

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

KENNETH PARKER,  
*Plaintiff,*

v.

STATE AUTO MUTUAL INSURANCE  
COMPANY,  
*Defendant.*

§  
§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 9:23-CV-00202

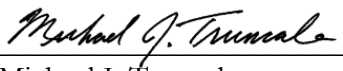
JUDGE MICHAEL J. TRUNCALE

ORDER ADOPTING REPORT AND RECOMMENDATION

On May 6, 2024, the Court referred Defendant State Auto Mutual Insurance Company (“State Auto”)’s *Corrected Motion to Preclude Plaintiff’s Claim for Attorney’s Fees and Verified Plea in Abatement* [Dkt. 11] to United States Magistrate Judge Zack Hawthorn for consideration and disposition. [Dkt. 18]. On June 14, 2024, Judge Hawthorn issued his Report and Recommendation, which recommends denying State Auto’s instant motion because Plaintiff Kenneth Parker’s pre-suit notice adequately stated the specific amount alleged to be owed by State Auto on the claim for damage to or loss of covered property. [Dkt. 21 at 5]. Neither party has filed objections to Judge Hawthorn’s Report and Recommendation, and the time for doing so has passed.

It is, therefore, ORDERED that Judge Hawthorn’s Report and Recommendation denying Defendant’s *Corrected Motion to Preclude Plaintiff’s Claim for Attorney’s Fees and Verified Plea in Abatement* [Dkt. 21] is ADOPTED. Accordingly, Defendant’s Motion to Preclude [Dkt. 11] is DENIED.

**SIGNED this 8th day of July, 2024.**

  
\_\_\_\_\_  
Michael J. Truncala  
United States District Judge