

**FILED**  
DISTRICT COURT  
COMANCHE COUNTY, OKLAHOMA  
September 22, 2026 4:30 PM  
ROBERT MORALES, COURT CLERK  
Case Number CJ-2025-135

Judge Sheperd

Plaintiff Neil West is currently running for election to the office of District Judge in Comanche County, and he recently became one of two candidates to advance to the general election. The election is set to take place on November 3, 2026. If the jury trial in this case is set on November 2, 2026, as Plaintiffs' counsel has reported in their briefs, that would be the very same time pre-trial publicity about this case, actively assisted by Plaintiffs' counsel, is at its height, and jurors are going to the polls to vote for or against Mr. West. If the trial is to proceed on or near this date, then Defendants State Farm Fire and Casualty Company and Nancy Holcomb Insurance Agency, Inc. ("Defendants") respectfully request that this Court change the place of trial to another county where an impartial trial may be had pursuant to 12 O.S. § 140. Alternatively, Defendants request that the trial be set on a later jury trial docket, after sufficient time has passed for the prejudice from Mr. West's campaign to subside, and after the outcome of the election is known so the Court can evaluate any need for a change of venue or recusal that may be created if Mr. West

wins the election thus making him a Comanche County District Judge, on the bench with Your Honor.<sup>1</sup>

### **ARGUMENT AND AUTHORITY**

Neil West, a Plaintiff in this lawsuit (with his wife), is currently running for the office of District Judge in Comanche County.<sup>2</sup> On June 18, 2026, he became one of two candidates to qualify for the general election in November.<sup>3</sup> Mr. West has been actively campaigning for this office in recent weeks, going “to countless neighborhoods” to “talk to the voters – as many as [he] can,” to “highlight [his] diverse legal career and civic involvement, showing [his] character, and how that bodes well for [him] if [he] were elected judge.” *See* Ex. 1 (Swanson, Eric, “Galbraith, West advance to November runoff,” *The Lawton Constitution*, June 18, 2026, *available at* [https://www.swoknews.com/news/galbraith-west-advance-to-november-runoff/article\\_987807d5-65de-594b-b17e-c8c3ff5aa217.html](https://www.swoknews.com/news/galbraith-west-advance-to-november-runoff/article_987807d5-65de-594b-b17e-c8c3ff5aa217.html)); *see also* Ex. 2 (<https://www.facebook.com/West4Judge/>) (noting that he is “knocking doors almost every night, plus weekends, taking the opportunity to introduce myself and meet the voters”).

The general election is set to take place on November 3, 2026. This case is set for pretrial on October 22, 2026, and Plaintiffs have taken the position that the case will therefore begin on the November 2, 2026 jury docket—the day before the election. *See e.g.*, Plaintiffs’ August 21,

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<sup>1</sup> The Scheduling Order says only that the trial date will be set at the Pretrial Conference. To Defendants’ knowledge, no trial date has been set by the Court but given the position of Plaintiffs’ counsel and given that November 2 is the first jury term after the pretrial conference, Defendants are filing this Motion out of an abundance of caution.

<sup>2</sup> More specifically, Mr. West is running for Judicial District 5, Office 1, which covers Comanche, Cotton, Jefferson, and Stephens counties. *See* Ex. 1, Swanson, Eric, “Galbraith, West advance to November runoff,” *The Lawton Constitution*, June 18, 2026, *available at* [https://www.swoknews.com/news/galbraith-west-advance-to-november-runoff/article\\_987807d5-65de-594b-b17e-c8c3ff5aa217.html](https://www.swoknews.com/news/galbraith-west-advance-to-november-runoff/article_987807d5-65de-594b-b17e-c8c3ff5aa217.html).

<sup>3</sup> *See* <https://results.okelections.gov/OKER/?elecDate=20260616>.

2026 Response in Opposition to State Farm’s Motion to Consolidate Depositions, p. 5. If Plaintiffs are correct on this timeline though there is no order from the Court<sup>4</sup>, the trial would occur at the very same time Mr. West is sending mailers to potential jurors’ homes; canvassing potential jurors’ neighborhoods and knocking on their doors; shaking potential jurors’ hands; talking to potential jurors about the justice system; and otherwise actively campaigning to *everyone* in the jury pool. Likewise, if the case is set for trial on November 2 in Comanche County, then the trial would occur at the very same time potential jurors are likely to be going online and googling or otherwise seeking out information about Mr. West and his character for purposes of selecting their preferred candidate. And if the case is set for trial on November 2 in Comanche County, then jurors might literally be voting for Mr. West to serve as their district judge on the very same day they are asked to neutrally evaluate his case against Defendants.

