

FILED
DISTRICT COURT

Further, taking the deposition of a high-level executive—like an Operations Vice President—is not permitted unless (1) the executive possesses unique personal knowledge of facts germane to the litigation, and (2) the information sought cannot be obtained through less intrusive means. Plaintiffs have not, and cannot, identify any germane knowledge that would justify their demand to depose Mr. Keating. Moreover, Plaintiffs can obtain, and have already obtained, whatever information they seek through other means—including, but not limited to, the depositions the Court has already ordered of State Farm’s current and former employees who Plaintiffs contend were involved in State Farm’s Wind/Hail Fire Model Enhancement (“FME”) quality initiative and State Farm’s Fix Profit Task Force (“FPTF”). Requiring Mr. Keating to take multiple days to prepare for and attend a deposition concerning matters about which he has no relevant or unique knowledge would also be unduly burdensome and disproportionate to the needs of this individual case. Accordingly, the Court should enter a protective order and quash the Keating Notice.

BACKGROUND

This case arises from two insurance claims for approximately \$22,000.00 in combined alleged damages to a single insured property, from weather events that reportedly occurred on October 4, 2023 and May 21, 2024. Plaintiffs assert claims against State Farm for breach of contract and bad faith; claims against agent Mark D. Welty and Mark D. Welty Insurance Agency for negligent procurement; and claims against all Defendants for constructive fraud and negligent misrepresentation. (*See* Pet. ¶¶ 40, 45–79.) Plaintiffs (wrongly) allege that this case involves a “scheme” by State Farm, which they contend was implemented through the FME to lower indemnity payments by, *inter alia*, misattributing roof damage from storms to non-covered “wear and tear.” (*See generally id.*)

Plaintiffs have already obtained vast discovery about their insurance claims and their (false)

theories of the FME's influence on claim handling generally. State Farm has produced over a thousand documents related to Plaintiffs' claims, including Plaintiffs' policy, their Claim File, three years of financial and annual statements, underwriting guidelines in effect when Plaintiffs' policy was issued, applicable claim-handling guidelines in place at the time of the alleged loss, Wind and Hail Guidelines, performance evaluations for the claim handlers involved in Plaintiffs' claims, and the Fire Property Claims Quality Plan in effect on the dates of loss, among others.

Plaintiffs also requested, moved to compel, and have now received over 110,000 State Farm documents (along with over 600,000 documents State Farm produced in other cases)—most of which have nothing to do with the claims decisions they challenge, but that Plaintiffs allege are necessary to prove their theory around the FME. On November 25, 2025, the Court granted Plaintiffs' First Motion to Compel and, over State Farm's objection, ordered production of information and documents Plaintiffs claimed were relevant to State Farm's purported "scheme" to deny wind/hail roof claims, including, *inter alia*: claims training materials since 2015; information from 2019 onward regarding the FME and wind/hail initiatives, including purported tracking of roof replacements, indemnity savings, and payment volumes; six years of documents and communications relating to managerial approval requirements for full roof replacements; documents about alleged efforts to reduce indemnity payments for wind/hail claims; and all documents previously produced or ordered in six unrelated lawsuits.¹

Plaintiffs also issued a corporate representative deposition notice to State Farm seeking

¹ The Court also ordered State Farm to produce training provided to agents regarding policy sales and underwriting; information on its relationship with Haag Engineering; Fire Property Claims Quality Plans since 2019 plus documents on initiatives concerning indemnity payments and roof replacement ratios, approval rates, and payments; documents about settings and features in third-party estimating software State Farm uses; and emails or other correspondence to or from Nicole Manduca, Sharon Arnold, Tom Moss, and Susan Maynard, from January 2019 onward, about the FME and various metrics relating to roof replacements.

testimony and documents on 30 topics with 101 subparts, spanning 15 years of corporate operations (including multiple topics regarding the FME), and noticed the depositions of eight current and former employees. Over State Farm’s objections, the Court denied State Farm’s motions to quash the corporate representative notice and Plaintiffs’ notices of deposition to: **Jon Farney**, State Farm’s CEO, whom Plaintiffs contended was involved in the FME and State Farm’s FPTF—a group created to monitor enterprise-wide trends on a monthly basis that has nothing to do with the allegations in this case or the FME (*see* **Exhibit 3**, Email from B. Sonne (July 1, 2026)); **Thomas Moss**, whom Plaintiffs contended was a “member” of the team charged with responsibility for the FME initiative (*see* Nov. 14, 2025 Pls.’ Consol. Resp. at 2–3); **Wensley Herbert**, State Farm’s Vice President, Property & Casualty Claims, who Plaintiffs represented was “the *highest-ranking* individual in charge of claims at State Farm” and to whom “[e]ach of the other Noticed Deponents serving in a Vice President role” reported (*see id.* at 5 (emphasis in original)); **Nicole Manduca**, who Plaintiffs contended was “the *leader* of the [FME]” and an “architect” of the alleged scheme (*see id.* at 2, 9); **Scott Welsh**, State Farm’s Director of Consulting Services whom Plaintiffs claimed was “the most senior individual at State Farm” involved in training (*id.* at 6–7); **Kathy Ress**, a State Farm Operations Vice President, who Plaintiffs contended “served as Manduca’s team leader and asked Manduca to head the [FME] Team” and “was directly involved in the reporting, development, and success of the [FME] team, including specifically comparing State Farm’s success rates with the success of the [FME] in lowering full roof replacement percentages” (*id.* at 10); and **Wendy Mazza** and **Tyrone Smith**, former State Farm Vice Presidents of Operations, who Plaintiffs claimed supervised Manduca and were “directly involved in reporting, monitoring, supervising, reviewing, and implementing the [FME] objectives.” (*id.* at 11).

As to any possible need to depose Mr. Keating, in Mr. Herbert's August 26, 2026 deposition in this case, Mr. Keating's name was mentioned *only twice*. In one instance, Plaintiffs' counsel asked Mr. Herbert who "the operational vice presidents that report" to him are (to which Mr. Hebert responded Mr. Keating and Millicent Roth). (See **Exhibit 4**, Hursh W. Herbert Dep. Tr. at 23:16-24.) In the other, Plaintiffs' counsel referenced a single email Mr. Keating sent relating to FPTF, which has nothing to do with Plaintiffs' claims, the FME, or any other allegations in this case. (See *id.* at 354:11-14.)

In short, despite now having access to over 700,000 documents (in both this and other cases) regarding their insurance claims and a wide range of topics purportedly relevant to their "scheme" theory—and their counsel having had the opportunity to ask supposed "architects" of their alleged scheme questions about Mr. Keating's role—including *Mr. Herbert, to whom Mr. Keating directly reported during the relevant time period*—Plaintiffs have not established, and cannot establish, any connection between Mr. Keating and the evaluation, review, or adjustment of their insurance claims or anything germane to it, including their FME theories.

Mr. Keating is a State Farm Operations Vice President. Mr. Keating does not oversee the day-to-day handling of insurance claims and is, in fact, multiple levels above the claim teams that directly handle claims—including the Claim Specialists and Team Manager who handled Plaintiffs' insurance claims here. (See **Exhibit 5**, Declaration of M. Keating, at ¶ 3.) And as is apparent from Plaintiffs' claim files, Mr. Keating has no personal knowledge of the insurance claims at issue. Further, Mr. Keating was not involved in the FME—the initiative that Plaintiffs alleged was the purported "scheme." (See Ex. 5, Keating Decl. ¶ 4.)

ARGUMENT AND AUTHORITY

I. A HIGH-LEVEL EXECUTIVE SHOULD NOT BE DEPOSED UNLESS THE EXECUTIVE HAS UNIQUE PERSONAL KNOWLEDGE AND THE DISCOVERY CANNOT BE OBTAINED FROM OTHER EMPLOYEES.

In *Crest Infiniti, II, LP v. Swinton*, 2007 OK 77, the Oklahoma Supreme Court recognized that apex depositions have unique potential for abuse, and should not be had if “annoyance, oppression, and undue burden and expense outweigh the need for discovery” on those issues. *Id.* ¶¶ 14–15. Courts have consistently held that a deposition of a high-level executive—like an Operations Vice President—is improper absent a showing that the executive possesses unique personal knowledge relevant to the pertinent facts. *See Thomas v. Int’l Bus. Mach.*, 48 F.3d 478, 483-484 (10th Cir. 1995) (affirming district court’s granting of protective order preventing deposition of IBM’s Chairman in an age discrimination case where the Chairman had no personal knowledge of plaintiff and deposition would have caused severe hardship, despite the Chairman’s alleged involvement in purportedly discriminatory policy); *Okla. ex rel. Edmondson v. Tyson Foods, Inc.*, No. 05-CV-329-GKF, 2009 WL 10694083, at *4 (N.D. Okla. April 24, 2009) (granting protective order preventing deposition of an executive when the record did not establish the executive’s “unique personal knowledge of the controversy”).² That exception to the rule is not applicable here where Mr. Keating possesses no unique personal knowledge relevant to the pertinent facts, either of the subject claims or of any “scheme” allegations.

² *See also Lachney v. Target Corp.*, No. CIV-06-1389-HE, 2008 WL 11420069, at *3, (W.D. Okla. Aug. 20, 2008) (denying motion to compel deposition of Vice Chairman because “[a]part from indications he had general responsibility for strategic planning ... there appears to be little basis, other than speculation, as to what knowledge he would have bearing on the claims in this case.”); *Miller v. Love’s Travel Stops & Country Stores, Inc.*, No. CIV-06-1008-D, 2008 WL 11338079, at *7 (W.D. Okla. Mar. 7, 2008) (quashing deposition notice to Chairman where age discrimination plaintiff sought evidence of company-wide discriminatory policies because Chairman had no unique knowledge of specific facts pertaining to the plaintiff’s claims).

Courts have further held that deposing a high-level executive is improper if the information is obtainable through less intrusive means, such as by deposing other personnel who are closer to the facts giving rise to the claims. *See Thomas*, 48 F.3d at 483 (granting protective order preventing deposition of high-level official in part because plaintiff made no attempt to demonstrate that the information sought could not be obtained by imposing the lesser burden of depositions of lower-level employees); *Roblox Corp. v. WowWee Grp. Ltd.*, No. 22-CV- 04476-SI, 2023 WL 5507176, at *3 (N.D. Cal. Aug. 25, 2023) (denying request for discovery from corporate president where “Plaintiffs have made no showing that Yanofsky has relevant information, much less that he has information that would not be discoverable through the other custodians named by defendants.”); *Todd v. Ocwen Loan Servicing, Inc.*, No. 219CV00085JMSDLP, 2019 WL 8272621, at *3 (S.D. Ind. Dec. 13, 2019) (“Plaintiff has yet to take a deposition in this case, but desires to start that process at the top of the food chain with the former CEO of the Defendant’s parent company ... this case is limited to a single-plaintiff consumer protection matter regarding the handling of [Plaintiff’s] mortgage loan. This is not a nationwide collective action. . . .”); *U.S. ex rel. Galmines v. Novartis Pharmaceuticals Corp.*, No. 06-3213, 2015 WL 4973626, at *2 (E.D. Pa. Aug. 20, 2015) (granting motion to quash deposition of defendant’s former CEO where “the Court has not been made aware of any efforts [by the plaintiff] to ascertain from [other] deponents the extent of [the former CEO’s] personal involvement in the alleged actions”).

