

MDL No. 13-0418

IN RE ALLSTATE TEXAS LLOYD'S §
AND ALLSTATE FIRE AND §
CASUALTY COMPANY §

IN THE DISTRICT COURT OF

HIDALGO COUNTY, TEXAS

MARCH 29, 2012 AND APRIL 20, §
2012 HAIL STORM LITIGATION §

206TH JUDICIAL DISTRICT

**RECOMMENDATION NO. 7 OF SPECIAL MASTER REGARDING DEFENDANT
ALLSTATE TEXAS LLOYD'S MOTION FOR PROTECTIVE ORDER AS TO
PLAINTIFFS' JANUARY 14, 2014 AMENDED NOTICE OF INTENTION TO TAKE
ORAL AND VIDEO DEPOSITION OF THE CORPORATE REPRESENTATIVE OF
ALLSTATE TEXAS LLOYD'S**

Pursuant to my appointment as Special Master in the above-referenced MDL proceedings, I hereby recommend that *Defendant Allstate Texas Lloyd's Motion for Protective Order as to Plaintiffs' January 14, 2014 Amended Notice of Intention to Take Oral and Video Deposition of the Corporate Representative of Allstate Texas Lloyd's* ("Defendant's Motion for Protective Order") be denied as to the following categories listed in *Plaintiffs' Amended Notice of Intention to Take the Oral and Video Deposition of the Corporate Representative of Allstate Texas Lloyds with Subpoena Duces Tecum* ("Plaintiffs' Notice of Intention"): Category No. 1: TRAINING AND CLAIMS HANDLING; Category No. 2: COMPLIANCE WITH CONTRACTUAL AND LEGAL DUTIES; Category No. 3: PRICING AND ESTIMATING; and Category No. 5: COMMUNICATIONS.

Further, I hereby recommend that as to Category No. 4: INDEPENDENT ADJUSTING COMPANIES, Defendant's Motion for Protective Order be denied based upon an agreement

announced by counsel on the record that the language in this subsection will be modified in the two sub-categories within Category No. 4 as follows:

- Corporate Representative(s) of Allstate Texas Lloyd's with knowledge regarding the relationship between Allstate Texas Lloyd's and independent adjusting companies, including, but not limited to Pilot Catastrophe Services, Inc., payment to independent adjusting companies, and duties and/or responsibilities shared or delegated between Allstate Texas Lloyd's and independent adjusting companies. **This request is limited to property claims in Texas for the three (3) year period of January 1, 2011 to January 1, 2014** ; and
- Corporate Representative(s) of Allstate Texas Lloyd's with knowledge regarding how independent adjusting companies, including, but not limited to Pilot Catastrophe Services, Inc., are chosen and criteria for choosing independent adjusting companies. **This request is limited to property claims in Texas for the three (3) year period of January 1, 2011 to January 1, 2014.**

Regarding Defendant's request for protective order as to Section/Category 5.00, SUBPOENA DUCES TECUM, I recommend that the motion be denied based upon an agreement announced by counsel on the record that the witness(es) need not produce documents at the deposition that have been previously produced in discovery.

IT IS SO RECOMMENDED.

SIGNED this the 10th day of February, 2014.



ROBERTO L. RAMIREZ
Special Master