| 05/14/2009 | <u>310</u> | <i>Response in Opposition re <u>284</u> MOTION in Limine No. 7 to Exclude Evidence, Testimony or Argument Concerning Debris Removal Coverage or Expenditures by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # Exhibit 2, # Exhibit 3, # Exhibit 4, # Exhibit 5, # Exhibit 6)(Gibbes, Laura) filed by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 05/14/2009)</i>   |
| 05/14/2009 | <u>309</u> | <i>Response in Opposition re <u>283</u> MOTION in Limine No. 6 to Exclude Evidence, Testimony or Argument Concerning Uncompensated "Additional Living Expenses" by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # Exhibit 4, # Exhibit 5, # Exhibit 6, # Exhibit 7)(Gibbes, Laura) filed by Helen Politz (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Carter, Kristopher) (Entered: 05/14/2009)</i>   |
| 05/14/2009 | <u>308</u> | <i>Response in Opposition re <u>282</u> MOTION in Limine No. 5 to Exclude Evidence, Testimony or Argument Regarding Replacement Cost or Other Valuation Estimates for Plaintiff's Residence by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Gibbes, Laura) filed by Helen Politz (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B part 1, # <u>3</u> Exhibit B part 2, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E)(Carter, Kristopher) (Entered: 05/14/2009)</i> |

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| 05/14/2009 | <u>307</u> | Response in Opposition re <u>281</u> MOTION in Limine <i>No. 4 to Exclude Evidence, Testimony or Argument Relating to Option K Coverage and Replacement Cost</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Gibbes, Laura) filed by Helen Politz (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B– Part 1, # <u>3</u> Exhibit B – Part 2, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F)(Carter, Kristopher) (Entered: 05/14/2009) |
| 05/14/2009 | <u>306</u> | Response in Opposition re <u>280</u> MOTION in Limine <i>No. 3 to Exclude Any and All Testimony, Evidence and Argument Regarding Any Government Investigation of the Insurance Industry's Response to Hurricane Katrina</i> by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) filed by Helen Politz (Carter, Kristopher) (Entered: 05/14/2009)   |
| 05/14/2009 | <u>305</u> | Response in Opposition re <u>279</u> MOTION in Limine <i>to Exclude Any and All Testimony, Evidence and Argument Regarding Insurance Claims Other Than Plaintiff's Claims Against Nationwide</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Gibbes, Laura) filed by Helen Politz (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Carter, Kristopher) (Entered: 05/14/2009)  |
| 05/14/2009 | <u>304</u> | RESPONSE to Motion re <u>278</u> MOTION in Limine <i>No. 1 to Exclude Evidence, Testimony or Argument That Plaintiff's Property Was Destroyed Solely By Wind</i> filed by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 05/14/2009)   |
| 05/13/2009 | <u>303</u> | RESPONSE in Opposition re <u>276</u> MOTION in Limine <i>to Exclude Nationwide's DX288 and DX289</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Gibbes, Laura) (Entered: 05/13/2009)  |
| 05/13/2009 | <u>302</u> | RESPONSE in Opposition re <u>275</u> MOTION in Limine <i>to Exclude Testimony or Evidence by the Flood Adjusters and to Exclude the Flood Claim File in the Faulk Claim</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Gibbes, Laura) (Entered: 05/13/2009)   |
| 05/13/2009 | <u>301</u> | RESPONSE in Opposition re <u>274</u> MOTION in Limine <i>to Exclude Testimony or Evidence by Physicians Mace, Sieden, Eckholdt or Bernstein</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Gibbes, Laura) (Entered: 05/13/2009)   |
| 05/13/2009 | <u>300</u> | RESPONSE in Opposition re <u>273</u> MOTION in Limine <i>to Exclude Testimony or Evidence by Nationwides Adjusters as to Causation or Valuation of Property</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 05/13/2009)   |
| 05/13/2009 | <u>299</u> | RESPONSE in Opposition re <u>272</u> MOTION in Limine <i>to Exclude Testimony or Evidence Relating to the Mississippi Development Authority Grant</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Gibbes, Laura) (Entered: 05/13/2009)   |

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| 05/13/2009 | <u>298</u> | RESPONSE in Opposition re <u>271</u> MOTION in Limine to Exclude Evidence, Testimony or Argument By Nationwide That Plaintiff's Property was Destroyed Solely By Excluded Flood Damage, or by any Other Excluded Peril filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14 Part 1, # <u>15</u> Exhibit 14 Part 2, # <u>16</u> Exhibit 15)(Gibbes, Laura) (Entered: 05/13/2009)   |
| 05/12/2009 | <u>297</u> | ORDER denying Plaintiff's <u>277</u> Motion to Stay Proceeding. Signed by Senior Judge L. T. Senter, Jr, on 05/12/2009 (kbo) (Entered: 05/12/2009)  |
| 05/12/2009 |            | TEXT ONLY ORDER granting in part and denying in part <u>296</u> Motion for Extension of Time to File Response/Reply re <u>283</u> MOTION in Limine No. 6 to Exclude Evidence, Testimony or Argument Concerning Uncompensated "Additional Living Expenses", <u>278</u> MOTION in Limine No. 1 to Exclude Evidence, Testimony or Argument That Plaintiff's Property Was Destroyed Solely By Wind, <u>288</u> MOTION in Limine No. 11 to Exclude Evidence, Testimony or Argument Regarding Alleged Third-Party Witnesses, <u>292</u> MOTION for Trial in Separate Phases, <u>279</u> MOTION in Limine to Exclude Any and All Testimony, Evidence and Argument Regarding Insurance Claims Other Than Plaintiff's Claims Against Nationwide, <u>291</u> MOTION in Limine No. 14 to Exclude Evidence, Testimony or Argument Regarding Settlement Discussions or Mediation Proceedings, <u>282</u> MOTION in Limine No. 5 to Exclude Evidence, Testimony or Argument Regarding Replacement Cost or Other Valuation Estimates for Plaintiff's Residence, <u>281</u> MOTION in Limine No. 4 to Exclude Evidence, Testimony or Argument Relating to Option K Coverage and Replacement Cost, <u>284</u> MOTION in Limine No. 7 to Exclude Evidence, Testimony or Argument Concerning Debris Removal Coverage or Expenditures, <u>289</u> MOTION in Limine No. 12 to Exclude Evidence, Testimony or Argument That Pre-Contractual Conversations Expand Plaintiff's Policy Coverage, <u>287</u> MOTION in Limine No. 10 to Preclude Plaintiff's Testimony, Argument, Evidence and Opinion Regarding Alleged Emotional Distress, <u>280</u> MOTION in Limine No. 3 to Exclude Any and All Testimony, Evidence and Argument Regarding Any Government Investigation of the Insurance Industry's Response to Hurricane Katrina, <u>290</u> MOTION in Limine No. 13 to Preclude Plaintiff's Designation of Entire Depositions to be Admitted as Trial Evidence, <u>285</u> MOTION in Limine No. 8 to Exclude Evidence, Testimony or Argument Relating to Mississippi Department of Insurance Bulletins and Related Correspondence, <u>286</u> MOTION in Limine No. 9 to Exclude Evidence, Testimony or Argument Regarding Defendant's Unsuccessful Motions. Plaintiff's Responses shall be due no later than noon (central time), 5/14/2009. Signed by District Judge L. T. Senter, Jr., on May 12, 2009. (Cochran, Ronald) (Entered: 05/12/2009) |
| 05/12/2009 | <u>296</u> | MOTION for Extension of Time to File Response/Reply as to <u>287</u> MOTION in Limine No. 10 to Preclude Plaintiff's Testimony, Argument, Evidence and Opinion Regarding Alleged Emotional Distress, <u>283</u> MOTION in Limine No. 6 to Exclude Evidence, Testimony or Argument   |

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|            |            | <p><i>Concerning Uncompensated "Additional Living Expenses", <u>280</u> MOTION in Limine No. 3 to Exclude Any and All Testimony, Evidence and Argument Regarding Any Government Investigation of the Insurance Industry's Response to Hurricane Katrina, <u>285</u> MOTION in Limine No. 8 to Exclude Evidence, Testimony or Argument Relating to Mississippi Department of Insurance Bulletins and Related Correspondence, <u>286</u> MOTION in Limine No. 9 to Exclude Evidence, Testimony or Argument Regarding Defendant's Unsuccessful Motions, <u>282</u> MOTION in Limine No. 5 to Exclude Evidence, Testimony or Argument Regarding Replacement Cost or Other Valuation Estimates for Plaintiff's Residence, <u>279</u> MOTION in Limine to Exclude Any and All Testimony, Evidence and Argument Regarding Insurance Claims Other Than Plaintiff's Claims Against Nationwide, <u>281</u> MOTION in Limine No. 4 to Exclude Evidence, Testimony or Argument Relating to Option K Coverage and Replacement Cost, <u>291</u> MOTION in Limine No. 14 to Exclude Evidence, Testimony or Argument Regarding Settlement Discussions or Mediation Proceedings, <u>284</u> MOTION in Limine No. 7 to Exclude Evidence, Testimony or Argument Concerning Debris Removal Coverage or Expenditures, <u>278</u> MOTION in Limine No. 1 to Exclude Evidence, Testimony or Argument That Plaintiff's Property Was Destroyed Solely By Wind, <u>292</u> MOTION for Trial in Separate Phases, <u>288</u> MOTION in Limine No. 11 to Exclude Evidence, Testimony or Argument Regarding Alleged Third-Party Witnesses, <u>290</u> MOTION in Limine No. 13 to Preclude Plaintiff's Designation of Entire Depositions to be Admitted as Trial Evidence, <u>289</u> MOTION in Limine No. 12 to Exclude Evidence, Testimony or Argument That Pre-Contractual Conversations Expand Plaintiff's Policy Coverage by Helen Politz (Denham, Earl) (Entered: 05/12/2009)</i></p> |
| 05/12/2009 | <u>295</u> | <p>RESPONSE in Opposition re <u>277</u> MOTION to Stay Proceeding filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/12/2009)</p>  |
| 05/11/2009 |            | <p>TEXT ONLY ORDER expediting the time for a response by Defendant to Plaintiff's <u>277</u> Motion to Stay Proceeding. Defendant shall file a response to said motion no later than noon (central time), 5/12/2009. NO FURTHER WRITTEN ORDER SHALL ISSUE. Signed by District Judge L. T. Senter, Jr., on May 11, 2009. (Cochran, Ronald) (Entered: 05/11/2009)</p>  |
| 05/11/2009 | <u>294</u> | <p>MEMORANDUM OPINION AND ORDER ON MOTIONS FOR ESTOPPEL denying Nationwide Mutual Fire Insurance Company's <u>125</u> Motion for estoppel and denying Plaintiff's <u>157</u> Motion for estoppel. Signed by Senior Judge L. T. Senter, Jr, on 05/11/2009 (kbo) (Entered: 05/11/2009)</p>   |
| 05/11/2009 | <u>293</u> | <p>MEMORANDUM OPINION AND ORDER GRANTING PLAINTIFF'S MOTION FOR CLARIFICATION AND/OR RECONSIDERATION granting Plaintiff's <u>257</u> Motion to Clarify as set out in the order. Signed by Senior Judge L. T. Senter, Jr, on 05/11/2009 (kbo) (Entered: 05/11/2009)</p>   |
| 05/08/2009 | <u>292</u> | <p>MOTION for Trial in Separate Phases by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/08/2009)</p>   |