With respect to Plaintiffs’ purported “scheme” allegations, Plaintiffs have already requested, and the Court has already ordered (1) a thirty-topic corporate representative deposition on every conceivable topic related to the FME and Plaintiffs’ “scheme” theories, and (2) individual depositions of *eight* current and former State Farm employees—including State Farm’s CEO, Mr. Farney; and Mr. Keating’s direct supervisor during the relevant time period, Mr. Herbert. Plaintiffs

do not and cannot show that Mr. Keating has any unique testimony regarding the FME or their “scheme” theories that will not be, or has not been, already covered by the depositions this Court has already ordered.

Evans v. Allstate Ins. Co., 216 F.R.D. 515 (N.D. Okla. 2003) is squarely on point here. In *Evans*, the plaintiffs sued Allstate, alleging it improperly denied their fire loss claim, and sought to depose three of its officers. *Id.* at 516. Allstate contended that the corporate officers whom the plaintiffs sought to depose had no unique personal knowledge of the matters at issue and that the requests were burdensome, irrelevant, and propounded solely for the purpose of harassment and abuse. *Id.* at 518. Allstate also noted that the plaintiffs had taken the depositions of all adjusters and supervisors involved in the handling of plaintiffs’ insurance claims. *Id.* In response, the plaintiffs argued the depositions were necessary to prove their theory that a pervasive practice of inadequate supervision over Allstate claims adjusters existed within the corporation. *Id.* The court found that even if the plaintiffs had a right to explore those themes, Allstate had already provided adequate information, or the information could be obtained from other sources without the depositions of the officers sought. *Id.* Accordingly, the Northern District granted Allstate’s motion for a protective order prohibiting the depositions of the officers. *Id.* This Court should likewise reject Plaintiffs’ overreach of an apex deposition, where the information Plaintiffs seek is neither relevant nor unique to Mr. Keating.

II. CHICK-FIL-A AND THE OKLAHOMA DISCOVERY STANDARD.

The Oklahoma Supreme Court has made clear that relevance—the threshold requirement for obtaining discovery—“should be firmly applied.” *Quinn v. City of Tulsa*, 1989 OK 112, ¶ 63, 777 P.2d 1331, 1342 (quoting *Herbert v. Lando*, 441 U.S. 153 (1979)); *see also Nitzel v. Jackson*, 1994 OK 49, ¶ 2 n.*, 879 P.2d 1222, 1223 n* (“Discovery is not without limitation. It must lead or tend to lead to relevant evidence.”). Relevance to a “party’s claim or defense”—as the Oklahoma

Discovery Code requires³—is not simply assumed. *See Chick-fil-A, Inc. v. Ogden et al.*, 2026 OK 13, ¶¶ 15-16 (Mar. 10, 2026) (holding trial court abused its discretion when it failed to require plaintiffs “to demonstrate how [the requested discovery] would be relevant to a claim or defense in this case.”). *See also Stainsby v. Okla. ex rel. Okla. Health Care Auth.*, No. CIV-21-1073-D, 2022 WL 1748263, *1 (W.D. Okla. May 31, 2022) (“When the request is overly broad, or relevance is not clear, the party seeking the discovery has the burden to show the relevance of the request.”).⁴ Nor does a “plaintiff’s broad theory of the case ... necessarily justify broad discovery,” and courts should thus endeavor to “thwart fishing expeditions.” *Willis v. Johnson*, No. CIV-18-323-D, 2021 WL 8446071, at *2 (W.D. Okla. May 20, 2021). And as the Oklahoma Court of Civil Appeals has recognized, insurance cases should be handled according to their circumstances. *See City Nat’l Bank & Tr. Co. v. Jackson Nat’l Life Ins.*, 1990 OK CIV APP 89, ¶ 18, 804 P.2d 463, 469 (“[B]efore ... bad faith may be submitted to the jury, the Trial Court must first determine, under the facts of the particular case ... whether [the] insurer’s conduct may be reasonably perceived as tortious.”). Here, there is no relevant connection between the deposition of Mr. Keating and the handling of the subject insurance claims or the FME (about which the Court has already granted Plaintiffs depositions, including of all the supposed “architects” of the FME).

Proportionality is as critical as relevance to discoverability. The Oklahoma Discovery Code, like the Federal Rules of Civil Procedure from which it is derived, requires that discovery be “proportional to the needs of the case.” 12 O.S. § 3226(B)(1)(a); Fed. R. Civ. P. 26(b)(1). In

³ 12 O.S. § 3226 (2025) (“Parties may obtain discovery regarding any matter, not privileged, which is **relevant to any party’s claim or defense**, reasonably calculated to lead to the discovery of admissible evidence and *proportional to the needs of the case*, considering [various factors].”) (emphasis added).

⁴ Because “[t]he Oklahoma Discovery Code mirrors the Federal rules,” *Meritor, Inc. v. State ex rel. Bd. of Regents of Univ. of Oklahoma*, 2019 OK CIV APP 64, ¶ 20 n.15, 451 P.3d 914, 922 n.15, Oklahoma courts often look to “discovery procedures in the federal rules when construing similar language in the Oklahoma Discovery Code,” *Crest Infiniti, II, LP v. Swinton*, 2007 OK 77, ¶ 2, 174 P.3d 996, 999.

fact, “the proper scope of discovery is that which is both relevant to the claims or defenses and proportional to the needs of the case; considering the various factors.” *Dodd v. Indian Health Care Res. Ctr. of Tulsa, Inc.*, No. 24-CV-00327-SH, 2024 WL 4648150, at *2 (N.D. Okla. Nov. 1, 2024) (emphasis in original).⁵ The Oklahoma Supreme Court recently made clear that a trial court ***must*** specifically consider the proportionality of discovery before it may compel the production of documents. *See Order, Werner Enters., Inc. v. Kirkland*, No. 122,385 (Okla. Sept. 24, 2024) (attached as **Exhibit 6**).

Earlier this year in *Chick-fil-A*, the Oklahoma Supreme Court provided extensive guidance on the standards for determining the relevance and proportionality of discovery requests. In that case, the parents of a two-year-old child sued Chick-fil-A for negligence and wrongful death after a vehicle struck and killed their child in the drive-through lane while walking to the entrance of a Chick-fil-A in Yukon, Oklahoma. 2026 OK 13, ¶ 2. In discovery, the parents asked Chick-fil-A to produce documents spanning 10 years “related to adverse events, complaints, incidents, and/or accidents involving the injury or death of any person at any restaurant owned, leased, franchised, or operated by Chick-fil-A within the United States,” plus “all complaints or petitions filed against Chick-fil-A . . . wherein negligence was or is alleged to have caused or contributed to the injury or death of a pedestrian as a result of being struck, hit, run over, or coming in contact with a motor vehicle . . . while on a Chick-fil-A restaurant premises in the United States.” *Id.* ¶ 3. Chick-fil-A objected to the requests as overbroad and unduly burdensome because they were “improperly tailored as to time and scope [and] were not limited to substantially similar incidents.” *Id.* ¶ 4.

⁵ These factors include: (1) the importance of the issues at stake in the action; (2) the amount in controversy; (3) the parties’ relative access to relevant information; (4) the parties’ resources; (5) the importance of the discovery in resolving the issues; and (6) whether the burden or expense of the proposed discovery outweighs its likely benefit. *See* 12 O.S. § 3226(B)(1)(a).

The parents moved to compel (agreeing to limit the requests to the last five years within Oklahoma), and the trial court granted the motion. *Id.* ¶¶ 5–7.

On an application for an extraordinary writ, the Oklahoma Supreme Court held that the trial court judge abused his discretion in granting the parents’ motion to compel because the requests were facially overly broad and the trial court did not “require [Plaintiffs] to initially demonstrate how their request was relevant to any party’s claim or defense.” *Id.* ¶ 16. The Court explained that 12 O.S. § 3226—which allows parties to obtain discovery regarding any non-privileged matter “which is relevant to any party’s claim or defense . . . and proportional to the needs of the case”—“was amended in 2017 to more closely follow amendments to Rule 26 of the Federal Rules of Civil Procedure.” *Id.* ¶ 11. In particular, the Court observed that “[t]he amendments . . . omitted language that had bearing on whether a discovery request is relevant” and that it was no longer sufficient for discovery to be related to “*the subject matter*” without also being related to “any party’s claim or defense.” *Id.* ¶ 12.⁶ Moreover, “the party seeking discovery has the burden to show the relevancy of the request.” *Id.* ¶ 15 (internal citation omitted).

Based on the foregoing, the Oklahoma Supreme Court explained that “[r]ecords related to any pedestrian accident that occurred in a Chick-fil-A parking lot may be relevant to the *subject matter* involved here. But that is no longer the standard.” *Id.* ¶ 15 (emphasis added). Because “[t]he trial court did not require Parents to demonstrate how information about dissimilar incidents would be relevant to a claim or defense in this case,” it abused its discretion. *Id.* Accordingly, the Court prohibited the parents from enforcing this portion of the trial court’s order.

The Oklahoma Supreme Court has further cautioned that “pretrial discovery by depositions

⁶ Since 2000, the Federal Rules Advisory Committee has advised that “it intended for ‘the parties and the court to focus on the actual claims and defenses involved in the action.’” *Id.* ¶ 13 (quoting Fed. R. Civ. P. 26 advisory committee’s notes to 2000 amendment).

and interrogatories has a significant potential for abuse.” *YWCA of Oklahoma City v. Melson*, 1997 OK 81, ¶ 24 n.41, 944 P.2d 304, 311 n.41. Accordingly, the Discovery Code requires a court to “limit the frequency or extent of discovery otherwise allowed if it determines” that “the proposed discovery is outside the scope permitted by subparagraph a of paragraph 1 of this subsection [regarding relevance and proportionality].” 12 O.S. § 3226(B)(2)(c). As such, this Court may issue, “for good cause shown ... any order which justice requires to protect a party or person” from “oppression or undue delay, burden or expense,” including “that the discovery not be had” or “that the discovery may be had only on specified terms and conditions.” 12 O.S. § 3226(C)(1).

