

IN THE CIRCUIT COURT OF MOBILE COUNTY ALABAMA

JOHN AND LOIS THORNTON)

Plaintiffs,)

VS.)

NO. CV-06-900071-SHS

STATE FARM FIRE AND)

CASUALTY COMPANY, ET AL)

Defendants.)

AND

KENNETH MORRIS, ET AL)

Plaintiffs,)

VS.)

NO. CV-06-900007-RHS

GEORGE JONES, ET AL)

Defendants.)

DEPOSITION
OF
TAMMY HARDISON

JULY 18, 2008

ALPHA REPORTING CORPORATION
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Jackson, Tennessee 38301
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1 The deposition of Tammy Hardison is taken on
2 this, the 18th day of July, 2008, on behalf of the
3 Defendant, pursuant to notice and consent of counsel,
4 beginning at approximately 2:00 p.m. in the offices
5 of Butler Snow.

6 This deposition is taken pursuant to the
7 terms and provisions of the Tennessee Rules of Civil
8 Procedure.

9 All forms and formalities are waived and objections
10 alone as to matters of competency, irrelevancy, and
11 immateriality of the testimony are reserved to be
12 presented and disposed of at or before the hearing.

13 The signature of the witness is not waived.
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8 EXHIBITS

9 NO EXHIBITS MARKED
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1 TAMMY HARDISON,

2 having been first duly sworn, was examined
3 and testified as follows:

4 EXAMINATION

5 BY MR. BEERS:

6 Q. State your full name for the
7 record, please, ma'am.

8 A. Tammy Elizabeth Hardison.

9 Q. Ms. Hardison, for the record, my
10 name is Michael Beers, along with Ryan
11 Luna. We represent State Farm Fire &
12 Casualty Company as well as two agents,
13 George Jones and Don Hargrove. They're two
14 agents for State Farm. Two separate cases
15 that are filed in the Circuit Court of
16 Mobile County. One, Kenneth and Barbara
17 Morris versus State Farm and George Jones.
18 And one is John and Lois Thornton versus
19 State Farm and Don Hargrove.

20 I believe you're here, are you not,
21 pursuant to the subpoena regarding these two
22 cases?

23 A. Yes.

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1 Q. Okay. Can you state for the record
2 what your -- where your current residence
3 and place of employment is, please?
4 A. I live at 1760 North Parkway.
5 That's in Memphis. And I work at Service
6 Master in the risk management department.
7 Q. Okay. Tell me what your
8 responsibilities and duties are in that
9 position with Service Master.
10 A. We are -- it's risk management
11 finance, and we are in charge of buying the
12 insurance policies for our company. I
13 personally am in charge of making sure that
14 the bonds are in place for our workers and
15 that they have certificates of insurance. I
16 work as a liaison between the insurance
17 broker and our branches. And I also -- in
18 terms of the flood coverages for our
19 branches.
20 Q. Okay.
21 MR. INGE: You said flood not
22 blood?
23 A. Flood.

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1 MR. INGE: Flood. Yeah.
2 BY MR. BEERS:
3 Q. And how long have you been serving
4 in that capacity in that position?
5 A. Since December.
6 Q. Okay. And how long have you been
7 employed with Service Master?
8 A. It's been about six months.
9 Q. Okay. Prior to that, where were
10 you employed? What was your past
11 employment?
12 A. With E.A. Renfro.
13 Q. Okay. And in what capacity were
14 you so employed with E.A. Renfro?
15 A. I was a catastrophic adjuster,
16 independent.
17 Q. Okay. And how long were you so
18 employed with E.A. Renfro?
19 A. I can give you a date of --
20 Q. Approximate date?
21 A. Yeah. My first storm was about six
22 months prior to Charley, Hurricane Charley.
23 But I don't -- it's, like, maybe November of

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1 the year before -- November or -- I know I
2 worked a storm in July and then I worked
3 Charley, so I can't tell you exactly.
4 Q. Okay. Was that your first
5 experience as an insurance adjuster?
6 A. My first solo experience was
7 Hurricane Charley.
8 Q. Okay. Prior to that, did you serve
9 as a -- in some capacity in adjusting
10 catastrophic losses?
11 A. Yes.
12 Q. In what capacity was that?
13 A. I was an assistant.
14 Q. Okay. And when did you first
15 become an assistant, if you recall?
16 A. Six months about -- I tried for
17 about -- I worked two storms during that
18 period, so I can't recall the exact time.
19 Q. Okay. And who did you work as an
20 assistant for?
21 A. I worked for Kerri Rigsby and
22 Rachel Fisher.
23 Q. Okay. Do you have an insurance