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| 05/08/2009 | <u>291</u> | MOTION in Limine No. 14 to Exclude Evidence, Testimony or Argument Regarding Settlement Discussions or Mediation Proceedings by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/08/2009)  |
| 05/08/2009 | <u>290</u> | MOTION in Limine No. 13 to Preclude Plaintiff's Designation of Entire Depositions to be Admitted as Trial Evidence by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/08/2009)  |
| 05/08/2009 | <u>289</u> | MOTION in Limine No. 12 to Exclude Evidence, Testimony or Argument That Pre-Contractual Conversations Expand Plaintiff's Policy Coverage by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 05/08/2009)   |
| 05/08/2009 | <u>288</u> | MOTION in Limine No. 11 to Exclude Evidence, Testimony or Argument Regarding Alleged Third-Party Witnesses by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Gibbes, Laura) (Entered: 05/08/2009)   |
| 05/08/2009 | <u>287</u> | MOTION in Limine No. 10 to Preclude Plaintiff's Testimony, Argument, Evidence and Opinion Regarding Alleged Emotional Distress by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Gibbes, Laura) (Entered: 05/08/2009) |
| 05/08/2009 | <u>286</u> | MOTION in Limine No. 9 to Exclude Evidence, Testimony or Argument Regarding Defendant's Unsuccessful Motions by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 05/08/2009)   |
| 05/08/2009 | <u>285</u> | MOTION in Limine No. 8 to Exclude Evidence, Testimony or Argument Relating to Mississippi Department of Insurance Bulletins and Related Correspondence by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 05/08/2009)   |
| 05/08/2009 | <u>284</u> | MOTION in Limine No. 7 to Exclude Evidence, Testimony or Argument Concerning Debris Removal Coverage or Expenditures by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Gibbes, Laura) (Entered: 05/08/2009)   |
| 05/08/2009 | <u>283</u> | MOTION in Limine No. 6 to Exclude Evidence, Testimony or Argument Concerning Uncompensated "Additional Living Expenses" by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Gibbes, Laura) (Entered: 05/08/2009)                              |
| 05/08/2009 | <u>282</u> | MOTION in Limine No. 5 to Exclude Evidence, Testimony or Argument Regarding Replacement Cost or Other Valuation Estimates for Plaintiff's Residence by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Gibbes, Laura) (Entered: 05/08/2009)  |



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| 05/08/2009 | <u>281</u> | MOTION in Limine <i>No. 4 to Exclude Evidence, Testimony or Argument Relating to Option K Coverage and Replacement Cost</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Gibbes, Laura) (Entered: 05/08/2009)   |
| 05/08/2009 | <u>280</u> | MOTION in Limine <i>No. 3 to Exclude Any and All Testimony, Evidence and Argument Regarding Any Government Investigation of the Insurance Industry's Response to Hurricane Katrina</i> by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/08/2009)   |
| 05/08/2009 | <u>279</u> | MOTION in Limine <i>to Exclude Any and All Testimony, Evidence and Argument Regarding Insurance Claims Other Than Plaintiff's Claims Against Nationwide</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Gibbes, Laura) (Entered: 05/08/2009)   |
| 05/08/2009 | <u>278</u> | MOTION in Limine <i>No. 1 to Exclude Evidence, Testimony or Argument That Plaintiff's Property Was Destroyed Solely By Wind</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Gibbes, Laura) (Entered: 05/08/2009)   |
| 05/08/2009 | <u>277</u> | MOTION to Stay <i>Proceeding</i> by Helen Politz (Carter, Kristopher) (Entered: 05/08/2009)  |
| 05/08/2009 | <u>276</u> | MOTION in Limine <i>to Exclude Nationwide's DX288 and DX289</i> by Helen Politz (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Carter, Kristopher) (Entered: 05/08/2009)  |
| 05/08/2009 | <u>275</u> | MOTION in Limine <i>to Exclude Testimony or Evidence by the Flood Adjusters and to Exclude the Flood Claim File in the Faulk Claim</i> by Helen Politz (Carter, Kristopher) (Entered: 05/08/2009)  |
| 05/08/2009 | <u>274</u> | MOTION in Limine <i>to Exclude Testimony or Evidence by Physicians Mace, Sieden, Eckholdt or Bernstein</i> by Helen Politz (Carter, Kristopher) (Entered: 05/08/2009)  |
| 05/08/2009 | <u>273</u> | MOTION in Limine <i>to Exclude Testimony or Evidence by Nationwides Adjusters as to Causation or Valuation of Property</i> by Helen Politz (Carter, Kristopher) (Entered: 05/08/2009)  |
| 05/08/2009 | <u>272</u> | MOTION in Limine <i>to Exclude Testimony or Evidence Relating to the Mississippi Development Authority Grant</i> by Helen Politz (Carter, Kristopher) (Entered: 05/08/2009)  |
| 05/08/2009 | <u>271</u> | MOTION in Limine <i>to Exclude Evidence, Testimony or Argument By Nationwide That Plaintiff's Property was Destroyed Solely By Excluded Flood Damage, or by any Other Excluded Peril</i> by Helen Politz (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, # <u>9</u> Exhibit I)(Carter, Kristopher) (Entered: 05/08/2009) |
| 05/08/2009 | <u>270</u> | REVISED PRETRIAL MEMORANDUM: Pretrial Order Reminder; also for Trial, exhibits and witness lists to be submitted to Court as described therein. (Peters, Catherine) (Entered: 05/08/2009)  |
| 04/29/2009 |            | DOCKET ANNOTATION as to #269 – Incorrect linkage made. Reply to Response to Motion should be linked to Motion for Clarification #257. All related filings to   |

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|            |            | <p>motions (using the "Responses and Replies" Category, with the exception of "Response to Order") should be linked back to the original motion. Court staff has corrected linkage. (PKS) (Entered: 04/29/2009)</p>   |
| 04/28/2009 | <u>269</u> | <p>REPLY to Response to Motion re <u>267</u> Response in Opposition to Motion, <u>257</u> for <i>Reconsideration and/or Clarification</i> filed by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 04/28/2009)</p>   |
| 04/24/2009 | <u>268</u> | <p>NOTICE of Service for Proof of loss and Affidavit for Additional Living Expenses by Helen Politz (Carter, Kristopher) (Entered: 04/24/2009)</p>  |
| 04/23/2009 | <u>267</u> | <p>RESPONSE in Opposition re <u>257</u> MOTION to Clarify <u>253</u> Order on Motion to Strike,,,, Order on Motion for Summary Judgment,,, <u>252</u> Memorandum &amp; Opinion, and/or MOTION for Reconsideration filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 04/23/2009)</p>  |
| 04/15/2009 | <u>266</u> | <p>Subpoena Returned Executed as to Dr. George Sieden. (Gibbes, Laura) (Entered: 04/15/2009)</p>  |
| 04/10/2009 |            | <p>DOCKET ANNOTATION as to #262 – Document is executed as to George Eckholdt and not George Sieden. Document is a duplicate filing of document #264. Attorney is advised to refile subpoena as to George Sieden. (PKS) (Entered: 04/10/2009)</p>  |
| 04/09/2009 | <u>265</u> | <p>RESPONSE in Opposition re <u>258</u> MOTION for Summary Judgment (<i>Supplemental</i>) MOTION for Summary Judgment (<i>Supplemental</i>) MOTION for Summary Judgment (<i>Supplemental</i>) MOTION for Summary Judgment (<i>Supplemental</i>) and <u>259</u> Memorandum of Authorities in Support of Nationwide Mutual Insurance Company's Supplemental Motion for Summary Judgment filed by Helen Politz (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)(Carter, Kristopher) (Entered: 04/09/2009)</p> |
| 04/09/2009 | <u>264</u> | <p>Subpoena Returned Executed as to Dr. Gregory Eckholdt. (Gibbes, Laura) (Entered: 04/09/2009)</p>   |
| 04/09/2009 | <u>263</u> | <p>Subpoena Returned Executed as to Dr. James Mace. (Gibbes, Laura) (Entered: 04/09/2009)</p>   |
| 04/09/2009 | <u>262</u> | <p>Subpoena Returned Executed as to Dr. George Sieden. (Gibbes, Laura) (Entered: 04/09/2009)</p>  |
| 04/09/2009 | <u>261</u> | <p>Subpoena Returned Executed as to Dr. Marc Bernstein. (Gibbes, Laura) (Entered: 04/09/2009)</p>   |
| 04/09/2009 | <u>260</u> | <p>Subpoena Returned Executed as to Dr. Mark Babo. (Gibbes, Laura) (Entered: 04/09/2009)</p>  |
| 04/07/2009 | <u>259</u> | <p>MEMORANDUM in Support re <u>258</u> MOTION for Summary Judgment (<i>Supplemental</i>) filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) Modified on 4/8/2009 to correct text(PKS). (Entered: 04/07/2009)</p>   |
| 04/07/2009 | <u>258</u> | <p>MOTION for Summary Judgment (<i>Supplemental</i>) by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 27, # <u>2</u> Exhibit 28 Part 1, # <u>3</u> Exhibit 28 Part 2, # <u>4</u> Exhibit 28 Part 3, # <u>5</u> Exhibit 28 Part 4, # <u>6</u> Exhibit 28 Part 5, # <u>7</u> Exhibit Ex 6 Part 7, # <u>8</u> Exhibit 28 Part 7, # <u>9</u> Exhibit 29, # <u>10</u> Exhibit 30 Part 1, #</p>   |

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|            |            | <u>11</u> Exhibit 30 Part 2, # <u>12</u> Exhibit 30 Part 3, # <u>13</u> Exhibit 30 Part 4, # <u>14</u> Exhibit 30 Part 5, # <u>15</u> Exhibit 30 Part 6, # <u>16</u> Exhibit 30 Part 7, # <u>17</u> Exhibit 30 Part 8, # <u>18</u> Exhibit 30 Part 9, # <u>19</u> Exhibit 31, # <u>20</u> Exhibit 32, # <u>21</u> Exhibit 33, # <u>22</u> Exhibit 34, # <u>23</u> Exhibit 35, # <u>24</u> Exhibit 36, # <u>25</u> Exhibit 37, # <u>26</u> Exhibit 38, # <u>27</u> Exhibit 39, # <u>28</u> Exhibit 40, # <u>29</u> Exhibit 41, # <u>30</u> Exhibit 42)(Gibbes, Laura) (Entered: 04/07/2009)  |
| 04/06/2009 | <u>257</u> | MOTION to Clarify <u>253</u> Order on Motion to Strike,,,, Order on Motion for Summary Judgment,,, <u>252</u> Memorandum & Opinion, <i>and/or</i> , MOTION for Reconsideration by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 04/06/2009)  |
| 03/30/2009 | <u>256</u> | Subpoena Returned Executed as to Ann Faulk. (Gibbes, Laura) (Entered: 03/30/2009)   |
| 03/30/2009 | <u>255</u> | Subpoena Returned Unexecuted as to Katherine Campbell. (Gibbes, Laura) (Entered: 03/30/2009)  |
| 03/30/2009 | <u>254</u> | Subpoena Returned Unexecuted as to Ann Faulk. (Gibbes, Laura) (Entered: 03/30/2009)   |
| 03/27/2009 | <u>253</u> | ORDER GRANTING IN PART AND DENYING IN PART THE DEFENDANT'S MOTIONS FOR SUMMARY JUDGMENT AND TO STRIKE PLAINTIFFS' CLAIMS FOR EMOTIONAL DISTRESS granting in part and denying in part <u>110</u> Motion to Strike; granting in part and denying in part <u>158</u> Motion for Summary Judgment. Motion <u>110</u> is GRANTED as to any evidence that Mrs. Politz's heart condition or "depression" was caused by Nationwide's actions in adjusting the Politz's claim and as to any evidence that Nationwide's actions caused Mr. Politz's hypertension, diabetes, anxiety, claustrophobia, depression, or his death from osteomyelitis. In all other respects, this motion is DENIED. motion <u>158</u> for summary judgment is GRANTED IN PART and DENIED IN PART. The motion is GRANTED as to the coverage for "other structures." In all other respects the motion is DENIED. Signed by Senior Judge L. T. Senter, Jr, on 03/27/2009 (kbo) (Entered: 03/27/2009) |
| 03/27/2009 | <u>252</u> | MEMORANDUM OPINION ON DEFENDANT'S MOTIONS FOR SUMMARY JUDGMENT AND TO STRIKE PLAINTIFFS' CLAIMS FOR EMOTIONAL DISTRESS re Nationwide Mutual Fire Insurance Company's motion <u>158</u> for summary judgment and its motion <u>110</u> to strike the plaintiffs' claims for emotional distress. Signed by Senior Judge L. T. Senter, Jr, on 03/27/2009 (kbo) (Entered: 03/27/2009)   |
| 03/23/2009 |            | Pro Hac Vice fee paid by (Sean M. McEldowney) \$100.00, receipt number B029569 (PKS) (Entered: 03/23/2009)  |
| 03/20/2009 | <u>251</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Marc Bernstein by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 03/20/2009)   |
| 03/20/2009 | <u>250</u> | NOTICE to Take Deposition of Dr. Marc Bernstein by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 03/20/2009)   |

