

1 Wilmer J. Harris, SBN 150407
2 wharris@sshhlaw.com
3 **SCHONBRUN SEPLOW**
4 **HARRIS & HOFFMAN LLP**
5 715 Fremont Ave., Suite A
6 South Pasadena, CA. 91030
7 Telephone No.: (626) 441-4129
8 Facsimile No.: (626) 283-5770

9 [Additional counsel on following page]

10 Attorneys for Plaintiffs

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF LOS ANGELES – CENTRAL**

13 ROGER HARRIS, DUANE BROWN, AND
14 BRIAN LINDSEY,

15 Plaintiffs,

16 vs.

17 FARMERS INSURANCE EXCHANGE
18 AND MID CENTURY INSURANCE
19 COMPANY,

20 Defendants.

Case No. BC579498

*[Assigned to the Hon. Maren Nelson in Dept.
17 of Spring Street Courthouse]*

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: October 10, 2019

Time: 9:00 a.m.

Department: 17

Complaint filed: April 22, 2015

Trial Date: None Set

1 Jay Angoff, Esq.
2 Cyrus Mehri, Esq.
3 **MEHRI & SKALET PLLC**
4 1250 Connecticut Ave. NW, Suite 300
5 Washington, DC 20036
6 Tel: (202) 822-5100
7 Fax: (202) 822-4997
8 jay.angoff@findjustice.com
9 cyrus@findjustice.com

7 Peter Kahana, Esq.
8 Jeff Osterwise, Esq.
9 **BERGER MONTAGUE, P.C.**
10 1818 Market Street, Suite 3600
11 Philadelphia, PA 19103
12 Tel: (215) 875-3000
13 Fax: (215) 875-4613
14 pkahana@bm.net
15 josterwise@bm.net

13 Jonathan K. Tycko, Esq.
14 Andrea Gold, Esq.
15 **TYCKO & ZAVAREEI LLP**
16 1828 L Street NW, Suite 1000
17 Washington, DC 20036
18 Tel: (202) 973-0900
19 Fax: (202) 973-0950
20 jtycko@tzlegal.com
21 agold@tzlegal.com

22 *Attorneys for Plaintiffs*

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1 **TO THE COURT AND DEFENDANT BANK OF THE WEST AND ITS**
2 **ATTORNEYS OF RECORD:**

3 PLEASE TAKE NOTICE that on October 10, 2019 at 9:00 a.m. or as soon thereafter as
4 counsel may be heard by the above-entitled Court, located at 312 North Spring Street, Los
5 Angeles, CA 90012, Roger Harris, Duane Brown, and Brian Lindsey will and hereby do move for
6 an order:

7 1. Of preliminary approval of the class action as set forth in the Settlement Agreement
8 attached as Exhibit 1 to the Declaration of Jay Angoff filed herewith;

9 2. Of certification, for settlement purposes only, of a Settlement Class defined as:

10 1. all California Policy Holders of Defendants Farmers Insurance
11 Exchange (“FIE”) and Mid-Century Insurance Company (“Mid-Century”) who: (1)
12 had 9 or more years of tenure/persistency as a FIE and/or Mid-Century
13 policyholder as of August 18, 2015 or who reached 9 or more years of
14 tenure/persistency as a FIE and/or Mid-Century policyholder on or before March
15 31, 2017, and (2) were FIE and/or Mid-Century policyholders at any time during
16 the period extending from August 18, 2015 through March 31, 2017. Excluded
17 from the Settlement Class are (a) officers, directors, and employees of any member
18 of the Farmers Insurance Group of Companies; (b) the judge overseeing the
19 proposed settlement and the judge’s immediate family and (c) all Policy Holders
20 who make a timely election to be excluded.

21 3. Directing dissemination of notice in the form and manner set forth in
22 the Settlement Agreement; and

23 4. Setting a date for a final approval hearing.

24 A copy of the [Proposed] Order for Preliminary Approval is being filed concurrently with
25 this motion.

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2 This motion is based on this Notice of Motion and Motion, the Memorandum of Points and
3 Authorities filed herewith, the concurrently filed Declaration of Jay Angoff, the papers and
4 pleadings on file with the Court, and upon such other evidence, information, or material as may be
5 presented to the Court.

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7 DATED: August 30, 2019

SCHONBRUN SEPLOW
HARRIS & HOFFMAN LLP

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MEHRI & SKALET PLLC

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BERGER MONTAGUE, P.C.

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TYCKO & ZAVAREEI LLP

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By:  _____
Jay Angoff
Attorneys for Plaintiffs

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SERVICE LIST

<p>1 2 Peter Kahana, Esq. pkahana@bm.net 3 Jeff Osterwise, Esq. josterwise@bm.net 4 BERGER & MONTAGUE, P.C. 1818 Market Street, Suite 3600 5 Philadelphia, PA 19103 6 Tel.: (215) 875-3000 7 Fax: (215) 875-4613 8 9 <i>Attorneys for Plaintiffs</i></p>	<p>Richard G. De La Mora, Esq. rdelamora@mail.hinshawlaw.com James C. Castle, Esq. jcastle@mail.hinshawlaw.com HINSHAW & CULBERTSON, LLP 633 West Fifth Street, 47th Floor Los Angeles, CA 90071 Tel.: (213) 614-7343 Fax: (213) 614-7399 <i>Attorneys for Defendants</i> Farmers Insurance Exchange and Mid Century Insurance Co.</p>
<p>10 Jonathan K. Tycko, Esq. jtycko@tzlegal.com 11 Andrea Gold, Esq. agold@tzlegal.com 12 TYCKO & ZAVAREEI LLP 1828 L Street, NW 13 Washington, DC 20036 14 Tel.: (202) 973-0900 15 Fax: (202) 973-0950 16 <i>Attorneys for Plaintiffs</i></p>	<p>Harvey Rosenfield, Esq. harvey@consumerwatchdog.org Pamela Pressley, Esq. pam@consumerwatchdog.org CONSUMER WATCHDOG 6330 San Vicente Blvd, Suite 250 Los Angeles, CA 90048 Tel.: (213) 897-2000 Fax: (213) 897-5775 <i>Attorneys for Consumer Watchdog</i></p>
<p>17 Jay Angoff, Esq. jay.angoff@findjustice.com 18 Cyrus Mehri, Esq. Cyrus@findjustice.com 19 Christine Monahan, Esq. CMonahan@findjustice.com 20 MEHRI & SKALET PLLC 1250 Conneticut Ave. NW, Suite 300 21 Washington, DC 2003 22 Tel.: (202) 822-5100 23 Fax: (202) 822-4997 24 <i>Attorneys for Plaintiffs</i></p>	<p>Laura Robbins, Esq. laura.robbs@doj.ca.gov Andrea Schoor, Esq. andrea.schoor@doj.ca.gov CALIFORNIA DEPARTMENT OF JUSTICE 300 South Spring Street, Suite 1702 Los Angeles, CA 90013 Tel.: (213) 897-2000 Fax: (213) 897-5775 <i>Attorneys for California Department of Insurance, Dave Jones, in his capacity as Insurance Commissioner of the State of California</i></p>