Case: 15-14160 Date Filed: 02/25/2016 Page: 1 of 48

Nos. 15-14160-AA, 15-14162-AA, 15-14178-AA, 15-14179-AA, and 15-14180-AA

## IN THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

No. 15-14160-AA

QUALITY AUTO PAINTING CENTER OF ROSELLE, INC., Traded as Prestige Auto Body,

Plaintiff - Appellant,

v.

STATE FARM INDEMNITY COMPANY, et al.,

**Defendants - Appellees.** 

### ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION

MOTION TO REINSTATE APPEAL FOR QUALITY AUTO PAINTING CENTER OF ROSELLE, INC., Traded as Prestige Auto Body, AS PLAINTIFF - APPELLANT

\_\_\_\_

Case: 15-14160 Date Filed: 02/25/2016 Page: 2 of 48

Nos. 15-14160-AA, 15-14162-AA, 15-14178-AA, 15-14179-AA, and 15-14180-AA

## IN THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

No. 15-14162-AA

**ULTIMATE COLLISION REPAIR, INC.,** 

Plaintiff - Appellant,

V.

STATE FARM INDEMNITY COMPANY, et al.,

**Defendants - Appellees.** 

### ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION

\_\_\_\_

MOTION TO REINSTATE APPEAL FOR ULTIMATE COLLISION REPAIR, INC. AS PLAINTIFF - APPELLANT

\_\_\_\_\_

Case: 15-14160 Date Filed: 02/25/2016 Page: 3 of 48

Nos. 15-14160-AA, 15-14162-AA, 15-14178-AA, 15-14179-AA, and 15-14180-AA

## IN THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

No. 15-14178-AA

CAMPBELL COUNTY AUTO BODY, INC.,

Plaintiff - Appellant,

v.

# STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, et al.,

**Defendants - Appellees.** 

### ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION

<del>------</del>

MOTION TO REINSTATE APPEAL FOR CAMPBELL COUNTY AUTO BODY, INC. AS PLAINTIFF - APPELLANT

Case: 15-14160 Date Filed: 02/25/2016 Page: 4 of 48

Nos. 15-14160-AA, 15-14162-AA, 15-14178-AA, 15-14179-AA, and 15-14180-AA

## IN THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

No. 15-14179-AA

LEE PAPPAS BODY SHOP, INC., et al.

**Plaintiffs - Appellants,** 

v.

# STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, et al.,

**Defendants - Appellees.** 

### ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION

<del>-----</del>

MOTION TO REINSTATE APPEAL FOR LEE PAPPAS BODY SHOP, INC., et al. AS PLAINTIFFS - APPELLANTS

Case: 15-14160 Date Filed: 02/25/2016 Page: 5 of 48

Nos. 15-14160-AA, 15-14162-AA, 15-14178-AA, 15-14179-AA, and 15-14180-AA

## IN THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

No. 15-14180-AA

CONCORD AUTO BODY, INC.,

Plaintiff - Appellant,

v.

# STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, et al.,

**Defendants - Appellees.** 

### ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION

MOTION TO REINSTATE APPEAL FOR CONCORD AUTO BODY, INC.
AS PLAINTIFF - APPELLANT

Case: 15-14160 Date Filed: 02/25/2016 Page: 6 of 48

### CERTIFICATE OF INTERESTED PARTIES

Pursuant to Eleventh Circuit Rule 26.1-1, Appellants attached hereto their Certificate of Interested Parties. Due to the length of the Certificate, Appellants attach the same as Appendix 1 to this motion.

Case: 15-14160 Date Filed: 02/25/2016 Page: 7 of 48

#### MOTION TO REINSTATE APPEAL

Pursuant to Eleventh Circuit Rule 42-3, Appellants in the above-captioned consolidated appeal move the Court for reinstatement of the appeal and state to the Court the following:

- 1. The Brief of Appellants in the consolidated cases was due on or before February 8, 2016. The brief was filed approximately ninety (90) minutes late due to the technical issues set forth in detail in the affidavit of Renee Hitt attached hereto as Exhibit "1." On February 16, 2016, the appeal was dismissed by the Clerk's Office for failure to timely file the Appellants' brief.
- 2. As detailed in that affidavit, there exists chronic issues with electronic interface between the Windows operating system, certain browsers and the intermittent inability of those browsers to interface with Javascript and similar plug ins, which the most popular browsers are no longer supporting.<sup>1</sup> It appears, based upon the difficulties encountered, the electronic court filing system apparently utilizes Javascript.
- 3. When attempting to reach the Eleventh Circuit ECF, the conflict does not allow access to the web site. An error message appears, stating the Java plugin is not

