

Small Claims Petition

NO. 18100313719

Deer Park Paint & Body

§ In the Justice Court of Harris County, Texas

Plaintiff(s)

§ Precinct 8 Place 1

vs.

§ Judge Holly Williamson

State Farm Mutual Automobile Insurance Company

§ 7330 Spencer Hwy

Defendant(s)

§ Pasadena, TX 77505

Plaintiff: Deer Park Paint & Body

Describe the legal nature of the plaintiff (e.g., individual, sole proprietorship, partnership, corporation)

Corporation

Defendant: State Farm Mutual Automobile Insurance Company

Address: One State Farm Plaza

City: Bloomington

State: IL

Zip: 61710

Date of Birth (if applicable): _____

Describe the legal nature of the defendant (e.g., individual, sole proprietorship, partnership, corporation)

Corporation

*Defendant may be served by serving CORPORATION SERVICE COMPANY

(state the name of the defendant if defendant is an individual, or state the name and title of the person who is authorized to receive service of process for the defendant if defendant is a partnership, limited partnership, corporation, or limited liability company), who may be served at 211 E 7TH ST STE 620, AUSTIN, TX 78701

(state the address for service of process).

The defendant's usual place of business or residence, or other place where defendant can probably be found is Same as above

Cause of Action

(State the cause of action in plain and concise language, sufficient to give fair notice of the claim and to provide enough information to enable the defendant to prepare a defense. You may include information showing venue is proper in the Justice of the Peace Precinct in which you are filing. If you are seeking personal property, you must describe the property and state the value of the property.)

Tortious interference with a contract to repair a vehicle on the following claims, 53-0991-S6501, 53-1004-S9301, 53-5515-D2402, 53-6430-M1101, 53-5483-V0002

Relief Requested (Describe the relief you are requesting, itemizing the amount of damages you are seeking.)

Payment of all reasonable and necessary charges on above claims to put vehicles back into pre-accident condition in the amount of \$10,000.00

Respectfully submitted,

Larry Cernosek

Signature of Plaintiff or Plaintiff's Attorney of Record

Printed Name: Larry Cernosek

State Bar No. _____

Address: 4527 Red Bluff Rd, Pasadena, TX 77503

Telephone: 281-930-0233

Fax Number: 281-930-9904

E-Mail Address: LCWRECKER@COMCAST.NET

Plaintiff consents to the e-mail service of the answer and any other motions or pleadings to this e-mail address.

Small Claims Petition

NO. 218100205801

Deer Park Paint & Body

Plaintiff(s)

vs.

State Farm Mutual Insurance Company

Defendant(s)

Plaintiff: Deer Park Paint & Body

§ In the Justice Court of Harris County, Texas
§ Precinct 8 Place 1
§ Judge Holly Williamson
§ 7330 Spencer Hwy
§ Pasadena, TX 77505

Describe the legal nature of the plaintiff (e.g., individual, sole proprietorship, partnership, corporation)
Corporation

Defendant: State Farm Mutual Insurance Company

Address: One State Farm Plaza

City: Bloomington State: IL Zip: 61710 Date of Birth (if applicable):

Describe the legal nature of the defendant (e.g., individual, sole proprietorship, partnership, corporation)
Corporation

*Defendant may be served by serving CORPORATION SERVICE COMPANY

(state the name of the defendant if defendant is an individual, or state the name and title of the person who is authorized to receive service of process for the defendant if defendant is a partnership, limited partnership, corporation, or limited liability company), who may be served at
211 E 7TH ST STE 620, AUSTIN, TX 78701

(state the address for service of process).

The defendant's usual place of business or residence, or other place where defendant can probably be found is SAME AS ABOVE

Cause of Action

(State the cause of action in plain and concise language, sufficient to give fair notice of the claim and to provide enough information to enable the defendant to prepare a defense. You may include information showing venue is proper in the Justice of the Peace Precinct in which you are filing. If you are seeking personal property, you must describe the property and state the value of the property.)

Per the Texas Department of Insurance stating fact issues have to be decided by a court and State Farm refusing to pay to repair a vehicle to pre-accident condition, by the Texas Insurance Laws, manufacturers specifications and industry standards on the following claims, 53-0991-S65, 53-1004-S9301, and 53-6430-M1101

Relief Requested (Describe the relief you are requesting, itemizing the amount of damages you are seeking.)

Payment of all reasonable and necessary charges to repair the vehicles in the amount of \$6706.33.

Respectfully submitted,

Larry Cernosek

Signature of Plaintiff or Plaintiff's Attorney of Record

Address: 4527 Red Bluff Rd, Pasadena, TX 77503

Telephone: 281-930-0233

E-Mail Address: lcwrecker@comcast.net

Printed Name: Larry Cernosek

State Bar No.

