

IN THE CIRCUIT COURT  
FOR THE SEVENTH JUDICIAL CIRCUIT  
SPRINGFIELD, SANGAMON COUNTY, ILLINOIS

**FILED**  
JUL 14 1994  
CTR-7  
*Carl D. Obinger*  
Clerk of the Circuit Court

WILLIAM EBERT d/b/a American  
Auto Body,

Plaintiff,

v.

STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY,

Defendant.

Case No. 93-L-58

TO: Terry Feldmann, Property Damage Estimator  
State Farm Claims Service Office  
c/o Mr. Charles C. Compton  
Reed, Armstrong, Gorman, Coffey,  
Thomson, Gilbert & Mudge  
One Mark Twain Plaza  
P.O. Box 368  
Edwardsville, IL 62025

AMENDED NOTICE OF DISCOVERY DEPOSITION

YOU ARE HEREBY NOTIFIED, that the discovery deposition of Terry Feldmann, of 2801 West Lawrence Avenue, Springfield, Illinois, which was previously scheduled for Tuesday, June 7, 1994 has been rescheduled for Monday, July 25, 1994 at the hour of 1:00 o'clock P.M., at the offices of REED, ARMSTRONG, GORMAN, COFFEY, THOMSON, GILBERT & MUDGE, A Professional Corporation, Myers Building, Suite 400, One West Old State Capitol Plaza, Springfield, Illinois 62701, before a Notary Public on oral interrogatories for use as discovery in the case.

The deponent is directed to bring with him and produce at the deposition the following documents:

1. All notes, memoranda, documentation or written records of any and all incidents, occurrences, events, conversations or communications, including memoranda of oral conversations or communications, which led you to register complaints against the Plaintiff to Sally Rubel between September, 1991, and January 10, 1992, which complaints related to alleged displays of or use of firearms by the plaintiff, alleged unprofessional or unethical conduct by the plaintiff, or conduct by the plaintiff which caused you to fear for your safety.

2. Any and all written correspondence, memoranda, letters or communications, including memoranda of oral conversations or communications, sent or received in relation to your complaints against the Plaintiff to Sally Rubel between September, 1991, and January 10, 1992, which complaints related to alleged displays of or use of firearms by the plaintiff, alleged unprofessional or unethical conduct by the plaintiff, or conduct by the plaintiff which caused you to fear for your safety.

3. Defendant's files in relation to the following property damage claims made through the defendant's Springfield Property Damage Claims Office by insureds or claimants of the defendant:

A. John Moloney, Claim No. 13-6377-151;

B. Any and all other Property Damage Claim Files in which you delivered or sent letters to defendant's insureds or claimants in the form of "Exhibit A" or "Exhibit B", attached hereto and incorporated by reference herein, since February 25, 1992.

4. Any and all interoffice memoranda, correspondence, notes, communications, policy statements, procedural guidelines or other writings which you received or sent relating to defendant's instructions to its agents, employees or representatives, including but not limited to its claims specialists, claims estimators, claims adjustors, claims representatives and office support staff in relation to how to respond to or deal with the defendant's insureds or claimants who express an interest in, desire to, or intent to hire the plaintiff to do repair work for defendant's insureds or claimants.

WILLIAM EBERT, d/b/a American Auto Body  
Plaintiff,

By: Stephen M. Osborne  
His Attorneys

PREPARED BY  
STEPHEN M. OSBORNE  
BEEMAN LAW OFFICES  
A Professional Corporation  
413 South Seventh Street  
P.O. Box 5276  
Springfield, IL 62705-5276  
(217) 753-4220  
Atty. No. 06193503

**ATTORNEY'S CERTIFICATE OF SERVICE**

The undersigned certifies that an exact copy of the above and foregoing instrument was served upon the attorneys of record by depositing the same in the U.S. Mail, Springfield, Illinois, in an envelope securely sealed, postage fully prepaid and legibly addressed to:

Mr. Martin K. Morrissey  
Reed, Armstrong, Gorman, Coffey,  
Thomson, Gilbert & Mudge  
One Mark Twain Plaza  
P.O. Box 368  
Edwardsville, IL 62025

on this 14<sup>th</sup> day of July, A.D. 1994.

Stephen M. Osborne

Ebert\State\Feldm-am.Dep



The deponent is directed to bring with him and produce at the deposition the following documents:

1. All of your notes, memoranda, documentation or written records of any and all incidents, occurrences, events, conversations or communications, including notes, memoranda or written records of oral conversations or communications, which led you to register complaints against the Plaintiff with Sally Rubel between September, 1991, and January 10, 1992, which complaints related to alleged displays of or use of firearms by the plaintiff, alleged unprofessional or unethical conduct by the plaintiff, or conduct by the plaintiff which caused you to fear for your safety.

2. Any and all written correspondence, memoranda, letters or communications, including notes, memoranda or written records of oral conversations or communications, sent or received in relation to your complaints against the Plaintiff to Sally Rubel between September, 1991, and January 10, 1992, which complaints related to alleged displays of or use of firearms by the plaintiff, alleged unprofessional or unethical conduct by the plaintiff, or conduct by the plaintiff which caused you to fear for your safety.

3. Any and all interoffice memoranda, correspondence, notes, communications, policy statements, procedural guidelines or other writings which you received or sent relating to defendant's instructions to its agents, employees or representatives, including but not limited to its claims specialists, claims estimators, claims adjustors, claims representatives and office support staff in relation to how to respond to or deal with the defendant's

insureds or claimants who express an interest in, desire to, or intent to hire the plaintiff to do repair work for defendant's insureds or claimants.

WILLIAM EBERT, d/b/a American Auto Body  
Plaintiff,

By: Stephen M. Osborne  
His Attorneys

PREPARED BY:  
STEPHEN M. OSBORNE  
BEEMAN LAW OFFICES  
A Professional Corporation  
413 South Seventh Street  
P.O. Box 5276  
Springfield, IL 62705-5276  
(217) 753-4220  
Atty. No. 06193503

**ATTORNEY'S CERTIFICATE OF SERVICE**

The undersigned hereby certifies that an exact copy of the above and foregoing instrument was served upon the attorneys of record and Defendants at their last known address by depositing the same in the U.S. Mail, Springfield, Illinois, in an envelope securely sealed, postage fully prepaid and legibly addressed to:

Mr. Martin K. Morrissey  
Reed, Armstrong, Gorman, Coffey,  
Thomson, Gilbert & Mudge  
One Mark Twain Plaza  
P.O. Box 368  
Edwardsville, IL 62025

on this 14<sup>th</sup> day of July, A.D. 1994.

*Stephen M. Osborne*

---

Ebert\State\Skel-amd.Dep

IN THE CIRCUIT COURT  
FOR THE SEVENTH JUDICIAL CIRCUIT  
SPRINGFIELD, SANGAMON COUNTY, ILLINOIS

**FILED**

JUL 14 1994

CTR-7

*Paul D. Obinger*  
Clerk of the Circuit Court

WILLIAM EBERT d/b/a American  
Auto Body,

Plaintiff,

v.

STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY,

Defendant.

Case No. 93-L-58

TO: Dwight "Butch" McDow, Property Damage Estimator  
State Farms Claims Service Office  
c/o Mr. Charles C. Compton  
Reed, Armstrong, Gorman, Coffey,  
Thomson, Gilbert & Mudge  
One Mark Twain Plaza  
P.O. Box 368  
Edwardsville, IL 62025

AMENDED NOTICE OF DISCOVERY DEPOSITION

YOU ARE HEREBY NOTIFIED, that the discovery deposition of  
Dwight "Butch" McDow, of 2801 West Lawrence Avenue, Springfield,  
Illinois, which was previously set for Tuesday, June 7, 1994 has  
been rescheduled for Monday, July 25, 1994 commencing at the hour  
of 10:00 o'clock A.M. at the Law Offices of REED, ARMSTRONG,  
GORMAN, COFFEY, THOMSON, GILBERT & MUDGE, A Professional  
Corporation, Myers Building, Suite 400, One West Old State Capitol  
Plaza, Springfield, Illinois 62701, before a Notary Public on oral  
interrogatories for use as discovery in the case.

The deponent is directed to bring with him and produce at the deposition the following documents:

1. All of your notes, memoranda, documentation or written records of any and all incidents, occurrences, events, conversations or communications, including memoranda of oral conversations or communications, which led you to register complaints against the Plaintiff to Sally Rubel between September, 1991, and January 10, 1992, which complaints related to alleged displays of or use of firearms by the plaintiff, alleged unprofessional or unethical conduct by the plaintiff, or conduct by the plaintiff which caused you to fear for your safety.

2. Any and all written correspondence, memoranda, letters or communications, including memoranda of oral conversations or communications, sent or received in relation to your complaints against the Plaintiff to Sally Rubel between September, 1991, and January 10, 1992, which complaints related to alleged displays of or use of firearms by the plaintiff, alleged unprofessional or unethical conduct by the plaintiff, or conduct by the plaintiff which caused you to fear for your safety.

3. Defendant's files in relation to the following property damage claims made through the defendant's Springfield Property Damage Claims Office by insureds or claimants of the defendant:

- A. Janet Miller, Claim Nos. 13-6398-296 and/or 13-6403-975;
- B. Larry Jones, Claim No. 13-6416-921;
- C. Alan Pregozin, Claim No. Unknown, Date of loss: January, 1993;
- D. J.F. Brake, Claim No. 13-6451-079

E. Any and all other Property Damage Claim Files in which you delivered or sent letters to defendant's insureds or claimants in the form of "Exhibit A" or "Exhibit B", attached hereto and incorporated by reference herein, since February 25, 1992.

4. Any and all interoffice memoranda, correspondence, notes, communications, policy statements, procedural guidelines or other writings which you received or sent relating to defendant's instructions to its agents, employees or representatives, including but not limited to its claims specialists, claims estimators, claims adjustors, claims representative and office support staff in relation to how to respond to or deal with the defendant's insureds or claimants who express an interest in, desire to, or intent to hire the plaintiff to do repair work for defendant's insureds or claimants.

WILLIAM EBERT, d/b/a American Auto Body  
Plaintiff,

By: Stephen M. Osborne  
His Attorneys

**ATTORNEY'S CERTIFICATE OF SERVICE**

The undersigned hereby certifies that an exact copy of the above and foregoing instrument was served upon the attorneys of record and Defendants at their last known address by depositing the same in the U.S. Mail, Springfield, Illinois, in an envelope securely sealed, postage fully prepaid and legibly addressed to:

Mr. Martin K. Morrissey  
Reed, Armstrong, Gorman, Coffey,  
Thomson, Gilbert & Mudge  
One Mark Twain Plaza  
P.O. Box 368  
Edwardsville, IL 62025

on this 14<sup>th</sup> day of July, A.D. 1994.

Stephen M. Osborne

PREPARED BY  
STEPHEN M. OSBORNE  
BEEMAN LAW OFFICES  
A Professional Corporation  
413 South Seventh Street  
P.O. Box 5276  
Springfield, IL 62705-5276  
(217) 753-4220  
Atty. No. 06193503

Ebert\State\McDow-am.Dep