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1 adjuster license?
2 A. I did.
3 Q. Okay. For what state?
4 A. For Mississippi.
5 Q. Okay. When did you first get that
6 license, if you recall?
7 A. I got that right -- right about the
8 time of Hurricane Charley.
9 Q. Okay. Did you ever work -- first,
10 let me ask you this: How were you -- first,
11 how did you first become acquainted with
12 independent insurance adjusting?
13 A. Through my neighbor, Kerri Rigsby.
14 Q. Okay. When was that?
15 A. That was back in I think 19- --
16 maybe '96.
17 Q. Okay. Okay. And how did you
18 become familiar with it?
19 A. Her -- Kerri's uncle had become --
20 was an engineer for State Farm who worked as
21 a -- I guess, an independent-type engineer.
22 And he had told Kerri about being an
23 adjuster. And she became interested. And

1 then her uncle got involved with doing
2 adjusting himself. And then her cousin got
3 involved, and they became adjusters for
4 Worley.

5 Q. Okay. And you said that was
6 somewhere around '96, '97?

7 A. '97. Yeah, I knew Kerri. Kerri
8 lived next door to me for about three
9 years. I think I met her in '95. And then
10 about '96, '97 was when she became an
11 adjustor and moved away.

12 Q. Did you ever try that out or go to
13 any catastrophes with her at that time?

14 A. Yes, I did. I went with her up
15 until -- a storm in Minnesota, probably
16 1997.

17 Q. Okay. And did you start
18 independent adjusting in that or did you
19 go --

20 A. I did get my license at that
21 period.

22 Q. Okay.

23 A. I did not become an independent

1 adjuster. I was called out, but I declined.

2 Q. Okay. And what other
3 catastrophe -- did you work any catastrophes
4 in North Carolina --

5 A. Yes.

6 Q. -- or Texas?

7 A. Yeah. I helped Kerri and Rachel
8 with a windstorm out there.

9 Q. Okay. How about Texas?

10 A. I worked in Amarillo, Texas. I
11 worked a hail storm as Rachel's assistant.

12 Q. Okay. So you started out, really,
13 as an assistant to an independent adjustor?

14 A. Correct.

15 Q. And those independent adjustors
16 were Kerri Rigsby and Rachel Fisher?

17 A. Yes.

18 Q. Okay. But you say your first
19 experience as an independent adjustor
20 yourself was Charley?

21 A. Correct.

22 Q. Were you employed with E.A. Renfro
23 at that time?

1 A. Yes.

2 Q. Okay. When you served as an
3 assistant for Rachel, were you ever employed
4 through E.A. Renfro?

5 A. I was paid an assistant's fee.

6 Q. Okay. And approximately how many
7 catastrophes did you work as an assistant,
8 if you recall?

9 A. That was about it.

10 Q. Okay.

11 A. Those two.

12 Q. Have you ever worked for any other
13 insurance company through E.A. Renfro other
14 than State Farm?

15 A. Yes.

16 Q. What other insurance company?

17 A. You know, the name slipped my
18 mind. It was a small insurance company in
19 Orlando. I can't remember.

20 Q. Okay. And do you recall what
21 catastrophe that was?

22 A. That was Charley.

23 Q. Okay. Did you ever go from working

1 claims for that insurance company to working
2 claims for State Farm in Charley?

3 A. Yes.

4 Q. Okay. Did you ever work claims for
5 Hurricane Frances, as well --

6 A. Yes.

7 Q. -- during that period of time?

8 A. Yes.

9 Q. And how about Hurricane Jeanne?

10 A. I did.

11 Q. Okay. During the time that you
12 worked as an independent adjustor through
13 Renfro, did you ever become certified by the
14 State Farm flood training to be a flood
15 adjuster?