Fax Number: 281-930-9904

X] Plaintiff consents to the e-mail service of the answer and any other motions or pleadings to this e-mail address.

DEER PARK PAINT & BODY

PLAINTIFF

VS.

STATE FARM AUTOMOBILE
INSURANCE COMPANY

DEFENDANT

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IN THE JUSTICE COURT

PRECINCT 8, PLACE 1

HARRIS COUNTY, TEXAS

SETTLEMENT AGREEMENT AND RELEASE

WHEREAS, Plaintiff Deer Park Paint & Body brought suit against State Farm Automobile Insurance Company for the alleged damages Plaintiff sustained in connection services provided to repair vehicles insured by Defendant; and

WHEREAS, State Farm Automobile Insurance Company was the insurer for the vehicles covered by Claim Numbers: 53-0991-S65, 53-1004-S93, and 53-6430-M11; and

WHEREAS, the parties realize that there is a valid dispute between them and desire to settle all claims between them arising from or relating to the occurrences in question in order to avoid further inconvenience and expense; and

WHEREAS, State Farm Automobile Insurance Company, on one hand, and Deer Park Paint & Body, on the other, have entered into this Settlement Agreement whereby State Farm Mutual Automobile Insurance Company has agreed to pay Deer Park Paint & Body and Deer Park Paint & Body has agreed to accept SIX THOUSAND SEVEN HUNDRED SIX AND 33/100 DOLLARS (\$6,706.33), in full and final settlement of any and all claims which may be asserted by or on behalf of Deer Park Paint & Body with regards to State Farm Claim Numbers 53-0991-S65, 53-1004-S93, and 53-6430-M11.

NOW, THEREFORE, Deer Park Paint & Body, in consideration of the total payment of SIX THOUSAND SEVEN HUNDRED SIX AND 33/100 DOLLARS (\$6,706.33), the receipt and sufficiency of which is hereby acknowledged, hereby releases and forever discharges State Farm Mutual Automobile Insurance Company, and their successors, assigns, insurers, employees, owners, shareholders, attorneys and all persons, natural and corporate, in privity with any of them (the "Released Parties") from any and all claims, actions, demands, rights, damages, costs or expenses which Deer Park Paint & Body may now have or which may hereafter arise growing out of or in any way connected with the allegations raised by Plaintiff with regards to State Farm Claim Numbers 53-0991-S65, 53-1004-S93, and 53-6430-M11.

It is further understood and agreed that the provisions of this Agreement are contractual and not mere recitals and that the agreements contained herein and the consideration transferred are to compromise doubtful and disputed claims, and that no payment or releases or other consideration given shall be construed or considered as an admission of liability, all liability being expressly denied.

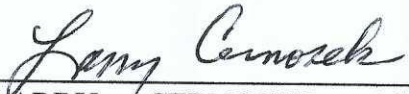
Deer Park Paint & Body represents that it is the owner and possessor of the claims asserted in this cause, and that it has not assigned all or any portion of these claims to any other individual or entity other than a potential contingency fee to its attorney.

Plaintiff warrants that its authorized representative has read this Settlement Agreement and Release and fully understands it to be a compromise and settlement and release of all claims, known or unknown, present or future, that they may have against the Released Parties arising out of ad with regards to State Farm Claim Numbers 53-0991-S65, 53-1004-S93, and 53-6430-M11. Plaintiff warrants that the person signing this agreement is authorized to do so and that the agreement is entered into without any reliance on any representation of any kind or character not expressly set forth herein.

The undersigned hereby bind themselves, their heirs, executors, administrators, personal representatives, successors and assigns to be bound by the terms of this Agreement.

This instrument contains the entire agreement of the parties.

EXECUTED this 10th day of January, 2022.

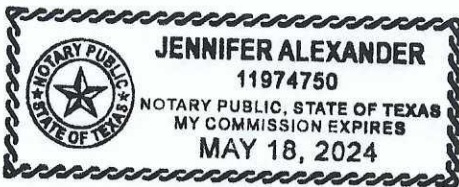

LARRY CERNOSEK AS AUTHORIZED
REPRESENTATIVE FOR DEER PARK PAINT &
BODY

THE STATE OF TEXAS §

COUNTY OF Harris §

BEFORE ME, the undersigned authority, on this day personally appeared Larry Cernosek as Authorized Representative and Attorney-In-Fact for Deer Park Paint & Body, known to me to be the person whose name is subscribed to the foregoing instrument, and that he executed same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 10th day of January, 2022.




NOTARY PUBLIC, STATE OF TEXAS