

Case Number: 198100313719

RECEIVED
HOLLY WILLIAMSON
JP 8-1 HARRIS COUNTY

2019 OCT 22 PM 3: 29

DEER PARK PAINT & BODY

Plaintiff

vs.

STATE FARM AUTOMOBILE

INSURANCE COMPANY

Defendant

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IN THE JUSTICE OF THE PEACE
COURT

PRECINCT 8, PLACE 1

HARRIS COUNTY, TEXAS

MOTION TO COMPEL FOR DISCLOSURE, PRODUCTION, AND ADMISSIONS

TO THE HONORABLE JUDGE OF SAID COURT:

Deer Park Paint & Body, Plaintiff request the court to compel State Farm Insurance Company to produce discovery as requested:

- ✓ 1. Request No.1. What training each appraiser and/or work experience repairing a vehicle after an accident. This request has nothing to do with proprietary or business or trade secret information.
- 2. Request No. 3. The profile of the estimating software is a vital part of the estimating process and the court needs to know the parameters of the labor times and parts. This does not make this an improper request or irrelevant, overbroad, confusing and vague. It has everything to do with writing a complete estimate. *denied pending*
- 3. Request No.4. The P Page requirements are additional items or repairs that are required to repair a vehicle to pre-accident condition therefore important in the estimating process. This information is available to the public, the repair industry and the software companies to include in their estimating software.
- 4. Request No.5. How does State Farm include the manufacturers specifications for repairing a vehicle after a collision? The specifications of the manufacturer are important so the vehicle is repaired properly and safely to prevent further damage. This information is required to write an accurate estimate and be included in the estimate to put the vehicle in pre-accident condition per the Texas Insurance Laws.
- 5. Request No. 6. What requirements did State Farm ask the software company to include in the estimating software or profile used in each claim for this case for writing the estimate. There is nothing confidential, proprietary, business information or trade secrets about anything when you are repairing a vehicle safely.
- ✓ 6. Request No.7. How does State Farm compute labor rates? Labor rates are set by State Farm without any documents to support the amount, I can't go into a State Farm office and tell the agent how much I want to pay for a policy, how can they have the right to come to my shop and tell me how much they are going to pay to repair a vehicle. There is nothing confidential about rate setting.
- ✓ 7. Request No. 10, 11,12. How does State Farm define "reasonable and customary", "prevailing rate in the market area", "pre-accident condition" The form policy provided does not define any of those terms. The terms are used in State Laws for writing estimates so they need to be defined to write an estimate on a vehicle and handle the claims in this case. The information is necessary for a fair adjudication of Plaintiff's claims as required by the Texas Supreme Court and Rule of Evidence 507.

Denied Pending