This alone would be problematic enough. But there has also been substantial pretrial publicity about this case, in part in connection with Mr. West’s campaign. *See, e.g.*, Ex. 3 (<https://www.oklahoman.com/story/news/state/2026/08/17/lawyers-in-oklahoma-state-farm-lawsuits-speak-on-hundreds-of-cases/91337076007/>) (Plaintiffs’ counsel giving lengthy and

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<sup>4</sup> The status of discovery and necessary pretrial filings make that timeline seem unrealistic. For example: 1) Plaintiffs have still not responded to State Farm’s or the Holcomb Agency’s Summary Judgment Motions to which Defendants will need to reply and be heard; 2) Plaintiffs have not supplemented their discovery responses to State Farm’s interrogatories and document requests aimed at expert discovery, and thus State Farm cannot complete its own expert work, including preparing rebuttal experts and filing Daubert challenges (which deadlines, under the Scheduling Order, will not be set until the October 22 pretrial); and 3) on September 17, 2026, Plaintiffs served an additional eleven document requests (for a total of 70 requests) including discovery aimed at State Farm’s board of directors, their compensation and communications about claim handling, in addition to “all communications ... on any communication application or platform between [all] State Farm employees” about “wind and hail claim handling ...,” among *many other* irrelevant and vastly disproportionate requests. State Farm’s responses to the eleven new discovery requests are not due until October 20 and motion practice relating thereto is a certainty if it is pursued by Plaintiffs.

detailed interviews about the case, in which they discuss both Mr. West's campaign and his case against State Farm). Mr. West's counsel has not been shy about talking to the press about his case against State Farm—at length, and in highly inflammatory terms—and articles discussing Mr. West's judicial campaign and his lawsuit against State Farm together are readily available. *See id.* Indeed, anyone who types “Neil West” and “Comanche County” into Google in an effort to research their judicial candidates will find a litany of articles about this lawsuit on just the second page of the search results. *See Ex. 4.* And this is only likely to increase between now and the election/trial.

Finally, although the outcome of the election will not be known until November 3, should Mr. West win his election, he would then be the elected representative of the jurors, preparing to serve them as their district judge. Likewise, Mr. West would be set to be Your Honor's newest colleague, which may present considerations by Your Honor for recusal as well.

Defendants respectfully submit that such circumstances—all culminating in the middle of an ongoing jury trial—would be intolerable to justice. Comanche County is not a large county. It is going to be very difficult, if not impossible, to find jurors who have not been exposed to Mr. West's campaign. And for the few who were not aware of it before they became potential jurors, they will learn of it as part of voir dire as Defendants would be forced to bring these facts to jurors' attention to evaluate their fairness, which would itself risk tainting the jury.

12 O.S. § 140 permits—indeed, requires—the Court to move the trial to a new venue in such circumstances. Section 140 provides:

In all cases in which it is made to appear to the court that a fair and impartial trial cannot be had in the county where the suit is pending, the court may, on application of either party, change the place of trial to some county where such objections do not exist.

*Id.*

Defendants respectfully request that, if the trial is to go forward on November 2 (or any jury docket in the weeks after the election), it should be moved to a county outside the judicial district where Mr. West is campaigning for district judge.

In the event the Court declines to change the trial venue, then at a minimum, the trial should not take place at the very same time that the campaign is ongoing, and jurors are going to the polls to vote for Mr. West, or have just done so. Defendants respectfully request that the trial be set on a later jury docket, to allow any prejudice to Defendants from Mr. West's campaign to dissipate, and to give the parties an opportunity to ascertain the outcome of the election and evaluate any potential venue or recusal issues.

### **CONCLUSION**

Based on the foregoing, Defendants respectfully request that the trial for this matter be moved to a county outside the judicial district where Plaintiff Neil West is campaigning for office. Alternatively, Defendants request that the trial be set on a docket after November 2026.

Respectfully Submitted,



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TIMILA S. ROTHER, OBA # 14310

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**ATTORNEYS FOR DEFENDANT STATE  
FARM FIRE AND CASUALTY COMPANY**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing was served by U.S. Mail, postage prepaid, this 22nd day of September, 2026, to:

Reggie N. Whitten  
Michael Burrage  
Blake Sonne  
Hannah Whitten  
John S. Sanders  
Jake Denne

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# Exhibit 1

[https://www.swoknews.com/news/galbraith-west-advance-to-november-runoff/article\\_987807d5-65de-594b-b17e-c8c3ff5aa217.html](https://www.swoknews.com/news/galbraith-west-advance-to-november-runoff/article_987807d5-65de-594b-b17e-c8c3ff5aa217.html)

TOP STORY

## Galbraith, West advance to November runoff

By Eric Swanson [eric.swanson@swoknews.com](mailto:eric.swanson@swoknews.com)

Jun 18, 2026



West

Special District Judge Christine Galbraith and attorney Neil West were the top vote-getters in Tuesday's primary election for a new judge for District 5, Office 1, but neither of them finished with a majority of the vote.

