

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

REGINALD EDWARD BOSSIER,
Plaintiff,

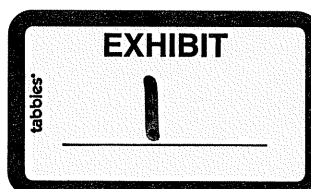
VERSUS CIVIL ACTION NO. 1:08-cv-408-LTS-RHW

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



Page 38

Page 40

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
 23 coverage is \$55,100, right?
 24 A. Correct.
 25 Q. Now, that's higher than what it

1 Q. Explain to us what Option ID is.
 2 A. Option ID is an option for increased
 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
 6 an additional amount.
 7 Q. Okay. So that's kind of like a
 8 cushion; is that right?
 9 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
 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?
 22 A. Correct.
 23 Q. And what's that going to give us?
 24 A. \$68,241.96, so \$68,242.
 25 Q. So is that on that 424 page, as

Page 39

Page 41

1 normally would be under a State Farm policy
 2 of this type; is that right?
 3 A. Correct.
 4 Q. Normally, the dwelling extension is
 5 a flat ten percent?
 6 A. Correct.
 7 Q. So for whatever reason, this policy
 8 had higher dwelling extension?
 9 A. Correct.
 10 Q. Would you agree, in all likelihood,
 11 that higher limit had to be requested by the
 12 policyholder?
 13 A. That would be my understanding.
 14 Q. So then we would take that \$55,100
 15 and multiply it by that same 1.074?
 16 A. Correct.
 17 Q. And what does that come out to?
 18 A. \$59,177.40, so \$59,177.
 19 Q. And I see that's also on that Page
 20 424.
 21 A. Correct.
 22 Q. All right. Now, the policy says you
 23 also make the same calculation for the
 24 Option ID, right?
 25 A. Correct.

1 well?
 2 A. It's not.
 3 Q. What is that 424 page called?
 4 A. I've known it as the CCF print.
 5 Q. Do you know what CCF stands for?
 6 A. Off the top of my head, right now, I
 7 don't know the acronym.
 8 Q. All right. Now, the Option ID, does
 9 that apply -- can that be divided or used
 10 both for the dwelling and the dwelling
 11 extension?
 12 A. No. It's available just for the
 13 dwelling. Oh, excuse me. I'm thinking of
 14 another coverage. That's just for the
 15 dwelling, the 20 percent. The dwelling
 16 extension would be ten percent of that 20
 17 percent.
 18 Q. Okay. So would that be in addition
 19 to the 20 percent?
 20 A. Correct.
 21 Q. All right. So then for the
 22 dwelling, we have \$341,210, and we could add
 23 to that up to \$68,242; is that right?
 24 A. Correct.
 25 Q. And so add those two numbers for us

11 (Pages 38 to 41)

Page 42

1 and tell me what the total potential
 2 dwelling coverage is available to Mr.
 3 Bossier for his Hurricane Katrina loss.
 4 A. Could you read me those numbers
 5 again, please?
 6 Q. \$341,210 plus \$68,242.
 7 A. It would be \$409,452.
 8 Q. And, of course, that would be
 9 available only if his loss equalled or
 10 exceeded that amount?
 11 A. If that covered loss equalled or
 12 exceeded that amount, correct.
 13 Q. Now, for the -- and that takes into
 14 account the inflation index and the Option
 15 ID, correct?
 16 A. That is correct.
 17 Q. Now, let's look at the dwelling
 18 extension. Okay? We start with, I believe
 19 you said when you add the inflation index,
 20 it's \$59,177.
 21 A. Uh-huh.
 22 Q. And then how much Option ID would be
 23 available for that? I think you said ten
 24 percent.
 25 A. What's available for the dwelling

Page 43

1 section would be ten percent of the Option
 2 ID that's available for the dwelling. So
 3 whatever figure I gave you there for --
 4 Q. You gave me \$68,242.
 5 A. It would be ten percent of that.
 6 Q. So that would be \$6,824?
 7 A. Correct.
 8 Q. So let's add those two numbers
 9 together. Okay? \$59,177 plus \$6,824.
 10 A. \$66,001.
 11 Q. So Mr. Bossier had potentially
 12 available to him for the loss of his
 13 dwelling extension \$66,001; is that right?
 14 A. That is correct.
 15 Q. And that takes into account the
 16 inflation index and the Option ID; is that
 17 correct?
 18 A. That's correct.
 19 Q. Let's talk about his contents,
 20 namely all the furniture and treasures he
 21 had in his home and in his dwelling
 22 extension. What was the coverage available
 23 under that part of the policy?
 24 A. The coverage available was \$255,907.
 25 Q. And is that before or after we take

Page 44

1 into account inflation index?
 2 A. Before.
 3 Q. And does the inflation index apply
 4 to contents, as well?
 5 A. Oh, I'm sorry. That figure actually
 6 already includes it. I was looking on 424,
 7 so that does include the inflation.
 8 Q. And is the computation for contents
 9 the same as for the dwelling for inflation?
 10 A. I believe so.
 11 Q. All right. Why don't we
 12 double-check that, just because you showed a
 13 little bit of hesitation there. Let's look
 14 at the policy. The dec. page says \$238,275,
 15 and then let's apply the 1.074 to that.
 16 A. That comes up to \$256,391.
 17 Q. So it's really not the same, is it?
 18 Let's check our math one more time.
 19 A. Yes, \$238,275. It's 1.074?
 20 Q. Correct.
 21 A. \$255,907.
 22 Q. That's what you came up with the
 23 second time?
 24 A. The second time.
 25 Q. When I get two different numbers, I

Page 45

1 always do it one more time, just to make
 2 sure.
 3 A. You want to try one more time?
 4 Q. Yes.
 5 A. So \$238,275 times 1.074, \$255,907.
 6 Q. Great. Is there an Option ID or
 7 something similar to that for contents?
 8 A. No.
 9 Q. So then the total contents
 10 potentially available is \$255,907, right?
 11 A. Correct.
 12 Q. Okay. Now, what other coverages did
 13 he have available to him? Let's talk about
 14 loss of use. Okay? Loss of use, as I
 15 understand it, is actual expenses incurred
 16 as required to relocate for up to a maximum
 17 of 24 months; is that right?
 18 A. Correct.
 19 Q. So there's no set amount for that,
 20 right?
 21 A. Correct.
 22 Q. And there's no inflation adjustment
 23 required for that?
 24 A. Correct. It's actual incurred
 25 expenses.

12 (Pages 42 to 45)