<sup>&</sup>lt;sup>1</sup>See, e.g.,

http://www.snowbound.com/blog/3204/plug-ins-leaving-google-chrome-what-now/ and https://java.com/en/download/faq/chrome.xml

Case: 15-14160 Date Filed: 02/25/2016 Page: 8 of 48

installed, can't be detected, or is disabled in the browser. The two most commonly used browsers, Google Chrome and Internet Explorer, no longer support Java at all. Less widely used browsers, including Firefox and Safari, do not automatically activate the Javascript plug in but must be activated.<sup>2</sup> Even then, however, access is not guaranteed as Java often blocks access due to security settings. See FN 2. Therefore even if the user authorizes the browser to activate Java applets, Java may still block it. As Java does not always block access, there is no single browser which always works to open the ECF system and no way to determine in advance which browser will successfully interface with the ECF system.

- 4. Other browsers create problems of their own. Bing often "hijacks" homepages, causing bookmarks to disappear and must be manually uninstalled each time this occurs.<sup>3</sup>
- 5. The end result is that the user must move from browser to browser until finding one that not only supports Javascript but which Java permits as a safe site and allows the site to be opened.
  - 6. That is precisely what occurred on February 8, 2016. Between finding

<sup>&</sup>lt;sup>2</sup>See https://support.mozilla.org/en-US/kb/how-allow-java-trusted-sites, https://support.apple.com/en-us/HT202698

<sup>&</sup>lt;sup>3</sup>See https://support.mozilla.org/en-US/questions/861212 and https://discussions.apple.com/thread/6841887?start=0&tstart=0

Case: 15-14160 Date Filed: 02/25/2016 Page: 9 of 48

compatible browser access and the size of the documents uploaded to the ECF system, the brief was filed shortly after the filing deadline.

- 7. Appellants respectfully request the Court reinstate the appeal. The brief was technically filed late, however, Appellants submit no prejudice resulted. The brief has been served upon the Court and Appellees. The appendices have been filed as per instruction of the Clerk's Office and required hard copies of briefs and record appendices are in the Court's possession.
- 8. Pursuant to Eleventh Circuit Rule, reinstatement may be granted where the filing defect is cured and movant provides substantive circumstances for the delay. 11<sup>th</sup> Cir. R. 42-3. Plaintiffs respectfully submit the present circumstances meet the reinstatement standards. The delay was caused by technical circumstances outside the control of counsel, the brief and appendices have been filed. While Appellants fully acknowledge the delay in filing breached the scheduling order, Appellants humbly suggest a filing delay which can be measured in minutes is a formal breach rather than substantive one indicative of Appellants lack of intent to fully prosecute their appeal. Appellants therefore move the Court for reinstatement of the consolidated appeal.

Case: 15-14160 Date Filed: 02/25/2016 Page: 10 of 48

Respectfully submitted, this the 25th day of February, 2016.

Respectfully submitted,

/s/ Allison P. Fry
ALLISON P. FRY
JOHN ARTHUR EAVES, JR.
Attorneys for Plaintiff - Appellant
John Arthur Eaves Law Offices
101 North State Street
Jackson, Mississippi 39201
Telephone: (601) 355-7961

#### **CERTIFICATE OF SERVICE**

I hereby certify that on this the 25<sup>th</sup> day of February, 2016, I electronically filed the Plaintiffs-Appellants Motion to Reinstate Appeal with the Clerk of the Court.

/s/ Allison P. Fry ALLISON P. FRY Case: 15-14160 Date Filed: 02/25/2016 Page: 11 of 48

### APPENDIX 1

Case: 15-14160 Date Filed: 02/25/2016 Page: 12 of 48 Case No. 15-14160 Quality v. State Farm

## UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

QUALITY AUTO PAINTING CENTER OF ROSELLE, INC.
TRADED AS PRESTIGE AUTO BODY PLAINTIFF/APPELLANT

VS.

**COURT OF APPEALS NO. 15-14160** 

STATE FARM INDEMNITY CO., et al. DEFENDANTS/APPELLEES

#### **AMENDED CERTIFICATE OF INTERESTED PERSONS**

Pursuant to Eleventh Circuit Rule 26.1-2(c), counsel for Plaintiff/Appellant hereby makes the following corrections and/or additions (noted in bold) to persons and entities that have or may have an interest in the outcome of this case:

21st Century Assurance Company

21st Century Centennial Insurance Company

21st Century Pinnacle Insurance Company

Allstate Insurance Group

Allstate New Jersey Insurance Company

Allstate New Jersey Property and Casualty Insurance Company

American Family Home Insurance Company

American Family Mutual Insurance Company

Ansell Grimm & Aaron

Axinn, Veltrop & Harkrider, LLP

Baker & Hostetler, LLP

Case: 15-14160 Date Filed: 02/25/2016 Page: 13 of 48 Case No. 15-14160 Quality v. State Farm

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Barthel, David John

Bauchner, Joshua S.