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| 03/20/2009 | <u>249</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. James Mace by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 03/20/2009)   |
| 03/20/2009 | <u>248</u> | NOTICE to Take Deposition of Dr. James Mace by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 03/20/2009)   |
| 03/18/2009 | <u>247</u> | NOTICE to Take Deposition of Dr. George Sieden by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 03/18/2009)  |
| 03/18/2009 | <u>246</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. George Sieden by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 03/18/2009)  |
| 03/18/2009 | <u>245</u> | NOTICE to Take Deposition of Helen Politz (RE-NOTICE) by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 03/18/2009)   |
| 03/18/2009 | <u>244</u> | Subpoena Returned Executed as to Dr. Mark Babo. (Gibbes, Laura) (Entered: 03/18/2009)   |
| 03/16/2009 | <u>243</u> | NOTICE to Take Deposition of Helen Politz by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 03/16/2009)   |
| 03/13/2009 | <u>242</u> | ORDER finding as moot <u>197</u> Motion to Strike untimely expert disclosures/designations. Signed by Magistrate Judge Robert H. Walker on March 13, 2009. (Joffe, Scherry) (Entered: 03/13/2009)   |
| 03/13/2009 | <u>241</u> | NOTICE to Take Deposition of Dr. Gregory Eckholdt by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 03/13/2009)   |
| 03/13/2009 | <u>240</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Gregory Eckholdt by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 03/13/2009)   |
| 03/13/2009 | <u>239</u> | NOTICE to Take Deposition of Dr. Mark Babo (Re-Notice) by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 03/13/2009)  |
| 03/13/2009 | <u>238</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Mark Babo by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 03/13/2009)  |
| 03/13/2009 | <u>237</u> | ORDER granting <u>236</u> Motion to Appear Pro Hac Vice. Sean M. McEldowney shall be admitted pro hac vice to serve as co-counsel for the defendant Nationwide Mutual Fire Insurance Company. Signed by Magistrate Judge Robert H. Walker on March 13, 2009. (Joffe, Scherry) (Entered: 03/13/2009) |
| 03/13/2009 | <u>236</u> | MOTION for Sean M. McEldowney to Appear Pro Hac Vice by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit 1)(Gibbes, Laura) (Entered: 03/13/2009)   |

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| 03/13/2009 | <u>235</u> | NOTICE to Take Deposition of Darrell Ryan by Nationwide Mutual Fire Insurance Company (Bailey, F.) (Entered: 03/13/2009)  |
| 03/12/2009 | <u>234</u> | Subpoena Returned Executed as to Garden Park Medical Center. (Gibbes, Laura) (Entered: 03/12/2009)  |
| 03/12/2009 | <u>233</u> | Subpoena Returned Executed as to Dr. James Mace. (Gibbes, Laura) (Entered: 03/12/2009)  |
| 03/12/2009 | <u>232</u> | Subpoena Returned Executed as to Dr. Marc Bernstein. (Gibbes, Laura) (Entered: 03/12/2009)  |
| 03/12/2009 | <u>231</u> | Subpoena Returned Executed as to Dr. Gregory Eckholdt. (Gibbes, Laura) (Entered: 03/12/2009)  |
| 03/12/2009 | <u>230</u> | Subpoena Returned Executed as to Dr. Matti Palo. (Gibbes, Laura) (Entered: 03/12/2009)  |
| 03/12/2009 | <u>229</u> | Subpoena Returned Executed as to Dr. Mark Babo. (Gibbes, Laura) (Entered: 03/12/2009)   |
| 03/12/2009 | <u>228</u> | Subpoena Returned Executed as to Dr. Gregory Eckholdt. (Gibbes, Laura) (Entered: 03/12/2009)  |
| 03/12/2009 | <u>227</u> | Subpoena Returned Executed as to Dr. James Mace. (Gibbes, Laura) (Entered: 03/12/2009)  |
| 03/12/2009 | <u>226</u> | Subpoena Returned Executed as to Dr. Marc Bernstein. (Gibbes, Laura) (Entered: 03/12/2009)  |
| 03/12/2009 | <u>225</u> | Subpoena Returned Executed as to Dr. Marc Bernstein. (Gibbes, Laura) (Entered: 03/12/2009)  |
| 03/12/2009 | <u>224</u> | Subpoena Returned Executed as to Dr. George Sieden. (Gibbes, Laura) (Entered: 03/12/2009)   |
| 03/12/2009 | <u>223</u> | Subpoena Returned Executed as to Dr. James Mace. (Gibbes, Laura) (Entered: 03/12/2009)  |
| 03/12/2009 | <u>222</u> | Subpoena Returned Executed as to Slidell Memorial Hospital. (Gibbes, Laura) (Entered: 03/12/2009)   |
| 03/10/2009 | <u>221</u> | NOTICE to Take Deposition of Chance Brandt by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 03/10/2009)  |
| 03/09/2009 |            | TEXT ONLY ORDER granting <u>220</u> unopposed Motion to take depositions out of time. The Nationwide defendants are granted permission to depose Dr. Babo and Dr. Eckholdt out of time. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on March 9, 2009. (Joffe, Scherry) (Entered: 03/09/2009) |
| 03/06/2009 | <u>220</u> | MOTION to Take Depositions out of Time by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 03/06/2009)  |
| 03/04/2009 | <u>219</u> | NOTICE to Take Deposition of Ann Faulk by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 03/04/2009)  |
| 03/04/2009 | <u>218</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Ann Faulk by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 03/04/2009)  |
| 03/04/2009 | <u>217</u> | RESPONSE in Opposition re <u>197</u> MOTION to Strike <i>Untimely Expert Disclosures</i> filed by Helen Politz (Carter,   |

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|            |            | Kristopher) (Entered: 03/04/2009)   |
| 03/03/2009 | <u>216</u> | NOTICE to Take Deposition of Dr. Mark Babo by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 03/03/2009)  |
| 03/03/2009 | <u>215</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Mark Babo by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 03/03/2009)              |
| 03/02/2009 | <u>214</u> | NOTICE Pursuant to F.R.Civ.P.45 of Intent to Serve a Subpoena on a Non-Party, FARA Catastrophe Services, LLC by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 03/02/2009) |
| 03/02/2009 | <u>213</u> | Subpoena Returned Executed as to Ann Faulk. (Gibbes, Laura) (Entered: 03/02/2009)   |
| 03/02/2009 | <u>212</u> | Subpoena Returned Executed as to Katherine Campbell. (Gibbes, Laura) (Entered: 03/02/2009)  |
| 02/27/2009 | <u>211</u> | Subpoena Returned Executed as to Jody Entrekin. (Gibbes, Laura) (Entered: 02/27/2009)   |
| 02/27/2009 | <u>210</u> | Subpoena Returned Executed as to Terri Strauss Gandour. (Gibbes, Laura) (Entered: 02/27/2009)   |
| 02/27/2009 | <u>209</u> | Subpoena Returned Executed as to Dr. Matti Palo. (Gibbes, Laura) (Entered: 02/27/2009)  |
| 02/27/2009 | <u>208</u> | Subpoena Returned Executed as to Dr. Mark Babo. (Gibbes, Laura) (Entered: 02/27/2009)   |
| 02/27/2009 | <u>207</u> | Subpoena Returned Executed as to Dr. Gregory Eckholdt. (Gibbes, Laura) (Entered: 02/27/2009)  |
| 02/27/2009 | <u>206</u> | Subpoena Returned Executed as to Chance Brandt. (Gibbes, Laura) (Entered: 02/27/2009)   |
| 02/27/2009 | <u>205</u> | Subpoena Returned Executed as to Dr. James Mace. (Gibbes, Laura) (Entered: 02/27/2009)  |
| 02/27/2009 | <u>204</u> | Subpoena Returned Executed as to Carl Hamilton. (McMurtray, Janet) (Entered: 02/27/2009)  |
| 02/27/2009 | <u>203</u> | Subpoena Returned Executed as to Kevin Taylor. (McMurtray, Janet) (Entered: 02/27/2009)   |
| 02/26/2009 | <u>202</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Slidell Memorial Hospital by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/26/2009)  |
| 02/25/2009 | <u>201</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Gregory Eckholdt by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/25/2009)       |
| 02/25/2009 | <u>200</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Mark Babo by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/25/2009)              |
| 02/25/2009 | <u>199</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Matti Palo by Nationwide  |

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|            |            | Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/25/2009)   |
| 02/18/2009 | <u>198</u> | NOTICE of Receipt of Deposition of Roger Woods by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 02/18/2009)   |
| 02/17/2009 | <u>197</u> | MOTION to Strike <i>Untimely Expert Disclosures</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Gibbes, Laura) (Entered: 02/17/2009)   |
| 02/16/2009 | <u>196</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Marc Bernstein by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/16/2009)  |
| 02/16/2009 | <u>195</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. James Mace by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/16/2009)  |
| 02/16/2009 | <u>194</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Gregory Eckholdt by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/16/2009)  |
| 02/13/2009 | <u>193</u> | ORDER granting in part and denying in part Nationwide's <u>100</u> Motion to Dismiss for Failure to Substitute Proper Parties; denying Plaintiff's <u>137</u> Motion for Leave to File Sur-rebuttal with respect to Nationwide's <u>100</u> Motion to Dismiss for Failure to Substitute Proper Parties. Signed by Senior Judge L. T. Senter, Jr, on 02/13/2009 (kbo) (Entered: 02/13/2009) |
| 02/05/2009 | <u>192</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Kevin Taylor, by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(McMurtray, Janet) (Entered: 02/05/2009)  |
| 02/05/2009 | <u>191</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Carl Hamilton, by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(McMurtray, Janet) (Entered: 02/05/2009)   |
| 02/04/2009 | <u>190</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Ms. Ann Faulk, by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(McMurtray, Janet) (Entered: 02/04/2009)   |
| 02/03/2009 | <u>189</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Katherine Campbell by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/03/2009)  |
| 02/03/2009 | <u>188</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Jody Entekin by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/03/2009)  |
| 02/03/2009 | <u>187</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Terri Gandor by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit  |

