

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA *ex rel.*  
CORI RIGSBY and KERRI RIGSBY

RELATORS/COUNTER-DEFENDANTS

v.

CASE NO. 1:06cv433-LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY DEFENDANT/COUNTER-PLAINTIFF

and

HAAG ENGINEERING CO.; and ALEXIS KING

DEFENDANTS

**STATE FARM'S MOTION FOR SUPPLEMENTAL JURY QUESTIONNAIRE**

***Expedited Consideration Requested***

State Farm Fire and Casualty Company ("State Farm") submits this Motion for Supplemental Jury Questionnaire ("SJQ").

1. Numerous Courts, including the Southern District of Mississippi, have used an SJQ to help screen potential jurors, thereby reducing the amount of time needed for live questioning of the jury venire. Here, the use of a short but pointed case-specific questionnaire would expedite the voir dire process and save valuable court time. The Court and the parties can review the prospective jurors' written questionnaire and identify by stipulation those responding with answers requiring automatic dismissal for cause. This would not only be a convenience for the potential jurors, but would also streamline subsequent voir dire, as many general foundational questions would have already been asked and answered in writing.

2. The proposed SJQ attached hereto as Exhibit A is designed to pre-screen the jury pool for potential bias for or against the parties to this lawsuit. The responses to the SJQ should provide the Court and the parties with the crucial information needed to independently test and more thoughtfully determine the bias or impartiality of a potential juror. Furthermore, potential

jurors are likely to provide more honest and candid answers regarding their biases and prejudices in the context of a questionnaire than they would in open court. And it should allow the parties to address more substantive matters during voir dire – allowing a jury to be seated more quickly and efficiently.

3. State Farm is willing to pay the cost of mailing the SJQ to and from the potential jurors and to pay for a third party to make copies of the completed SJQ's for the Court and all parties.

4. Counsel for State Farm has conferred with counsel for Cori and Kerri Rigsby concerning the requested relief. The Rigsbys oppose the SJQ for reasons they have not shared with counsel for State Farm. Attached hereto as Exhibit B is the Good Faith Certificate signed by all parties requesting expedited briefing on this matter.

WHEREFORE, for State Farm respectfully requests that this Court grant its motion and include with the jury summonses or send in a supplemental mailing an SJQ in the form attached hereto as Exhibit A. State Farm incorporates herein its accompanying Memorandum of Authorities.

This the 14th day of October, 2010.

Respectfully submitted,

STATE FARM FIRE AND CASUALTY COMPANY

By: s/Benjamin M. Watson (MSB #100078)  
Robert C. Galloway (MSB # 4388)  
Jeffrey A. Walker (MSB # 6879)  
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**CERTIFICATE OF SERVICE**

I, Benjamin M. Watson, one of the attorneys for State Farm Fire and Casualty Company, do hereby certify that I have this day caused a true and correct copy of the foregoing instrument to be delivered to the following via the means directed by the Court's CM/ECF System:

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ATTORNEYS FOR HAAG ENGINEERING CO.

THIS the 14th day of October, 2010.

By: s/Benjamin M. Watson (MSB #100078)  
Benjamin M. Watson (MSB #100078)

Jackson 5683764v1

Juror No. \_\_\_\_\_

**Rigsby v. State Farm Fire and Casualty Co., et al.**

Cause No. \_\_\_\_\_

**JUROR QUESTIONNAIRE**

1. Name: \_\_\_\_\_ Sex: \_\_\_\_\_ Age: \_\_\_\_\_
2. Where were you born? \_\_\_\_\_
3. What is the highest level of education you have completed?
  - Less than High School  Some College
  - High School  College
  - Trade/Technical School  Graduate degree (e.g., M.A., Ph.D.)
4. If you have a college/graduate degree, what was your major area of study? \_\_\_\_\_  
 What is your employment status?  Full time  Part time  Retired  Unemployed  
 Homemaker  Disabled
5. Name of your employer: \_\_\_\_\_
6. Job title/duties: \_\_\_\_\_
7. How long have you worked there? \_\_\_\_\_
8. What are your hobbies? \_\_\_\_\_
9. Marital Status:  Never married  Married  Divorced  Separated  Widowed  Other
10. If your spouse/significant other is working, what is his/her employer and what are his/her responsibilities? \_\_\_\_\_
11. If you have children, please provide the following information for your children (use the back if you need more space)