III. THE COURT SHOULD QUASH THE KEATING NOTICE BECAUSE MR. KEATING’S DEPOSITION IS IRRELEVANT AND DISPROPORTIONATE.

A. Plaintiffs Cannot Demonstrate the Relevance of the Testimony They Seek.

As an initial matter, Plaintiffs cannot establish that the deposition testimony of a State Farm Operations Vice President is “relevant to any party’s claim or defense.” *Chick-fil-A, Inc. v. Ogden*, 2026 OK 13, ¶ 16. Mr. Keating has no relevant information as to the actual claims (which is what should be at issue) or to the FME (which Plaintiffs grossly mischaracterize). (*See* Ex. 5, Keating Decl. ¶¶ 3, 4.) While it may go without saying, Mr. Keating did not assist Plaintiffs in procuring the their insurance policy or have any involvement in the investigation, evaluation, or decisions regarding Plaintiffs’ insurance claim, and Plaintiffs have not demonstrated that Mr. Keating has information regarding any of the claims asserted in their Petition. Indeed, State Farm’s Operations Vice President is not only multiple levels above those who actually handled Plaintiffs’ claim—i.e., those who *could* testify as to State Farm’s coverage decision—but also numerous levels above those who *supervised* the insurance claims investigation, evaluation, and decision-making. Regardless of whether Mr. Keating’s testimony is broadly related to the “subject matter” of their suit (and even that is too far unless the subject matter is simply “insurance”), Plaintiffs have not

demonstrated Mr. Keating has any information regarding their claims, nor can they, and the Court should quash the deposition for that reason alone. *See Chick-fil-A*, 2026 OK 13, ¶ 15–16.

Plaintiffs failed to provide any justification for Mr. Keating’s deposition, let alone explain its relevance. *See Schultz, Ltd.*, 2016 WL 3149686, at *3 (a party seeking discovery must “describe with a reasonable degree of specificity, the information they hope to obtain and its importance to their case.”) (citation omitted). In any event, there is no evidence in the record that demonstrates Mr. Keating has unique, relevant testimony regarding any claim or defense in this matter.

1. Mr. Keating Has No Unique, Relevant Information Regarding the FME.

Plaintiffs’ institutional allegations center on the FME, which was an effort by State Farm to improve the accuracy and quality of its wind/hail claim handling by conducting additional training, increasing management involvement, and improving file documentation. Even if the FME were relevant—and State Farm maintains it is not—Plaintiffs cannot articulate any unique testimony Mr. Keating would be able to offer connected to their FME-related allegations that would not be provided, or has not been provided already, in the corporate representative deposition of State Farm or the eight other depositions the Court has already ordered of current and former State Farm employees who Plaintiffs contended were involved in the FME. Indeed, Mr. Keating was not involved in the FME (and as Operations Vice President did not even have responsibility for fire property claims until June 2023. (*See* Ex. 5, Keating Decl. ¶ 4.)

Notably, in opposing State Farm’s motions to quash the depositions of Mr. Moss, Mr. Herbert, Ms. Manduca, Mr. Welsh, Ms. Ress, Ms. Mazza, and Mr. Smith, Plaintiffs repeatedly argued that *those individuals*—not Mr. Keating—were the “key” members of the FME initiative and the supposed “architects” of the “scheme.” (*See, e.g.*, Nov. 14, 2025 Pls.’ Consol. Resp. at 2, 3–12.) And Plaintiffs repeatedly represented that *Ms. Manduca*—not Mr. Keating—was the

“leader” and the “head” of the FME initiative. (*See, e.g., id.* at 8–10.) Plaintiffs mentioned Mr. Keating *not once* in that brief.

Then, in deposing Mr. Herbert in this case, Plaintiffs’ counsel only mentioned Mr. Keating’s name once when counsel asked Mr. Herbert about an email chain containing an email from Mr. Keating relating to the FPTF—*not the FME*. (*See* Ex. 4 at 354:11-14.) In *West*, Plaintiffs’ counsel also deposed Mr. Herbert and took a similar tack in their line of questioning. Plaintiffs’ counsel mentioned Mr. Keating’s name only in the context of the FPTF and that same email chain. (*See, e.g., Exhibit 7, West W. Herbert Dep. Tr.* at 239:23-240:15.) Despite *twice* questioning Mr. Herbert—who directly supervised Mr. Keating during the relevant time period—for hours, Plaintiffs’ counsel did not ask Mr. Herbert a single question about Mr. Keating’s involvement in the FME. If Plaintiffs’ reason for deposing Mr. Keating is his purported involvement in the FME, their counsel presumably would have had at least one question for Mr. Herbert about it. They did not.⁷ *See Galmines*, 2015 WL 4973626, at *2. As such, the demand for Mr. Keating’s deposition appears intended to harass State Farm and coerce abusive settlements to avoid the burden and expense created by these discovery tactics. *See Lachney*, 2008 WL 11420069, at *2 (“Efforts to compel the depositions of high ranking officials in large national or international companies ordinarily require a more thorough predicate showing of knowledge of, or involvement in, the matters [at] issue so as to avoid ‘fishing expeditions’ or efforts to unreasonably increase the settlement value of a case.”) (citing *Thomas*, 48 F.3d 478, 482-83); *see also Lewelling v. Farmers Ins. of Columbus*, 879 F.2d 212, 218 (6th Cir. 1989) (affirming district

⁷ Similarly, Plaintiffs did not serve a single Interrogatory seeking information on Mr. Keating’s purported involvement in the FME. *Cf. Nucap Indus.*, 2017 WL 6059770, at *3 (granting motion for protective order preventing deposition of defendant’s Chairman where, *inter alia*, plaintiffs had failed to “seek written discovery regarding [the Chairman’s] alleged involvement in, or knowledge of, the acts giving rise to their claims”).

court's granting of protective order over the plaintiffs' deposition notice to insurer's Chairman/CEO where the executive had no personal knowledge of the pertinent facts and plaintiffs offered to cancel the deposition in exchange for settlement talks).

2. The FPTF Is Not Relevant and Mr. Keating Does Not Have Unique, Personal Knowledge.

To the extent Plaintiffs seek discovery about the FPTF through Mr. Keating's deposition, this approach is, at best, perplexing. Plaintiffs have consistently and persistently argued that the *FME* is at the center of the purported "scheme." But for the first time in seeking Mr. Farney's deposition, Plaintiffs alleged that the FPTF was somehow relevant through an unidentified connection to the FME. But the FPTF is not connected to the FME. (See Exhibit 8, N. Manduca Decl. ¶ 6.)

Regardless, even if the FPTF were relevant—which it is not—Plaintiffs have already had *12 hours*—through two depositions of Mr. Herbert—to obtain testimony regarding that initiative. Plaintiffs do not explain what testimony Mr. Keating could offer that Plaintiffs have not already obtained from Mr. Herbert. What's more, the Court recently denied State Farm's motion to quash the deposition of Mr. Farney, State Farm's CEO—who also attended the FPTF meetings with Mr. Herbert. Plaintiffs do not explain what additional information about the FPTF Mr. Keating could offer that could not be covered in the deposition of Mr. Farney.

B. The Deposition of Mr. Keating Is Not Proportional to the Needs of the Case.

Even assuming Plaintiffs could demonstrate that Mr. Keating has relevant, unique information, the Court should quash the Keating Notice because his testimony would be wholly disproportionate to the needs of the case. 12 O.S. §§ 3226(B)(1)(a), 3226(B)(2)(c)(3).⁸ This is an

⁸ See also *Murphy v. Deloitte & Touche Group Ins. Plan*, 619 F.3d 1151, 1163 (10th Cir. 2010) ("Rule 26(b), although broad, has never been a license to engage in an unwieldy, burdensome, and speculative fishing expedition."); *Chrisman v. Bd. of Cnty. Commissioners of Oklahoma Cnty.*, No.

individual homeowners’ case involving a contractual dispute for the totaling of a roof that is estimated at \$22,000, yet Plaintiffs are demanding a State Farm Operations Vice President prepare for and appear for a deposition despite not being involved in the coverage decisions at issue—and even though the Court has already ordered State Farm to provide eight depositions of other current and former employees.

Subjecting an executive like Mr. Keating to a deposition based on speculation he *may* have information not available from other sources far exceeds the bounds of permissible discovery. Courts routinely recognize that depositions of high-level executives are improper absent a showing that they have unique personal knowledge that could not be obtained from other employees. *See Crest Infiniti, II*, 2007 OK 77, ¶¶ 14, 16 (recognizing that a protective order should be issued to prevent an apex deposition if “annoyance, oppression, and undue burden and expense outweigh the need for discovery” on those issues); *Schultz*, 2016 WL 3149686, at *3 (“Mere speculation that information might be useful will not suffice.”); *Galmines*, 2015 WL 4973626, at *2 (E.D. Pa. Aug. 20, 2015) (quashing depositions of high-level executives because relator was unable to rebut the “presumption that a high-level official’s deposition represents a significant burden upon the deponent and that this burden is undue” by establishing that executives had unique personal knowledge that could not be obtained from other employees or less burdensome discovery). At best, Mr. Keating’s testimony would be cumulative of any testimony of those who actually handled Plaintiffs’ claims and, as to the FME or FPTF, would provide no unique information that Plaintiffs could not obtain, or have not already obtained, through the depositions the Court has already ordered.

Like the officers in *Evans*, Mr. Keating has no unique personal knowledge about Plaintiffs’

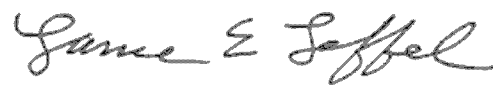
CIV-17-1309-D, 2020 WL 7033965, at *3 (W.D. Okla. Nov. 30, 2020) (“While the scope of discovery is broad, it is not unlimited and is further defined by proportionality considerations.”) (internal cites omitted).

insurance claim—whether limited to the individual claims or expanded to Plaintiffs’ speculative theories about the claims. *See Evans*, 216 F.R.D. 515, 516; *see also Okla. ex rel. Edmondson*, 2009 WL 10694083, at *4. Plaintiffs’ attempt to depose Mr. Keating is nothing more than a classic (and improper) fishing expedition. *See Todd*, 2019 WL 8272621, at *3. Plaintiffs have not established that Mr. Keating had any connection to, or has any knowledge of, the handling of their claim—nor can they. *See Evans*, 216 F.R.D. at 518–19. Nor have they established that Mr. Keating has any unique information regarding the FME, the FPTF, or any other “initiative” Plaintiffs contend is relevant to their theory—let alone that any such “initiative” impacted the claim decisions they are challenging. Until Plaintiffs demonstrate what—if any—unique, relevant knowledge Mr. Keating may have relating to their claims, the Court should not allow his deposition to proceed.

CONCLUSION

WHEREFORE, State Farm respectfully requests that the Court grant its motion to quash the Keating Notice and for a protective order preventing the deposition of Michael Keating Plaintiffs noticed for September 28, 2026.

