

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

LORETTA ALFIERO,)	
)	
PLAINTIFF)	
)	
v.)	
)	
METLIFE AUTO & HOME INSURANCE AGENCY, INC., A BRAND OF,)	CIVIL No. 2:16-cv-513-DBH
)	
AND)	
)	
METROPOLITAN PROPERTY AND CASUALTY INSURANCE COMPANY,)	
)	
DEFENDANTS)	

REPORT OF PRE-FILING CONFERENCE UNDER LOCAL RULE 56(h)

A Local Rule 56(h) pre-filing conference was held on April 6, 2017.

The plaintiff Loretta Alfiero has asserted three counts in this property insurance dispute: (1) breach of contract; (2) breach of covenant of good faith and fair dealing; and (3) unfair claims settlement practices under 24-A M.R.S.A. § 2436-A(1).

The parties agreed to confer and file a joint stipulation of undisputed material facts. The joint stipulation will include the following statements of fact: (1) the plaintiff was the named insured under a homeowner's insurance policy with one of the defendants, a copy of which will be attached; (2) the parties failed to agree on the amount of loss to her property; (3) the insurer made a written demand for an appraisal of the loss; (4) the insurer selected an appraiser within

20 days of the demand; (5) the plaintiff did not respond or select an appraiser within 20 days of the demand; and (6) the relevant dates. Counsel for the defendants stated that the defendant Metlife Auto & Home Insurance Agency, Inc. is not the insurer, and therefore should not remain a named defendant in this action. The lawyers advised that they would further confer and, if appropriate, agree to dismiss Metlife Auto & Home Insurance Agency, Inc. as a defendant in their joint stipulation. The parties also may file statements of material fact in addition to the stipulation.

The Court endorses the following schedule proposed by the parties:

By April 13, 2017, the parties shall file their joint factual stipulations.

By April 13, 2017, the defendants shall file their motion for summary judgment with supporting materials in accordance with Local Rule 56.

By May 15, 2017, the plaintiff shall file her response in accordance with Local Rule 56.

By May 26, 2017, the defendants shall file any reply.

SO ORDERED.

DATED THIS 7TH DAY OF APRIL, 2017

/s/D. BROCK HORNBY

D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE