Bossier v. State Farm 30(b)(6) of State Farm Tip Pupua, Designee

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF MISSISSIPPI

SOUTHERN DIVISION

REGINALD EDWARD BOSSIER,

Plaintiff,

VERSUS CIVIL ACTION NO. 1:08-cv-408-LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY,

Defendant.

VIDEOTAPED 30(b)(6) DEPOSITION OF

STATE FARM FIRE AND CASUALTY COMPANY,

TIP PUPUA, DESIGNEE

Taken at the Offices of Bryan, Nelson,
Schroeder, Castigliola & Banahan, 1103

Jackson Avenue, Pascagoula, Mississippi,
on Friday, July 31, 2009, beginning
at 9:00 a.m.

JOB NO. 17658

Bossier v. State Farm 30(b)(6) of State Farm Tip Pupua, Designee

1 that's the index for the date 8/26/05 or for 2 a month before? We're not exactly sure 3 about that, right? 4 A. My understanding of it is, it is for 5 8/26/05. 6 Q. All right. And we don't know what 7 that number would have been for 8/29/05? 8 A. Correct. 9 Q. Now, do you do that same formula for 10 all of the coverages? 11 A. For Coverage B and Option ID. 12 Q. Okay. Now, so would you use that 13 same formula for the dwelling extension 14 coverage? 15 A. Yes. 16 Q. And what is the dwelling extension 17 coverage that Mr. Bossier had available to 18 him before we adjust? 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be 22 mistaken about that. The dwelling extension 2 a month before? We're not exactly sure 2 A. Option ID is an option for increased dwelling, which is a coverage that is 4 available under this policy. It basically 5 gives 20 percent of the Coverage A limits as an additional amount. 7 Q. Okay. So that's kind of like a cushion; is that right? 9 A. It's additional coverage if that's needed and if it's incurred in a loss situation. 10 Q. All right. And so how do we know 11 how much Option ID coverage he had available to 12 him before we adjust? 13 how much Option ID coverage he had available to 14 him before we adjust? 15 A. On the dec. page, under in the 16 left-hand column, under forms, options and 17 endorsements, there's increased dwelling up 18 how would apply that 1.074 to 19 \$63,540. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be 22 mistaken about that. The dwelling extension 23 dwelling, which is a coverage that is 24 available under this policy. It basically 26 available under this policy. It basically 27 available under this policy. It basically 28 available under this policy. It basically 29 available under this policy. It basically 20 percent of the Coverage A limits as an additional amount. 20 A. It's additional coverage if that's 21 needed and if it's incurred in a loss 21 situation. 22 A.	ge 40
2 a month before? We're not exactly sure 3 about that, right? 4 A. My understanding of it is, it is for 5 8/26/05. 6 Q. All right. And we don't know what 7 that number would have been for 8/29/05? 8 A. Correct. 9 Q. Now, do you do that same formula for 10 all of the coverages? 11 A. For Coverage B and Option ID. 12 Q. Okay. Now, so would you use that 13 same formula for the dwelling extension 14 coverage? 15 A. Yes. 16 Q. And what is the dwelling extension 17 coverage that is 2 dwelling, which is a coverage that is 3 dwelling, which is a coverage that is 4 available under this policy. It basically 9 gives 20 percent of the Coverage A limits as an additional amount. 7 A. It's additional coverage if that's 10 needed and if it's incurred in a loss 11 situation. 12 Q. All right. And so how do we know 13 how much Option ID coverage he had available to 14 to him? 15 A. Yes. 16 Q. And what is the dwelling extension 17 coverage that is 4 available under this policy. It basically 20 A. It's additional amount. 20 Cokay. So that's kind of like a 21 cushion; is that right? 22 A. It's additional coverage if that's 23 needed and if it's incurred in a loss 24 situation. 25 Q. All right. And so how do we know 26 how much Option ID coverage he had available to 27 how much Option ID coverage he had available to 28 to him? 29 A. On the dec. page, under in the 29 I left-hand column, under forms, options and 20 endorsements, there's increased dwelling up 26 to with a stated figure listed there of 27 Search and what is 1.074 to 28 to with a stated figure listed there of 28 cushion; is that right? 29 A. It's additional coverage if that's 29 A. It's additional coverage if that's 20 Q. All right. And so how do we know 29 how much Option ID coverage he had available to him? 20 Q. And so we would apply that 1.074 to 21 that number, as well?	