16 A. I did at a conference prior to
17 Hurricane Dennis. I think it was the year
18 before, and it was in 2005. I went to the
19 Renfro conference and I sat through the
20 certification --

21 Q. Okay.

22 A. -- with Kerri and Cori.

23 Q. Okay. Did you serve as an

1 independent adjustor for State Farm through
 2 Renfro during Hurricane Katrina?
 3 A. Yes, I did.
 4 Q. Could you state when and where you
 5 served in that capacity?
 6 A. Where I served was in -- at the
 7 Gulfport office in --
 8 Q. I'm saying Dennis, Hurricane
 9 Dennis.
 10 A. I thought you said Katrina.
 11 MR. INGE: He did.
 12 MR. BEERS: I did say Katrina?
 13 I apologize. I was thinking Dennis.
 14 A. In Dennis I was in Pensacola.
 15 BY MR. BEERS:
 16 Q. Okay. And when were you deployed
 17 to Hurricane Dennis, if you recall?
 18 A. Right after it hit, after I got
 19 back to office. I was working in Pensacola
 20 and our office kind of shut down and we all
 21 went to go work Katrina.
 22 Q. Okay. Do you recall when you were
 23 first deployed to Hurricane Dennis to work

1 in Pensacola?
 2 A. I think it was the end of June, I
 3 believe. Sometime around -- I worked about
 4 six weeks prior to Katrina at Hurricane
 5 Dennis, so whatever that was.
 6 Q. Okay. What type of claims did you
 7 adjust during Hurricane Dennis?
 8 A. It was wind claims.
 9 Q. Okay. Did you adjust any flood
 10 claims for Dennis?
 11 A. I did a little -- I started -- at
 12 the very end I started doing a little Ivan
 13 cleanup, so I didn't really do, you know,
 14 any -- I didn't run files for flood. Rachel
 15 was there, too, and she would take me around
 16 with her on some flood claims.
 17 Q. Okay. Rachel Fisher?
 18 A. Uh-huh (positive response).
 19 Q. Okay. Did you ever see Cori Moran
 20 or Kerri Rigsby during Hurricane Dennis?
 21 A. Yes.
 22 Q. Were they working Hurricane Dennis,
 23 as well, to your knowledge?

1 A. I believe they were doing mediation
 2 at the time.
 3 Q. Okay. Now, you've testified that
 4 you've known Kerri for a period of time.
 5 A. Yes.
 6 Q. And you were neighbors?
 7 A. Yes.
 8 Q. Okay. Here in Memphis?
 9 A. Yes.
 10 Q. Okay. And during Hurricane Dennis,
 11 would you continue to socialize with Cori
 12 and Kerri?
 13 A. Ask that again.
 14 Q. Yeah. During Hurricane Dennis,
 15 when they were working Hurricane Dennis, as
 16 well, would you socialize with Cori and
 17 Kerri?
 18 A. Yes.
 19 Q. Okay. During your period of time
 20 from when you started as a trainee to the
 21 time you were an independent adjustor up
 22 through Dennis, what type of instruction, if
 23 any, did you receive from State Farm as to

1 how to adjust claims and treat
 2 policyholders?
 3 A. We were always told to treat
 4 policyholders as if they were -- you know,
 5 like it was my claim. Say, if it was my
 6 damage, you know, be, you know, pay
 7 accordingly, pay through the policy. You
 8 know, pay for what the policy says but be
 9 more than fair.
 10 Q. Okay. And during your course of
 11 employment, is that what you observed as far
 12 as observing other State Farm adjusters as
 13 well as the managers that you instructed?
 14 A. Yes.
 15 MR. INGE: Object to the form.
 16 BY MR. BEERS:
 17 Q. Okay. Do you recall when you were
 18 first deployed to work Hurricane Katrina
 19 claims?
 20 A. I guess I was -- if I can remember,
 21 I was working Dennis, and I was told I was
 22 going to -- I needed to report to the
 23 office. So it was during -- I was kind of

1 like one whole big blob, if you can say. I
 2 was trying to finish up and they were
 3 calling me over to the office. So, I mean,
 4 it was -- it could have been September,
 5 first of September.
 6 Q. Okay. Do you recall when Hurricane
 7 Katrina came ashore --
 8 A. Oh, yes.
 9 Q. -- in the coastal county?
 10 A. Oh, yes.
 11 Q. Okay. You were still working
 12 Dennis claims at the time?
 13 A. Correct.
 14 Q. Okay. Did you -- where did you
 15 evacuate to during Hurricane Katrina?
 16 A. I went to Ocean Springs,
 17 Mississippi in Kerri Rigsby's house.
 18 Q. Okay. Who was there with you when
 19 you evacuated to Kerri Rigsby's house?
 20 A. My assistant Dana, and Rachel, and
 21 Kerri, and Pat Lobrano and Bill Lobrano.
 22 Q. Okay. And that's Dr. --
 23 A. Doc. That's what they call him.

1 Q. Okay. And what do you recall about
 2 that day when Katrina came ashore as to what
 3 y'all were doing and what you were
 4 observing?
 5 A. I remember us waiting for the storm
 6 to hit and the power went out and
 7 everything. And I remember Kerri and Pat
 8 and I looking out the front window watching
 9 some -- a little bit of wind damage to a
 10 house across the street.
 11 And I remember us, you know,
 12 thinking that the storm wasn't that bad.
 13 There would be a few gusts every once in a
 14 while, but we walked our dogs outside during
 15 the storm. Actually, I felt a little
 16 disappointment because I didn't think it was
 17 as bad as everybody had thought.
 18 Q. Okay. After it came ashore, did
 19 you later have an opportunity to observe and
 20 go to Ms. Lobrano's house to see what
 21 damage, if any, she received?
 22 A. Well, we made it out -- I guess the
 23 storm hit that morning, and we got out about

1 five o'clock that day and tried to go over
 2 there. And her street was -- going to her
 3 street, it was called Lover's Lane, and it
 4 was flooded. So we kind of drove around and
 5 noticed there was a lot of debris on the
 6 interstate and --
 7 Q. Was her house closer to the water
 8 than Kerri's?
 9 A. Yes, it was very close to the
 10 water. And actually some houses in Kerri's
 11 neighborhood had flooded.
 12 So then we tried back and finally
 13 figured out that we could get through if we
 14 walked. And we had to wade through some
 15 water and walk through the debris. And we
 16 found out that her house was one of the only
 17 houses standing. So we waded out there
 18 and -- and -- to see what we could find, and
 19 we found it.
 20 Q. Okay. And what type of damage had
 21 Ms. Lobrano suffered?
 22 A. It was standing, but it was -- the
 23 walls were literally waving in the wind like

1 curtains, and the whole bottom was gone.
 2 She -- we had just been over there the night
 3 before to get some clothes out of there and
 4 everything -- couldn't even get in the
 5 door. The whole bottom floor was flipped
 6 upside down and her -- all her appliances
 7 were in the front yard and in the mud and --
 8 but the upstairs was fine.
 9 Q. Okay. Did you ever overhear any
 10 comments made by -- was Cori -- did Cori --
 11 A. Cori couldn't get out of her
 12 house. Cori was -- stayed at her house.
 13 And her whole neighborhood was flooded, so
 14 we didn't see her. It was Rachel and Kerri
 15 and Dana and I and Pat and Doc.
 16 Q. Did you ever overhear any comments
 17 made by Kerri to her mom about the type of
 18 damage she had and what to expect?
 19 A. Yes. They started actually talking
 20 about what coverages she had and that she
 21 didn't buy any contents coverage under her
 22 flood policy. And that -- you know, they
 23 were literally talking about that she was

1 only going to get a certain amount through
2 her flood coverage and -- you know, Kerri
3 was kind of coaching her a little bit about
4 how to talk to the insurance company.

5 Q. Did Kerri ever make any comment
6 about whether or not coverage would be
7 available under the homeowner's policy for
8 the entire --

9 A. Yeah. I mean, no, there was -- we
10 all said there's no coverage under your wind
11 policy.

12 Q. Okay.

13 A. She did have a little wind damage
14 to her roof, though.

15 Q. Yeah. After Katrina came ashore,
16 did you go back to Pensacola to finish up
17 your business in Dennis?

18 A. Yes. Yes. It was about maybe two
19 days, three days. I can't remember. It
20 was -- I went and got my camper and put it
21 over in Ocean Springs so I would have a
22 site. And then actually worked out of Ocean
23 Springs and finished up in Pensacola, and

1 then started working my claims in Katrina.

2 Q. Okay. Where did you move to when
3 you got to Katrina, to work Katrina?

4 A. I can't -- the name of it is -- it
5 was a campground. It had a little barbecue
6 joint in it and I can't remember the name of
7 it.

8 Q. Okay. And was Dana with you?

9 A. Yes.

10 Q. Okay. And did Kerri live in her
11 house in Ocean Springs?

12 A. Yes, she was staying in her house.

13 Q. Okay. Was anyone staying with her
14 initially?

15 A. Rachel was.

16 Q. Okay. And did that change at any
17 time?

18 A. Pat and Doc were in Kerri and
19 Rachel's camper next door to us. And about
20 two weeks after they said they couldn't
21 stand living out there any more, they moved
22 into the house. And Rachel moved out
23 into -- and lived in the camper, so...

1 Q. So Pat and Doc became -- went to
2 live with Kerri?

3 A. Yes, about two weeks.

4 Q. Okay.

5 A. I think the name of campground was
6 Journey's End.

7 Q. After you went to -- with Pat and
8 Dr. Lobrano and Kerri and Rachel to their
9 house and they saw their damage and
10 destruction and had their conversations with
11 Kerri regarding their coverages, what, if
12 anything, did you observe about
13 Ms. Lobrano's -- how she took that news and
14 the damage to her house?

15 A. She was really upset about that
16 because they had not finished building their
17 house. It was still not completely
18 finished. It had been under construction
19 for over a year. And she was very upset.

20 Actually, Pat and Doc would sit
21 outside and drink at night and smoke
22 cigarettes, and they didn't even smoke and I
23 didn't even know they drank that much. So

1 they were very distraught about the whole
2 thing about losing their home.

3 Q. Sure. Did you ever observe any
4 change in that attitude or that -- how they
5 reacted to the loss?

6 A. Yeah. After about -- after they
7 moved in with Kerri, then it was about-
8 face. They said they were going to rebuild
9 and everything was going to be fine and they
10 literally started calling contractors to
11 start rebuilding their house.

12 Q. Okay. And this was during the fall
13 of '05 --

14 A. Right.

15 Q. -- right of the hurricane?

16 A. Right.

17 Q. Okay. How long did you work
18 Katrina?

19 A. I worked from September and I was
20 released the end of March of '06.

21 Q. Okay. And after you left in March
22 of '06, where did you go?

23 A. I went home for a few days and then

1 we went to a storm in Atlanta.
 2 Q. Okay. While you worked Katrina
 3 from September to March, did you work and
 4 adjust both homeowner's as well as flood
 5 policies --
 6 A. Correct.
 7 Q. -- claims? Okay. And where were
 8 you assigned, what office for State Farm?
 9 A. The Gulfport office.
 10 Q. Okay. And was that the same office
 11 that Cori and Kerri worked out of?
 12 A. Yes.
 13 Q. Okay. And did y'all continue to
 14 not only work and associate with them daily
 15 as far as working in Gulfport, but also
 16 socialize with them as friends at night?
 17 A. I did. Not in the beginning,
 18 because we were too busy, but later on we
 19 did.
 20 Q. Okay.
 21 A. I would see them at the office,
 22 though.
 23 Q. Okay. At any time did you ever

1 observe Kerri or Cori trying to get
 2 themselves involved in their mother's State
 3 Farm claim?
 4 A. Oh, yeah. Constantly, yes.
 5 Q. What, if anything, do you know
 6 about that?
 7 A. Well, I remember one time they
 8 tried to get an adjustor to work their
 9 mother's claim that was known as a big
 10 payer. And Kerri ended up telling the
 11 adjustor, and he decline the claim.
 12 Q. Which adjustor was that?
 13 A. That was Jamie Woody.
 14 Q. Okay. Telling the -- Kerri told
 15 the adjustor?
 16 A. Kerri told him. Said, you know,
 17 you just got my mother's claim,
 18 Ms. Lobrano. And he said, well, I can't do
 19 your mother's claim because I can't do
 20 anybody's claim that I know.
 21 Q. Okay. Any other way that you
 22 observed them getting involved?
 23 A. They -- you know, they befriended

1 another adjustor that was supposed to
 2 inspect her mother's claim. They -- I think
 3 they tried to access her file and see what
 4 was going on with it all the time. See, you
 5 know, if it's been inspected or who has got
 6 it.
 7 Q. As an independent adjustor, would
 8 you have to sign and execute certain codes
 9 of conducts and agreements both with the
 10 independent adjusting company as well as
 11 State Farm?
 12 A. Yes.
 13 Q. Okay. And would that be a
 14 violation of a code of conduct if you tried
 15 to influence a family member's claim?
 16 A. Oh, yeah.
 17 MR. INGE: Object to the form.
 18 Go ahead.
 19 A. Yes.
 20 BY MR. BEERS:
 21 Q. Okay. When do you recall the last
 22 time you spoke with Cori and Kerri?
 23 A. That -- I spoke to Kerri after I

1 got back from Florida in '06. I'm trying to
 2 think of the date. It was maybe July, maybe
 3 August '06.
 4 Q. What was the nature of that
 5 discussion?
 6 A. Well, I had rented a house on the
 7 beach, down near the bench in Pensacola and
 8 the refund check had come to her house, and
 9 I had wanted her to forward it to me in the
 10 mail, so...
 11 Q. Okay. Were you made aware of the
 12 20/20 broadcast?
 13 A. Yes. Cori called Dana and told her
 14 that -- not to be mad, that she was going to
 15 be -- her and Kerri were going to be on the
 16 TV that night.
 17 Q. And how did you know that, was
 18 that -- did Dana tell you?
 19 A. Yeah. Dana told me.
 20 Q. Okay. Did you watch the 20/20
 21 broadcast?
 22 A. Yes.
 23 Q. And what was your reaction to the

1 accusations and representations that the
 2 sisters had made on that broadcast?
 3 A. I was shocked. I couldn't believe
 4 that they were saying what they were saying
 5 and --
 6 Q. Why couldn't you believe it?
 7 A. Because I was there and I just -- I
 8 didn't believe what they were saying, and I
 9 felt like they were making it up.
 10 Q. Did you -- did you yourself ever
 11 see any evidence of any misconduct in the
 12 adjustment of State Farm claims --
 13 A. No.
 14 Q. -- from State Farm personnel?
 15 MR. INGE: Object to the form.
 16 A. No.
 17 BY MR. BEERS:
 18 Q. So even though you worked with Cori
 19 and Kerri and everything, the
 20 representations that they were making and
 21 allegations they were making of misconduct
 22 as far as the adjustment of the claims, you
 23 never observed that?

1 A. No.
 2 Q. Do you recall, were you present in
 3 a -- when Kerri approached Dana with a file
 4 or engineer report with a sticky note?
 5 A. I was in the -- in her house, but I
 6 may have been outside on the phone. At that
 7 time I had a lot of phone calls to return.
 8 Q. Uh-huh (positive response).
 9 A. I kind of looked at the sticky
 10 note, but I didn't really read it or...
 11 Q. Okay.
 12 A. I didn't think it was of any
 13 importance.
 14 Q. She never approached you directly?
 15 A. She kind of showed me something in
 16 the office one day, like look at this. And
 17 I remember kind of looking down, but I was,
 18 you know, on the way to talk to my manager.
 19 We were so busy that it wasn't something I
 20 thought was of any importance.
 21 Q. But the time that it was shown to
 22 Dana at the house, you don't recall --
 23 A. I remember them talking about

1 something. I remember them looking at
 2 something, but I was...
 3 Q. That's fine.
 4 A. Yeah. I'm sure I was on the phone.
 5 Q. At some point in time did you
 6 become aware of -- strike that.
 7 Let me ask you this: Were you ever
 8 made aware by Ms. Lobrano or Cori or Kerri
 9 of a relationship that Ms. Lobrano had had
 10 with Dickie Scruggs?
 11 A. Yes.
 12 Q. Tell me about that.
 13 A. She had -- Ms. Lobrano had told me
 14 that she had gone to school with him and was
 15 good friends with him, and had voted him
 16 most handsome. And that she had the biggest
 17 crush on him when she was in school with him
 18 and thought he was the greatest thing in the
 19 world.
 20 Q. Okay. And this was -- this was
 21 when you were deployed to Katrina --
 22 A. Yes.
 23 Q. -- and working Katrina claims?