Beekhuizen, Michael

Berkshire Hathaway Group

Berkshire Hathaway, Inc. (ticker: BRK.A and BRK.B)

Botti, Mark J.

Caldwell, Lori J.

Carpenter Lipps & Leland, LLP

Carpenter, Michael

Cashdan, Jeffrey S.

Chesler, Stanley R. (United States District Judge)

D'Amico, Brian J.

Dentons US, LLC

Diamantas, Kyle A.

Eaves Law Office

Eaves, Jr., John Arthur

Farmers Insurance Group

Fenton, Richard L.

Fischer, Ian Matthew

Case: 15-14160 Date Filed: 02/25/2016 Page: 14 of 48 Case No. 15-14160 Quality v. State Farm

Fry, Allison P.

GEICO Advantage Insurance Company

**GEICO Casualty Company** 

GEICO Choice Insurance Company

GEICO County Mutual Insurance Company

**GEICO Corporation** 

GEICO General Insurance Company

**GEICO Indemnity Company** 

GEICO Secure Insurance Company

Goldfine, Dan W.

Government Employees Insurance Company

Grabel, Joshua

Griffith, Jr., Steven F.

Halavais, Jamie L.

Hanover Insurance Company

Hanover, Mark L.

Hartford Fire and Casualty Group

Hartford Fire Insurance Company

Hartford Insurance Company of the Midwest

Hartford Underwriters Insurance Company

Case: 15-14160 Date Filed: 02/25/2016 Page: 15 of 48 Case No. 15-14160 Quality v. State Farm

Hochstadt, Eric

King & Spalding, LLP

Koch, Amelia W.

Kochis, Kymberly

Lau, Bonnie

Liberty Insurance Corporation

Liberty Mutual Fire Insurance Company

Liberty Mutual Group Inc.

Liberty Mutual Insurance Company

Liberty Mutual Mid-Atlantic Insurance Company

Litchford, Hal K.

LM Insurance Corporation

Lugenbuhl, Wheaton, Peck, Rankin & Hubbard

Mastando, III, John

Mumford, Michael E.

Nationwide Corporation Group

Nationwide Mutual Insurance Company

Nelson, Michael R.

Nolan, Francis X.

Oates, Claire Carothers

Case: 15-14160 Date Filed: 02/25/2016 Page: 16 of 48 Case No. 15-14160 Quality v. State Farm

Presnell, Gregory A. (United States District Judge)

The Progressive Corporation (ticker: PGR)

Progressive Direct Holdings, Inc.

Progressive Freedom Insurance Company

Progressive Garden State Insurance Company

**Progressive Group** 

Quality Auto Painting Center of Roselle, Inc. traded as Prestige Auto Body

Rohback, Thomas G.

Rumberger, Kirk & Caldwell, PA

Salazar, Marjorie M.

Schmeeckle, Seth A.

Smith, Thomas B. (United States Magistrate Judge)

Snell & Wilmer, LLP

Squire Patton Boggs (US), LLP

State Farm Guaranty Insurance Company

State Farm Indemnity Company

State Farm Mutual Automobile Insurance Company

Sutherland, Asbill & Brennan, LLP

The Opus Investment Management, Inc.

United Services Auto Association

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United Services Automobile Association Group

USAA Casualty Insurance Company

**USAA** General Indemnity Company

Vargo, Ernest E.

Waldor, Cathy L. (United States Magistrate Judge)

Weil, Gotshal & Manges, LLP

Yohai, David L.

Case: 15-14160 Date Filed: 02/25/2016 Page: 18 of 48 Case No. 15-14162 Ultimate v. State Farm

### UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

ULTIMATE COLLISION REPAIR, INC. PLAINTIFF/APPELLANT
vs. COURT OF APPEALS NO. 15-14162

STATE FARM INDEMNITY CO., et al. DEFENDANTS/APPELLEES

#### **AMENDED CERTIFICATE OF INTERESTED PERSONS**

Pursuant to Eleventh Circuit Rule 26.1-2(c), counsel for Plaintiff/Appellant hereby makes the following corrections and/or additions (noted in bold) to persons and entities that have or may have an interest in the outcome of this case:

21st Century Assurance Company

21st Century Centennial Insurance Company

21st Century Pinnacle Insurance Company

Allstate Insurance Group

Allstate New Jersey Insurance Company

Allstate New Jersey Property and Casualty Insurance Company

American Family Home Insurance Company

American Family Mutual Insurance Company

Ansell Grimm & Aaron

Axinn, Veltrop & Harkrider, LLP

Baker & Hostetler, LLP

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Case: 15-14160 Date Filed: 02/25/2016 Page: 19 of 48 Case No. 15-14162 Ultimate v. State Farm

Barthel, David John

Bauchner, Joshua S.

Beekhuizen, Michael

Berkshire Hathaway Group

Berkshire Hathaway, Inc. (ticker: BRK.A and BRK.B)

Botti, Mark J.

Caldwell, Lori J.

Carpenter Lipps & Leland LLP

Carpenter, Michael

Cashdan, Jeffrey S.

Chesler, Stanley R. (United States District Judge)

D'Amico, Brian J.

Dentons US LLP

Diamantas, Kyle A.

Donovan, Kimberly J.

Eaves Law Office

Eaves, Jr., John Arthur

Farmers Insurance Group

Fenton, Richard L.

Fischer, Ian Matthew

Case: 15-14160 Date Filed: 02/25/2016 Page: 20 of 48 Case No. 15-14162 Ultimate v. State Farm

Fry, Allison P.

GEICO Advantage Insurance Company

**GEICO Casualty Company** 

GEICO Choice Insurance Company

GEICO County Mutual Insurance Company

**GEICO Corporation** 

GEICO General Insurance Company

**GEICO Indemnity Company** 

GEICO Secure Insurance Company

Goldfine, Dan W.

Government Employees Insurance Company

Grabel, Joshua

Griffith, Jr., Steven F.

Halavais, Jamie L.

Hanover Insurance Company

Hanover, Mark L.

Hartford Fire and Casualty Group

Hartford Fire Insurance Company

Hartford Insurance Company of the Midwest

Hartford Underwriters Insurance Company

Case: 15-14160 Date Filed: 02/25/2016 Page: 21 of 48 Case No. 15-14162 Ultimate v. State Farm

Hochstadt, Eric S.

King & Spalding, LLP

Koch, Amelia W.

Kochis, Kymberly

Kruppa, Andrew R.

Lau, Bonnie

Liberty Insurance Corporation

Liberty Mutual Fire Insurance Company

Liberty Mutual Group Inc.

Liberty Mutual Insurance Company

Liberty Mutual Mid-Atlantic Insurance Company

Litchford, Hal K.

LM Insurance Corporation

Lugenbuhl, Wheaton, Peck, Rankin & Hubbard, A Law Corporation

Mastando, III, John P.

Mumford, Michael E.

Nationwide Corporation Group

Nationwide Mutual Insurance Company

Nelson, Michael R.

Nolan, Francis X.

Case: 15-14160 Date Filed: 02/25/2016 Page: 22 of 48 Case No. 15-14162 Ultimate v. State Farm

Oates, Claire Carothers

Presnell, Gregory A. (United States District Judge)

The Progressive Corporation (ticker: PGR)

Progressive Direct Holdings, Inc.

Progressive Freedom Insurance Company

Progressive Garden State Insurance Company

**Progressive Group** 

Rohback, Thomas G.

Rumberger, Kirk & Caldwell, PA

Salazar, Marjorie M.

Schmeeckle, Seth A.

Smith, Thomas B. (United States Magistrate Judge)

Snell & Wilmer, LLP

Squire Patton Boggs (US), LLP

State Farm Guaranty Insurance Company

State Farm Indemnity Company

State Farm Mutual Automobile Insurance Company

Sutherland Asbill & Brennan LLP

The Opus Investment Management, Inc.

Ultimate Collision Repair, Inc.

Case: 15-14160 Date Filed: 02/25/2016 Page: 23 of 48 Case No. 15-14162 Ultimate v. State Farm

United Services Auto Association

United Services Automobile Association Group

**USAA** Casualty Insurance Company

**USAA** General Indemnity Company

Waldor, Cathy L. (United States Magistrate Judge)

Weil, Gotshal & Manges, LLP

Yohai, David L.

Case: 15-14160 Date Filed: 02/25/2016 Page: 24 of 48 Case No. 15-14178

Campbell v. State Farm

### UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

CAMPBELL COUNTY AUTO BODY, INC. PLAINTIFF/APPELLANT vs. COURT OF APPEALS NO. 15-14178

STATE FARM MUTUAL AUTOMOBILE INS. CO., et al.