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|            |            | A)(Gibbes, Laura) (Entered: 02/03/2009)  |
| 02/03/2009 | <u>186</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Chance Brandt by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/03/2009)                                     |
| 02/03/2009 | <u>185</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. James Mace by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/03/2009)                                    |
| 02/03/2009 | <u>184</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. James Mace by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/03/2009)                                    |
| 02/03/2009 | <u>183</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. James Mace by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/03/2009)                                    |
| 02/03/2009 | <u>182</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. James Mace by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/03/2009)                                    |
| 02/03/2009 | <u>181</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Garden Park Medical Center by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/03/2009)                        |
| 02/03/2009 | <u>180</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Marc Bernstein by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/03/2009)                                |
| 02/03/2009 | <u>179</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Marc M. Bernstein by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/03/2009)                             |
| 02/03/2009 | <u>178</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. George Sieden by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 02/03/2009)                                 |
| 02/03/2009 | <u>177</u> | REPLY to Response to Motion re <u>168</u> Memorandum in Opposition to Motion, <u>167</u> Response in Opposition to Motion, for Estoppel filed by John Politz, Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 02/03/2009) |
| 01/30/2009 | <u>176</u> | NOTICE to Take Deposition of Roger Woods by Helen Politz (Carter, Kristopher) (Entered: 01/30/2009)  |
| 01/30/2009 | <u>175</u> | NOTICE of Service of Response to Interrogatories by Helen Politz (Carter, Kristopher) (Entered: 01/30/2009)  |



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| 01/30/2009 | <u>174</u> | NOTICE of Service of Disclosure by Helen Politz (Carter, Kristopher) (Entered: 01/30/2009)  |
| 01/29/2009 | <u>173</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Matti Palo by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 01/29/2009)   |
| 01/29/2009 | <u>172</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Mark Babo by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 01/29/2009)  |
| 01/29/2009 | <u>171</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Gregory Eckholdt by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 01/29/2009)   |
| 01/28/2009 |            | RESET HEARING: JURY TRIAL RESET for 6/22/2009, 10:00 A.M., before District Judge L. T. Senter Jr. (Peters, Catherine) (Entered: 01/28/2009)   |
| 01/27/2009 |            | Minute Entry for proceedings held before Magistrate Judge Robert H. Walker: Telephonic Status Conference held on 1/27/2009. (JR) (Entered: 02/03/2009)  |
| 01/27/2009 |            | Set/Reset Scheduling Order Deadlines: Discovery due by 3/31/2009 --- discovery is extended only for the limited purposes set out in <u>170</u> order regarding discovery entered this date. (Joffe, Scherry) (Entered: 01/27/2009)  |
| 01/27/2009 | <u>170</u> | ORDER REGARDING ADDITIONAL DISCOVERY. Signed by Magistrate Judge Robert H. Walker on January 27, 2009. (Joffe, Scherry) (Entered: 01/27/2009)   |
| 01/27/2009 |            | NOTICE of Hearing:Telephonic Status Conference set for 1/27/2009 01:30 PM before Magistrate Judge Robert H. Walker to discuss scheduling order deadlines. Attorney Schultz has agreed to place the call to Judge Walker's Chambers with all necessary counsel on the line.(JR) (Entered: 01/27/2009)  |
| 01/26/2009 | <u>169</u> | RESPONSE in Opposition re <u>158</u> MOTION for Summary Judgment and <u>159</u> Memorandum filed by Helen Politz (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B (pages 1-125), # <u>3</u> Exhibit B (pages 126-251), # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J - Bidy report, # <u>12</u> Exhibit J - Bidy report, App. A, # <u>13</u> Exhibit J - Bidy report, App. B1, # <u>14</u> Exhibit J - Bidy report, App. B2, # <u>15</u> Exhibit J - Bidy report, App. B2, # <u>16</u> Exhibit J - Bidy report, App. B2, # <u>17</u> Exhibit J - Bidy report, App. B2, # <u>18</u> Exhibit J - Bidy report, App. B2, # <u>19</u> Exhibit J - Bidy report, App. C,D, # <u>20</u> Exhibit J - Bidy report, App. D, # <u>21</u> Exhibit J - Bidy report, App. E, # <u>22</u> Exhibit J - Bidy report, App. E, # <u>23</u> Exhibit J - Bidy report, App. E, # <u>24</u> Exhibit J - Bidy report, App. F-I, # <u>25</u> Exhibit K, # <u>26</u> Exhibit L, # <u>27</u> Exhibit M, # <u>28</u> Exhibit N)(Carter, Kristopher) (Entered: 01/26/2009) |
| 01/26/2009 | <u>168</u> | MEMORANDUM in Opposition re <u>157</u> MOTION For Estoppel filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 01/26/2009)  |
| 01/26/2009 | <u>167</u> | RESPONSE in Opposition re <u>157</u> MOTION For Estoppel filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3,  |

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|            |            | Part 1, # <u>4</u> Exhibit 3, Part 2, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, Part 1, # <u>17</u> Exhibit 15, Part 2)(Gibbes, Laura) (Entered: 01/26/2009)  |
| 01/26/2009 |            | RESET HEARINGS: FINAL PRETRIAL CONFERENCE RESET for 5/18/2009, 1:30 P.M., before District Judge L. T. Senter Jr. JURY TRIAL RESET for 6/8/2009, 10:00 A.M., before District Judge L. T. Senter Jr. ETT: 3-5 DAYS. Pretrial Order to submitted to Court one week prior PTC, via email to senter_chambers@mssd.uscourts.gov, in Word Perfect format. (Peters, Catherine) (Entered: 01/26/2009)   |
| 01/26/2009 | <u>166</u> | ORDER granting Plaintiff's <u>108</u> Motion to Supplement the expert report of Ted Biddy; denying Nationwide's <u>117</u> Motion to Strike Plaintiff's Supplemental Pre-discovery Disclosures, without prejudice to Nationwide's ability to pursue the exclusion of evidence which may arise; granting in part and denying in part Plaintiff's <u>136</u> Motion for Extension of Time to Complete Discovery and Supplement Pre-discovery Disclosures. The trial of this cause of action is hereby CONTINUED to June 8, 2009, and there shall be no further continuances. This matter is referred to the Magistrate Judge for proceedings consistent with the order. Signed by Senior Judge L. T. Senter, Jr, on 01/26/2009 (kbo) (Entered: 01/26/2009) |
| 01/22/2009 | <u>165</u> | PRETRIAL MEMORANDUM: Pretrial Order Status; also for Trial, exhibits and witness list to be submitted to Court as described therein. (Peters, Catherine) (Entered: 01/22/2009)   |
| 01/15/2009 |            | Pro Hac Vice fee paid by Christian Schultz \$ 100, receipt number B029210; by Robert Gilmore \$ 100, receipt number B029211. (avm) (Entered: 01/15/2009)   |
| 01/09/2009 | <u>164</u> | REPLY to Response to Motion re <u>125</u> MOTION for Judicial Estoppel filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 10)(Gibbes, Laura) (Entered: 01/09/2009)   |
| 01/09/2009 | <u>163</u> | REPLY to Response to Motion re <u>132</u> MOTION to Strike <i>the Expert Report and Testimony of Ted L. Biddy</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 18, # <u>2</u> Exhibit 19, Part 1, # <u>3</u> Exhibit 19, Part 2, # <u>4</u> Exhibit 19, Part 3, # <u>5</u> Exhibit 19, Part 4, # <u>6</u> Exhibit 20, # <u>7</u> Exhibit 21, # <u>8</u> Exhibit 22, Part 1, # <u>9</u> Exhibit 22, Part 2, # <u>10</u> Exhibit 22, Part 3, # <u>11</u> Exhibit 22, Part 4, # <u>12</u> Exhibit 23, # <u>13</u> Exhibit 24, # <u>14</u> Exhibit 25)(Gibbes, Laura) (Entered: 01/09/2009)  |
| 01/09/2009 | <u>162</u> | REPLY to Response to Motion re <u>130</u> MOTION to Strike <i>the Expert Report and Testimony of Wayne Hudson</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 5, # <u>2</u> Exhibit 6, # <u>3</u> Exhibit 7, # <u>4</u> Exhibit 8)(Gibbes, Laura) (Entered: 01/09/2009)   |
| 01/09/2009 | <u>161</u> | REPLY to Response to Motion re <u>128</u> MOTION to Exclude <i>Opinions and Testimony of Rocco Calaci</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, Part 1, # <u>4</u> Exhibit 3, Part 2, # <u>5</u> Exhibit 3, Part 3)(Gibbes, Laura) (Entered: 01/09/2009)   |

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| 01/08/2009 | <u>160</u> | NOTICE of Receipt of Deposition of Joseph Bryan Phillips by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 01/08/2009)   |
| 01/07/2009 | <u>159</u> | MEMORANDUM in Support re <u>158</u> MOTION for Summary Judgment filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 01/07/2009)  |
| 01/07/2009 | <u>158</u> | MOTION for Summary Judgment by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5 Part 1, # <u>6</u> Exhibit 5 Part 2, # <u>7</u> Exhibit 5 Part 3, # <u>8</u> Exhibit 5 Part 4, # <u>9</u> Exhibit 5 Part 5, # <u>10</u> Exhibit 5 Part 6, # <u>11</u> Exhibit 5 Part 7, # <u>12</u> Exhibit 6 Part 1, # <u>13</u> Exhibit 6 Part 2, # <u>14</u> Exhibit 7, # <u>15</u> Exhibit 8, # <u>16</u> Exhibit 9, # <u>17</u> Exhibit 10, # <u>18</u> Exhibit 11, # <u>19</u> Exhibit 12, # <u>20</u> Exhibit 13, # <u>21</u> Exhibit 14, # <u>22</u> Exhibit 15, # <u>23</u> Exhibit 16, # <u>24</u> Exhibit 17, # <u>25</u> Exhibit 18, # <u>26</u> Exhibit 19, # <u>27</u> Exhibit 20, # <u>28</u> Exhibit 21, # <u>29</u> Exhibit 22, # <u>30</u> Exhibit 23, # <u>31</u> Exhibit 24, # <u>32</u> Exhibit 25, # <u>33</u> Exhibit 26)(Gibbes, Laura) (Entered: 01/07/2009) |
| 01/07/2009 | <u>157</u> | MOTION For Estoppel by Helen Politz (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)(Carter, Kristopher) (Entered: 01/07/2009)  |
| 12/24/2008 |            | NOTICE of HEARINGS: FINAL PRETRIAL CONFERENCE SET for 2/10/2009, 1:30 P.M., before District Judge L. T. Senter Jr. JURY TRIAL SET for 3/23/2009, 10:00 A.M., before District Judge L. T. Senter Jr. Pretrial Order to be submitted to the Court one week prior PTC, via email to senter_chambers@mssd.uscourts.gov, in Word Perfect format. (Peters, Catherine) (Entered: 12/24/2008)  |
| 12/23/2008 |            | TEXT ONLY ORDER granting <u>156</u> Motion for Extension of Time to File Response/Reply re <u>132</u> MOTION to Strike <i>the Expert Report and Testimony of Ted L. Bidy</i> , <u>125</u> MOTION for Judicial Estoppel, <u>128</u> MOTION to Exclude <i>Opinions and Testimony of Rocco Calaci</i> , and <u>130</u> MOTION to Strike <i>the Expert Report and Testimony of Wayne Hudson</i> . The respective Replies shall be due no later than 1/9/2009. NO FURTHER WRITTEN ORDER SHALL ISSUE. Signed by District Judge L. T. Senter, Jr., on December 23, 2008. (Cochran, Ronald) (Entered: 12/23/2008)  |
| 12/23/2008 | <u>156</u> | MOTION for Extension of Time to File Response/Reply as to <u>125</u> MOTION for Judicial Estoppel, <u>132</u> MOTION to Strike <i>the Expert Report and Testimony of Ted L. Bidy</i> , <u>130</u> MOTION to Strike <i>the Expert Report and Testimony of Wayne Hudson</i> , <u>128</u> MOTION to Exclude <i>Opinions and Testimony of Rocco Calaci</i> by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 12/23/2008)   |
| 12/22/2008 | <u>155</u> | Response in Opposition re <u>125</u> MOTION for Judicial Estoppel by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # Exhibit 5, # Exhibit 6, # Exhibit 7, # Exhibit 8, # Exhibit 9)(Gibbes, Laura) filed by Helen Politz (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Carter, Kristopher) (Entered: 12/22/2008)  |
| 12/22/2008 | <u>154</u> | Response in Opposition re <u>132</u> MOTION to Strike <i>the Expert Report and Testimony of Ted L. Bidy</i> by Nationwide Mutual Fire Insurance Company  |

