

**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.

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

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NOTICE TO TAKE DEPOSITIONS

PLEASE TAKE NOTICE that, pursuant to D.C. Superior Court Rule 30, Plaintiff shall take the following depositions, on the dates and at the times in May 2003 to be agreed upon by the parties. The parties have agreed to consult in advance concerning these dates and times, in order to arrive at a comprehensive schedule amenable to the parties, counsel, and witnesses. The depositions will be taken at the offices of Plaintiff's undersigned Maryland counsel or at such other location as the parties agree upon, before a Notary Public or a person authorized to administer oaths, and will continue from day-to-day until completed. You are invited to attend and cross-examine.

1. Charles ("Chuck") Wright.
2. Vincent Troscino
3. In accordance with D.C. Superior Court Rule 30(b)(6), State Farm is requested to designate one or more officers, directors or managing agents with the most comprehensive

knowledge of each of the subjects identified below, to testify as to the subjects identified below:

- (a) The inception of, reason(s) for, implementation of, requirements of, costs of, and functioning of,
 - (i) the “Partnering” program;
 - (ii) the business plans State Farm requires of Agents;
 - (iii) the ethics program and/or the ethics training State Farm requires of Agents;
 - (iv) the requirement that Agents pay \$1.00 per insured to use State Farm’s “customer response center”;
 - (v) the requirement that Agents use the State Farm customer response center in order to advertise in the Yellow Pages using the State Farm logo;
 - (vi) State Farm’s sales of insurance over the Internet;
 - (vii) State Farm’s appointment of certain Agents as “select agents”;
 - (viii) State Farm’s discontinuation of selling health insurance through Agents;
 - (ix) State Farm’s curtailment of product lines that Agents can sell; and
 - (x) State Farm’s policy and practice concerning granting or refusing consent to Agents to market insurance of other companies; and
- (b) The allegations that:
 - (i) Agents must pay State Farm for materials, software and hardware, the right to use the State Farm logo as a condition -- express or implied – of doing business as State Farm Agents, and must expend thousands of dollars to establish and maintain storefronts, offices, facilities and infrastructure in accordance with State Farm requirements; and
 - (ii) State Farm and the Agents have a continuing financial interest in the marketing of State Farm goods and services; and

- (c) Defendants' defenses that:
- (i) Plaintiff's claims are barred by the doctrine of laches, unclean hands and/or estoppel;
 - (ii) Plaintiff's members have an adequate remedy at law;
 - (iii) Neither Plaintiff nor its members have suffered or are threatened with irreparable harm as a result of any State Farm policy or practice challenged in the Complaint or challenged in Plaintiff's Motion for a Preliminary Injunction;
 - (iv) The public interest favors State Farm over Plaintiff;
 - (v) Some or all of Plaintiff's claims are barred by the applicable statute of limitations; and
 - (vi) Some or all of Plaintiff's members have not paid a franchise fee required by the statute applicable to their State Farm business.

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 the foregoing Notice of Depositions, was served by facsimile and first-class mail upon:

Lawrence H. Martin, Esquire
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1747 Pennsylvania Avenue, NW
Washington, D.C. 20006

Attorney for Defendants.

ALLAN P. HILLMAN