**DEFENDANTS/APPELLEES** 

#### AMENDED CERTIFICATE OF INTERESTED PERSONS

Pursuant to Eleventh Circuit Rule 26.1-2(c), counsel for Plaintiff/Appellant hereby makes the following corrections and/or additions (noted in bold) to persons and entities that have or may have an interest in the outcome of this case:

Adams, Stepner, Woltermann & Dusing, PLLC

Allied Holdings, Delaware Inc.

The Allstate Corporation (ticker: ALL)

Allstate Fire and Casualty Insurance Company

Allstate Indemnity Company

Allstate Insurance Company

Allstate Insurance Group

Allstate Insurance Holdings, LLC

Allstate Property and Casualty Insurance Company

Alston & Bird LLP

Arnzen, Molloy & Storm, PSC

Case: 15-14160 Date Filed: 02/25/2016 Page: 25 of 48 Case No. 15-14178 Campbell v. State Farm

Arrnzen, Mark G.

Auto Club Group

Auto-Owners Insurance Company

Baker & Hostetler, LLP

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Barfield, Mindy G.

Barthel, David John

Beekhuizen, Michael

Bienstock, Floyd P.

Berkshire Hathaway Group

Berkshire Hathaway, Inc. (ticker: BRK.A and BRK.B)

Best, R. Bradley

Besvinick, Laura E.

Blickensderfer, Matthew C.

Boehl Stopher & Graves, LLP

Bonnett Fairbourn Friedman & Balint, PC

Botti, Mark J.

Bunch, Van

Bunning, David L. (United States District Judge)

Campbell County Auto Body, Inc.

Carlton Fields Jorden Burt

Case: 15-14160 Date Filed: 02/25/2016 Page: 26 of 48 Case No. 15-14178 Campbell v. State Farm

Carpenter Lipps & Leland LLP

Carpenter, Michael

Cashdan, Jeffrey S.

Cincinnati Financial Corporation (ticker: CINF)

The Cincinnati Insurance Company

Clark, Johanna W.

Converse, P. Bruce

Dentons US LLP

Diamantas, Kyle A.

Dinsmore & Shohl, LLP

Donovan, Kimberly J.

Drive Insurance Holdings, Inc.

Dykema Gossett, PLLC

Eaves Law Office

Eaves, Jr., John Arthur

Eimer Stahl LLP

Ezzie, Joseph Edward

Fenton, Richard L.

Fischer, Ian Matthew

Frost Brown Todd LLC

Fry, Allison P.

Case: 15-14160 Date Filed: 02/25/2016 Page: 27 of 48 Case No. 15-14178 Campbell v. State Farm

Futscher, David A.

GEICO Advantage Insurance Company

**GEICO Casualty Company** 

GEICO Choice Insurance Company

GEICO County Mutual Insurance Company

**GEICO Corporation** 

GEICO General Insurance Company

**GEICO Indemnity Company** 

GEICO Secure Insurance Company

Golden & Walters, PLLC

Goldfine, Dan W.

Government Employees Insurance Company

Grabel, Joshua

Grange Mutual Casualty Company

Grange Property and Casualty Insurance Company

Greeley, Theodore Joseph

Griffith, Jr., Steven F.

Gwin Steinmetz & Baird PLLC

Halavais, Jamie L.

Hamilton, Joseph L.

Case: 15-14160 Date Filed: 02/25/2016 Page: 28 of 48 Case No. 15-14178 Campbell v. State Farm

Helmer, Elizabeth

Holcomb, Dunbar, Watts, Best, Masters & Golmon, PA

Kenny, Michael P.

King & Spalding LLP

Klapheke, David T.

Koch, Amelia W.

Kochis, Kymberly

Kruppa, Andrew R.

Liberty Insurance Holdings, Inc.

Liberty Mutual Agency Corporation

Liberty Mutual Fire Insurance Company

Liberty Mutual Group Inc.

Liberty Mutual Holding Company Inc.

Liberty Mutual Insurance Company

Litchford, Hal K.

LM General Insurance Company

LMHC Massachusetts Holdings Inc.

Mando, Jeffrey C.

McAllister, Lori

McCluggage, Michael L.

Case: 15-14160 Date Filed: 02/25/2016 Page: 29 of 48 Case No. 15-14178 Campbell v. State Farm

McIntyre, M. Scott

MetLife, Inc. (ticker: MET)

Metropolitan Casualty Insurance Company

Metropolitan Direct Property and Casualty Insurance Company

Metropolitan Group

Metropolitan Property and Casualty Insurance Company

Mumford, Michael E.

Nationwide Affinity Insurance Company of America

Nationwide Corporation Group

Nationwide Insurance Company of America

Nationwide Mutual Insurance Company

Nelson, Michael R.

Nitardy, Michael E.

Nolan, Francis X.

Oates, Claire Carothers

Parry Deering Futscher & Sparks PSC

Powers, Tiffany L.

Presnell, Gregory A. (United States District Judge)

Progressive Advanced Insurance Company

The Progressive Corporation (ticker: PGR)

Case: 15-14160 Date Filed: 02/25/2016 Page: 30 of 48 Case No. 15-14178 Campbell v. State Farm

Progressive Casualty Insurance Company

Progressive Direct Holdings, Inc.

Progressive Direct Insurance Company

Progressive Group

Progressive Preferred Insurance Company

Robinson, III, William T.

Rooney, Timothy J.

Safe Auto Group

Safe Auto Insurance Company

Safe Auto Insurance Group, Inc.

Safeco Corporation

Safeco Insurance Company of America

Shelter General Insurance Company

Shelter Insurance Companies

Shelter Mutual Insurance Company

Sites & Harbison, PLLC

Smith, Candace J. (United States Magistrate Judge)

Smith, Thomas B. (United States Magistrate Judge)

Snell & Wilmer, LLP

Squire Patton Boggs (US), LLP

Case: 15-14160 Date Filed: 02/25/2016 Page: 31 of 48 Case No. 15-14178 Campbell v. State Farm

State Auto Financial Corporation (ticker: STFC)

State Auto Mutual Group

\State Auto Property and Casualty Insurance Company

State Automobile Mutual Insurance Company

State Farm Fire and Casualty Company

State Farm Mutual Automobile Insurance Company

Steinmetz, Robert L.

Steptoe & Johnson, LLP

Stroock & Stroock & Lavan, LLP

\Sutherland Asbill & Brennan LLP

The Travelers Companies, Inc. (ticker: TRV)

Travelers Casualty and Surety Company

Travelers Casualty and Surety Company of America

Travelers Casualty Insurance Company of America

Travelers Group Inc.

The Travelers Home and Marine Insurance Company

The Travelers Indemnity Company of Connecticut

Travelers Property Casualty Company of America

United Services Automobile Association

United Services Automobile Association Group

Case: 15-14160 Date Filed: 02/25/2016 Page: 32 of 48 Case No. 15-14178 Campbell v. State Farm

USAA

USAA Casualty Insurance Company

USAA General Indemnity Company

Vargo, Ernest E.

Wallace, Chad E.

Walters, John W.

Winston & Strawn, LLP

Zard, Eric David

Case: 15-14160 Date Filed: 02/25/2016 Page: 33 of 48 Case No. 15-14179

Lee Pappas v. State Farm

## UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

LEE PAPPAS BODY SHOP, INC., et al. PLAINTIFFS/APPELLANTS
vs. COURT OF APPEALS NO. 15-14179

STATE FARM MUTUAL AUTOMOBILE INS. CO., et al.

**DEFENDANTS/APPELLEES** 

#### **AMENDED CERTIFICATE OF INTERESTED PERSONS**

Pursuant to Eleventh Circuit Rule 26.1-2(c), counsel for Plaintiffs/Appellants hereby make the following corrections and/or additions (noted in bold) to persons and entities that have or may have an interest in the outcome of this case:

21st Century Assurance Company

21st Century Centennial Insurance Company

AIG Property Casualty Company

Alfa Corporation

Alfa Specialty Insurance Corporation

Alfa Mutual Insurance Company

Alfa Mutual Fire Insurance Company

Alfa Vision Insurance Corporation

Allstate Fire and Casualty Insurance Company

Allstate Indemnity Company

Case: 15-14160 Date Filed: 02/25/2016 Page: 34 of 48 Case No. 15-14179

Lee Pappas v. State Farm

Allstate Insurance Company

Allstate Insurance Group

Allstate Property and Casualty Insurance Company

Alston & Bird LLP

American National Group

Art Walker Auto Service, Inc.

Axinn, Veltrop & Harkrider, LLP

Bailey, Anderson T.

Baker & Hostetler, LLP

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Barthel, David John

Beekhuizen, Michael

Berkshire Hathaway Group

Berkshire Hathaway, Inc. (ticker: BRK.A and BRK.B)

Besvinick, Laura E.

Bonk, Jason B.

Botti, Mark J.

Caldwell, Lori J.

Carlton Fields Jorden Burt

Carpenter Lipps & Leland LLP

Carpenter, Michael

Case: 15-14160 Date Filed: 02/25/2016 Page: 35 of 48 Case No. 15-14179 Lee Pappas v. State Farm

Clark, Johanna W.

Coburn, Joseph R.

Coffee, Gordon A.