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|            |            | (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 Part 1, # <u>3</u> Exhibit 2 Part 2, # <u>4</u> Exhibit 2 Part 3, # <u>5</u> Exhibit 2 Part 4, # <u>6</u> Exhibit 2 Part 5, # <u>7</u> Exhibit 2 Part 6, # <u>8</u> Exhibit 2 Part 7, # <u>9</u> Exhibit 3 Part 1, # <u>10</u> Exhibit 3 Part 2, # Exhibit 4, # Exhibit 5, # Exhibit 6 Part 1, # Exhibit 6 Part 2, # Exhibit 7 Part 1, # Exhibit 7 Part 2, # Exhibit 7 Part 3, # Exhibit 7 Part 4, # Exhibit 7 Part 5, # Exhibit 8 Part 1, # Exhibit 8 Part 2, # Exhibit 8 Part 3, # Exhibit 8 Part 4, # Exhibit 8 Part 5, # Exhibit 8 Part 6, # Exhibit 9 Part 1, # Exhibit 9 Part 2, # Exhibit 9 Part 3, # Exhibit 9 Part 4, # Exhibit 9 Part 5, # Exhibit 10 Part 1, # Exhibit 10 Part 2, # Exhibit 10 Part 3, # Exhibit 10 Part 4, # Exhibit 10 Part 5, # Exhibit 11 Part 1, # Exhibit 11 Part 2, # Exhibit 11 Part 3, # Exhibit 12 Part 1, # Exhibit 12 Part 2, # Exhibit 12 Part 3, # Exhibit 12 Part 4, # Exhibit 12 Part 5, # Exhibit 12 Part 6, # Exhibit 12 Part 7, # Exhibit 13 Part 1, # Exhibit 13 Part 2, # Exhibit 14 Part 1, # Exhibit 14 Part 2, # Exhibit 15, # Exhibit 16, # Exhibit 17)(Gibbes, Laura), <u>133</u> MEMORANDUM in Support re <u>132</u> MOTION to Strike <i>the Expert Report and Testimony of Ted L. Biddy</i> filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) filed by Helen Politz (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, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Carter, Kristopher) (Entered: 12/22/2008) |
| 12/22/2008 | <u>153</u> | Response in Opposition re <u>130</u> MOTION to Strike <i>the Expert Report and Testimony of Wayne Hudson</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Gibbes, Laura), <u>131</u> MEMORANDUM in Support re <u>130</u> MOTION to Strike <i>the Expert Report and Testimony of Wayne Hudson</i> filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) filed by Helen Politz (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Carter, Kristopher) (Entered: 12/22/2008)  |
| 12/22/2008 | <u>152</u> | RESPONSE in Opposition re <u>128</u> MOTION to Exclude <i>Opinions and Testimony of Rocco Calaci and 129 Memorandum in Support of Motion to Exclude</i> filed by Helen Politz (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Carter, Kristopher) (Entered: 12/22/2008)  |
| 12/18/2008 | <u>151</u> | RESPONSE in Opposition re <u>137</u> MOTION for Leave to File <i>Sur- Rebuttal to Nationwide's 124 Rebuttal re 100 Motion to Dismiss for Failure to Substitute Proper Parties</i> filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 12/18/2008)  |
| 12/18/2008 |            | TEXT ONLY ORDER finding as moot <u>143</u> Motion for Protective Order; finding as moot <u>143</u> Motion to prevent deposition of James Schoreder on December 16, 2008. The deposition did not go forward. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on December 18, 2008. (Joffe, Scherry) (Entered: 12/18/2008)  |
| 12/17/2008 | <u>150</u> | Response in Opposition re <u>136</u> MOTION for Extension of Time to Complete Discovery ( <i>Motion to Supplement Pre-Discovery Disclosures and For an Extension of the Discovery Deadline</i> ) by Helen Politz (Carter, Kristopher) filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, #  |

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|            |            | <u>4</u> Exhibit 4)(Gibbes, Laura) (Entered: 12/17/2008)   |
| 12/15/2008 | <u>149</u> | Rebuttal re <u>117</u> MOTION to Strike <u>101</u> Notice of Service of Disclosure filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 12/15/2008)   |
| 12/11/2008 | <u>148</u> | REPLY to Response to Motion re <u>110</u> MOTION to Strike <i>Plaintiff's Claim for Emotional Distress</i> filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 12/11/2008)   |
| 12/11/2008 | <u>147</u> | ORDER denying <u>127</u> Motion to Clarify; denying <u>127</u> Motion for Reconsideration re <u>123</u> Order on Motion for Extension of Time to Complete Discovery. Signed by Magistrate Judge Robert H. Walker on December 11, 2008. (Joffe, Scherry) (Entered: 12/11/2008)  |
| 12/10/2008 | <u>146</u> | Supplemental NOTICE of Service of Response to Request for Production by U.S. Small Business Administration (Lindsey, Crockett) (Entered: 12/10/2008)   |
| 12/10/2008 | <u>145</u> | Supplemental NOTICE of Service of Response to Interrogatories by U.S. Small Business Administration (Lindsey, Crockett) (Entered: 12/10/2008)  |
| 12/09/2008 |            | TEXT ONLY ORDER granting Plaintiffs' <u>141</u> Motion for Extension of Time to File Response/Reply re <u>132</u> MOTION to Strike <i>the Expert Report and Testimony of Ted L. Bidy</i> , <u>125</u> MOTION for Judicial Estoppel, <u>128</u> MOTION to Exclude <i>Opinions and Testimony of Rocco Calaci</i> , <u>130</u> MOTION to Strike <i>the Expert Report and Testimony of Wayne Hudson</i> . Plaintiffs' Responses shall be due no later than 12/22/2008. This order only applies to Plaintiffs' request for an extension of time to file responses; Defendants shall be required to file their own request for any extension of time to file replies. NO FURTHER WRITTEN ORDER SHALL ISSUE. Signed by District Judge L. T. Senter, Jr., on December 9, 2008. (Cochran, Ronald) (Entered: 12/09/2008) |
| 12/09/2008 | <u>144</u> | NOTICE of Service of Disclosure by Helen Politz (Carter, Kristopher) (Entered: 12/09/2008)   |
| 12/08/2008 |            | Minute Entry for proceedings held before Magistrate Judge Robert H. Walker: Settlement Conference held on 12/8/2008. Case did not settle. (JR) (Entered: 12/09/2008)   |
| 12/08/2008 | <u>143</u> | MOTION for Protective Order <i>and Objection to Notice of Deposition of James Schroeder</i> , MOTION Prevent deposition of James Schroeder from taking place on December 16, 2008 re <u>139</u> Notice (Other), <u>140</u> Notice to Take Deposition by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 12/08/2008)   |
| 12/08/2008 | <u>142</u> | ORDER denying <u>88</u> Motion to Quash subpoenas duces tecum; denying <u>90</u> Motion to Strike supplemental pre-discovery disclosure. Signed by Magistrate Judge Robert H. Walker on December 8, 2008. (Joffe, Scherry) (Entered: 12/08/2008)   |
| 12/05/2008 | <u>141</u> | MOTION for Extension of Time to File Response/Reply as to <u>125</u> MOTION for Judicial Estoppel, <u>129</u> Memorandum in Support of Motion, <u>126</u> Memorandum in Support of Motion, <u>132</u> MOTION to Strike <i>the Expert Report and Testimony of Ted L. Bidy</i> , <u>130</u> MOTION to Strike <i>the Expert Report and Testimony of Wayne Hudson</i> , <u>128</u> MOTION to Exclude <i>Opinions and Testimony of</i>  |

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|            |            | <i>Rocco Calaci</i> , <u>133</u> Memorandum in Support of Motion, <u>131</u> Memorandum in Support of Motion by Helen Politz (Carter, Kristopher) (Entered: 12/05/2008)   |
| 12/05/2008 | <u>140</u> | NOTICE to Take Deposition of J. Daniel Schroeder by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 12/05/2008)  |
| 12/05/2008 | <u>139</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, J. Daniel Schroeder by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 12/05/2008)  |
| 12/05/2008 | <u>138</u> | RESPONSE in Opposition re <u>117</u> MOTION to Strike <u>101</u> Notice of Service of Disclosure filed by Helen Politz (Carter, Kristopher) (Entered: 12/05/2008)   |
| 12/04/2008 | <u>137</u> | MOTION for Leave to File <i>Sur-Rebuttal to Nationwide's <u>124</u> Rebuttal re <u>100</u> Motion to Dismiss for Failure to Substitute Proper Parties</i> by Helen Politz (Carter, Kristopher) (Entered: 12/04/2008)  |
| 12/03/2008 | <u>136</u> | MOTION for Extension of Time to Complete Discovery ( <i>Motion to Supplement Pre-Discovery Disclosures and For an Extension of the Discovery Deadline</i> ) by Helen Politz (Carter, Kristopher) (Entered: 12/03/2008)  |
| 12/03/2008 | <u>135</u> | RESPONSE in Opposition re <u>110</u> MOTION to Strike <i>Plaintiff's Claim for Emotional Distress</i> filed by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 12/03/2008)   |
| 12/03/2008 | <u>134</u> | Rebuttal re <u>88</u> MOTION to Quash <i>Subpoenas Duces Tecum</i> , <u>90</u> MOTION to Strike <u>61</u> Notice of Service of Disclosure ( <i>Plaintiff's Sur-Rebuttal to Nationwide's <u>114</u> Rebuttal in Support of Motion to Quash and <u>115</u> Rebuttal in Support of Motion to Strike</i> filed by Helen Politz (Carter, Kristopher) (Entered: 12/03/2008)   |
| 12/02/2008 | <u>133</u> | MEMORANDUM in Support re <u>132</u> MOTION to Strike <i>the Expert Report and Testimony of Ted L. Bidy</i> filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 12/02/2008)  |
| 12/02/2008 | <u>132</u> | MOTION to Strike <i>the Expert Report and Testimony of Ted L. Bidy</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 Part 1, # <u>3</u> Exhibit 2 Part 2, # <u>4</u> Exhibit 2 Part 3, # <u>5</u> Exhibit 2 Part 4, # <u>6</u> Exhibit 2 Part 5, # <u>7</u> Exhibit 2 Part 6, # <u>8</u> Exhibit 2 Part 7, # <u>9</u> Exhibit 3 Part 1, # <u>10</u> Exhibit 3 Part 2, # <u>11</u> Exhibit 4, # <u>12</u> Exhibit 5, # <u>13</u> Exhibit 6 Part 1, # <u>14</u> Exhibit 6 Part 2, # <u>15</u> Exhibit 7 Part 1, # <u>16</u> Exhibit 7 Part 2, # <u>17</u> Exhibit 7 Part 3, # <u>18</u> Exhibit 7 Part 4, # <u>19</u> Exhibit 7 Part 5, # <u>20</u> Exhibit 8 Part 1, # <u>21</u> Exhibit 8 Part 2, # <u>22</u> Exhibit 8 Part 3, # <u>23</u> Exhibit 8 Part 4, # <u>24</u> Exhibit 8 Part 5, # <u>25</u> Exhibit 8 Part 6, # <u>26</u> Exhibit 9 Part 1, # <u>27</u> Exhibit 9 Part 2, # <u>28</u> Exhibit 9 Part 3, # <u>29</u> Exhibit 9 Part 4, # <u>30</u> Exhibit 9 Part 5, # <u>31</u> Exhibit 10 Part 1, # <u>32</u> Exhibit 10 Part 2, # <u>33</u> Exhibit 10 Part 3, # <u>34</u> Exhibit 10 Part 4, # <u>35</u> Exhibit 10 Part 5, # <u>36</u> Exhibit 11 Part 1, # <u>37</u> Exhibit 11 Part 2, # <u>38</u> Exhibit 11 Part 3, # <u>39</u> Exhibit 12 Part 1, # <u>40</u> Exhibit 12 Part 2, # <u>41</u> Exhibit 12 Part 3, # <u>42</u> Exhibit 12 Part 4, # <u>43</u> Exhibit 12 Part 5, # <u>44</u> Exhibit 12 Part 6, # <u>45</u> Exhibit 12 Part 7, # <u>46</u> Exhibit 13 Part 1, # <u>47</u> Exhibit 13 Part 2, # <u>48</u> Exhibit 14 Part 1, # <u>49</u> Exhibit 14 Part 2, # <u>50</u> Exhibit 15, # <u>51</u> Exhibit 16, # <u>52</u> Exhibit 17)(Gibbes, |