A public defender, West finished first in a four-person race with 40.15% of the vote, according to unofficial results from the Oklahoma State Election Board. Galbraith, who has served as a special judge in Comanche County since 2023, came in second with 27.72%.



Galbraith

Attorney Steven Crow was in third place with 20.96% of the vote, and attorney Tommy Sims came in fourth with 11.17%.

West and Galbraith will advance to the general election in November. The winner will replace former District Judge Emmit Tayloe, who has retired.

The District 5, Office 1, seat helps lead courthouses and adjudicates cases in Comanche, Cotton, Jefferson and Stephens counties.

Crow, Sims and West all ran for the district judge, Office 3, slot in 2022, according to NonDoc. West advanced to the runoff but lost to Judge Jay Walker.

### Christine Galbraith

A Lawton resident, Galbraith earned her juris doctor degree from the Oklahoma City University School of Law and her bachelor's degree from James Madison University, according to her campaign website. Her resume includes stints in private practice and as an assistant district attorney in Comanche County.

Galbraith's career also included providing pro bono and contract services for Legal Aid Services of Oklahoma, and she served as court-appointed counsel in municipal cases, according to her campaign website.

She has served as a special judge for Comanche County since she was appointed to the position in 2023.

"Her work on the bench has given her firsthand experience with the daily realities of courtroom administration, thoughtful decision — making and the responsibility judges owe to the people and communities they serve," according to her campaign website.

### Neil West

**EXHIBIT 1**

A graduate of the Oklahoma City University School of Law, West worked in retail during his college years, according to NonDoc. After he earned his degree, West worked as Lawton's assistant city attorney and city prosecutor.

West and his family have called Lawton home for more than 28 years, he said in a Feb. 20 post on his campaign Facebook page.

"Over the course of my legal career, I have had the privilege of serving our community in a variety of professional roles – as municipal prosecutor, assistant district attorney, Mental Health Court coordinator, public defender and private attorney," he said.

As he prepares for the runoff vote, West will continue talking to voters about how his experience as an attorney and a community volunteer would translate to the bench, he said in an email to a Constitution reporter.

"My strategy all along has been a grassroots approach to talk to the voters — as many as I can — and highlight my diverse legal career and civic involvement, showing my character, and how that bodes well for me if I were elected judge," he said. "I went to countless neighborhoods in 75 days, and I still couldn't reach everyone. There's plenty of work to be done talking to the voters."

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Eric Swanson has more than 20 years' experience covering local government and criminal justice in Oklahoma, Kansas and North Dakota. He can be reached at

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Eric Swanson

# Exhibit 2

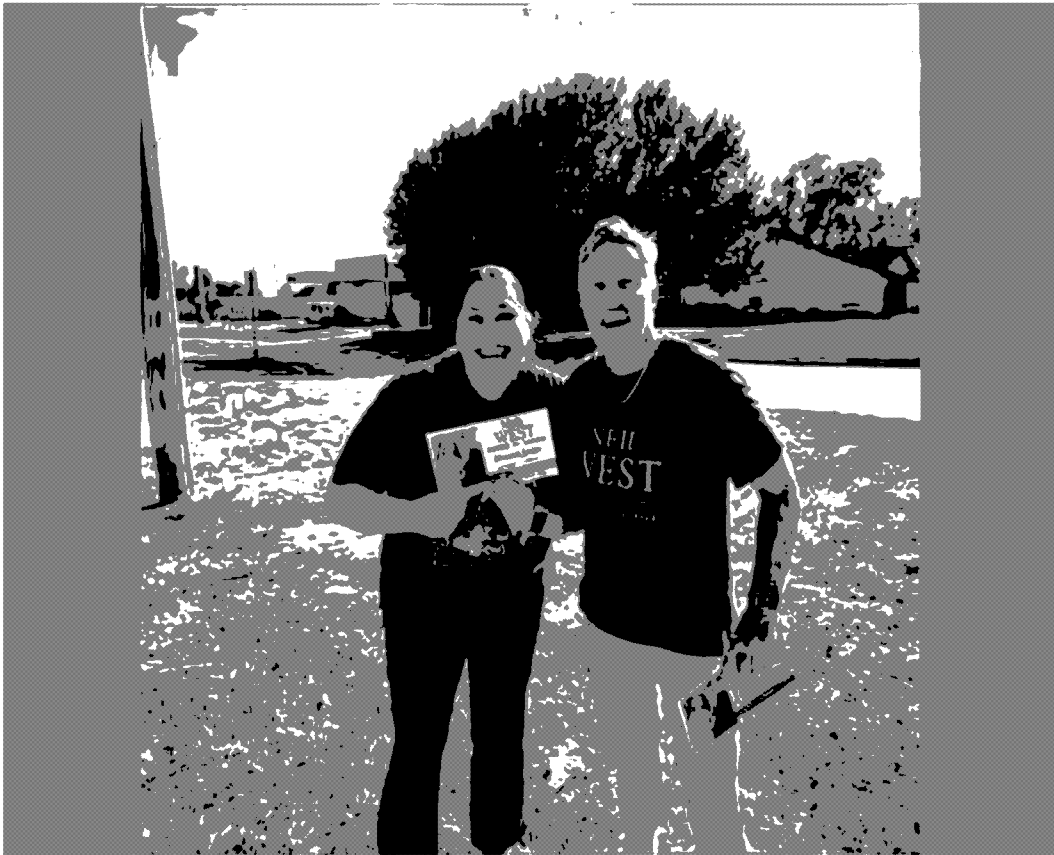


Neil West for District Judge is with Fatima Rivera.

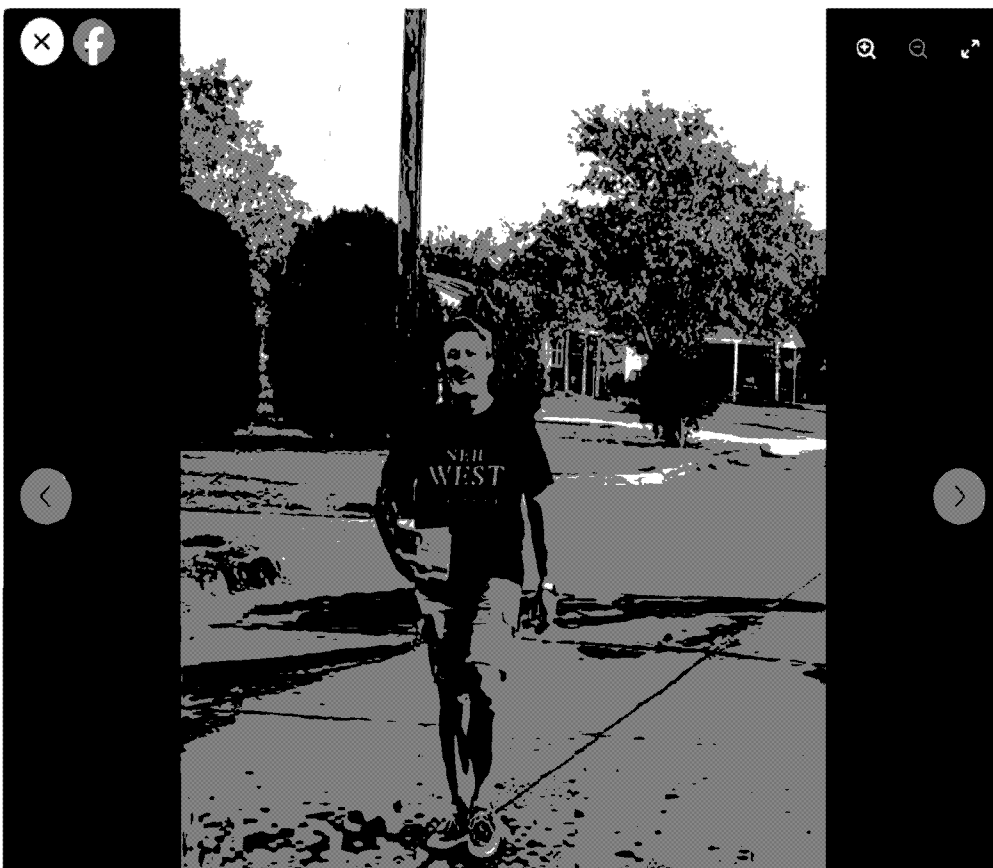
September 5 at 9:23 PM · 🌐

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One of the best parts of the campaign trail is running into good friends along the way! After a great day in Duncan, this was the perfect way to wrap things up.



👍 27 💬 📌 3



Neil West for District Judge

September 3 at 9:01 PM · 🌐

We are excited to be back out in the community again! Northwest Lawton, it has been great getting to meet you this week - full of great questions and conversations. Help us spread the message: share the post, tell your neighbors, post a yard sign.

👍 139 💬 21 📌 25



Most relevant ▾



Daniela Cross · 1h

Are you actually knocking on people's doors or just walking in the middle of a random street for a photo op?

👍 🗨️ Reply 🗨️



Neil West for District Judge · 1h · 🗨️ Author

Daniela Cross Yes, I am knocking doors almost every night, plus weekends, taking the opportunity to introduce myself and meet the voters. I was headed back to the car when my wife snapped this photo.