Cottrell, Edward Keenan

Cozen O'Connor

Crawford, Cynthia Fleming

Dairyland Insurance Company

David C. Brosius d/b/a Martins Auto Body Works, Inc.

de Leeuw, Michael B.

Dentons US LLP

Diamantas, Kyle A.

Donegal Mutual Insurance Company

Donovan, Kimberly J.

Eaves Law Office

Eaves, Jr., John Arthur

Eimer Stahl LLP

Elephant Insurance Company

Erie Family Life Insurance Company

Erie Indemnity Company (ticker: ERIE)

Erie Insurance Company

Case: 15-14160 Date Filed: 02/25/2016 Page: 36 of 48 Case No. 15-14179

Lee Pappas v. State Farm

Erie Insurance Company of New York

Erie Insurance Exchange, a reciprocal insurance exchange

Erie Insurance Group

Erie Insurance Property & Casualty Company

**Esurance Insurance Company** 

Esurance Property and Casualty Insurance Company

Farmers Insurance Group

Fenton, Richard L.

Fischer, Ian Matthew

Flagship City Insurance Company

Francis, Maurice

French, Thomas A.

Fry, Allison P.

GEICO Advantage Insurance Company

**GEICO Casualty Company** 

GEICO Choice Insurance Company

GEICO County Mutual Insurance Company

**GEICO Corporation** 

GEICO General Insurance Company

**GEICO Indemnity** 

Case: 15-14160 Date Filed: 02/25/2016 Page: 37 of 48 Case No. 15-14179 Lee Pappas v. State Farm

GEICO Secure Insurance Company

General Insurance Company of America

Goldfine, Dan W.

Government Employees Insurance Company

Grabel, Joshua

Griffith, Jr., Steven F.

Gwin Seinmetz & Baird, PLLC

Halavais, Jamie L.

Hanover, Mark L.

Hardt, Kenneth

Harleysville Preferred Insurance

Harman Claytor Corigan Wellman, PC

Hartford Fire and Casualty Group

Helmer, Elizabeth

Hochstadt, Eric

Hudson, Henry E. (United States District Judge)

Jones Day

Jones, James Michael

Kenny, Michael P.

Koch, Amelia W.

Case: 15-14160 Date Filed: 02/25/2016 Page: 38 of 48 Case No. 15-14179 Lee Pappas v. State Farm

Kruppa, Andrew R.

Lau, Bonnie

Leader, Leader & Landau, PL

LeClairRyan

Lee Pappas Body Shop, Inc.

Liberty Mutual Insurance Company

Litchford, Hal K.

LM General Insurance Company

LM Insurance Corporation

Logan, Kevin V.

Mastando, III, John

McCluggage, Michael L.

Miller Legal, LLC

Miller, Peter Andrew

Mills, Laurin H.

Mumford, Michael E.

Nationwide Corporation Group

Nationwide General Insurance Company

Nationwide Mutual Fire Insurance Company

Nationwide Mutual Insurance Company

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Nationwide Property and Casualty Insurance Company

Powers, Tiffany L.

Presnell, Gregory A. (United States District Judge)

Property and Casualty Insurance Company of Hartford

QRS Realty Corp.

Reklaitis, Robert Francis

Rhoads & Sinon, LLP

Rohback, Thomas G.

Rooney, Timothy J.

Rumberger, Kirk & Caldwell, PA

Safe Auto Group

Safe Auto Insurance Company

Sentry Insurance Group

Sims, Charles M

Sinnott, Nuckols & Logan, PC

Skilling, Elizabeth

Smith, Gambrell & Russell, LLP

Smith, Thomas B. (United States Magistrate Judge)

Snell & Wilmer, LLP

Spotts Fain PC

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Squire Patton Boggs (US), LLP

State Farm Fire and Casualty Company

State Farm Mutual Automobile Insurance Company

Steinmetz, Robert L.

Stroock & Stroock & Lavan, LLP

Sullivan, John J.

Travco Insurance Company

The Travelers Companies, Inc. (ticker: TRV)

Travelers Group Inc.

The Travelers Home and Marine Insurance Company

Travelers Commercial Insurance Company

Travelers Property Casualty Insurance Company

Travelers Property Casualty Company of America

Ubersax, Jeffery D.

United Services Automobile Association

United Services Automobile Association Group

USAA Casualty Insurance Company

USAA General Indemnity Company

Vargo, Ernest E.

Virginia Farm Bureau

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Virginia Farm Bureau Town and Country Insurance Company

Weil, Gotshal & Manges, LLP

Whiteford Collision and Refinishing, Inc.

Winston & Strawn, LLP

Yohai, David L.

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## UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

CONCORD AUTO BODY, INC.