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|            |            | Laura) (Entered: 12/02/2008)  |
| 12/01/2008 | <u>131</u> | MEMORANDUM in Support re <u>130</u> MOTION to Strike <i>the Expert Report and Testimony of Wayne Hudson</i> filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 12/01/2008)   |
| 12/01/2008 | <u>130</u> | MOTION to Strike <i>the Expert Report and Testimony of Wayne Hudson</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Gibbes, Laura) (Entered: 12/01/2008)  |
| 12/01/2008 | <u>129</u> | MEMORANDUM in Support re <u>128</u> MOTION to Exclude <i>Opinions and Testimony of Rocco Calaci</i> filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 12/01/2008)   |
| 12/01/2008 | <u>128</u> | MOTION to Exclude <i>Opinions and Testimony of Rocco Calaci</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Gibbes, Laura) (Entered: 12/01/2008)  |
| 12/01/2008 | <u>127</u> | MOTION to Clarify <u>123</u> Order on Motion to Compel,, Order on Motion for Extension of Time to Complete Discovery,, MOTION for Reconsideration " <i>Motion for Reconsideration and/or Clarification</i> " by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Denham, Earl) (Entered: 12/01/2008)  |
| 12/01/2008 |            | TEXT ONLY ORDER denying Defendant Nationwide's <u>122</u> Motion for Leave to File Excess Pages. The Court may consider allowing said Defendant some relief (upon a formal request) at a later date with respect to a reasonable length of its reply, but the original memorandum in support of a motion for summary judgment that may be filed may not exceed 35 pages. The Court will also consider making appropriate adjustments for any memoranda submitted by Plaintiff (also upon formal request) connected with a motion for summary judgment by Defendant Nationwide. NO FURTHER WRITTEN ORDER SHALL ISSUE. Signed by District Judge L. T. Senter, Jr., on December 1, 2008. (Cochran, Ronald) (Entered: 12/01/2008) |
| 11/26/2008 | <u>126</u> | MEMORANDUM in Support re <u>125</u> MOTION for Judicial Estoppel filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 11/26/2008)  |
| 11/26/2008 | <u>125</u> | MOTION for Judicial Estoppel by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Gibbes, Laura) (Entered: 11/26/2008)   |
| 11/26/2008 | <u>124</u> | Rebuttal re <u>100</u> MOTION to Dismiss <i>for Failure to Substitute Proper Parties</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 11/26/2008)   |
| 11/26/2008 |            | Set/Reset Scheduling Order Deadlines: Discovery due by 12/29/2008; Motions due by 1/7/2009.(Joffe, Scherry) (Entered: 11/26/2008)   |
| 11/26/2008 | <u>123</u> | ORDER granting <u>66</u> Motion to Compel Plaintiff to sign privacy act waiver as to SBA file; granting in part and denying in part <u>71</u> Motion for Extension of Time to   |

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|            |            | Complete Discovery. Nationwide is granted until 12/29/2008 to depose witnesses as stated in the order, and the motions deadline is extended to 1/7/2009. Signed by Magistrate Judge Robert H. Walker on November 26, 2008. (Joffe, Scherry) (Entered: 11/26/2008)  |
| 11/26/2008 |            | TEXT ONLY ORDER granting in part and denying in part <u>121</u> Motion for Leave to File surrebuttal. Plaintiff is granted until noon on 12/3/2008 to file surrebuttal re: motions <u>88</u> and <u>90</u> . NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on November 26, 2008. (Joffe, Scherry) (Entered: 11/26/2008) |
| 11/25/2008 | <u>122</u> | MOTION for Leave to File Excess Pages by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 11/25/2008)  |
| 11/25/2008 | <u>121</u> | MOTION for Leave to File <i>Sur-Rebuttal to Nationwide's <u>114</u> Rebuttal In Support Of Motion to Quash <u>88</u> Subpoena Duces Tecum and Defendants <u>115</u> Rebuttal In Support of <u>90</u> Motion to Strike Plaintiffs Supplemental Pre-Discovery Disclosure Of Core Information</i> by Helen Politz (Carter, Kristopher) (Entered: 11/25/2008)  |
| 11/25/2008 | <u>120</u> | Subpoena Returned Executed as to non-party, Rocco Calaci. (Gibbes, Laura) (Entered: 11/25/2008)  |
| 11/25/2008 | <u>119</u> | Subpoena Returned Executed as to non-party, Rocco Calaci. (Gibbes, Laura) (Entered: 11/25/2008)  |
| 11/25/2008 | <u>118</u> | Subpoena Returned Executed as to non-party, Mark Babo. (Gibbes, Laura) (Entered: 11/25/2008)   |
| 11/21/2008 | <u>117</u> | MOTION to Strike <u>101</u> Notice of Service of Disclosure by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Gibbes, Laura) (Entered: 11/21/2008)   |
| 11/21/2008 | <u>116</u> | RESPONSE in Opposition re <u>108</u> MOTION Permission to Supplement Expert Report filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Gibbes, Laura) (Entered: 11/21/2008)  |
| 11/21/2008 | <u>115</u> | Rebuttal re <u>90</u> MOTION to Strike <u>61</u> Notice of Service of Disclosure ( <i>Rebuttal in Support of Motion to Strike</i> ) filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 11/21/2008)   |
| 11/21/2008 | <u>114</u> | Rebuttal re <u>88</u> MOTION to Quash <i>Subpoenas Duces Tecum (Rebuttal in Support of Motion to Quash)</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 11/21/2008)   |
| 11/20/2008 | <u>113</u> | NOTICE to Take Deposition of Bryan Phillips by Helen Politz (Carter, Kristopher) (Entered: 11/20/2008)   |
| 11/20/2008 | <u>112</u> | REPLY to Response to Motion re <u>66</u> MOTION to Compel <i>Plaintiff to Sign Privacy Act Release for U.S. Small Business Administration Discovery</i> filed by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 11/20/2008)  |
| 11/20/2008 | <u>111</u> | REPLY to Response to Motion re <u>71</u> MOTION for Extension of Time to Complete Discovery <i>and Reset</i>   |



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|            |            | <i>Motions Deadline</i> filed by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 11/20/2008)  |
| 11/20/2008 | <u>110</u> | MOTION to Strike <i>Plaintiff's Claim for Emotional Distress</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Gibbes, Laura) (Entered: 11/20/2008)   |
| 11/20/2008 |            | NOTICE of Hearing:Telephonic Status Conference set for 11/24/2008 03:00 PM before Magistrate Judge Robert H. Walker to discuss motions <u>66</u> & <u>71</u> . The Movant will place the call to Judge Walker's Chambers with all necessary counsel on the line.(JR) (Entered: 11/20/2008)  |
| 11/18/2008 | <u>109</u> | NOTICE of Receipt of Deposition of Charles Higley by Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 11/18/2008)   |
| 11/18/2008 | <u>108</u> | MOTION to Supplement Expert Report by Helen Politz (Carter, Kristopher) Modified on 11/19/2008 to delete text(PKS). (Entered: 11/18/2008)   |
| 11/18/2008 | <u>107</u> | RESPONSE in Opposition re <u>88</u> MOTION to Quash <i>Subpoenas Duces Tecum</i> , <u>90</u> MOTION to Strike <u>61</u> Notice of Service of Disclosure filed by Helen Politz (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Carter, Kristopher) (Entered: 11/18/2008)   |
| 11/18/2008 | <u>106</u> | RESPONSE in Opposition re <u>100</u> MOTION to Dismiss <i>for Failure to Substitute Proper Parties</i> filed by Helen Politz (Carter, Kristopher) (Entered: 11/18/2008)   |
| 11/18/2008 |            | TEXT ONLY ORDER reducing time for reply re <u>71</u> MOTION for Extension of Time to Complete Discovery and Reset <i>Motions Deadline</i> filed by Nationwide Mutual Fire Insurance Company, <u>66</u> MOTION to Compel <i>Plaintiff to Sign Privacy Act Release for U.S. Small Business Administration Discovery</i> filed by Nationwide Mutual Fire Insurance Company. Movant's reply memoranda re these motions shall be filed by 5:00 p.m., 11/20/2008. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on November 18, 2008. (Joffe, Scherry) (Entered: 11/18/2008) |
| 11/17/2008 | <u>105</u> | Subpoena Returned Executed as to Audubon Insurance Company. (Carter, Kristopher) (Entered: 11/17/2008)  |
| 11/17/2008 | <u>104</u> | Subpoena Returned Executed as to Mississippi Windstorm Underwriting Association. (Carter, Kristopher) (Entered: 11/17/2008)   |
| 11/14/2008 | <u>103</u> | NOTICE to Take Deposition of Bryan Phillips by Helen Politz (Carter, Kristopher) (Entered: 11/14/2008)  |
| 11/14/2008 | <u>102</u> | NOTICE to Take Deposition of Roger Woods by Helen Politz (Carter, Kristopher) (Entered: 11/14/2008)   |
| 11/14/2008 | <u>101</u> | NOTICE of Service of Disclosure by Helen Politz (Carter, Kristopher) (Entered: 11/14/2008)  |
| 11/14/2008 | <u>100</u> | MOTION to Dismiss <i>for Failure to Substitute Proper Parties</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1)(Gibbes, Laura) (Entered: 11/14/2008)  |