3 about that, right? 4 A. My understanding of it is, it is for 5 8/26/05. 6 Q. All right. And we don't know what 7 that number would have been for 8/29/05? 8 A. Correct. 9 Q. Now, do you do that same formula for 10 all of the coverages? 11 A. For Coverage B and Option ID. 12 Q. Okay. Now, so would you use that 13 same formula for the dwelling extension 14 coverage? 15 A. Yes. 16 Q. And what is the dwelling extension 17 coverage that Mr. Bossier had available to 18 him before we adjust? 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be 3 dwelling, which is a coverage that is 4 available under this policy. It basically 5 gives 20 percent of the Coverage A limits as an additional amount. 7 Q. Okay. So that's kind of like a cushion; is that right? 9 A. It's additional coverage if that's needed and if it's incurred in a loss situation. 12 Q. All right. And so how do we know 13 how much Option ID coverage he had available 14 to him? 15 A. On the dec. page, under in the 16 left-hand column, under forms, options and 17 coverage that Mr. Bossier had available to 18 him before we adjust? 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be	
4 A. My understanding of it is, it is for 8/26/05. 6 Q. All right. And we don't know what 7 that number would have been for 8/29/05? 8 A. Correct. 9 Q. Now, do you do that same formula for 10 all of the coverages? 11 A. For Coverage B and Option ID. 12 Q. Okay. Now, so would you use that 13 same formula for the dwelling extension 14 coverage? 15 A. Yes. 16 Q. And what is the dwelling extension 17 coverage that Mr. Bossier had available to 18 him before we adjust? 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be 4 available under this policy. It basically gives 20 percent of the Coverage A limits as an additional amount. 7 Q. Okay. So that's kind of like a cushion; is that right? 9 A. It's additional coverage if that's needed and if it's incurred in a loss situation. 12 Q. All right. And so how do we know how much Option ID coverage he had available to him? 13 how much Option ID coverage he had available to him? 14 to with a stated figure listed there of \$63,540. 20 Q. Now, I thought somewhere, I had seen some increase to that amount. But I may be	
5 8/26/05. 6 Q. All right. And we don't know what 7 that number would have been for 8/29/05? 8 A. Correct. 9 Q. Now, do you do that same formula for 10 all of the coverages? 11 A. For Coverage B and Option ID. 12 Q. Okay. Now, so would you use that 13 same formula for the dwelling extension 14 coverage? 15 A. Yes. 16 Q. And what is the dwelling extension 17 coverage that Mr. Bossier had available to 18 him before we adjust? 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be 5 gives 20 percent of the Coverage A limits as an additional amount. 7 Q. Okay. So that's kind of like a cushion; is that right? 9 A. It's additional coverage if that's needed and if it's incurred in a loss situation. 12 Q. All right. And so how do we know how much Option ID coverage he had available to him? 13 how much Option ID coverage he had available to him? 14 that number would have been for 8/29/05? 15 A. On the dec. page, under in the 16 left-hand column, under forms, options and 17 endorsements, there's increased dwelling up 18 to with a stated figure listed there of 19 \$63,540. 20 Q. And so we would apply that 1.074 to that number, as well?	
6 Q. All right. And we don't know what 7 that number would have been for 8/29/05? 8 A. Correct. 9 Q. Now, do you do that same formula for 10 all of the coverages? 11 A. For Coverage B and Option ID. 12 Q. Okay. Now, so would you use that 13 same formula for the dwelling extension 14 coverage? 15 A. Yes. 16 Q. And what is the dwelling extension 17 coverage that Mr. Bossier had available to 18 him before we adjust? 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be 6 an additional amount. 7 Q. Okay. So that's kind of like a cushion; is that right? 9 A. It's additional coverage if that's needed and if it's incurred in a loss situation. 12 Q. All right. And so how do we know 13 how much Option ID coverage he had available to him? 14 to him? 15 A. On the dec. page, under in the 16 left-hand column, under forms, options and endorsements, there's increased dwelling up 18 to with a stated figure listed there of 19 \$63,540. 20 Q. And so we would apply that 1.074 to that number, as well?	