PLAINTIFF/APPELLANT

VS.

**COURT OF APPEALS NO. 15-14180** 

STATE FARM MUTUAL AUTOMOBILE INS. CO., et al.

**DEFENDANTS/APPELLEES** 

## **AMENDED CERTIFICATE OF INTERESTED PERSONS**

Pursuant to Eleventh Circuit Rule 26.1-2(c), counsel for Plaintiff/Appellant hereby makes the following corrections and/or additions (noted in bold) to persons and entities that have or may have an interest in the outcome of this case:

Allied Property & Casualty Insurance Company

Allstate Fire and Casualty Insurance Company

Allstate Insurance Company

Allstate Insurance Group

Allstate Property and Casualty Insurance Company

Alston & Bird LLP

American Family Insurance Company

American Family Mutual Insurance Company

American Standard Insurance Company of Wisconsin

AmFam, Inc.

Automobile Club Inter-Insurance Exchange

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Baker & Hostetler, LLP

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Barthel, David John

Beekhuizen, Michael

Berkshire Hathaway Group

Berkshire Hathaway, Inc. (ticker: BRK.A and BRK.B)

Best, R. Bradley

Besvinick, Laura E.

Bonnett and Fairbourn, PC

Botti, Mark J.

Brown & James, PC

Caldwell, Lori J.

Carlton Fields Jorden Burt

Carpenter Lipps & Leland LLP

Carpenter, Michael

Cashdan, Jeffrey S.

Clark, Johanna W.

Concord Auto Body, Inc.

Cornerstone National Insurance Company

Dentons US LLP

Diamantas, Kyle A.

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Druley, Deborah C.

Eaves, Jr., John Arthur

Eimer Stahl LLP

Esurance Property and Casualty Insurance Company

Faegre Baker Daniels, LLP

Farm Bureau Town & Country Insurance Company of Missouri

Farmers Insurance Company

Farrar, Tonna K.

Fenton, Richard L.

Fezzi, Katherine Baber

Fischer, Ian Matthew

Fry, Allison P.

GEICO Advantage Insurance Company

**GEICO Casualty Company** 

GEICO Choice Insurance Company

GEICO County Mutual Insurance Company

**GEICO Corporation** 

GEICO General Insurance Company

**GEICO Indemnity Company** 

GEICO Secure Insurance Company

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Goldfine, Dan W.

Government Employees Insurance Company

Grabel, Joshua

Griffith, Jr., Steven F.

Gwin Seinmetz & Baird, PLLC

Halavais, Jamie L.

Hanover, Mark L.

Hochstadt, Eric S.

Holcomb, Dunbar, Watts, Best, Masters & Golmon, PA

Hurley, Ryan Michael

Jenkins, Sarah

Kenny, Michael P.

King & Spalding LLP

Koch, Amelia W.

Kochis, Kymberly

Liberty Mutual Fire Insurance Company

Liberty Mutual Group Inc.

Litchford, Hal K.

LM General Insurance Company

Mastando, III, John P.

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McCarthy, Michael Sean

McCluggage, Michael L.

Mumford, Michael E.

Nationwide Affinity Insurance Company of America

Nationwide Corporation Group

Nationwide Insurance Company of America

Nelson, Michael R.

Nolan, Francis X.

Oates, Claire Carothers

Osborn, Kathy Lynn

Perkins, Heather Carson

Presnell, Gregory A. (United States District Judge)

Progressive Advanced Insurance Company

Progressive Casualty Insurance Company

Progressive Direct Insurance Company

Progressive Group

Progressive Northwestern Insurance Company

Progressive Preferred Insurance Company

Rooney, Timothy J.

Ross, John A. (United States District Judge)

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Rumberger, Kirk & Caldwell, PA

Safe Auto Group

Safe Auto Insurance Company

Safeco Insurance Company of Illinois

Schwartz, Steven Howard

**Shelter Insurance Companies** 

Shelter Mutual Insurance Company

Smith, Thomas B. (United States Magistrate Judge)

Snell & Wilmer, LLP

Squire Patton Boggs (US), LLP

State Farm Fire and Casualty Company

State Farm Mutual Automobile Insurance Company

Steinmetz, Robert L.

Stroock & Stroock & Lavan, LLP

Sutherland Asbill & Brennan LLP

Travelers Group Inc.

The Travelers Home and Marine Insurance Company

United Services Automobile Association

United Services Automobile Association Group

USAA Casualty Insurance Company

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USAA General Indemnity Company

Vargo, Ernest E.

Weil, Gotshal & Manges, LLP

Wilke and Wilke, PC

Wilke, Daniel E.

Winston & Strawn, LLP

Yohai, David L.