RELATIONSHIP (SON, STEP SON, ETC.)	AGE	CURRENT/LAST OCCUPATION

12. Have you served as a juror before?  
 YES  NO If YES, please answer for each service:

TYPE	NATURE OF CASE	YEAR	VERDICT REACHED	WERE YOU FOREPERSON
<input type="checkbox"/> CIVIL <input type="checkbox"/> CRIMINAL			<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> CIVIL <input type="checkbox"/> CRIMINAL			<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO

13. Have you, or someone very close to you, ever worked for a federal, state, or local government agency or held a government office?  
 Yes, I have. Please explain: \_\_\_\_\_  
 Yes, someone very close to me has Please explain: \_\_\_\_\_  
 No

14. Do you basically trust or distrust the Federal Government?  Trust  Distrust  Not Sure

15. Have you ever been a victim of fraud?  Yes  No If you answered "Yes" please explain: \_\_\_\_\_  
\_\_\_\_\_

16. Did you live along the Gulf Coast at the time Hurricane Katrina hit the Coast?  
 Yes, and I experienced serious damage  Yes, but I did not experience serious damage  No

17. Did you file a claim with your insurance company for any damage suffered as a result of Hurricane Katrina?  
 Yes, and I was treated fairly by my company  Yes, but I was not treated fairly by my company  No

18. If you suffered damage as a result of Hurricane Katrina, was it **mostly** wind or water damage?  
 Wind  Water  Not sure/Don't know  Did not suffer damage

19. When Hurricane Katrina hit, did you have a flood policy (offered by the National Flood Insurance Program) in place?  
 Yes, and I made a claim and was treated fairly  Yes, and I made a claim but was not treated fairly  
 Yes, but I did not make a flood claim  No, I did not have a flood policy

20. Would you say that Hurricane Katrina and its aftermath had a severe and lasting impact on you emotionally and/or psychologically?  Yes  No If you answered "yes", please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

21. Do you basically trust or distrust FEMA (the Federal Emergency Management Agency)?  
 Trust  Distrust  No opinion/not Sure

22. How well did FEMA handle the claims of Hurricane Katrina victims in this area? FEMA did:  
 An excellent job  A good job  A fair job  A poor job  I have no idea/Not sure

23. Do you have any training or experience in the insurance industry?  Yes  No  
If "YES", please tell us what type of training and/or experience: \_\_\_\_\_  
\_\_\_\_\_

24. How well did most insurance companies handle the claims made by Hurricane Katrina victims in this area? They did:  
 An excellent job  A good job  A fair job  A poor job  I have no idea/Not sure

25. Did you or someone very close to you file a lawsuit against an insurer because of the way that insurer managed a Hurricane Katrina claim?  Yes, I did  Yes, someone close to me did  No If "Yes" please explain:  
\_\_\_\_\_  
\_\_\_\_\_

26. Generally speaking, do you believe the communication between an insurance company and its policyholders is:  
 Good  Fair  Poor  Terrible  I have no idea/Not sure

27. Based on your experience, do you believe that most insurance adjustors who work for insurance companies are basically honest or dishonest:  
 Honest  Dishonest  Don't know/Not sure

28. Have you ever been dropped (i.e., lost insurance coverage that you wanted to keep) by your insurance carrier?  
 Yes  No

29. Have you ever found yourself in a situation where you did not have enough insurance coverage to cover a loss you experienced?