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| 11/14/2008 | <u>99</u> | NOTICE of Service of Response to Request for Production by Helen Politz (Carter, Kristopher) (Entered: 11/14/2008)   |
| 11/14/2008 | <u>98</u> | NOTICE of Service of Response to Interrogatories by Helen Politz (Carter, Kristopher) (Entered: 11/14/2008)  |
| 11/13/2008 | <u>97</u> | NOTICE of <i>Withdrawal</i> by Nationwide Mutual Fire Insurance Company re <u>78</u> Notice to Take Deposition (Gibbes, Laura) (Entered: 11/13/2008)   |
| 11/13/2008 | <u>96</u> | Subpoena Returned Executed as to non-party, Regions Bank. (Gibbes, Laura) (Entered: 11/13/2008)  |
| 11/13/2008 | <u>95</u> | Amended NOTICE of Service of Response to Request for Production by U.S. Small Business Administration (Lindsey, Crockett) (Entered: 11/13/2008)  |
| 11/13/2008 | <u>94</u> | Amended NOTICE of Service of Response to Interrogatories by U.S. Small Business Administration (Lindsey, Crockett) (Entered: 11/13/2008)   |
| 11/13/2008 |           | TEXT ONLY ORDER staying production under Plaintiffs' subpoenas duces tecum to Audubon Insurance Company and Mississippi Windstorm Underwriting Association pending resolution of <u>88</u> Nationwide's MOTION to Quash the subpoenas. No documents are to be produced or examined until the Court rules on the motion to quash. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on November 13, 2008. (Joffe, Scherry) (Entered: 11/13/2008) |
| 11/12/2008 | <u>93</u> | NOTICE of Service of Response to Request for Production by U.S. Small Business Administration (Lindsey, Crockett) (Entered: 11/12/2008)  |
| 11/12/2008 | <u>92</u> | NOTICE of Service of Response to Interrogatories by U.S. Small Business Administration (Lindsey, Crockett) (Entered: 11/12/2008)   |
| 11/11/2008 | <u>91</u> | RESPONSE to Motion re <u>71</u> MOTION for Extension of Time to Complete Discovery <i>and Reset Motions Deadline</i> filed by Helen Politz (Carter, Kristopher) (Entered: 11/11/2008)  |
| 11/11/2008 | <u>90</u> | MOTION to Strike <u>61</u> Notice of Service of Disclosure by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 11/11/2008)  |
| 11/11/2008 | <u>89</u> | RESPONSE to Motion re <u>66</u> MOTION to Compel <i>Plaintiff to Sign Privacy Act Release for U.S. Small Business Administration Discovery</i> filed by John Politz, Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 11/11/2008)  |
| 11/11/2008 | <u>88</u> | MOTION to Quash <i>Subpoenas Duces Tecum</i> by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 11/11/2008)   |
| 11/11/2008 | <u>87</u> | NOTICE of <i>Withdrawal</i> by Nationwide Mutual Fire Insurance Company re <u>73</u> MOTION to Compel <i>J. Daniel Schroeder to Respond to Subpoena</i> (Gibbes, Laura) (Entered: 11/11/2008)  |
| 11/10/2008 | <u>86</u> | NOTICE of Appearance by Donald Jason Embry on behalf of John Politz, Helen Politz (Embry, Donald) (Entered: 11/10/2008)  |

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| 11/10/2008 | <u>85</u> | NOTICE to Take Deposition of Dr. Mark Babo by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 11/10/2008)   |
| 11/10/2008 | <u>84</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Mark Babo by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 11/10/2008)   |
| 11/10/2008 | <u>83</u> | NOTICE of Withdrawal by Nationwide Mutual Fire Insurance Company re <u>82</u> Notice to Take Deposition (Gibbes, Laura) (Entered: 11/10/2008)  |
| 11/09/2008 |           | NOTICE of Calendar Setting REMINDER of the settlement conference previously set on Monday, December 8, 2008 at 3:00 p.m. in Judge Walker's Chambers at 2012 15th Street, Suite 672, Gulfport, MS. Counsel are instructed to submit a confidential settlement memorandum to the Court via email to Walker_Chambers@mssd.uscourts.com ONE WEEK before the conference. This memo is not to be exchanged or filed. PLAINTIFFS ARE TO BE PRESENT FOR THE CONFERENCE UNLESS SPECIFICALLY EXCUSED. (JR) (Entered: 11/09/2008) |
| 11/07/2008 |           | TEXT ONLY ORDER reducing time for response to <u>66</u> MOTION to Compel Plaintiff to Sign Privacy Act Release for U.S. Small Business Administration Discovery filed by Nationwide Mutual Fire Insurance Company. Because of the impending discovery deadline, response to <u>66</u> shall be due on or before 11/13/2008. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on November 7, 2008. (Joffe, Scherry) (Entered: 11/07/2008)   |
| 11/07/2008 | <u>82</u> | NOTICE to Take Deposition of Ann Faulk by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 11/07/2008)   |
| 11/07/2008 | <u>81</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Ann Faulk by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 11/07/2008)   |
| 11/07/2008 | <u>80</u> | Subpoena Returned Executed as to J. Daniel Schroeder. (Gibbes, Laura) (Entered: 11/07/2008)  |
| 11/07/2008 |           | TEXT ONLY ORDER reducing time for response to <u>73</u> MOTION to Compel J. Daniel Schroeder to Respond to Subpoena filed by Nationwide Mutual Fire Insurance Company. Response to <u>73</u> shall be filed on or before 11/13/2008. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on November 7, 2008. (Joffe, Scherry) (Entered: 11/07/2008)  |
| 11/06/2008 | <u>79</u> | NOTICE to Take Deposition of Mark Babo by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 11/06/2008)   |
| 11/06/2008 | <u>78</u> | NOTICE to Take Deposition of J. Daniel Schroeder by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 11/06/2008)   |
| 11/06/2008 | <u>77</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Mark Babo by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 11/06/2008)   |

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| 11/06/2008 | <u>76</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, J. Daniel Schroeder by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 11/06/2008)   |
| 11/06/2008 | <u>75</u> | Subpoena Returned Executed as to non-party, First Horizon Home Loans. (Gibbes, Laura) (Entered: 11/06/2008)  |
| 11/06/2008 | <u>74</u> | Subpoena Returned Executed as to non-party, Transland Financial Services. (Gibbes, Laura) (Entered: 11/06/2008)  |
| 11/06/2008 | <u>73</u> | MOTION to Compel J. Daniel Schroeder to Respond to Subpoena by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 11/06/2008)   |
| 11/06/2008 |           | TEXT ONLY ORDER reducing time for response to <u>71</u> MOTION for Extension of Time to Complete Discovery and Reset Motions Deadline filed by Nationwide Mutual Fire Insurance Company. Response to <u>71</u> shall be filed on or before Thursday, 11/13/2008. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on November 6, 2008. (Joffe, Scherry) (Entered: 11/06/2008)  |
| 11/05/2008 | <u>72</u> | NOTICE to Take Deposition of Helen Politz by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 11/05/2008)  |
| 11/05/2008 | <u>71</u> | MOTION for Extension of Time to Complete Discovery and Reset Motions Deadline by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13)(Gibbes, Laura) (Entered: 11/05/2008) |
| 11/04/2008 | <u>70</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, First Horizon Home Loans by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 11/04/2008)  |
| 11/04/2008 | <u>69</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Washington Mutual Bank by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 11/04/2008)  |
| 11/04/2008 | <u>68</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, First American National Bank by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 11/04/2008)  |
| 11/04/2008 | <u>67</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Transland Financial Services, Inc. by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 11/04/2008)  |
| 11/04/2008 |           | DOCKET ANNOTATION as to previous docket annotation: Please disregard this entry. This annotation should have been entered in 1:08cv133. Clerk will enter annotation in correct case. (RLW) (Entered: 11/04/2008)   |

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| 11/04/2008 |           | DOCKET ANNOTATION as to #41. Incorrect PDF document filed; attorney advised to refile with correct PDF document. (RLW) (Entered: 11/04/2008)  |
| 11/03/2008 | <u>66</u> | MOTION to Compel <i>Plaintiff to Sign Privacy Act Release for U.S. Small Business Administration Discovery</i> by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Gibbes, Laura) (Entered: 11/03/2008)     |
| 11/03/2008 | <u>65</u> | ORDER granting <u>62</u> Motion to Appear Pro Hac Vice. Robert B. Gilmore shall be admitted pro hac vice to serve as co-counsel for the defendant Nationwide Mutual Fire Insurance Company. Signed by Magistrate Judge Robert H. Walker on November 3, 2008. (Joffe, Scherry) (Entered: 11/03/2008)       |
| 10/31/2008 | <u>64</u> | NOTICE to Take Deposition of Ted L. Bidy by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 10/31/2008)  |
| 10/31/2008 | <u>63</u> | NOTICE Pursuant to F.R. Civ. P. 45 of Intent to serve a subpoena on a non-party, Ted L. Bidy by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 10/31/2008)   |
| 10/31/2008 | <u>62</u> | MOTION for Robert B. Gilmore to Appear Pro Hac Vice by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit 1)(Gibbes, Laura) (Entered: 10/31/2008)  |
| 10/29/2008 | <u>61</u> | NOTICE of Service of Disclosure by John Politz, Helen Politz (Carter, Kristopher) (Entered: 10/29/2008)   |
| 10/29/2008 | <u>60</u> | NOTICE of Issuance of Subpoena Duces Tecum on Non-party, Audubon Insurance Company by John Politz, Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 10/29/2008)   |
| 10/29/2008 | <u>59</u> | NOTICE of Issuance of Subpoena Duces Tecum on Non-Party, MWUA by John Politz, Helen Politz (Attachments: # <u>1</u> Exhibit A)(Carter, Kristopher) (Entered: 10/29/2008)  |
| 10/27/2008 | <u>58</u> | Response in Opposition re <u>55</u> NOTICE to Take Deposition of Corporate Representative of Nationwide Mutual Fire Insurance Company by John Politz, Helen Politz (Carter, Kristopher) filed by Nationwide Mutual Fire Insurance Company (Hill, Laura) (Entered: 10/27/2008)                             |
| 10/24/2008 | <u>57</u> | ORDER granting <u>56</u> Motion to Appear Pro Hac Vice. Christian D. H. Schultz shall be admitted pro hac vice to serve as co-counsel for the defendant Nationwide Mutual Fire Insurance Company. Signed by Magistrate Judge Robert H. Walker on October 24, 2008. (Joffe, Scherry) (Entered: 10/24/2008) |
| 10/23/2008 | <u>56</u> | MOTION for Christian D. H. Schultz to Appear Pro Hac Vice by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit 1)(Gibbes, Laura) (Entered: 10/23/2008)  |
| 10/23/2008 | <u>55</u> | NOTICE to Take Deposition of Corporate Representative of Nationwide Mutual Fire Insurance Company by John Politz, Helen Politz (Carter, Kristopher) (Entered: 10/23/2008)   |

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| 10/21/2008 | <u>54</u> | NOTICE to Take Deposition of Rocco Calaci by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 10/21/2008)  |
| 10/21/2008 | <u>53</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Rocco Calaci by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 10/21/2008)          |
| 10/20/2008 | <u>52</u> | NOTICE of Appearance by Wendy C. Tynes on behalf of John Politz, Helen Politz (Tynes, Wendy) (Entered: 10/20/2008)   |
| 10/16/2008 | <u>51</u> | NOTICE to Take Deposition of Mark Babo by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 10/16/2008)   |
| 10/16/2008 | <u>50</u> | NOTICE (RE-Notice) Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Mark Babo by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 10/16/2008) |
| 10/15/2008 | <u>49</u> | NOTICE to Take Deposition of Dr. Mark Babo by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 10/15/2008)   |
| 10/15/2008 | <u>48</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Mark Babo by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 10/15/2008)         |
| 10/15/2008 | <u>47</u> | NOTICE to Take Deposition of Wayne W. Hudson by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 10/15/2008)   |
| 10/15/2008 | <u>46</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Wayne W. Hudson by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 10/15/2008)       |
| 10/10/2008 | <u>45</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, J. Daniel Schroeder, by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 10/10/2008)  |
| 10/10/2008 | <u>44</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Wayne W. Hudson, by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 10/10/2008)      |
| 10/10/2008 | <u>43</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Rocco Calaci, by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 10/10/2008)         |
| 10/10/2008 | <u>42</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Ted L. Bidy, by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 10/10/2008)          |
| 09/26/2008 | <u>41</u> | Subpoena Returned Executed as to Dr. Mark Babo. (Gibbes, Laura) (Entered: 09/26/2008)  |