Respectfully submitted,



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-and-

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Tiffany.pwers@alston.com

Attorneys for Defendant
State Farm Fire and Casualty Company

CERTIFICATE OF MAILING

I do hereby certify that on September 29, 2026, a true, correct and exact copy of the above and foregoing document was served by placing same in the United States mail, with proper postage thereon duly prepaid, to those parties as listed below:

Reggie N. Whitten
Michael Burrage
Blake Sonne
Hannah Whitten
John S. Sanders
Jake Denne
WHITTEN BURRAGE
512 North Broadway Avenue, Suite 300
Oklahoma City, OK 73102
rwhitten@whittenburragelaw.com
mburrage@whittenburragelaw.com
bsonne@whittenburragelaw.com
hwhitten@whittenburragelaw.com
jsanders@whittenburragelaw.com
jdenne@whittenburragelaw.com

R. Ryan Deligans,
Durbin, Larimore & Bialick
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Patrick F. Collogan
BIBY LAW FIRM
6305 E. 120th Ct., Suite F
Tulsa, OK 74137
pat@bibylaw.com

Attorneys for Plaintiffs

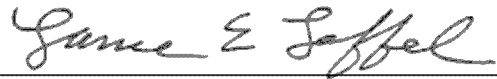


EXHIBIT 1

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

BILLY and LACY HURSH,

Plaintiffs,

v.

STATE FARM FIRE AND CASUALTY
COMPANY; MARK D. WELTY; and
MARK D. WELTY INSURANCE AGENCY, INC.,

Defendants.

§
§
§
§
§
§
§
§
§

Case No.: CJ-2025-2626

**PLAINTIFFS' NOTICE OF INTENTION TO TAKE ORAL &
VIDEOTAPED DEPOSITION OF MICHAEL KEATING**

TO: All Defendants and their counsel of record.

Deponent:	Michael Keating
Date:	September 28, 2026
Time:	9:30 a.m.
Location:	Bloomington-Normal Marriott Hotel & Conference Center 201 Broadway Ave, Normal, IL
Method:	In person

PLEASE TAKE NOTICE that, pursuant to 12 O.S. § 3230(C), Plaintiffs will take the oral deposition of Michael Keating before a Certified Court Reporter or other officer authorized to administer oaths, at the date, time, and location set forth above, and will continue from day to day until completed. This deposition will be recorded by stenographic and audiovisual means.

Dated: September 21, 2026

Respectfully submitted,

Blake Sonne

Reggie N. Whitten, OBA No. 9576

Michael Burrage, OBA No. 1350

Blake Sonne, OBA No. 20341

Hannah Whitten, OBA No. 35261

John S. Sanders, OBA No. 34990

Jake Denne, OBA No. 35097

WHITTEN BURRAGE

512 North Broadway Avenue, Suite 300

Oklahoma City, OK 73102

Office: 405.516.7800

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mburrage@whittenburragelaw.com

bsonne@whittenburragelaw.com

hwhitten@whittenburragelaw.com

jsanders@whittenburragelaw.com

jdenne@whittenburragelaw.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on September 21, 2026, a true, correct, and exact copy of the foregoing document was emailed and/or mailed to the following persons:

Carrie McNeer

Grant A. Fitz

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110 N. Elgin Avenue

Suite 200

Tulsa, OK 74120-1490

918.595.4800

918.595-4990

cmcneer@gablelaw.com

gfitz@gablelaw.com

-and-

Lance E. Leffel

GABLEGOTWALS

BOK Park Plaza

499 W. Sheridan Ave. Suite 2200
Oklahoma City, OK 73102
lleffel@gablelaw.com
405.235.5500
405.235-2875 (fax)

ATTORNEYS FOR DEFENDANTS

Blake Sonne

EXHIBIT 2

From: Blake Sonne
To: John Sanders; Carrie McNeer; Rebeca Matheus; rwhitten@whittenburrage.com; mburrage@whittenburrage.com; Hannah Whitten; Jake Denne; Karen Stratton; Autumn Hobbs; Kayli Price; Ryan Deligans; Pat Collogan; Marsha Murray
Cc: Grant Fitz; Lance Leffel; David R. Herber; Nathan A. Miramontes; Janet L. Wright; Christine Hill; Kari Cyrs; Jaylea A. Allen; Amy H. Jenkins; Kayli Price; Autumn Hobbs; Ryan Deligans
Subject: Re: Hursh v. State Farm
Date: Monday, September 21, 2026 10:01:05 AM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
[image008.jpg](#)
[image009.jpg](#)
[image010.png](#)
[image011.jpg](#)
[image012.jpg](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)
[Hursh - Depo SDT to Ezekiel Waite.pdf](#)
[Hursh - Notice of Deposition - Michael Keating FINAL.pdf](#)

External email – beware of links and attachments

Lance and Carrie,

Please advise on Mr. Caylao/Seek Now as soon as you can.

In addition, please find attached a Notice for Deposition of Operations Vice President Michael Keating, set for September 28, 2026 in Bloomington. Please advise if State Farm will agree to produce Mr. Keating and we can work on an agreeable date. Otherwise, we will get this issue before the Court.

Finally, please find attached a subpoena for deposition for Ezekiel Waite. We have put a temporary date for October 2nd but are waiting to hear back from Mr. Waite as to whether that date or some other dates will work better for him and will update and let you know as needed. Thank you.

BLAKE SONNE
ATTORNEY, OF COUNSEL
SIGNATURE_1102629327



512 N. Broadway Ave., Suite 300 | Oklahoma City, OK 73102
405.516.7800 Tel | 405.516.7859 Fax | 405.664.2919 Cell
bsonne@whittenburrage.com
www.whittenburrage.com

-
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From: John Sanders <jsanders@whittenburragelaw.com>

Date: Friday, September 18, 2026 at 1:47 PM

To: Carrie McNeer <cmcneer@gablelaw.com>, Blake Sonne <bsonne@whittenburragelaw.com>, Rebeca Matheus <rmatheus@gablelaw.com>, "Reggie N. Whitten" <rwhitten@whittenburragelaw.com>, Michael Burrage <mburrage@whittenburragelaw.com>, Hannah Whitten <hwhitten@whittenburragelaw.com>, Jake Denne <jdenne@whittenburragelaw.com>, Karen Stratton <kstratton@whittenburragelaw.com>, Autumn Hobbs <ahobbs@whittenburragelaw.com>, Kayli Price <kprice@whittenburragelaw.com>, Ryan Deligans <rdeligans@dlb.net>, Pat Collogan <pat@bibylaw.com>, Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>, Lance Leffel <lleffel@gablelaw.com>, "David R. Herber" <dherber@gablelaw.com>, "Nathan A. Miramontes" <nmiramontes@gablelaw.com>, "Janet L. Wright" <jwright@gablelaw.com>, Christine Hill <chill@gablelaw.com>, Kari Cyr <kcyr@gablelaw.com>, "Jaylea A. Allen" <jallen@gablelaw.com>, "Amy H. Jenkins" <ajenkins@gablelaw.com>, Kayli Price <kprice@whittenburragelaw.com>, Autumn Hobbs <ahobbs@whittenburragelaw.com>, Ryan Deligans <rdeligans@dlb.net>

Subject: RE: Hursh v. State Farm

Just to clarify, will State Farm be representing Mark Caylao and presenting him for his deposition? I realize I may have put the cart before the horse.

Respectfully,

John Scott Sanders

Attorney



512 N. Broadway Avenue

Suite 300

Oklahoma City, OK 73102

Telephone: (405) 516-7800

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jsanders@whittenburragelaw.com

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From: John Sanders

Sent: Friday, September 18, 2026 1:40 PM

To: 'Carrie McNeer' <cmcneer@gablelaw.com>; Blake Sonne <bsonne@whittenburragelaw.com>; Rebeca Matheus <rmatheus@gablelaw.com>; Reggie N. Whitten <rwhitten@whittenburragelaw.com>; Michael Burrage <mburrage@whittenburragelaw.com>; Hannah Whitten <hwhitten@whittenburragelaw.com>; Jake Denne <jdenne@whittenburragelaw.com>; Karen Stratton <kstratton@whittenburragelaw.com>; Autumn Hobbs <ahobbs@whittenburragelaw.com>; Kayli Price <kprice@whittenburragelaw.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <lleffel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyr@nablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>; Kayli Price <kprice@whittenburragelaw.com>; Autumn Hobbs <ahobbs@whittenburragelaw.com>; Ryan Deligans <rdeligans@dlb.net>

Subject: RE: Hursh v. State Farm

Carrie,

Thank you for providing dates on Mr. Feller, we are working on verifying. What about Mark Caylao with Seek Now? Have you obtained his availability? Thanks!

Respectfully,

John Scott Sanders

Attorney



512 N. Broadway Avenue

Suite 300

Oklahoma City, OK 73102

Telephone: (405) 516-7800

Facsimile: (405) 516-7859

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From: Carrie McNeer <cmcneer@gablelaw.com>

Sent: Thursday, September 17, 2026 1:47 PM

To: Blake Sonne <bsonne@whittenburrage.com>; John Sanders <jsanders@whittenburrage.com>; Rebeca Matheus <rmatheus@gablelaw.com>; Reggie N. Whitten <rwhitten@whittenburrage.com>; Michael Burrage <mburrage@whittenburrage.com>; Hannah Whitten <hwhitten@whittenburrage.com>; Jake Denne <jdenne@whittenburrage.com>; Karen Stratton <kstratton@whittenburrage.com>; Autumn Hobbs <ahobbs@whittenburrage.com>; Kayli Price <kprice@whittenburrage.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <llefel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyr@gablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>; Kayli Price <kprice@whittenburrage.com>; Autumn Hobbs <ahobbs@whittenburrage.com>; Ryan Deligans <rdeligans@dlb.net>

Subject: RE: Hursh v. State Farm

Blake,

We can present Conrad Feller in San Antonio on October 27 or 28. Let me know which date works best, and we are working on a location.

Thanks,
Carrie

Carrie McNeer She/Her/Hers | [918-595-4888](tel:918-595-4888) | **GableGotwals**

From: Blake Sonne <bsonne@whittenburrage.com>

Sent: Tuesday, September 15, 2026 1:40 PM

To: Carrie McNeer <cmcneer@gablelaw.com>; John Sanders <jsanders@whittenburrage.com>; Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburrage.com; mburrage@whittenburrage.com; Hannah Whitten <hwhitten@whittenburrage.com>; Jake Denne <jdenne@whittenburrage.com>; Karen Stratton <kstratton@whittenburrage.com>; Autumn Hobbs <ahobbs@whittenburrage.com>; Kayli Price <kprice@whittenburrage.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <llefel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyr@gablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>; Kayli Price <kprice@whittenburrage.com>; Autumn Hobbs <ahobbs@whittenburrage.com>; Ryan Deligans <rdeligans@dlb.net>

Subject: Re: Hursh v. State Farm

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That works, thanks!

