

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

IN RE: THE PROGRESSIVE
INSURANCE CORPORATION
UNDERWRITING AND RATING
PRACTICES LITIGATION

CASE NO. 1:03-cv-01519-MP-AK

ORDER

This matter is before the Court following the issuance of the Eleventh Circuit Court of Appeals' mandate. In its mandate, the Eleventh Circuit dismissed for lack of jurisdiction appeals filed by Angela Fetcher, Julius Dunmore, and GwanJun Kim of this Court's October 1, 2008, order (Doc. 506) denying Dunmore and Fetcher's motion for a second fairness hearing on the issue of attorneys' fees and setting forth findings of fact and conclusions of law in support of the Court's award to Class Counsel of fees and costs in the amount of \$3,000,000.

The Eleventh Circuit stated in its mandate that this Court anticipated further proceedings when issuing its October 1, 2008, order. In that order, the Court ordered the parties to submit to Class Counsel any request for a portion of the fee award and to make a good faith effort to resolve any disputes concerning the apportionment of the award. Doc. 506 at 19. In accordance with the Court's order, Class Counsel then submitted a report (Docs. 513 and 514) representing that all issues related to the distribution of the fee award had been resolved, save for (1) a request by Dunmore and Fetcher for \$500,000 in attorneys' fees and costs and (2) a request by Kim for

\$204,455.00 in attorneys' fees and costs. Before the Court could resolve those disputes and finalize the distribution of the fee award among the various plaintiffs' attorneys, however, Dunmore and Fetcher filed their appeal, followed shortly by Kim.

Due to the amount of time that has passed since the filing of these appeals, the Court finds that the best method of proceeding is to order the parties to each file a status report on any issues the Court has not yet resolved. Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The parties shall each submit a report to the Court detailing the nature and status of all outstanding issues in this case and proposing a method for resolving those issues. The parties have until Thursday, April 2, 2009, to file their reports.
2. The Court notes that, pursuant to the Court's October 8, 2008, order (Doc. 510), the Clerk has rejected an unsolicited filing from Mr. Kim. The Court now grants Mr. Kim leave to file a report in accordance with this order.
3. The Motion to Extend Time (Doc. 465) and the Motion for Bond (Doc. 519) are DENIED as moot.

DONE AND ORDERED this 24th day of March, 2009

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge