

**FILED**

SEP 10 1999

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

Clerk of the  
Circuit Court

WILLIAM EBERT d/b/a American )  
Auto Body, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
STATE FARM MUTUAL AUTOMOBILE )  
INSURANCE COMPANY, )  
 )  
Defendant. )

No. 93-L-58

AMENDED STATEMENT OF THE CASE

NOW COMES the plaintiff, and following the order of the court regarding the existence of a qualified privilege and a further review of the witnesses previously disclosed in discovery, hereby requests this Court to provide all prospective jurors prior to jury selection in the above-entitled matter with this amended statement of the case, as follows:

"Ladies and Gentlemen you are potential jurors and may be selected to sit as petit (trial) jurors in the case of William Ebert, d/b/a American Auto Body, plaintiff v. State Farm Insurance Company, defendant, Sangamon County Case # 93-L-58.

The plaintiff (William Ebert) in this case is represented by attorneys Stephen M. Osborne and Bruce A. Beeman of Springfield, IL.

The defendant in this case (State Farm Insurance Company) is represented by attorneys Michael J. Bedesky and Martin K. Morrissey, of the law firm of Reed, Armstrong, Gorman, Coffey, Gilbert & Mudge, Edwardsville, IL.

This case concerns an action for damages claimed by William Ebert, d/b/a American Auto Body, as a result of certain conduct of State Farm Insurance Company.

William Ebert claims that his business was damaged by State Farm Insurance Company. Specifically William Ebert claims that State Farm Insurance Company intentionally interfered with his prospective business advantage, defamed him, and commercially disparaged his business, American Auto Body. William Ebert further claims that State Farm Insurance Company abused its qualified privilege to discuss legitimate business concerns with its insureds and claimants. William Ebert further claims that his business sustained economic damage as a result of the actions of State Farm Insurance Company.

State Farm Insurance Company denies that it intentionally interfered with William Ebert's prospective business advantage, defamed him, or commercially disparaged his business. State Farm Insurance Company further claims that it did not abuse its qualified privilege to communicate with insureds and claimants of State Farm Insurance Company. The defendant further denies that any of its actions were a proximate cause of any claimed damage to William Ebert's business.

During the trial it is possible you may hear testimony from one or more of the following witnesses:

1. William Ebert, Rochester, IL
2. Jay Buck, CPA, CVA, Springfield, IL
3. Nelson Capitano, Springfield, IL
4. Wade Ebert, Springfield, IL
5. Cindy Evans, Springfield, IL
6. Elaine Galli-Vail, Springfield, IL
7. Mannie Gaston, Lincoln, IL
8. Shirley Hatchet, Springfield, IL
9. Don Hartman, Bloomington, IL
10. Jim Hayden, Springfield, IL
11. Sandy Klunick, Springfield, IL
12. Paul Lellelid, Litchfield, IL
13. Randall Lewis, Streator, IL
14. John Marley, Loami, IL

... UMS...  
BOB SHARRER.

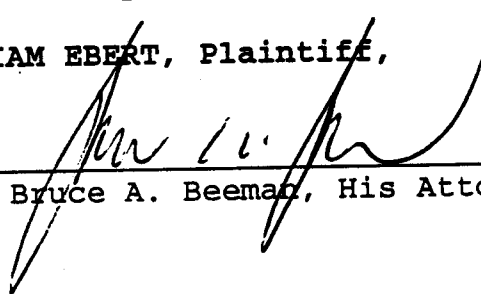
15. Greg Matejka, Springfield, IL
16. Mike McGee, Springfield, IL
17. Mark Miller, Springfield, IL
18. Steve Mills, Rochester, IL
19. John Moloney, Springfield, IL
20. Paul J. Myers, Mt. Pulaski, IL
21. Robert O'Keefe, Cantrall, IL
22. Alan Pregozin, Springfield, IL
23. Robert Shipman, Springfield, IL
24. Michael Supan, Peru, IL
25. Dick Taylor, Springfield, IL
26. Mike Taylor, Springfield, IL
27. Sarunas Valuikenas, Springfield, IL
28. Monica Whalen, Auburn, IL
29. Dennis Werth, Chatham, IL
30. Brian Wood, Auburn, IL
31. Brad Zara, Springfield, IL
32. Larry Durham, Dawson, IL
33. Melissa Paschold,
34. Debra Vansacik, Springfield, IL
35. Dennis Werth, Chatham, IL
36. Richard Skelton
37. Dwight "Butch" McDow
38. Sally Rubel
39. Gary Wheatley
40. Susan Conner
41. Chris Coyne

TERRY WEBSTER

Respectfully submitted,

WILLIAM EBERT, Plaintiff,

By

  
Bruce A. Beeman, His Attorney

Prepared By:  
Bruce A. Beeman  
WOLTER, BEEMAN & LYNCH  
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ATTORNEYS CERTIFICATE OF SERVICE

The undersigned hereby certifies that an exact copy of the above and foregoing instrument was served upon the attorneys of record by (1) PERSONALLY HAND DELIVERING A COPY OF THE SAME; AND (2) BY FACSIMILE TRANSMISSION (618-692-4416) to the following counsel of record:

Michael Bedesky, Esq.  
REED, ARMSTRONG, GORMAN, COFFEY,  
GILBERT & MUDGE  
Attorneys at Law  
P.O. Box 368  
Edwardsville, IL 62025

on this 30th day of September, 1999.

  
\_\_\_\_\_  
Bruce A. Beeman

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