

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BERNADETTE WILLIAMS, IVAN
SERRATA REYES, ROSILYN WILSON,
HAUNANIMAE CERVANTES-WHITE,
MARIA MUNOZ, TRACY OBRIEN,
KIMBERLY BENSON, ROY TUINSTRAN,
MICHELLE SNYDER, PATRICIA
COUCH, SABRINA CAPERS, WILLIAM
ROSS DEAN, RICHARD DACHEFF,
KRISTY KELLER, JASIMEN
HERNANDEZ, EDGAR FLORIAN,
MICHAEL GROSSBERG, MERRILL
LOVE, DIANE NEWKIRK, SANDRA
SMILING, DAVEY JOHNSTON,
CYNTHIA ROEMER, ROQUE
ESPINOZA, DJ NEILL, TYSON
DEWSNUP, and DEIRDRE PALMER, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE CO.,

Defendant.

Case No.: 1:22-cv-01422

Judge Virginia M. Kendall

DEFENDANT'S OPPOSED MOTION TO STAY

Defendant State Farm Mutual Automobile Insurance Company (“State Farm”) respectfully requests that the Court stay this action, including State Farm’s forthcoming motion for partial summary judgment, pending the Seventh Circuit’s decision in *Schroeder v. Progressive Paloverde Insurance Co.*, No. 24-1559 (7th Cir.), which will address on Rule 23(f) review the certifiability of auto total loss class actions alleging systematic underpayments of “actual cash value,” just like this one.

Counsel for State Farm conferred with counsel for Plaintiffs regarding the relief requested in this Motion, and Plaintiffs oppose the requested relief.

As explained in State Farm’s accompanying memorandum in support of this Motion to Stay, which State Farm incorporates here by reference, the Seventh Circuit’s decision in *Schroeder* will provide critical guidance to this Court and the parties in addressing the same class certification issues sure to arise here. The Court should therefore grant State Farm’s motion to stay all proceedings in this case pending the Seventh Circuit’s adjudication of the *Schroeder* appeal.

Dated: April 22, 2024

Respectfully submitted,

s/ Eric L. Robertson

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Automobile Insurance Co.*