

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PHILLIP PAULOWICH,

Plaintiff,

v.

THE ALLSTATE INSURANCE CORPORATION AND ALLSTATE FIRE AND CASUALTY INSURANCE COMPANY,

Defendants.

CIVIL DIVISION

No. 2:12-cv-00837-GIL

JURY TRIAL DEMANDED

ORDER OF COURT

AND NOW to wit this 31ST day of July, 2012, upon review of

the foregoing Stipulation, it is hereby ORDERED as follows:

1. The only issue under consideration in the instant lawsuit is one of liability for the automobile accident on June 6, 2010 between Phillip Paulowich and Hanna DiCicco on June 6, 2010.
2. The amount of underinsured motorist coverage available to Phillip Paulowich under the applicable Allstate policy that was in effect at the time of the June 6, 2010 automobile accident is \$50,000.00.
3. This matter shall be remanded to the Court of Common Pleas of Beaver County, Pennsylvania.

4. The only issue to be litigated on remand by the parties is one of liability for the June 6, 2010 automobile accident.

5. If Hanna DiCicco is not found liable for the June 6, 2010 automobile accident, then Allstate will not be obligated to pay Phillip Paulowich underinsured motorist benefits.

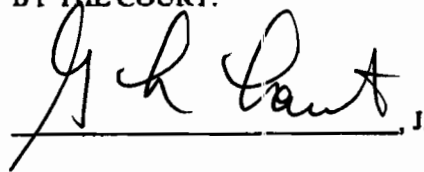
6. If Hanna DiCicco is found liable for the June 6, 2010 automobile accident by a percentage that is equal or greater than any liability of Phillip Paulowich, then Allstate agrees to pay him \$50,000.00 in underinsured motorist benefits.

7. If Hanna DiCicco is found liable for the June 6, 2010 automobile accident by a percentage that is less than any liability of Phillip Paulowich, then Allstate does not have an obligation to pay him underinsured motorist benefits.

8. The Allstate Insurance Company has not acted in bad faith with respect to the handling of the underinsured motorist claim of Phillip Paulowich because of the June 6, 2010 automobile accident.

9. This Stipulation and Order shall be admissible as evidence in the Court of Common Pleas of Beaver County, Pennsylvania to confirm the understanding of the parties.

BY THE COURT:

 J.