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FILED IN DISTRICT COURT
OKLAHOMA COUNTY

OCT 29 2026

RICK WARREN
COURT CLERK
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IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

BILLY & 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
Honorable Amy Palumbo

PLAINTIFFS' OPPOSED MOTION FOR LEAVE TO EXCEED PAGE LIMIT IN RESPONSE TO DEFENDANT STATE FARM FIRE AND CASUALTY COMPANY'S AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT

Plaintiffs Billy and Lacy Hursh respectfully move for leave to file a response brief exceeding the twenty-page limit of Rule 4(e) of the Rules for District Courts of Oklahoma and Local Rule 37(B) of the Official Court Rules of Oklahoma County in opposition to the Amended Motion for Partial Summary Judgment filed by Defendant State Farm Fire and Casualty Company ("State Farm") on October 19, 2026. Plaintiffs request leave to file a response of no more than thirty-five pages, exclusive of the caption, table of contents, table of authorities, signature block, certificate of conference, certificate of service, and exhibits. In support, Plaintiffs state as follows.

1. State Farm's Amended Motion seeks judgment on the following claims in the case: breach of the duty of good faith and fair dealing, constructive fraud, negligent misrepresentation, and punitive damages. Each ground requires a separate response.
2. The Amended Motion sets out forty-eight numbered statements of undisputed material fact supported by approximately three hundred and sixty pages of exhibits. Rule 13(b) requires Plaintiffs to respond to each numbered fact, to state with citations to the record which facts

they contend are disputed, and to set out any additional facts that preclude judgment. Responding to forty-eight numbered facts and presenting the additional facts that create genuine disputes consumes a substantial part of any response before the argument begins.

3. The record bearing on those facts is unusually large. Under this Court's Journal Entry filed on November 25, 2025 and compelling production, State Farm has produced hundreds of thousands of documents, much of it concerning the Wind/Hail Fire Model Enhancement program at issue in Plaintiffs' bad-faith, constructive fraud, and punitive damages claims. State Farm has produced approximately 564,058 documents to date.

4. The parties have since deposed Billy and Lacy Hursh; several roofers that inspected the Hursh property, including Bill Bond, Ezekiel Waite, and Randy James; State Farm's claim handling personnel, including JR Phillips and team manager Mark Wood; State Farm's Corporate Representative Wayne Stewart; as well as State Farm's senior executives responsible for the Scheme's creation and implantation, including Kathy Ress, Nicole Manduca, Scott Welsh, and Wensley Herbert. This Court has already recognized the relevance of the Scheme/bad faith pattern and practice evidence to Plaintiffs' claims. Plaintiffs' response necessarily draws on that record to show genuine disputes of material fact.

5. State Farm's Amended Motion also relies on a significant number of federal authorities. Plaintiffs must address those authorities and explain why the decisions of the Oklahoma Supreme Court govern here.

6. Plaintiffs have made every effort to present their response concisely. They have consolidated responses to related numbered facts, limited their additional facts to those necessary to show genuine disputes, and confined their discussion of State Farm's

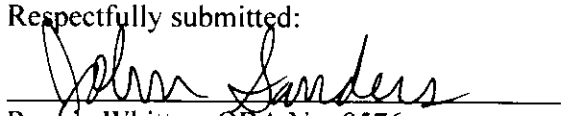
authorities to what is needed to distinguish them. A modest enlargement of fifteen pages will permit Plaintiffs to respond fully to each ground State Farm raises without burdening the Court.

7. The requested enlargement will not delay the proceedings or prejudice State Farm. Plaintiffs will file their response on the date it is due, and State Farm remains free to reply.
8. Because State Farm failed to respond to Plaintiffs' inquiry as to whether Defendants object to Plaintiffs' request for fifteen additional pages for their response. Plaintiffs assume that State Farm opposes the relief requested. **Exhibit 1**, 10/26/2026 Email to Counsel for State Far. Plaintiffs are filing a separate motion for leave as to their response to the Motion for Summary Judgment filed by the Welty Defendants.

WHEREFORE, Plaintiffs respectfully request that the Court grant them leave to file a response of no more than thirty-five pages, exclusive of the caption, tables, signature block, certificate of conference, certificate of service, and exhibits, in opposition to State Farm's Amended Motion for Partial Summary Judgment, and grant such further relief as the Court deems just.

Dated: October 29, 2026

Respectfully submitted:



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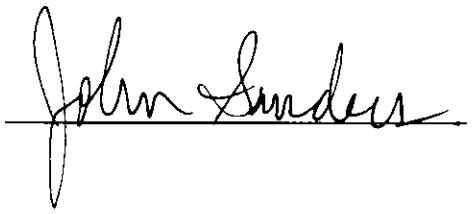
CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of October, 2026, a true, correct, and exact copy of the foregoing document was emailed and/or mailed to the following persons:

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Outlook

Hursh v. State Farm - Request for Oversized Brief - 15 pages

From John Sanders <jsanders@whittenburragelaw.com>

Date Mon 10/26/2026 12:06 PM

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Counsel,
We will be requesting oversized briefs from Judge Palumbo for responding to both motions for summary judgment filed by State Farm and Welty in the *Hursh* case. We are asking for 15 additional pages for both responses. Could you please advise today whether Defendant State Farm and Defendant Welty object to these requests for oversized briefs so that we can move forward with our requests to Judge Palumbo? Thank you!

Respectfully,

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EXHIBIT
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