that number would have been for 8/29/05? A. Correct. Q. Now, do you do that same formula for all of the coverages? A. For Coverage B and Option ID. Q. Okay. Now, so would you use that same formula for the dwelling extension A. Yes. Q. And what is the dwelling extension A. Yes. Q. Okay. So that's kind of like a cushion; is that right? A. It's additional coverage if that's needed and if it's incurred in a loss situation. Q. Okay. Now, so would you use that to him? A. Yes. A. On the dec. page, under in the left-hand column, under forms, options and endorsements, there's increased dwelling up to with a stated figure listed there of \$63,540. Q. Now, I thought somewhere, I had seen some increase to that amount. But I may be to that number, as well?	
A. Correct. 9 Q. Now, do you do that same formula for all of the coverages? 10 A. For Coverage B and Option ID. 12 Q. Okay. Now, so would you use that same formula for the dwelling extension 13 same formula for the dwelling extension 14 coverage? 15 A. Yes. 16 Q. And what is the dwelling extension 17 coverage that Mr. Bossier had available to him before we adjust? 18 bin before we adjust? 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen some increase to that amount. But I may be 20 Q. And so we would apply that 1.074 to that amount. But I may be 21 some increase to that amount. But I may be	
9 Q. Now, do you do that same formula for all of the coverages? 11 A. For Coverage B and Option ID. 12 Q. Okay. Now, so would you use that same formula for the dwelling extension 14 coverage? 15 A. Yes. 16 Q. And what is the dwelling extension coverage that Mr. Bossier had available to him before we adjust? 18 him before we adjust? 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen some increase to that amount. But I may be 20 A. It's additional coverage if that's needed and if it's incurred in a loss situation. 20 Q. All right. And so how do we know how much Option ID coverage he had available to him? 21 A. On the dec. page, under in the left-hand column, under forms, options and endorsements, there's increased dwelling up to with a stated figure listed there of \$63,540. 20 Q. And so we would apply that 1.074 to that number, as well?	
all of the coverages? 1 A. For Coverage B and Option ID. 2 Q. Okay. Now, so would you use that same formula for the dwelling extension coverage? 1 A. Yes. 1 Q. And what is the dwelling extension coverage that Mr. Bossier had available to him before we adjust? 1 A. \$55,100. 2 Okay. Now, I thought somewhere, I had seen some increase to that amount. But I may be 1 D needed and if it's incurred in a loss situation. 1 Q. All right. And so how do we know how much Option ID coverage he had available to how? 1 A. On the dec. page, under in the left-hand column, under forms, options and endorsements, there's increased dwelling up to with a stated figure listed there of \$63,540. 2 Q. And so we would apply that 1.074 to that number, as well?	
11 A. For Coverage B and Option ID. 12 Q. Okay. Now, so would you use that 13 same formula for the dwelling extension 14 coverage? 15 A. Yes. 16 Q. And what is the dwelling extension 17 coverage that Mr. Bossier had available to 18 him before we adjust? 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be 11 situation. 12 Q. All right. And so how do we know how much Option ID coverage he had available to him? 13 how much Option ID coverage he had available to him? 14 to him? 15 A. On the dec. page, under in the left-hand column, under forms, options and endorsements, there's increased dwelling up to with a stated figure listed there of \$63,540. 20 Q. And so we would apply that 1.074 to that number, as well?	
Q. Okay. Now, so would you use that same formula for the dwelling extension coverage? A. Yes. Q. And what is the dwelling extension Robert A. So, 100. Q. All right. And so how do we know how much Option ID coverage he had available to him? A. On the dec. page, under in the left-hand column, under forms, options and endorsements, there's increased dwelling up to with a stated figure listed there of \$63,540. Q. All right. And so how do we know how much Option ID coverage he had available to him? A. On the dec. page, under in the left-hand column, under forms, options and endorsements, there's increased dwelling up to with a stated figure listed there of \$63,540. Q. Now, I thought somewhere, I had seen some increase to that amount. But I may be that number, as well?	
same formula for the dwelling extension coverage? A. Yes. Q. And what is the dwelling extension coverage that Mr. Bossier had available to him before we adjust? A. \$55,100. Q. Now, I thought somewhere, I had seen some increase to that amount. But I may be 13 how much Option ID coverage he had available to how much Option ID coverage he had available to how much Option ID coverage he had available to how much Option ID coverage he had available to him? 14 to him? 15 A. On the dec. page, under in the left-hand column, under forms, options and endorsements, there's increased dwelling up to with a stated figure listed there of \$63,540. Q. Now, I thought somewhere, I had seen some increase to that amount. But I may be that number, as well?	
14 coverage? 15 A. Yes. 16 Q. And what is the dwelling extension 17 coverage that Mr. Bossier had available to 18 him before we adjust? 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be 14 to him? 15 A. On the dec. page, under in the 16 left-hand column, under forms, options and 17 endorsements, there's increased dwelling up 18 to with a stated figure listed there of 19 \$63,540. 20 Q. And so we would apply that 1.074 to 21 that number, as well?	
A. Yes. Q. And what is the dwelling extension coverage that Mr. Bossier had available to him before we adjust? A. \$55,100. Q. Now, I thought somewhere, I had seen some increase to that amount. But I may be A. Yes. A. On the dec. page, under in the left-hand column, under forms, options and endorsements, there's increased dwelling up to with a stated figure listed there of \$63,540. Q. And so we would apply that 1.074 to that number, as well?	
Q. And what is the dwelling extension coverage that Mr. Bossier had available to him before we adjust? A. \$55,100. Q. Now, I thought somewhere, I had seen some increase to that amount. But I may be 16 left-hand column, under forms, options and endorsements, there's increased dwelling up to with a stated figure listed there of \$63,540. Q. And so we would apply that 1.074 to that number, as well?	
17 coverage that Mr. Bossier had available to 18 him before we adjust? 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be 17 endorsements, there's increased dwelling up 18 to with a stated figure listed there of 19 \$63,540. 20 Q. And so we would apply that 1.074 to 21 that number, as well?	
him before we adjust? 18 to with a stated figure listed there of 19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be 18 to with a stated figure listed there of 19 \$63,540. 20 Q. And so we would apply that 1.074 to 21 that number, as well?	
19 A. \$55,100. 20 Q. Now, I thought somewhere, I had seen 21 some increase to that amount. But I may be 19 \$63,540. 20 Q. And so we would apply that 1.074 to 21 that number, as well?	
Q. Now, I thought somewhere, I had seen some increase to that amount. But I may be 20 Q. And so we would apply that 1.074 to 21 that number, as well?	
some increase to that amount. But I may be 21 that number, as well?	
23 coverage is \$55,100, right? 23 Q. And what's that going to give us?	
24 A. Correct. 24 A. \$68,241.96, so \$68,242.	
Q. Now, that's higher than what it 25 Q. So is that on that 424 page, as	
	ge 41
1 normally would be under a State Farm policy 1 well?	,
2 of this type; is that right? 2 A. It's not.	
3 A. Correct. 3 Q. What is that 424 page called?	
4 Q. Normally, the dwelling extension is 4 A. I've known it as the CCF print.	
5 a flat ten percent? 5 Q. Do you know what CCF stands for?	
6 A. Correct. 6 A. Off the top of my head, right now, I	
7 Q. So for whatever reason, this policy 7 don't know the acronym.	
8 had higher dwelling extension? 8 Q. All right. Now, the Option ID, does	
9 A. Correct. 9 that apply can that be divided or used	
10 Q. Would you agree, in all likelihood, 10 both for the dwelling and the dwelling	
that higher limit had to be requested by the 11 extension?	
policyholder? 12 A. No. It's available just for the	1
A. That would be my understanding. 13 dwelling. Oh, excuse me. I'm thinking of	
Q. So then we would take that \$55,100 another coverage. That's just for the	
and multiply it by that same 1.074? 15 dwelling, the 20 percent. The dwelling	
16 A. Correct. 16 extension would be ten percent of that 20	
Q. And what does that come out to?	l
18 A. \$59,177.40, so \$59,177.	į.
Q. And I see that's also on that Page 19 to the 20 percent?	
20 424. 20 A. Correct.	
21 A. Correct. 21 O. All right. So then for the	ļ
Q. All right. Now, the policy says you 22 dwelling, we have \$341,210, and we could add	
also make the same calculation for the 23 to that up to \$68,242; is that right?	
24 Option ID, right? 24 A. Correct.	•
25 A. Correct. 25 Q. And so add those two numbers for us	

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1	and tell me what the total potential	1	into account inflation index?
2	dwelling coverage is available to Mr.	2	A. Before.
3	Bossier for his Hurricane Katrina loss.	3	Q. And does the inflation index apply
4	A. Could you read me those numbers	4	to contents, as well?
5	again, please?	5	A. Oh, I'm sorry. That figure actually
6	Q. \$341,210 plus \$68,242.	6	already includes it. I was looking on 424,
7	A. It would be \$409,452.	7	so that does include the inflation.
8	Q. And, of course, that would be	8	Q. And is the computation for contents
9	available only if his loss equalled or	9	the same as for the dwelling for inflation?
10	exceeded that amount?	10	A. I believe so.
11	A. If that covered loss equalled or	11	Q. All right. Why don't we
12	exceeded that amount, correct.	12	double-check that, just because you showed a
13	Q. Now, for the and that takes into	13	little bit of hesitation there. Let's look
14	account the inflation index and the Option	14	at the policy. The dec. page says \$238,275,
15	ID, correct?	15	and then let's apply the 1.074 to that.
16	A. That is correct.	16	A. That comes up to \$256,391.
17	Q. Now, let's look at the dwelling	17	Q. So it's really not the same, is it?
18	extension. Okay? We start with, I believe	18	Let's check our math one more time.
19	you said when you add the inflation index,	19	A. Yes, \$238,275. It's 1.074?
20	it's \$59,177.	20	Q. Correct.
21	A. Uh-huh.	21	A. \$255,907.
22	Q. And then how much Option ID would be	22	Q. That's what you came up with the
23	available for that? I think you said ten	23	second time?
24	percent.	24	A. The second time.
25	A. What's available for the dwelling	25	Q. When I get two different numbers, I
	Page 43		nanostantem em anoma angrando em trimana anananana de estantem destantem anoma de estantem de destantem de est
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1	section would be ten percent of the Option	1	always do it one more time, just to make
2	ID that's available for the dwelling. So	2	sure.
3	whatever figure I gave you there for	3	A. You want to try one more time?
4	Q. You gave me \$68,242.	4	Q. Yes.
5	A. It would be ten percent of that.	5	A. So \$238,275 times 1.074, \$255,907.
6	Q. So that would be \$6,824?	6	Q. Great. Is there an Option ID or
7	A. Correct.	7	something similar to that for contents?
8	Q. So let's add those two numbers	8	A. No.
9	together. Okay? \$59,177 plus \$6,824.	9	Q. So then the total contents
10	A. \$66,001.	10	potentially available is \$255,907, right?
11	Q. So Mr. Bossier had potentially	11	A. Correct.
12	available to him for the loss of his	12	Q. Okay. Now, what other coverages did
13	dwelling extension \$66,001; is that right?	13	he have available to him? Let's talk about
14	A. That is correct.	14	loss of use. Okay? Loss of use, as I
15	Q. And that takes into account the	15	understand it, is actual expenses incurred
16	inflation index and the Option ID; is that	16	as required to relocate for up to a maximum
17	correct?	17	of 24 months; is that right?
18	A. That's correct.	18	A. Correct.
19	Q. Let's talk about his contents,	19	Q. So there's no set amount for that,
20	namely all the furniture and treasures he	20	right?
21	had in his home and in his dwelling	21	A. Correct.
22	extension. What was the coverage available	22	Q. And there's no inflation adjustment
23	under that part of the policy?	23	required for that?
24	A. The coverage available was \$255,907.	24	A. Correct. It's actual incurred
25	Q. And is that before or after we take	25	expenses.
77.77.7			