👍 🗨️ Reply 🗨️ 1



Gary Sammons Jr. · 1h · 🗨️ by author

He knocked on my door Thursday evening and visited

# Exhibit 3

# THE OKLAHOMAN

STATE

## Inside the secret documents found by attorneys in cases against State Farm, Allstate

**J.C. Hallman** Oklahoma Watch

Aug. 17, 2026, 11:09 a.m. CT

In 1997, Allstate Insurance Company launched a test program in Albuquerque, N.M., titled the Claim Core Process Redesign, to modify its process for assessing wind- and hail-related roof damage claims.

In May that year, initial test results suggested wild success: claim payout costs had dropped by 50% or more, yielding greater savings for the company than originally predicted. A subsequent report comparing data from before, during, and after the test confirmed sharp reductions in costs and even more dramatic gains in the number of policyholders whose claims were closed without any payment at all.

Before the test, Allstate paid out on 75.9% of wind claims and 82.8% of hail claims. After the test, they paid out on 29.2% of wind claims and 11.1% of hail claims.

In other words, a whole lot more policyholders were having their claims denied entirely.

The initial reports on the Albuquerque test expressed giddy corporate excitement with big-font claims of “Awesome!” and “Wow!” next to profit data graphs, even as one document took quiet note of policyholders who had been denied.

“Initial customer feedback on the process has been positive, although there are some disappointed customers who expected full roof replacements,”

**EXHIBIT 3**

the report read.

Details of the Albuquerque test came to light in the motions in a 2023 roof-claim lawsuit in Oklahoma, a case that aligns perfectly with the saga of roof claims that began to draw public attention when Oklahoma Watch broke the story of Hursh v. State Farm in December.

On May 21, 2022, a storm hit the Rogers County home of Laurie Edin and Thomas Utzig. An Allstate adjuster approved a replacement only to be overruled by remote Allstate managers. An independent adjuster estimated damages at \$21,000; Edin and Utzig retained two Oklahoma City law firms: Whitten Burrage and The Marr Law Firm.

**More:** AG Drummond sets sights on Allstate with new fraud lawsuit

In the past year, for the sheer volume of cases they handle, Reggie and Hannah Whitten of Whitten Burrage and Jeff Marr of The Marr Law Firm have become synonymous with the ongoing roof-claim saga. The number of cases changes daily, but as the saga unfolded and as Attorney General Gentner Drummond intervened on behalf of the state and filed lawsuits against both State Farm and Allstate, Whitten Burrage has accumulated more than 1,000 cases across Oklahoma, and The Marr Law Firm counts approximately 200 cases.

In the latest development, as the battle over discovery orders heats up in cases litigated across the state, Whitten Burrage and The Marr Law Firm have been hired to represent Oklahoma on the AG's State Farm and Allstate cases, respectively.

After months of refusing to speak publicly about cases that have burst into national news and been featured in political debates and campaigns, the plaintiffs' lawyers are now speaking openly about their lives and work. For the first time, they are revealing what is contained in secret documents that, like the Epstein Files, reveal the scope and nature of the scheme that has left Oklahoma homeowners demanding answers.

## Treated like the enemy

Reggie Whitten hailed from Seminole, attended OU Law, and cut his teeth as an insurance litigator by assisting on cases for a prominent insurance defense trial lawyer while he was still in law school.

Whitten went on to defend insurance companies for two decades, traveling the state to offer courses on how they could avoid bad-faith claims. Things were different in those days, Whitten said. He recalled that he would turn over claim files to plaintiffs even without a subpoena, and he said that most of his corporate clients felt empathy with policyholders and sought ways to pay out on complex, catastrophic claims.

“The business was different back then,” Whitten said. “The world has changed a lot.”

He noticed a shift around 1990, not a jump from black to white but a gradual drift toward greed. His staff picked up on it first: his insurance company clients were finagling a 20% reduction in his fees.

The big change came in 2020.

**More:** Oklahoma investigates homeowners insurance market

“I was used to seeing one thing from State Farm; this was different,” Whitten said.

Rather than a single case, he began to notice a cluster of complaints from insureds regarding wind and hail roof claims. Roofers were joking online that anyone insured by State Farm was likely to be denied. It was new, Whitten said, and, ironically, it was a little like hailstorms in that something that had formerly hit only occasionally now seemed to be happening every day.

“You didn’t have to be a genius to see the change, the sheer numbers of it,” Whitten said.

It would take a years-long legal battle to begin to work out what happened, and for years after that, Whitten Burrage lawyers would be prevented by protective orders from publicly discussing what they had learned.

Now they are winning the right to speak.

