

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION**

JAMES STUART and CAREDA L. HOOD,
individually on behalf of all others
similarly situated

PLAINTIFFS

v.

No. 4:14-CV-04001

STATE FARM FIRE AND CASUALTY
COMPANY and STATE FARM
GENERAL INSURANCE COMPANY

DEFENDANTS

ORDER

On the 7th day of April, 2016, came on to be heard the Plaintiffs' Motion to Compel Discovery Regarding Payments of Withheld Labor Depreciation (ECF No. 89), with the Plaintiffs appearing by and through their counsel, Matt Keil, Tom Thompson, and Casey Castleberry, and the Defendants appearing by and through their counsel, John Moore and Beverly Rowlett. Based upon the pleadings before the Court, the argument of counsel, and the law, the Court hereby grants the Motion in part, as follows:

1. Defendants shall produce a Rule 30(b)(6) witness or witnesses to testify as to the process State Farm Fire used when issuing its recent supplemental actual cash value payments in Kentucky and Missouri and the methodology employed by State Farm Fire to determine the amount of the payment.

2. Defendants shall produce sample claim files from Missouri and Kentucky that were reviewed for issuance of a supplemental payment. For each state, the production shall include files where a supplemental payment was issued and files where no payment was issued after review. For each state, Defendants shall provide Plaintiffs' counsel with a listing of the claim numbers for the claims reviewed and a listing of the claim numbers for which claims were

issued. The parties are conferring regarding the number of files to be produced from each state. If the parties cannot agree, either party may file a motion to ask the Court to make that determination.

IT IS SO ORDERED this 18th day of April 2016.

/s/ Barry A. Bryant
Hon. Barry A. Bryant
United States Magistrate Judge

Prepared by:

/s/ Casey Castleberry
Casey Castleberry, counsel for Plaintiffs

Approved as to form only by:

/s/ John Moore
John Moore, counsel for Defendants