BLAKE SONNE
ATTORNEY, OF COUNSEL
SIGNATURE_3822861927



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From: Carrie McNeer <cmcneer@gablelaw.com>

Date: Tuesday, September 15, 2026 at 1:35 PM

To: Blake Sonne <bsonne@whittenburragelaw.com>, John Sanders <jsanders@whittenburragelaw.com>, Rebeca Matheus <rmatheus@gablelaw.com>, "Reggie N. Whitten" <rwhitten@whittenburragelaw.com>, Michael Burrage <mburrage@whittenburragelaw.com>, Hannah Whitten <hwhitten@whittenburragelaw.com>, Jake Denne <jdenne@whittenburragelaw.com>, Karen Stratton <kstratton@whittenburragelaw.com>, Autumn Hobbs <ahobbs@whittenburragelaw.com>, Kayli Price <kprice@whittenburragelaw.com>, Ryan Deligans <rdeligans@dlb.net>, Pat Collogan <pat@biblylaw.com>, Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>, Lance Leffel <llefel@gablelaw.com>, "David R. Herber" <dherber@gablelaw.com>, "Nathan A. Miramontes" <nmiramontes@gablelaw.com>, "Janet L. Wright" <jwright@gablelaw.com>, Christine Hill <chill@gablelaw.com>, Kari Cyrs <kcyr@gablelaw.com>, "Jaylea A. Allen" <jallen@gablelaw.com>, "Amy H. Jenkins" <ajenkins@gablelaw.com>, Kayli Price <kprice@whittenburragelaw.com>, Autumn Hobbs <ahobbs@whittenburragelaw.com>, Ryan Deligans <rdeligans@dlb.net>

Subject: RE: Hursh v. State Farm

Thanks, Blake. We will present JR at Professional Reporters in Tulsa on October 26 at 9:30AM.

From: Blake Sonne <bsonne@whittenburragelaw.com>

Sent: Tuesday, September 15, 2026 1:28 PM

To: Carrie McNeer <cmcneer@gablelaw.com>; John Sanders <jsanders@whittenburragelaw.com>; Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburragelaw.com; mburrage@whittenburragelaw.com; Hannah Whitten <hwhitten@whittenburragelaw.com>; Jake Denne <jdenne@whittenburragelaw.com>; Karen Stratton <kstratton@whittenburragelaw.com>; Autumn Hobbs <ahobbs@whittenburragelaw.com>; Kayli Price <kprice@whittenburragelaw.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <lleffel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyr@gablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>; Kayli Price <kprice@whittenburragelaw.com>; Autumn Hobbs <ahobbs@whittenburragelaw.com>; Ryan Deligans <rdeligans@dlb.net>

Subject: Re: Hursh v. State Farm

External email – beware of links and attachments

Yes Oct 26th works for JR Phillips. We want to depose Feller in person. Thanks!

BLAKE SONNE
ATTORNEY, OF COUNSEL
SIGNATURE_466599110



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From: Carrie McNeer <cmcneer@gablelaw.com>

Date: Tuesday, September 15, 2026 at 12:16 PM

To: Blake Sonne <bsonne@whittenburragelaw.com>, John Sanders <jsanders@whittenburragelaw.com>, Rebeca Matheus <rmatheus@gablelaw.com>, "Reggie N. Whitten" <rwhitten@whittenburragelaw.com>, Michael Burrage <mburrage@whittenburragelaw.com>, Hannah Whitten

<hwhitten@whittenburrangelaw.com>, Jake Denne <jdenne@whittenburrangelaw.com>, Karen Stratton <kstratton@whittenburrangelaw.com>, Autumn Hobbs <ahobbs@whittenburrangelaw.com>, Kayli Price <kprice@whittenburrangelaw.com>, Ryan Deligans <rdeligans@dlb.net>, Pat Collogan <pat@bibylaw.com>, Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>, Lance Leffel <lleffel@gablelaw.com>, "David R. Herber" <dherber@gablelaw.com>, "Nathan A. Miramontes" <nmiramontes@gablelaw.com>, "Janet L. Wright" <jwright@gablelaw.com>, Christine Hill <chill@gablelaw.com>, Kari Cyrs <kcyr@gablelaw.com>, "Jaylea A. Allen" <jallen@gablelaw.com>, "Amy H. Jenkins" <ajenkins@gablelaw.com>, Kayli Price <kprice@whittenburrangelaw.com>, Autumn Hobbs <ahobbs@whittenburrangelaw.com>, Ryan Deligans <rdeligans@dlb.net>

Subject: RE: Hursh v. State Farm

Blake/John,

Following up on the below. Does October 26 work for JR Phillips? Also, Conrad Feller is located in San Antonio. Are you planning to depose him in person or via Zoom?

Thanks,
Carrie

Carrie McNeer She/Her/Hers | [918-595-4888](tel:918-595-4888) | **GableGotwals**

From: Carrie McNeer

Sent: Friday, September 11, 2026 9:56 AM

To: 'Blake Sonne' <bsonne@whittenburrangelaw.com>; John Sanders <jsanders@whittenburrangelaw.com>; Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburrangelaw.com; mburrage@whittenburrangelaw.com; Hannah Whitten <hwhitten@whittenburrangelaw.com>; Jake Denne <jdenne@whittenburrangelaw.com>; Karen Stratton <kstratton@whittenburrangelaw.com>; Autumn Hobbs <ahobbs@whittenburrangelaw.com>; Kayli Price <kprice@whittenburrangelaw.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <lleffel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyr@gablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>; Kayli Price <kprice@whittenburrangelaw.com>; Autumn Hobbs <ahobbs@whittenburrangelaw.com>; Ryan Deligans <rdeligans@dlb.net>

Subject: RE: Hursh v. State Farm

We will issue Amended Notices for the Plaintiffs.

Does October 26 work for JR Phillips?

Thanks,
Carrie

Carrie McNeer She/Her/Hers | [918-595-4888](tel:918-595-4888) | **GableGotwals**

From: Blake Sonne <bsonne@whittenburragelaw.com>

Sent: Thursday, September 10, 2026 4:32 PM

To: Carrie McNeer <cmcneer@gablelaw.com>; John Sanders <jsanders@whittenburragelaw.com>; Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburragelaw.com; mburrage@whittenburragelaw.com; Hannah Whitten <hwhitten@whittenburragelaw.com>; Jake Denne <jdenne@whittenburragelaw.com>; Karen Stratton <kstratton@whittenburragelaw.com>; Autumn Hobbs <ahobbs@whittenburragelaw.com>; Kayli Price <kprice@whittenburragelaw.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <lleffel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyrs@gablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>; Kayli Price <kprice@whittenburragelaw.com>; Autumn Hobbs <ahobbs@whittenburragelaw.com>; Ryan Deligans <rdeligans@dlb.net>

Subject: Re: Hursh v. State Farm

External email – beware of links and attachments

Carrie,

I think both John and I responded with emails last night (see below 9:08pm last night) about this as we were offering the 22 and 23 for the Hurshes due to their work schedule so were asking for alternative dates for Phillips. 10am in Tulsa works for Wood on Oct 29. Let me know – thanks!

BLAKE SONNE
ATTORNEY, OF COUNSEL
SIGNATURE_3251235207



512 N. Broadway Ave., Suite 300 | Oklahoma City, OK 73102
405.516.7800 Tel | 405.516.7859 Fax | 405.664.2919 Cell
bsonne@whittenburragelaw.com
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telephone number listed above. Thank you.

From: Carrie McNeer <cmcneer@gablelaw.com>

Date: Thursday, September 10, 2026 at 4:23 PM

To: Blake Sonne <bsonne@whittenburrage.com>, John Sanders <jsanders@whittenburrage.com>, Rebeca Matheus <rmatheus@gablelaw.com>, "Reggie N. Whitten" <rwhitten@whittenburrage.com>, Michael Burrage <mburrage@whittenburrage.com>, Hannah Whitten <hwhitten@whittenburrage.com>, Jake Denne <jdenne@whittenburrage.com>, Karen Stratton <kstratton@whittenburrage.com>, Autumn Hobbs <ahobbs@whittenburrage.com>, Kayli Price <kprice@whittenburrage.com>, Ryan Deligans <rdeligans@dlb.net>, Pat Collogan <pat@bibylaw.com>, Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>, Lance Leffel <lleffel@gablelaw.com>, "David R. Herber" <dherber@gablelaw.com>, "Nathan A. Miramontes" <nmiramontes@gablelaw.com>, "Janet L. Wright" <jwright@gablelaw.com>, Christine Hill <chill@gablelaw.com>, Kari Cyr <kcyr@gablelaw.com>, "Jaylea A. Allen" <jallen@gablelaw.com>, "Amy H. Jenkins" <ajenkins@gablelaw.com>, Kayli Price <kprice@whittenburrage.com>, Autumn Hobbs <ahobbs@whittenburrage.com>, Ryan Deligans <rdeligans@dlb.net>

Subject: RE: Hursh v. State Farm

Blake,

I sent an email earlier this afternoon offering to present Phillips on October 22. See attached. We will present him at PR Tulsa. Just let us know what time you want to start the depositions on October 22 and 29.

I will work on the SeekNow inspector.

Thanks,
Carrie

Carrie McNeer She/Her/Hers | 918-595-4888 | **GableGotwals**

From: Blake Sonne <bsonne@whittenburrage.com>

Sent: Thursday, September 10, 2026 4:18 PM

To: Carrie McNeer <cmcneer@gablelaw.com>; John Sanders <jsanders@whittenburrage.com>; Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburrage.com; mburrage@whittenburrage.com; Hannah Whitten <hwhitten@whittenburrage.com>; Jake Denne <jdenne@whittenburrage.com>; Karen Stratton <kstratton@whittenburrage.com>; Autumn Hobbs <ahobbs@whittenburrage.com>; Kayli Price <kprice@whittenburrage.com>;

Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <lleffel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyr@gablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>; Kayli Price <kprice@whittenburrage.com>; Autumn Hobbs <ahobbs@whittenburrage.com>; Ryan Deligans <rdeligans@dlb.net>

Subject: Re: Hursh v. State Farm

External email – beware of links and attachments

Hey Carrie,

Please let us know dates on Phillips...we also want dates for Seek Now inspector Mark Caylao. Please provide some dates for him as well. Thanks!

BLAKE SONNE
ATTORNEY, OF COUNSEL
SIGNATURE_1737983080



512 N. Broadway Ave., Suite 300 | Oklahoma City, OK 73102
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From: Blake Sonne <bsonne@whittenburrage.com>

Date: Wednesday, September 9, 2026 at 9:08 PM

To: Carrie McNeer <cmcneer@gablelaw.com>, John Sanders <jsanders@whittenburrage.com>, Rebeca Matheus <rmatheus@gablelaw.com>, "Reggie N. Whitten" <rwhitten@whittenburrage.com>, Michael Burrage <mburrage@whittenburrage.com>, Hannah Whitten <hwhitten@whittenburrage.com>, Jake Denne <jdene@whittenburrage.com>, Karen Stratton <kstratton@whittenburrage.com>, Autumn Hobbs <ahobbs@whittenburrage.com>, Kayli Price <kprice@whittenburrage.com>, Ryan Deligans <rdeligans@dlb.net>, Pat Collogan <pat@bibylaw.com>, Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>, Lance Leffel <lleffel@gablelaw.com>, "David R. Herber"

<dherber@gablelaw.com>, "Nathan A. Miramontes" <nmiramontes@gablelaw.com>, "Janet L. Wright" <jwright@gablelaw.com>, Christine Hill <chill@gablelaw.com>, Kari Cyr <kcyr@gablelaw.com>, "Jaylea A. Allen" <jallen@gablelaw.com>, "Amy H. Jenkins" <ajenkins@gablelaw.com>, Kayli Price <kprice@whittenburrage.com>, Autumn Hobbs <ahobbs@whittenburrage.com>, Ryan Deligans <rdeligans@dlb.net>

Subject: Re: Hursh v. State Farm

Actually, I think we were going to offer the 22nd and 23rd for the Hursh's due to their work schedule they need to do TH or FR. John, can you confirm?

Can you provide some alternative dates for Phillips?

BLAKE SONNE
ATTORNEY, OF COUNSEL
SIGNATURE_1697063885



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From: Blake Sonne <bsonne@whittenburrage.com>

Date: Wednesday, September 9, 2026 at 9:06 PM

To: Carrie McNeer <cmcneer@gablelaw.com>, John Sanders <jsanders@whittenburrage.com>, Rebeca Matheus <rmatheus@gablelaw.com>, "Reggie N. Whitten" <rwhitten@whittenburrage.com>, Michael Burrage <mburrage@whittenburrage.com>, Hannah Whitten <hwhitten@whittenburrage.com>, Jake Denne <jdenne@whittenburrage.com>, Karen Stratton <kstratton@whittenburrage.com>, Autumn Hobbs <ahobbs@whittenburrage.com>, Kayli Price <kprice@whittenburrage.com>, Ryan Deligans <rdeligans@dlb.net>, Pat Colloghan <pat@bibylaw.com>, Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>, Lance Leffel <llefel@gablelaw.com>, "David R. Herber" <dherber@gablelaw.com>, "Nathan A. Miramontes" <nmiramontes@gablelaw.com>, "Janet L. Wright" <jwright@gablelaw.com>, Christine Hill <chill@gablelaw.com>, Kari Cyr <kcyr@gablelaw.com>, "Jaylea A. Allen" <jallen@gablelaw.com>, "Amy H. Jenkins" <ajenkins@gablelaw.com>, Kayli Price <kprice@whittenburrage.com>, Autumn Hobbs <ahobbs@whittenburrage.com>

Subject: Re: Hursh v. State Farm

Carrie,

We will make Oct 22nd work for Phillips. Where is he located?

Mark Wood on Oct 29th at PR in Tulsa works for him.

BLAKE SONNE
ATTORNEY, OF COUNSEL
SIGNATURE_878860953



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From: Carrie McNeer <cmcneer@gablelaw.com>

Date: Tuesday, September 8, 2026 at 4:46 PM

To: Blake Sonne <bsonne@whittenburrage.com>, John Sanders <jsanders@whittenburrage.com>, Rebeca Matheus <rmatheus@gablelaw.com>, "Reggie N. Whitten" <rwhitten@whittenburrage.com>, Michael Burrage <mburrage@whittenburrage.com>, Hannah Whitten <hwhitten@whittenburrage.com>, Jake Denne <jdene@whittenburrage.com>, Karen Stratton <kstratton@whittenburrage.com>, Autumn Hobbs <ahobbs@whittenburrage.com>, Kayli Price <kprice@whittenburrage.com>, Ryan Deligans <rdeligans@dlb.net>, Pat Collogan <pat@bibylaw.com>, Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>, Lance Leffel <lleffel@gablelaw.com>, "David R. Herber" <dherber@gablelaw.com>, "Nathan A. Miramontes" <nmiramontes@gablelaw.com>, "Janet L. Wright" <jwright@gablelaw.com>, Christine Hill <chill@gablelaw.com>, Kari Cyr <kcyr@gablelaw.com>, "Jaylea A. Allen" <jallen@gablelaw.com>, "Amy H. Jenkins" <ajenkins@gablelaw.com>

Subject: RE: Hursh v. State Farm

Blake/John,

Have we gotten new dates for the Plaintiffs' depositions?

We can present JR Phillips on October 22. Please let me know if that works for your side.

Thanks,
Carrie

Carrie McNeer She/Her/Hers | [918-595-4888](tel:918-595-4888) | **GableGotwals**

From: Blake Sonne <bsonne@whittenburrage.com>

Sent: Friday, September 4, 2026 11:10 AM

To: Carrie McNeer <cmcneer@gablelaw.com>; John Sanders <jsanders@whittenburrage.com>; Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburrage.com; mburrage@whittenburrage.com; Hannah Whitten <hwhitten@whittenburrage.com>; Jake Denne <jdenne@whittenburrage.com>; Karen Stratton <kstratton@whittenburrage.com>; Autumn Hobbs <ahobbs@whittenburrage.com>; Kayli Price <kprice@whittenburrage.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <lleffel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyr@gablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>

Subject: Re: Hursh v. State Farm

External email – beware of links and attachments

Ok sounds good, thanks!

BLAKE SONNE
ATTORNEY, OF COUNSEL
SIGNATURE_2775690708



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From: Carrie McNeer <cmcneer@gablelaw.com>

Date: Friday, September 4, 2026 at 11:06 AM

To: Blake Sonne <bsonne@whittenburrage.com>, John Sanders

<jsanders@whittenburragelaw.com>, Rebeca Matheus <rmatheus@gablelaw.com>, "Reggie N. Whitten" <rwhitten@whittenburragelaw.com>, Michael Burrage <mburrage@whittenburragelaw.com>, Hannah Whitten <hwhitten@whittenburragelaw.com>, Jake Denne <jdenne@whittenburragelaw.com>, Karen Stratton <kstratton@whittenburragelaw.com>, Autumn Hobbs <ahobbs@whittenburragelaw.com>, Kayli Price <kprice@whittenburragelaw.com>, Ryan Deligans <rdeligans@dlb.net>, Pat Collogan <pat@bibylaw.com>, Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>, Lance Leffel <lleffel@gablelaw.com>, "David R. Herber" <dherber@gablelaw.com>, "Nathan A. Miramontes" <nmiramontes@gablelaw.com>, "Janet L. Wright" <jwright@gablelaw.com>, Christine Hill <chill@gablelaw.com>, Kari Cyrs <kcyr@gablelaw.com>, "Jaylea A. Allen" <jallen@gablelaw.com>, "Amy H. Jenkins" <ajenkins@gablelaw.com>

Subject: RE: Hursh v. State Farm

Yes, he is in the Tulsa area. I can present him at PR in Tulsa. Thanks.

Carrie McNeer She/Her/Hers | [918-595-4888](tel:918-595-4888) | **GableGotwals**

From: Blake Sonne <bsonne@whittenburragelaw.com>

Sent: Friday, September 4, 2026 8:18 AM

To: Carrie McNeer <cmcneer@gablelaw.com>; John Sanders <jsanders@whittenburragelaw.com>; Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburragelaw.com; mburrage@whittenburragelaw.com; Hannah Whitten <hwhitten@whittenburragelaw.com>; Jake Denne <jdenne@whittenburragelaw.com>; Karen Stratton <kstratton@whittenburragelaw.com>; Autumn Hobbs <ahobbs@whittenburragelaw.com>; Kayli Price <kprice@whittenburragelaw.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <lleffel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyr@gablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>

Subject: Re: Hursh v. State Farm

External email – beware of links and attachments

Thank you Carrie. Let's do the 29th. Is he located in Oklahoma I am assuming? If so let's do PR in okc. Thanks!

Blake Sonne
Attorney, Of Counsel

512 N. Broadway Ave., Suite 300 | Oklahoma City, OK 73102
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From: Carrie McNeer <cmcneer@gablelaw.com>

Sent: Thursday, September 3, 2026 12:32 PM

To: Blake Sonne <bsonne@whittenburrage.com>; John Sanders <jsanders@whittenburrage.com>; Rebeca Matheus <rmatheus@gablelaw.com>; Reggie N. Whitten <rwhitten@whittenburrage.com>; Michael Burrage <mburrage@whittenburrage.com>; Hannah Whitten <hwhitten@whittenburrage.com>; Jake Denne <jdenne@whittenburrage.com>; Karen Stratton <kstratton@whittenburrage.com>; Autumn Hobbs <ahobbs@whittenburrage.com>; Kayli Price <kprice@whittenburrage.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <llefel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyrns@gablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>

Subject: RE: Hursh v. State Farm

Blake,

TM Mark Wood can be available October 29 or 30. Let me know if either of those dates would work.

Thanks,
Carrie

Carrie McNeer She/Her/Hers | 918-595-4888 | GableGotwals

From: Blake Sonne <bsonne@whittenburrage.com>

Sent: Thursday, September 3, 2026 11:49 AM

To: Carrie McNeer <cmcneer@gablelaw.com>; John Sanders <jsanders@whittenburrage.com>; Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburrage.com; mburrage@whittenburrage.com; Hannah Whitten <hwhitten@whittenburrage.com>; Jake

Denne <jdenne@whittenburragelaw.com>; Karen Stratton <kstratton@whittenburragelaw.com>; Autumn Hobbs <ahobbs@whittenburragelaw.com>; Kayli Price <kprice@whittenburragelaw.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <lleffel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyr@gablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>

Subject: Re: Hursh v. State Farm

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Thank you

Blake Sonne
Attorney, Of Counsel
signature_1997176144



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From: Carrie McNeer <cmcneer@gablelaw.com>

Date: Thursday, September 3, 2026 at 11:48 AM

To: Blake Sonne <bsonne@whittenburragelaw.com>, John Sanders <jsanders@whittenburragelaw.com>, Rebeca Matheus <rmatheus@gablelaw.com>, "Reggie N. Whitten" <rwhitten@whittenburragelaw.com>, Michael Burrage <mburrage@whittenburragelaw.com>, Hannah Whitten <hwhitten@whittenburragelaw.com>, Jake Denne <jdenne@whittenburragelaw.com>, Karen Stratton <kstratton@whittenburragelaw.com>, Autumn Hobbs <ahobbs@whittenburragelaw.com>, Kayli Price <kprice@whittenburragelaw.com>, Ryan Deligans <rdeligans@dlb.net>, Pat Collogan <pat@bibylaw.com>, Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>, Lance Leffel <lleffel@gablelaw.com>, "David R. Herber" <dherber@gablelaw.com>, "Nathan A. Miramontes" <nmiramontes@gablelaw.com>, "Janet L. Wright" <jwright@gablelaw.com>, Christine Hill <chill@gablelaw.com>, Kari Cyrs

<kcyrsgablelaw.com>, "Jaylea A. Allen" <jallengablelaw.com>, "Amy H. Jenkins" <ajenkinsgablelaw.com>

Subject: RE: Hursh v. State Farm

Yes, I will work on getting you dates for these people.

Carrie McNeer She/Her/Hers | [918-595-4888](tel:918-595-4888) | **GableGotwals**

From: Blake Sonne <bsonne@whittenburragelaw.com>

Sent: Thursday, September 3, 2026 11:45 AM

To: Carrie McNeer <cmcneer@gablelaw.com>; John Sanders <jsanders@whittenburragelaw.com>; Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburragelaw.com; mburrage@whittenburragelaw.com; Hannah Whitten <hwhitten@whittenburragelaw.com>; Jake Denne <jdenne@whittenburragelaw.com>; Karen Stratton <kstratton@whittenburragelaw.com>; Autumn Hobbs <ahobbs@whittenburragelaw.com>; Kayli Price <kprice@whittenburragelaw.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>

Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <llefel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyr <kcyrsgablelaw.com>; Jaylea A. Allen <jallengablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>

Subject: Re: Hursh v. State Farm

External email – beware of links and attachments

Thank you Carrie...can you also get us dates in October for CS Jr Phillips, TM Mark Wood, and ECR Conrad Feller? We will need copies of their personnel files as well prior to the depositions if those have not already been produced. Thanks!

Blake Sonne
Attorney, Of Counsel
signature_3213685148



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From: Carrie McNeer <cmcneer@gablelaw.com>

Date: Thursday, September 3, 2026 at 11:34 AM

To: John Sanders <jsanders@whittenburrage.com>, Rebeca Matheus <rmatheus@gablelaw.com>, "Reggie N. Whitten" <rwhitten@whittenburrage.com>, Michael Burrage <mburrage@whittenburrage.com>, Blake Sonne <bsonne@whittenburrage.com>, Hannah Whitten <hwhitten@whittenburrage.com>, Jake Denne <jdenne@whittenburrage.com>, Karen Stratton <kstratton@whittenburrage.com>, Autumn Hobbs <ahobbs@whittenburrage.com>, Kayli Price <kprice@whittenburrage.com>, Ryan Deligans <rdeligans@dlb.net>, Pat Collogan <pat@bibylaw.com>, Marsha Murray <mmurray@dlb.net>
Cc: Grant Fitz <gfitz@gablelaw.com>, Lance Leffel <lleffel@gablelaw.com>, "David R. Herber" <dherber@gablelaw.com>, "Nathan A. Miramontes" <nmiramontes@gablelaw.com>, "Janet L. Wright" <jwright@gablelaw.com>, Christine Hill <chill@gablelaw.com>, Kari Cyrs <kcyr@gablelaw.com>, "Jaylea A. Allen" <jallen@gablelaw.com>, "Amy H. Jenkins" <ajenkins@gablelaw.com>

Subject: RE: Hursh v. State Farm

John,

Once we get new agreed dates, we will send second amended notices. I'll look for new proposed dates. Thanks for letting us know.

Carrie

Carrie McNeer She/Her/Hers | 918-595-4888 | GableGotwals

From: John Sanders <jsanders@whittenburrage.com>

Sent: Thursday, September 3, 2026 11:31 AM

To: Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburrage.com; mburrage@whittenburrage.com; Blake Sonne <bsonne@whittenburrage.com>; Hannah Whitten <hwhitten@whittenburrage.com>; Jake Denne <jdenne@whittenburrage.com>; Karen Stratton <kstratton@whittenburrage.com>; Autumn Hobbs <ahobbs@whittenburrage.com>; Kayli Price <kprice@whittenburrage.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@bibylaw.com>; Marsha Murray <mmurray@dlb.net>
Cc: Grant Fitz <gfitz@gablelaw.com>; Lance Leffel <lleffel@gablelaw.com>; David R. Herber <dherber@gablelaw.com>; Nathan A. Miramontes <nmiramontes@gablelaw.com>; Janet L. Wright <jwright@gablelaw.com>; Christine Hill <chill@gablelaw.com>; Kari Cyrs <kcyr@gablelaw.com>; Jaylea A. Allen <jallen@gablelaw.com>; Amy H. Jenkins <ajenkins@gablelaw.com>; Carrie McNeer <cmcneer@gablelaw.com>

Subject: RE: Hursh v. State Farm

External email – beware of links and attachments

Carrie and All,

I am very sorry, but I was premature on the dates I gave you for Billy and Lacy Hursh for October and missed several conflicts on our end for October 8 and 9. That is my mistake and apologies for missing this before you issued your amended notices. Could we please try this again, and I will make sure we get you better dates that work for us, the client, and your firm? We are working on alternative dates ASAP. Again, this is my mistake alone.

Respectfully,

John Scott Sanders

Attorney



512 N. Broadway Avenue

Suite 300

Oklahoma City, OK 73102

Telephone: (405) 516-7800

Facsimile: (405) 516-7859

jsanders@whittenburrage.com

www.whittenburrage.com

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From: Rebeca Matheus <rmatheus@gablelaw.com>

Sent: Thursday, September 3, 2026 10:45 AM

To: John Sanders <jsanders@whittenburrage.com>; Reggie N. Whitten <rwhitten@whittenburrage.com>; Michael Burrage <mburrage@whittenburrage.com>; Blake Sonne <bsonne@whittenburrage.com>; Hannah Whitten <hwhitten@whittenburrage.com>; Jake Denne <jdenne@whittenburrage.com>; Karen Stratton <kstratton@whittenburrage.com>; Autumn Hobbs <ahobbs@whittenburrage.com>; Kayli Price <kprice@whittenburrage.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@biblylaw.com>; Marsha Murray <mmurray@dlb.net>

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Subject: RE: Hursh v. State Farm

Good morning,

Please see attached the amended notices. A hard copy will be placed in the mail to you.

Rebeca Matheus | [918-595-4984](tel:918-595-4984) | **GableGotwals**

From: Carrie McNeer <cmcneer@gablelaw.com>

Sent: Thursday, September 3, 2026 8:29 AM

To: John Sanders <jsanders@whittenburragelaw.com>; Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburragelaw.com; mburrage@whittenburragelaw.com; Blake Sonne <bsonne@whittenburragelaw.com>; Hannah Whitten <hwhitten@whittenburragelaw.com>; Jake Denne <jdenne@whittenburragelaw.com>; Karen Stratton <kstratton@whittenburragelaw.com>; Autumn Hobbs <ahobbs@whittenburragelaw.com>; Kayli Price <kprice@whittenburragelaw.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@biblylaw.com>; Marsha Murray <mmurray@dlb.net>

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Subject: RE: Hursh v. State Farm

John,

Thanks for getting back to me. We will send amended notices for October 8 and 9.

Thanks,

Carrie

Carrie McNeer She/Her/Hers | [918-595-4888](tel:918-595-4888) | **GableGotwals**

From: John Sanders <jsanders@whittenburragelaw.com>

Sent: Wednesday, September 2, 2026 6:21 PM

To: Rebeca Matheus <rmatheus@gablelaw.com>; rwhitten@whittenburragelaw.com; mburrage@whittenburragelaw.com; Blake Sonne <bsonne@whittenburragelaw.com>; Hannah Whitten <hwhitten@whittenburragelaw.com>; Jake Denne <jdenne@whittenburragelaw.com>; Karen Stratton <kstratton@whittenburragelaw.com>; Autumn Hobbs <ahobbs@whittenburragelaw.com>; Kayli Price <kprice@whittenburragelaw.com>; Ryan Deligans <rdeligans@dlb.net>; Pat Collogan <pat@biblylaw.com>; Marsha Murray <mmurray@dlb.net>

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Subject: RE: Hursh v. State Farm

External email – beware of links and attachments

Carrie,

In response to your letter, we have obtained the following dates of availability from Billy and Lacy Hursh for their depositions: 10/8-10/9, and 10/22-10/23. Please let us know if any of these will work for you. We are also working on getting our pared-down witness list to you asap. Thank you!

Respectfully,

John Scott Sanders

Attorney



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From: Rebeca Matheus <rmatheus@gablelaw.com>

Sent: Monday, August 31, 2026 4:51 PM

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Subject: Hursh v. State Farm

Good afternoon,

Please see attached a letter from Carrie McNeer. A hard copy has been placed in the mail to you.

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EXHIBIT 3

From: [Blake Sonne](#)
To: [Lance Leffel](#); [Karen Stratton](#); [Carrie McNeer](#); [Rebeca Matheus](#); [Janet L. Wright](#); [Kari Cyr](#); [David R. Herber](#); [Nathan A. Miramontes](#)
Cc: rwhitten@whittenburrage.com; mburrage@whittenburrage.com; [Hannah Whitten](#); [John Sanders](#); [Jake Denne](#); [Autumn Hobbs](#); [Kayli Price](#); [Brad Beskin](#); [Marsha Murray](#); [Ryan Deligans](#); [Pat Collogan](#)
Subject: Re: Hursh/Faust v. State Farm - Writ Denial & Discovery
Date: Wednesday, July 1, 2026 5:06:53 PM
Attachments: [Hursh - State Farm - Notice to Take Deposition of Jon Farney.pdf](#)

External email – beware of links and attachments

Counsel,

This email follows my email below as well as Reggie and I's phone call with Lance earlier today. As I mentioned to Lance, we will be filing a motion to enforce in the morning and request expedited enforcement from Judge Palumbo considering the 8-month delay in producing documents and corporate/executive depositions. We intend to discuss these issues with the Court at our hearing on our Second Motion to Compel on Tuesday July 7th. We prefer to work with State Farm on dates for Ress, Herbert, Moss, and the corporate representative depositions but we have still not received any dates. Please advise.

In addition, please find attached the Notice of Deposition for Jon Farney for **July 20, 2026**, former State Farm Sr. VP, Treasurer, and CFO as well as current CEO. Farney's involvement in the FME, P&C tactics and Wind/Hail success, his knowledge of indemnity reductions on FME Wind/Hail as well as his direct involvement in State Farm's Fix Profit Task Force, which directly involved Wind/Hail claims are all directly related to State Farm's FME and continued work to maintain its momentum on reducing indemnity in Wind/Hail claims. Moreover, as the CFO receiving direct reports on financials from Wind/Hail claims, Farney has direct knowledge of indemnity reductions and other financials related to the FME and subsequent plans by SF. In fact, during the very timeframe of the Hursh's claim, Farney was receiving monthly Fire Claims Trends on a rolling 12-month basis, specifically discussing Wind/Hail results. The Fire Trends were sent specifically to Wensley Herbert and Jon Farney. Similarly, Farney was a key participant in the Fix Profit Task Force during the time of the Hursh's claim. State Farm executives including Farney discussed continued improvements in P&C profits from building on the momentum of the FME and "quality results" from Wind/Hail indemnity and FRR to PRR ratio reductions. Again, the documents show this occurring during the very time of the Hursh's claim and adjustment. We have noticed the deposition for OKC or Bloomington, IL and will work with you to coordinate per your preferred location like we offered with Ress, Herbert, and Moss. Thank you.

BLAKE SONNE
ATTORNEY, OF COUNSEL
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product. If you received this e-mail in error, please notify Whitten Burrage immediately at the telephone number listed above. Thank you.