Whitten's daughter, Hannah Whitten, who joined her father's firm in 2022, made no effort to disguise the fact that she finds State Farm's behavior reprehensible.

"There was a scheme," Hannah Whitten said. "That's a fact, not an opinion. It's documented."

Previous reporting has been limited to noting that State Farm launched a wind and hail initiative in 2020 as a test program in Dallas and quickly expanded it to many other states.

Hannah Whitten offered further detail from secret documents: 2020 marked the launch of a remote evaluation process for claims. That is, claims were evaluated by people out of state who never saw the roof on which they passed judgment.

Put otherwise, Hannah Whitten said, State Farm told their local, front-line claim adjusters that they no longer had the authority to award total roof replacements for wind and hail damage.

"The most sinister tactic State Farm developed was robbing adjusters of settlement authority and only reviewing adjusters who were approving claims," Hannah Whitten said. "The only time a manager is reviewing your work is if you are granting too many roofs."

Furthermore, the documents revealed a metric. If, as an adjuster, you approved too many roofs, you would be forced to sit down with your manager to discuss your future with the company, Hannah Whitten said.

**More:** Does hail damage ranking alone explain Oklahoma's high premiums?

Beyond the logistics of the scheme, the Whitten Burrage lawyers had begun to learn just how much money State Farm had made from the wind-and-hail initiative.

“They tracked it,” Reggie Whitten said, describing what he’d seen in the secret documents. “Charts, graphs, bells and whistles. They achieved their goal in a pilot program in Dallas County, Texas.”

The documents showed that in the first year, 2020, State Farm counted more than \$1 billion in corporate savings at the expense of policyholders, Reggie Whitten said. How much State Farm has made in the years since has not yet been calculated.

Oklahoma Watch reported that the first 125 cases Whitten Burrage took on were settled in 2024. Of those, the settlement amount of just one case was known: \$3 million.

“It’s a drop in the bucket,” Hannah Whitten said.

## **That hail damage is not hail damage**

In May 2025, Senators Josh Hawley, R-MO, and Andy Kim, D-NJ, hosted a hearing on insurance claims practices featuring extensive testimony from policyholders and whistleblower adjustors from State Farm and Allstate.

Allstate adjuster Nick Schroeder described what would happen when he submitted legitimate roof claims to remote managers.

“If there is something they disagree with, they would say to remove it,” Schroeder said. “It’s, you know, ‘That hail damage isn’t hail damage, take it off.’”

For Jeff Marr of The Marr Law Firm, that kind of thing struck a familiar tone. He was quick to point out that what State Farm had been accused of doing in Oklahoma was not new and was directly linked to advice the insurance industry had received from several colossal consulting firms.

**More:** Oklahoma family lives in shed as insurance suit reveals alleged fraud

“There is not really anything that one of them is doing that the other is not,” Marr said. “If it’s State Farm in the lead, or Allstate, they switch off. They are visited by the same people, whether it’s McKinsey or Accenture; they make the rounds.”

Marr learned to decode the cryptic system of euphemisms and acronyms that the industry used to veil its schemes, he said.

It arguably began, Marr said, when McKinsey and Company, a global management consulting firm that has been associated with the savings and loan scandal, Enron, and the opioid epidemic, was asked to advise Allstate on its claim-handling practices, according to a 2007 affidavit of Allstate Assistant Vice-President Christine Sullivan.

For several months in late 1993, Sullivan said, McKinsey prepared a “fact-gathering” report totaling 12,929 pages, based on data from Tucson, Arizona; Miami, Florida; Troy, Michigan; and Oklahoma City.

Several years later, Allstate tested what it called the process, the Claim Core Process Redesign, in Albuquerque, N.M.

“The process is the scheme,” Marr said.

## **Opportunity dollars**

Materials embedded in court documents reveal that McKinsey had identified “opportunity dollars,” that is, areas of claim handling where profits could be increased. A presentation delivered at an April 18, 1997, Allstate brand meeting cited the evaluation of roof damage in wind and hail claims as their largest area of opportunity.

Marr offered translation of various examples of what he called “McKinsey-speak.”

When reports cited “insufficient coverage analysis,” it meant that Allstate should have looked harder for ways to deny coverage,” Marr said.

“Improper scoping of damages” meant the company looked too hard for things to pay out on, Marr said.

“Poor identification of subrogation opportunity,” Marr said, was another way of saying reimbursement, and meant that companies should seek others to pay them back when they were found to have owed a claim.

Now-unveiled documents revealed that one of the largest challenges of the so-called process was ensuring that Allstate employees adhered to its measures.

“It is critical that performance management measures be focused and have the teeth to drive behavior,” one document said.

“Strictly following the process is essential to capturing the economic opportunity,” said another.

Marr said he identified two aspects of the scheme that he found particularly galling.