- Yes, and this was very financially damaging     Yes, but it was not very financially damaging     No

30. Do you carry any insurance with State Farm?     YES     NO    If you answered "yes", please explain what coverage you carry and for how long: \_\_\_\_\_  
\_\_\_\_\_

31. What opinion, if any, do you have of State Farm?

- Very positive     Somewhat positive     Somewhat negative     Very negative     Neutral/No opinion

32. How closely, if at all, have you followed news stories about disputes between insurance companies and homeowners over claims involving damage caused by Hurricane Katrina?

- Very close     Close     Not very close     Not at all

33. Based on your opinions, experiences, or what you may have read and/or heard about State Farm, do you believe you could be completely fair to State Farm in a case in which several people are suing State Farm in connection with Hurricane Katrina?     Yes, I could be completely fair     No, I could not be completely fair

If you doubt that you could be completely fair, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

34. The present case involves a dispute that has received media attention in local papers, on local television, on the internet, and in the national media. Before coming to court today, had you read or heard about allegations being made by Kerri and Cori Rigsby against State Farm?     Yes     No     Not sure/Don't know

If "YES", PLEASE EXPLAIN WHAT YOU HAVE READ/HEARD: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

35. If you have read or heard about this dispute, do you believe you **have already formed opinions** about this dispute that would make it hard for you to be a fair juror in this present case between the Rigsbys and State Farm?

- Yes, it would be hard to be fair     No, I could be a fair juror

36. Have you ever worked for, or provided services to, a law firm?     Yes     No

If you answered "Yes" please list the firm(s) and the services provided: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

37. Have you ever filed a lawsuit, or been sued by someone?     Yes, filed a suit     Yes, been sued     No

If "yes" please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



38. Do you have a problem with (are you against) people filing lawsuits if they feel they have been injured or wronged by a person or company?  Yes, I have a problem with that  No, I don't have a problem with that  
If "yes" please explain: \_\_\_\_\_  
\_\_\_\_\_

39. Do you believe there are just too many lawsuits these days?  Yes  No  Not sure/No opinion

40. Are you a member of any organization whose aim is to limit or restrict the number of lawsuits that get brought in this country (e.g., Citizens Against Lawsuit Abuse)?  Yes  No If you answered "Yes" please list/describe this organization: \_\_\_\_\_  
\_\_\_\_\_

41. Is there anything else that you feel is important for the parties to know about you?

Yes  No

If YES, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Thank you for helping us select a fair and impartial jury for this case.

**\*\*\*\*\*Please do not attempt to do any research on this matter or discuss this matter with anyone from this point forward. To ensure fairness to all parties, it is essential that jurors make their decision based on evidence they hear in court and not based on information that may be available through newspapers, local or national media, or the internet.\*\*\*\*\***

Please mail this questionnaire back to the clerk in the postage page envelope provided.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA ex rel.  
CORI RIGSBY and KERRI RIGSBY

RELATORS/COUNTER-DEFENDANTS

v.

CASE NO. 1:06cv433-LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY DEFENDANT/COUNTER-PLAINTIFF  
and

HAAG ENGINEERING CO.; and ALEXIS KING

DEFENDANTS

**GOOD FAITH CERTIFICATE**

Counsel for Relators, Haag Engineering Co. and State Farm Fire and Casualty Company (“State Farm”), certify that they have conferred in good faith to resolve the issues in question and that is necessary for State Farm to file the following motion:

Motion for Supplemental Juror Questionnaire

Counsel further certify that:

- X   1. The motion is unopposed by: Haag Engineering Co.
- X   2. The motion is opposed by: Kerri Rigsby and Cori Rigsby
- X   3. The parties agree that responses and rebuttals to the motion shall be submitted to the Court on an expedited basis, rather than in accordance with the normal time limitations stated in Uniform Local Rule 7(b)(4).

This the 12th day of October, 2010.

STATE FARM FIRE AND CASUALTY COMPANY

*/s/Benjamin M. Watson (MSB #100078)*

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