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| 09/24/2008 | <u>40</u> | Subpoena Returned Executed as to Mississippi Development Authority. (Gibbes, Laura) (Entered: 09/24/2008)  |
| 09/22/2008 | <u>39</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Gray Swoope, Executive Director of the Mississippi Development Authority by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 09/22/2008)  |
| 09/10/2008 | <u>38</u> | Designation of Experts by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 09/10/2008)   |
| 09/09/2008 | <u>37</u> | NOTICE Pursuant to F. R. Civ. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Mark Babo by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 09/09/2008)   |
| 09/09/2008 |           | Set/Reset Scheduling Order Deadlines: Discovery due by 11/14/2008; Motions due by 11/28/2008. (Joffe, Scherry) (Entered: 09/09/2008)   |
| 09/09/2008 |           | TEXT ONLY ORDER granting in part and denying in part <u>36</u> Motion for Extension of Time to Complete Discovery. Discovery is extended to 11/14/2008; motions deadline is extended to 11/28/2008. These are the maximum extensions allowed for cases on the 3/9/2009 trial calendar. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on September 9, 2008. (Joffe, Scherry) (Entered: 09/09/2008) |
| 09/08/2008 | <u>36</u> | MOTION for Extension of Time to Complete Discovery ( <i>Unopposed Motion for Extension of the Discovery Deadline</i> ) by Helen Politz (Carter, Kristopher) (Entered: 09/08/2008)  |
| 09/03/2008 | <u>35</u> | NOTICE of Service of Interrogatories by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 09/03/2008)   |
| 09/03/2008 | <u>34</u> | NOTICE of Service of Request for Production by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 09/03/2008)  |
| 09/03/2008 | <u>33</u> | NOTICE Pursuant to F.R. CIV. P. 45 of Intent to Serve a Subpoena on a Non-Party, Dr. Mark Babo by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A)(Gibbes, Laura) (Entered: 09/03/2008)  |
| 08/26/2008 | <u>32</u> | ORDER TO MEDIATE. Copy of order and docket sheet (to provide names and addresses of attorneys) mailed to American Arbitration Association, Dallas, TX. Signed by Senior Judge L. T. Senter, Jr., on 08/26/2008 (kbo) (Entered: 08/26/2008)   |
| 08/18/2008 |           | Set/Reset Scheduling Order Deadlines: Designate Experts for Defendant Deadline due by 9/10/2008. (Joffe, Scherry) (Entered: 08/18/2008)  |
| 08/18/2008 |           | TEXT ONLY ORDER granting <u>31</u> unopposed Motion for Extension of Time to Complete Discovery. Defendants' expert designation deadline is extended to 9/10/2008. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on August 18, 2008. (Joffe, Scherry) (Entered: 08/18/2008)   |

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| 08/15/2008 | <u>31</u> | MOTION for Extension of Time to Complete Discovery ( <i>Unopposed Motion for Time to Designate Experts</i> ) by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 08/15/2008)   |
| 08/13/2008 |           | Pro Hac Vice fee paid by Daniel F. Attridge \$ 100, receipt number B028326, Thomas A. Clare \$ 100, receipt number B028327, and by Elizabeth M. Locke \$ 100, receipt number B028328. (avm) (Entered: 08/13/2008)  |
| 08/13/2008 | <u>30</u> | ORDER granting <u>29</u> Motion to Appear Pro Hac Vice. Elizabeth M. Locke shall be admitted pro hac vice to serve as co-counsel for the defendant Nationwide Mutual Fire Insurance Company. Signed by Magistrate Judge Robert H. Walker on August 13, 2008. (Joffe, Scherry) (Entered: 08/13/2008)  |
| 08/12/2008 | <u>29</u> | MOTION for Elizabeth M. Locke to Appear Pro Hac Vice by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit 1)(Hill, Laura) (Entered: 08/12/2008)  |
| 08/06/2008 | <u>28</u> | NOTICE of Service of Response to Interrogatories by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 08/06/2008)   |
| 08/06/2008 | <u>27</u> | NOTICE of Service of Response to Request for Production by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 08/06/2008)  |
| 08/01/2008 | <u>26</u> | ORDER granting <u>24</u> Motion to Appear Pro Hac Vice. Thomas A. Clare shall be admitted pro hac vice to serve as co-counsel for the defendant Nationwide Mutual Fire Insurance Company. Signed by Magistrate Judge Robert H. Walker on August 1, 2008. (Joffe, Scherry) (Entered: 08/01/2008)  |
| 08/01/2008 | <u>25</u> | ORDER granting <u>23</u> Motion to Appear Pro Hac Vice. Daniel F. Attridge shall be admitted pro hac vice to serve as co-counsel for the defendant Nationwide Mutual Fire Insurance Company. Signed by Magistrate Judge Robert H. Walker on August 1, 2008. (Joffe, Scherry) (Entered: 08/01/2008)   |
| 07/31/2008 | <u>24</u> | MOTION for Thomas A. Clare, P.C. to Appear Pro Hac Vice by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit 1)(Hill, Laura) (Entered: 07/31/2008)   |
| 07/31/2008 | <u>23</u> | MOTION for Daniel F. Attridge, P.C. to Appear Pro Hac Vice by Nationwide Mutual Fire Insurance Company (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit 1)(Hill, Laura) (Entered: 07/31/2008)  |
| 07/21/2008 |           | TEXT ONLY ORDER granting <u>22</u> unopposed Motion for Extension of Time to serve responses to discovery. Nationwide is granted until 8/5/2008 to serve responses to Plaintiffs' first set of interrogatories and requests for production. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on Julyl 21, 2008. (Joffe, Scherry) (Entered: 07/21/2008) |
| 07/18/2008 | <u>22</u> | MOTION for Extension of Time to File <i>Responses to Plaintiffs' First Set of Interrogatories and First Requests for Production of Documents</i> by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 07/18/2008)   |



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| 07/16/2008 | <u>21</u> | NOTICE of Service of Disclosure by Helen Politz (Carter, Kristopher) (Entered: 07/16/2008)   |
| 07/16/2008 | <u>20</u> | Designation of Experts by Helen Politz (Carter, Kristopher) (Entered: 07/16/2008)  |
| 06/19/2008 | <u>19</u> | NOTICE of Service of Request for Production by John Politz, Helen Politz (Carter, Kristopher) (Entered: 06/19/2008)  |
| 06/19/2008 | <u>18</u> | NOTICE of Service of Interrogatories by John Politz, Helen Politz (Carter, Kristopher) (Entered: 06/19/2008)   |
| 06/18/2008 | <u>17</u> | SUGGESTION OF DEATH Upon the Record as to John Politz by John Politz, Helen Politz (Carter, Kristopher) (Entered: 06/18/2008)  |
| 06/18/2008 | <u>16</u> | NOTICE of Service of Response to Request for Production by John Politz, Helen Politz (Carter, Kristopher) (Entered: 06/18/2008)  |
| 06/18/2008 | <u>15</u> | NOTICE of Service of Response to Interrogatories by John Politz, Helen Politz (Carter, Kristopher) (Entered: 06/18/2008)   |
| 06/18/2008 | <u>14</u> | NOTICE of Service of Disclosure by John Politz, Helen Politz (Carter, Kristopher) (Entered: 06/18/2008)  |
| 06/12/2008 |           | Set/Reset Scheduling Order Deadlines: Designate Experts Plaintiff Deadline due by 7/16/2008; Designate Experts for Defendant Deadline due by 8/18/2008. (Joffe, Scherry) (Entered: 06/12/2008)   |
| 06/12/2008 |           | TEXT ONLY ORDER granting <u>13</u> unopposed Motion for Extension of Time to Complete Discovery. Plaintiffs' expert designation deadline is extended to 7/16/2008; Defendants' expert designation deadline is extended to 8/18/2008. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on June 12, 2008. (Joffe, Scherry) (Entered: 06/12/2008) |
| 06/12/2008 | <u>13</u> | MOTION for Extension of Time to Complete Discovery " <i>Unopposed to Extend Deadline for Expert Designation</i> " by John Politz, Helen Politz (Carter, Kristopher) (Entered: 06/12/2008)  |
| 05/20/2008 | <u>12</u> | ANSWER to <u>1</u> Complaint, by U.S. Small Business Administration.(Lindsey, Crockett) (Entered: 05/20/2008)  |
| 05/19/2008 | <u>11</u> | NOTICE of Service of Request for Production by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/19/2008)  |
| 05/19/2008 | <u>10</u> | NOTICE of Service of Interrogatories by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/19/2008)   |
| 05/19/2008 | <u>9</u>  | SUMMONS Returned Executed by John Politz, Helen Politz. U.S. Small Business Administration served on 2/4/2008, answer due 4/4/2008. (Carter, Kristopher) (Entered: 05/19/2008)   |
| 05/07/2008 | <u>8</u>  | NOTICE of Service of Disclosure by Nationwide Mutual Fire Insurance Company (Gibbes, Laura) (Entered: 05/07/2008)  |
| 04/03/2008 | <u>7</u>  | SCHEDULING ORDER: CJRA Track : Standard. Amended Pleadings due by 4/30/2008, Joinder of Parties due by 4/30/2008, Designate Experts Plaintiff Deadline   |

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|            |          | due by 6/16/2008, Designate Experts for Defendant<br>Deadline due by 7/16/2008, Discovery due by 9/15/2008,<br>Motions due by 9/29/2008, Settlement Conference set for<br>12/8/2008 03:00 PM before Magistrate Judge Robert H.<br>Walker, Jury Trial set for 3/9/2009 3 week trial calendar<br>before District Judge L. T. Senter Jr. ETT: 3 days. No<br>conflicts. Parties do NOT consent. Signed by Magistrate<br>Judge Robert H. Walker on April 2, 2008 (JR) (Entered:<br>04/03/2008) |
| 04/02/2008 |          | Minute Entry for proceedings held before Magistrate<br>Judge Robert H. Walker: Telephonic Case Management<br>Conference held on 4/2/2008 (JR) (Entered: 04/03/2008)   |
| 03/03/2008 | <u>6</u> | Rule 16.1(A) Initial Order Telephonic Case Management<br>Conference set for 4/2/2008 01:30 PM before Magistrate<br>Judge Robert H. Walker (JR) (Entered: 03/03/2008)  |
| 02/20/2008 | <u>5</u> | NOTICE of Appearance by Earl L. Denham on behalf of<br>John Politz, Helen Politz (Denham, Earl) (Entered:<br>02/20/2008)  |
| 02/07/2008 | <u>4</u> | <i>Defendant Nationwide Mutual Fire Insurance Company's<br/>Defenses and ANSWER to <u>1</u> Complaint</i> , by Nationwide<br>Mutual Fire Insurance Company.(Gibbes, Laura) (Entered:<br>02/07/2008)   |
| 02/06/2008 | <u>3</u> | SUMMONS Returned Executed by John Politz, Helen<br>Politz Nationwide Mutual Fire Insurance Company served<br>on 2/4/2008, answer due 2/25/2008. (Carter, Kristopher)<br>(Entered: 02/06/2008)   |
| 01/23/2008 |          | Case reassigned to District Judge L. T. Senter, Jr. District<br>Judge Louis Guirola, Jr no longer assigned to the case.<br>(JCH) (Entered: 01/24/2008)  |
| 01/23/2008 |          | TEXT ORDER OF RECUSAL. Pursuant to 28 U.S.C. Sec.<br>455(a) U.S. District Judge Louis Guirola, Jr., does hereby<br>disqualify himself from any further participation in the<br>above styled and numbered proceeding. NO FURTHER<br>WRITTEN ORDER WILL ISSUE. Signed by District<br>Judge Louis Guirola, Jr., on 1/23/2008 (CG) (Entered:<br>01/23/2008)   |
| 01/18/2008 | <u>2</u> | Summons Issued as to Nationwide Mutual Fire Insurance<br>Company, U.S. Small Business Administration. (AVM)<br>(Entered: 01/18/2008)  |
| 01/17/2008 | <u>1</u> | COMPLAINT with Jury Demand against Nationwide<br>Mutual Fire Insurance Company, U.S. Small Business<br>Administration, John Does ( Filing fee \$ 350, receipt<br>number B027363), filed by John Politz, Helen Politz.<br>(Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibits A – D, #<br><u>3</u> Exhibits E – K, # <u>4</u> Exhibits L – S)(AVM) (Entered:<br>01/18/2008)  |