

**IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

NATIONAL ASSOCIATION OF  
STATE FARM AGENTS, Inc.,

Plaintiff,

v.

STATE FARM MUTUAL  
AUTOMOBILE INSURANCE  
COMPANY et al.,

Defendants.

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\* Civil Action No.: 02ca004089  
\* Calendar 7  
\* Judge Neal E. Kravitz

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**PLAINTIFF'S FIRST SET OF INTERROGATORIES**

Pursuant to District of Columbia Super. Ct. Civ. R. 33, Plaintiff National Association of State Farm Agents, Inc., hereby propounds the following interrogatories to Defendants State Farm Mutual Automobile Insurance Co., State Farm General Insurance Co., State Farm Fire and Casualty Co., and State Farm Life Insurance Co. (collectively, "State Farm"), to be answered fully, separately and in writing within thirty days after service hereof

**DEFINITIONS AND INSTRUCTIONS**

1. The term "NAFSA" refers to the National Association of State Farm Agents, Inc., together with its parents, holding companies, affiliated business entities, departments, divisions, or any other organization in which it has a management or controlling interest; its current and former directors, trustees, employees, agents, and representatives; any person over which it had or has control; or any person acting on its behalf.

2. "State Farm" or "you" or "your" refers to State Farm Mutual Automobile Insurance Co., State Farm General Insurance Co., State Farm Fire and Casualty Co., and

State Farm Life Insurance Co., together with their parents, holding companies, affiliated business entities, departments, divisions, or any other organization in which it has a management or controlling interest; their current and former directors, trustees, employees, agents, and representatives; any person over which they had or have control; or any person acting on their behalf.

3. When referring to a natural person, “to identify” means to state the person's full name, present or last known address, and his or her title or job function and present or last known place of employment.

4. When referring to a document, “to identify” means to state the (a) type of document; (b) general subject matter; (c) date of the document; and (d) author(s), addressee(s) and recipient(s).

5. “Relating to” means referring to, dealing with, setting forth, proposing, showing, evidencing, disclosing, describing, discussing, explaining, summarizing, concerning or otherwise addressing in any way.

6. “Communication” means any exchange of information by any means, oral or written, including, but not limited to, telephone, regular mail, electronic mail or facsimile.

7. State the basis means:

(a) (identifying the acts or omissions by stating their nature, time and place, and by identifying the persons involved) that form any part of your information regarding the alleged facts or legal conclusions referred to by the interrogatory;

(b) to identify each and every document (and, where pertinent, the section, article or subparagraph thereof) that forms any part of the source of your information regarding the alleged facts or legal conclusions referred to by the interrogatory;

(c) to identify each and every communication that forms any part of the source of your information regarding the alleged facts or legal conclusions referred to by the interrogatory; and

(d) to state separately any other fact that forms the basis of your information regarding the alleged facts or legal conclusions referred to by the interrogatory.

8. “Interrogatories” refers to the interrogatories contained herein.

9. “Current lawsuit” refers to National Association of State Farm Agents, Inc. v. State Farm Mutual Automobile Insurance Co., State Farm General Insurance Co., State Farm Fire and Casualty Co., and State Farm Life Insurance Co., Civil Action No. 02ca004089 (D.C. Super. Ct.).

10. To the extent that you object to any interrogatory on the basis of a claim of privilege, please identify fully the nature and source of the privileged material and state the nature of the claimed privilege and the basis for the claim of privilege with sufficient particularity so that a motion to compel your answer may be brought on the basis of your objection.

11. These interrogatories require supplemental or amended answers to the extent required by Super. Ct. Civ. R. 26(f), and shall be deemed to constitute continuing requests for supplemental or amended answers.

### **INTERROGATORIES**

1. State the basis for Defendants’ assertion in its opposition to Plaintiff’s motion for preliminary injunction that allowing Agents to sell insurance policies for other carriers will result in (1) policyholder confusion about who is insuring him/her; (2) complications in claims handling; (3) potential liability to State Farm and/or the Agents in the event that business is placed with a company that fails to pay on claims; (4) difficulty in protecting trade secrets; (5) competitors gaining the benefit of the State Farm’s

name and reputation; (6) competitors gaining the benefit of State Farm's training; and (7) strained Agent loyalty.

2. Identify the restrictions on sales of new State Farm policies, or "managed growth plans" that have been, or are currently, in place in each State, identifying the nature of such restrictions, the time when such restrictions were effective, and when such restrictions were lifted, where applicable.

3. State State Farm's lapse and cancellation rates for each state for the years 1998-2002.

4. State the percentage increase in State Farm automobile and fire insurance policy premiums, by State, for the years 2001 and 2002.

5. State the basis for Defendants' assertion in its opposition to Plaintiff's motion for preliminary injunction that 650,000 new State Farm fire and automobile insurance policies were written in 2002, identifying all categories of policies included in such figure.

6. State the basis and identify all documents relating to the basis for your affirmative defense number 3.

7. State the basis and identify all documents relating to the basis for your affirmative defense number 4.

8. State the basis and identify all documents relating to the basis for your affirmative defense number 5.

9. State the basis and identify all documents relating to the basis for your affirmative defense number 6.

8. State the basis and identify all documents relating to the basis for your affirmative defense number 7.

9. State the basis and identify all documents relating to the basis for your affirmative defense number 8.

10. Do you contend that profit or loss were considerations or were responsible, in whole or in part, for the creation of any State Farm program or policy affecting its Agents identified in Complaint ¶ 10(a) through (g) or Complaint ¶ 8(c) or (d)?

11. If your answer to interrogatory 10, is other than in the unqualified negative, state the basis for your contention.

12. Identify all documents to which you refer in your answers to interrogatories 1-11.

13. Identify all persons with knowledge material to each answer to these interrogatories, and, for each such person, identify the answer or answers concerning which such person has knowledge, and state the facts upon which that knowledge is based, as to each such interrogatory.

Dated: April \_\_\_\_, 2003

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ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this \_\_\_\_\_ day of April 2003, a copy of Plaintiff's First Set of Interrogatories were sent via facsimile and by first class mail, postage prepaid to Lawrence H. Martin, Esquire, Foley, Hoag & Eliot, LLP, 1747 Pennsylvania Avenue, N.W., Washington, D.C. 20006, Attorneys for Defendant.

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Allan P. Hillman