From: Blake Sonne <bsonne@whittenburrage.com>

Date: Monday, June 29, 2026 at 7:54 AM

To: Lance Leffel <lleffel@gablelaw.com>, Karen Stratton

<kstratton@whittenburrage.com>, Carrie McNeer <cmcneer@gablelaw.com>, Rebeca Matheus <rmatheus@gablelaw.com>, "Janet L. Wright" <jwright@gablelaw.com>, Kari Cyr <kcyr@gablelaw.com>, "David R. Herber" <dherber@gablelaw.com>, "Nathan A. Miramontes" <nmiramontes@gablelaw.com>

Cc: "Reggie N. Whitten" <rwhitten@whittenburrage.com>, Michael Burrage <mburrage@whittenburrage.com>, Hannah Whitten <hwhitten@whittenburrage.com>, John Sanders <jsanders@whittenburrage.com>, Jake Denne <jdenne@whittenburrage.com>, Autumn Hobbs <ahobbs@whittenburrage.com>, Kayli Price <kprice@whittenburrage.com>, Brad Beskin <bbeskin@whittenburrage.com>, Marsha Murray <mmurray@dlb.net>, Ryan Deligans <rdeligans@dlb.net>, Pat Collogan <pat@biblylaw.com>

Subject: Hursh/Faust v. State Farm - Writ Denial & Discovery

Counsel,

This email follows the Supreme Court's order last week denying the writ of prohibition taken on Judge Palumbo's rulings on (1) the motion to compel; (2) the motion to quash executive depositions; and (3) the motion to quash the corporate representative deposition of State Farm. We are seeking immediate compliance with these discovery rulings and this email serves as our request for State Farm to provide an update in its compliance without Court intervention.

As you know, State Farm's documents were ordered to be produced back in December 2025 and also in March 2026. The documents in December were documents from previous cases under RFP #44. We expect immediate production of these bates stamped numbers from the previous cases.

With respect to the rest of the document production, we expect full compliance with 12 O.S. § 3234(B)(2)(e)(1), which requires a producing party to produce documents "as they are kept in the usual course of business or **shall organize and label them to correspond to the categories in the request.**" (emphasis added). Oklahoma law does not allow a "document dump" to force Plaintiffs to sift through thousands of pages to try and locate responsive documents. This may also deny any opportunity to examine a corporate designee and/or verifying agent as to any supplementation made. Such practices fail to comply with the specificity obligations the discovery code. *See Low v. OMNI Life Sci., Inc.*, No. CIV-18-305-SLP, 2020 WL 12787583, at *2 (W.D. Okla. Aug. 5, 2020) (producing party must identify document on which they rely by numbers so that there can be no dispute at trial what documents to which the producing party is referring to); *Crest Res., Inc. v. Dan Blocker Petroleum Consultants, Inc.*, No. 09-CV-766-TCK-PJC, 2013 WL 618865, at *1 (N.D. Okla. Feb. 19, 2013) (sufficient to compel supplementation to discovery to identify by bates the documents that correspond to each of the specific document where the supplementation made had no apparent organizational structure to the production).

In addition, any blanket designation of confidentiality does not comply with the Oklahoma

Discovery Code and we will seek immediate action with the Court to de-designate documents under a blanket confidentiality designation as was done in the *West* case.

With respect to the executive depositions, please provide dates and proposed locations in July for Herbert, Ress, Welsh, and Moss. We will issue notices this week if we cannot reach an agreement on these depositions. We intend to issue other executive deposition notices this week.

On the corporate representative deposition, please also provide names/topics and proposed dates and locations.

The writ process delayed this case by almost 8 months. We do not intent to move any trial date and therefore request assistance in these discovery matters without court intervention. Please advise as soon as possible. Thank you.

BLAKE SONNE
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19 ALSO PRESENT:

20 Bobby Lenahan on behalf of Chris Young (Expert
21 Witness)
22 Mark Romano, Expert Witness
23 Hannah Whitten, Assistant
24 Walter Haskin, Expert Witness
25 Jess Bryan, Naegeli Technician

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EXAMINATION INDEX

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1 A. Robert Yi.

2 Q. How do you spell the last name?

3 A. Y-i.

4 Q. So currently, as the Senior Vice President
5 of P&C, my understanding is you have a series of
6 operational vice presidents that report directly to
7 you?

8 A. Yes, I do.

9 Q. How many?

10 A. Five.

11 Q. Are they broken down by particular
12 division or type of claim?

13 A. Yeah, a little bit of both.

14 Q. Okay.

15 A. Yep.

16 Q. Who are the operational vice presidents
17 that report to you that are -- would cover
18 homeowners' claims?

19 A. So Michael Keating is an operations vice
20 president. He has responsibility for fire claims.

21 Millicent Roth is an operations vice
22 president who has -- her area of responsibilities
23 are governance and oversight area over both auto and
24 fire claims. So she's also connected to that.

25 Q. Okay. And then those operational vice

1 Q. If you turn the page -- we're going to
2 work our way back, so you're going to turn to the
3 left or the page before. Michael Roper --

4 A. Oh, sorry.

5 Q. -- says at the bottom of that page, "The
6 tentative approach for Tuesday is to briefly cover
7 the November trends at a high level before spending
8 the majority of time focusing on Claims specific
9 content." Did I read that correctly?

10 A. Yes, sir,

11 Q. Okay. And then if you go upwards and keep
12 turning left, Michael Keating sends an email to Matt
13 Schulkins and John Christensen. Who is John
14 Christensen?

15 A. John Christensen is the Vice President of
16 Operations.

17 Q. Is he in the claims fire side?

18 A. He -- he's -- yes, he's a fire -- he's in
19 the fire claims.

20 Q. Okay. Fire side. I was gone on -- all
21 right.

22 He says with next week's FPTF being
23 "claims" focused -- do you see that email at the
24 bottom?

25 A. Yes, sir.

EXHIBIT 5

DECLARATION OF MICHAEL KEATING

I, Michael Keating, hereby certify, under penalty of perjury, that the following is true and correct:

1. I am over the age of 21 years, of sound mind, legally capable of making this Declaration, and have personal knowledge of the facts contained in this Declaration.

2. I am currently Operations Vice President at State Farm Mutual Automobile Insurance Company ("State Farm"), with responsibility for fire property claims. I have been in my current position since October 2, 2021. I have been a State Farm employee since 1993.

3. I do not oversee the day-to-day handling of insurance claims, including the homeowners' policies issued by State Farm. There are multiple levels of management between my position and the claims teams that adjust claims.

4. In my current role as Operations Vice President, I receive updates and/or reporting that at times include information concerning quality initiatives and enterprise-wide trends. It is my understanding that Plaintiffs in this case are seeking testimony about State Farm's Fire Model Enhancement (the "FME"). I was not involved in the FME. For nearly a decade prior to June 2023, my roles involved only auto claims.

I state under penalty of perjury that the foregoing is true and correct.

9/28/2026

(Date)

Michael Keating

(Signature)

EXHIBIT 6



ORIGINAL

FILED
SUPREME COURT
STATE OF OKLAHOMA

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

SEP 24 2024

JOHN D. HADDEN
CLERK

WERNER ENTERPRISES, INC.,
Petitioner,

v.

THE HONORABLE KORY KIRKLAND,

Respondent,

and

JODI CROSS, as Personal Representative
of the Estate of RAE ANN DARROW, deceased,

and

TIMOTHY CLEMONS and MICHAEL DENNIS PECK,

Defendants.

No. 122,385

Rec'd (date)	9-24-24
Posted	JM
Mailed	JM
Distrib	JM
Publish	yes ☒ no

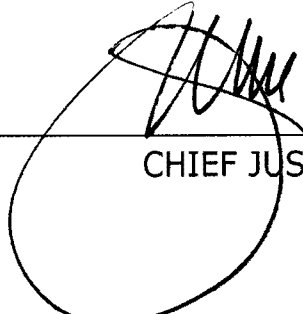
ORDER

Original jurisdiction is assumed. Okla. Const. art. 7, § 4. Petitioner Werner Enterprises, Inc.'s application to assume original jurisdiction is granted. A writ of mandamus is issued to Caddo County District Judge Kory Kirkland, or any assigned judge, in *Jodi Cross, as Personal Representative of the Estate of Rae Anne Darrow, deceased v. Werner Enterprises, Inc., et. Al.*, CJ-2021-47.

Respondent's December 20, 2023 Order compelling production of certain documents is unenforceable, as Respondent did not consider the proportionality test as outlined in Title 12 O.S., Section 3226(B)(2)(c), in

determining the relevancy of the requested documents. Respondent, any other assigned judge, or a special master appointed by the district court shall review the discovery requests at issue and consider the proportionality factors stated in 12 O.S. Section 3226 (B(2)(c) along with all other statutory requirements before ruling on the discovery disputes.

DONE BY THE SUPREME COURT IN CONFERENCE ON THE 23rd DAY
OF SEPTEMBER 2024.



CHIEF JUSTICE

CONCUR: KANE, C.J., and WINCHESTER, GURICH, DARBY and KUEHN, JJ.
DISSENT: ROWE, V.C.J., and KAUGER, EDMONDSON and COMBS, JJ.

EXHIBIT 7



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Also Present:

Mark Romano, Expert Witness (via Zoom)

Walter Haskin, Expert Witness (via Zoom)

Autumn Hobbs, Assistant to Whitten Law Firm

Jess Bryan, Naegeli Technician

1 that testimony?

2 A. Yes, sir.

3 Q. And those were meetings of certain
4 executives -- the CEO, the COO, the CFO, yourself
5 and other executives, right? Happened three times a
6 year, correct?

7 A. Yeah, that's correct.

8 Q. I'm showing you what's marked as Exhibit
9 28. This is an email chain, goes back several
10 pages, and like most of these emails you have to go
11 to the back and then work your way up.

12 So if you turn to the last page, which is
13 I guess the beginning of this email, it would be the
14 last page of that exhibit or the second to last
15 page.

16 A. Yeah. Can I -- I'm just going to go
17 through it real quick.

18 Q. The title of this email is the fixed
19 profit task force.

20 A. Yes.

21 Q. Do you see that?

22 A. Yeah.

23 Q. Are you on the -- were you ever a part of
24 the fixed profit task force?

25 A. Yes, I was.

1 Q. Okay. Who's on that?

2 A. I think there was -- well, I think it's on
3 here on the last page.

4 Q. Okay. All those individuals there?

5 A. Yeah.

6 Q. So that would include Jon Farney. That
7 would include Michael Tipsord. Was Michael Keating
8 ever a part of the fixed profit task force?

9 A. Yes.

10 Q. What was his role?

11 A. He was the operations vice president over
12 -- he is the operations vice president over prior
13 claims.

14 Q. Does he report to you?

15 A. He does, yes.

16 Q. What was his role in -- in homeowners wind
17 and hail claim handling in the last five years?

18 A. He just has operational responsibilities
19 for fire claims.

20 Q. Okay. And that includes wind and hail
21 claims on homeowners?

22 A. Yes, all fire claims.

23 Q. So how often does the fixed profit task
24 force meet?

25 A. We don't have them anymore --