First, another consulting company, Haag Engineering, a century-old technical consulting firm, was called upon to devise an alternate definition of hail. Applying Haag’s materials, Allstate blasted out head-scratching bits of double-speak to its employees.

“It’s better to know what is not hail damage than to know what is,” one document said.

Allstate employees attended seminars to absorb Haag Engineering reports explaining that smeared granules and impact marks spread across a roof were not hail damage, while pits and soft spots, like a bruise on an apple, were hail damage.

“They called these training sessions recalibration,” Marr said. “I called it hail reeducation camp.”

Second, as lawsuits began to question the hail standards, yet another consulting giant, Accenture, advised claiming that the hail standards they prescribed were

consistent with nationwide industry standards, Marr said. After years of legal squabbling over these standards, a State Farm case revealed that the standards had appeared out of thin air.

“State Farm states that based on a diligent investigation to date it has not identified any responsive documents related to Accenture’s work for State Farm,” a court document read.

In other words, they made it up.

“It’s the damndest thing I ever saw,” Marr said.

State Farm and Allstate did not respond to requests for on-the-record interviews.

## **27,764 denials**

“State Farm has internally implemented hidden, secretive, restrictive definitions of hail damage, specifically,” Hannah Whitten said. “What Haag Engineering was saying in 2006 is exactly what adjusters are telling roofers today, in 2026.”

The 2020 launch of the State Farm wind and hail initiative in Dallas and the 1997 Allstate Albuquerque test of the Claim Core Process Redesign appear to be examples of history not repeating but rhyming, as Mark Twain once wrote.

Of many facts that Reggie and Hannah Whitten were now willing to address openly, one stuck out to them as particularly egregious.

State Farm Senior Leader and Director of Property and Casualty Operations Nicole Manduca, described in open court as the ringleader of the wind and hail initiative, had announced a goal of 50% reduction in payouts. On social media, Manduca subsequently boasted of success.

A 50% reduction represented billions of dollars, Reggie Whitten said.

**More:** Oklahoma sues State Farm over alleged scheme to limit payouts

For Hannah Whitten, what was egregious about Manduca's goal was that arbitrary profit targets were applied to claims that resulted from random weather catastrophes.

"You have no idea which policyholders are going to file a claim next year," Hannah Whitten said. "What size will the claims be? How old is their roof? Is it Class 4 shingles, or Class 3? Is it repair or replace? You never know."

The corporate attitude, she said, was clearly aimed at secretly reducing coverage.

The Whittens did not yet know how much money the wind-and-hail initiative netted in total, but they did know how much State Farm thought it was saving. A document to which they had gained access revealed that the insurance giant believed it was saving \$15,000 per denied policyholder.

In Oklahoma alone, between 2019 and 2024, 27,764 policyholders were entirely denied on claims of wind and hail damage, according to a State Farm petition in the Hursh case. An unknown portion of an additional 91,588 claims were partially denied.

In addition, the Whittens learned that leadership changes at State Farm had not slowed the scheme's growth. Rather, Hannah Whitten said, they had doubled down.

"Executives didn't just rubber stamp the scheme," Hannah Whitten said. "They were sitting in meetings, developing it. The executives are part and parcel of the scheme."

For Reggie Whitten, a two-fold goal of the quest to expose the secret documents could be expressed by a phrase with chilling associations: follow the money.

As to the money, Reggie Whitten was hesitant to hazard a premature guess at a total figure for what he characterized as State Farm's ill-gotten gains, because although many documents have become available and can be described, some have been hidden deep inside document dumps of hundreds of thousands of pages.

“We’ll be able to do that when we get through all of the documents we already have,” Reggie Whitten said.

As to where the trail of money led, Reggie Whitten was more forceful. He said that documents now in their possession revealed that the planning and execution of the scheme permeated the company, and implicated the man who, in 2024, was promoted from CFO to CEO, becoming just the sixth chief executive in State Farm’s 104-year history.

“The involvement in the scheme goes all the way to the top,” Reggie Whitten said. “At trial, we will prove that State Farm CEO Jon Farney is intimately involved in the scheme.”

## **Judge sets trial date**

The Oklahoma roof claim saga and the battle over secret documents are reaching a fever pitch.

On August 4, an impatient Oklahoma District Court Judge Amy Palumbo, who has presided over the symbolic Hursh matter for a year, made it clear that State Farm is tap dancing on her last nerve. In an hour-long hearing in which she complained of having to babysit the insurance giant, she offered a heated characterization of the company’s legal strategy.

“It’s kick the can down the road, we’ll just blow deadlines because that is what works for us,” Palumbo told State Farm’s local attorneys. “I say that based on what State Farm has sent you in here with.”

Palumbo set a Dec. 7 trial date for the Hursh case and announced that a third deposition of Nicole Manduca, first deposed by Nick Marr, son of Jeff Marr, and subsequently deposed by Reggie Whitten, will be conducted in Palumbo’s own courtroom to ensure decorum and that discovery orders are followed.

On Thursday, Comanche County District Court Judge Grant Shepherd heard arguments in a case that, after the cases of retired U.S. Administrative Law Judge James R. Linehan and former Oklahoma Supreme Court Chief Justice Joseph M. Watt, might provide the third instance of an Oklahoma judge battling State Farm over a bad faith claim.

On July 15, 2023, the Lawton home of Neil and Lacy West was pelted with two-inch hail, causing \$50,000 in damage, court documents said. State Farm offered approximately \$5,000 in compensation; the Wests lawyered up.

Neil West, a public defender and 30-year Lawton resident, is running to become a District Court Judge in Comanche County, where his bad faith case is being heard. On June 16, West received 40.2% of the primary vote in a four-candidate field, advancing to the August 25 runoff against Comanche County Special Judge Christine Galbraith, who received 27.7% of the primary vote.

On Thursday, strained by a year of repetitive legal actions across the state, the nerves of attorneys in the West case grew frayed as Judge Shepherd heard arguments on motions to de-designate 800,000-pages of State Farm documents and depose State Farm CEO Jon Farney.

In a July 7 motion, Hannah Whitten argued that State Farm, after being compelled to supply 800,000 pages of materials, had designated all of the documents confidential in violation of Oklahoma law.

“Such an abuse of the judicial system cannot stand,” Whitten wrote.

In a July 27 response, State Farm attorney Timila Rother offered spirited disagreement.

“Plaintiffs’ Motion unreasonably mischaracterizes and disregards Oklahoma law,” Rother wrote.

On Thursday, lawyers sparred over who should be tasked with determining which, if any, of the 800,000 documents should be made public.

State Farm attorney Paige Masters distinguished discovery orders from public documents.

“Discovery is not a court record,” Masters said.

Oklahoma City attorney Ryan Deligans, arguing alongside the Whitten Burrage attorneys, lost patience with State Farm’s repeated insistence that they were simply attempting to comply with court orders.

“Ultimately, you have a company here who likes to lie,” Deligans said. “They are the guiltiest-looking innocent company I’ve ever seen.”

Rother argued that CEO Farney was not sufficiently familiar with the wind and hail initiative to warrant a deposition.

“He probably did hear about the [initiative], but that’s not to say he had day-to-day knowledge of it,” Rother said.

Hannah Whitten pushed back by citing documents still under seal.

Judge Shepherd cleared the room of reporters, but Whitten’s voice was audible through the closed courtroom door: documents showed that Farney, as CFO, had attended weekly morning meetings of a Fixed Profit Task Force where tactics to reduce claim payouts were discussed alongside figures on the number of cases denied without payment, the same data points that appeared in reports on the 1997 test of Allstate’s claim processing redesign.

After two-and-a-half hours of argument, Judge Shepherd announced that he would issue written rulings. The order approving Farney’s deposition came within 24 hours; a decision on de-designating the 800,000 documents is expected this week.

*Many links in this story point to images showing portions of records obtained by Oklahoma Watch. The complete documents from which those images were taken are linked below.***Neil and Lacy West v. State Farm Fire and Casualty Company and Nancy Holcomb Insurance Agency Inc.** PLAINTIFFS' MOTION TO (1) STRIKE DEFENDANT STATE FARM'S BLANKET CONFIDENTIALITY ASSERTION, (2) DE-DESIGNATE DOCUMENTS PRODUCED, AND/OR (3) TO LIFT THE PROTECTIVE ORDER FOR GOOD CAUSE BASED ON STATE FARM'S FAILURE TO ENGAGE IN GOOD FAITH AS REQUIRED

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*Oklahoma Watch, at [oklahomawatch.org](https://oklahomawatch.org), is a nonprofit, nonpartisan news organization that covers public-policy issues facing the state.*

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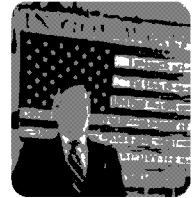


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## Neil S. West - Lawton, OK Office Information

**Neil S. West has a law office located in Lawton, OK.** Martindale-Hubbell provides the office's address, phone number, website, and hours.

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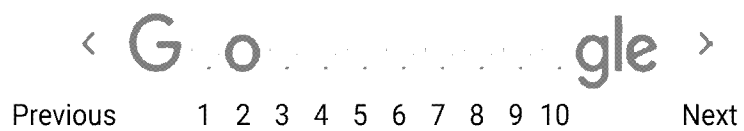


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