1 Did you at some point in time while
 2 you were stationed for Katrina in
 3 Mississippi, did you become aware of some
 4 involvement that the sisters had with Dickie
 5 Scruggs?
 6 A. Yes.
 7 Q. When do you first recall that
 8 involvement?
 9 A. They told me, I think it was in
 10 February of '06.
 11 Q. What, if anything, did they tell
 12 you?
 13 A. That they had met with him.
 14 Q. For what reason?
 15 A. To help with -- help with his
 16 claims that he had. He had some, you know,
 17 claimants, people who were suing.
 18 Q. And how were they helping him, if
 19 you know?
 20 A. They were going to try and research
 21 information for -- through their computers
 22 for him.
 23 Q. Okay. At any time did they try to

1 solicit your assistance or help in this?
 2 A. Yes.
 3 Q. Tell me about that.
 4 A. Kerri came over to my camper and
 5 asked me if I would look through my files
 6 and -- any of my claimants and look and see
 7 if I saw anything that maybe looked kind of
 8 strange or something that maybe Dickie might
 9 want to, you know, have their name. And I
 10 told her no.
 11 Q. Okay. And did you ask her at any
 12 time why she was doing it?
 13 A. Well, yes. I was very upset that
 14 she was doing it. And she said, well, we'll
 15 never get caught. We'll never, you know, be
 16 found out.
 17 Q. Did she ever at any time -- did you
 18 ever overhear her and Ms. Lobrano talking
 19 about --
 20 A. Oh, yes. They would kind of laugh
 21 about it. And Dickie had given them some
 22 cell phones so they could all communicate
 23 together.

1 They had talked -- this was right
 2 before I left, it was about a week before I
 3 left. They were talking about how they were
 4 going to win this. She thought she was
 5 going to be, you know, reimbursed. Dickie
 6 was -- had a way to keep all the --
 7 everything in Mississippi. And Doc was over
 8 there, you know, laughing about you can't
 9 mess with Mississippi. And Kerri kept
 10 telling me he's going to -- like, do like he
 11 used to -- like he's done in other big
 12 trials. You know, he doesn't like big
 13 companies. And, you know, he has a way to
 14 keep it in Mississippi. I didn't understand
 15 what that meant. Now I do, but I didn't at
 16 the time.
 17 Q. Were you ever asked to meet with
 18 anybody by Kerri or Cori?
 19 A. Kerri wanted me to meet with Jim
 20 Hood.
 21 Q. And what was discussed then and
 22 what did she say?
 23 A. She said that she wanted me to talk

1 to him about -- I don't even know why she
 2 wanted me talk to him, because I didn't have
 3 anything to say so -- she just wanted me to
 4 speak with him, like, about what was going
 5 on in the office.
 6 And I would say, well, what was
 7 going on in the office? She goes, well, you
 8 know, something has got to be happening.
 9 And I said, well -- it was like this -- I
 10 don't know why she gave him my name.
 11 Q. Did she ever show you a claim file
 12 or tell you about an incident to which she
 13 thought was criminal or improper conduct?
 14 A. No, not while I was there.
 15 Q. Okay. Did Cori -- did Cori ever
 16 discuss with you her getting involved with
 17 Dickie and...
 18 A. Yeah. When -- the day that they
 19 told me about Jim Hood, and I said, do not
 20 give them my name. And we had to go to a
 21 meeting because everybody knew about the
 22 insiders in the office.
 23 And Cori told me in the vehicle

1 that she didn't want to get involved either,
 2 and that -- that she didn't want to get
 3 involved in this either, but they weren't
 4 going to be found out. That she had to be
 5 literally drug out of her room by Dickie and
 6 her mother and Kerri, I think, is what I'm
 7 assuming is what she acted like. You know,
 8 they had to get me out of my room, and I
 9 didn't want to do this either. Like almost
 10 trying to talk me into it.
 11 Q. Did you ever have any discussions
 12 with either one of them the ethical aspects
 13 of what they were doing?
 14 A. Yeah. They just -- I think I was
 15 in shock about the whole thing, about what
 16 they were doing. And I knew, you know, it
 17 wasn't going to be right. And I don't know,
 18 it's all kind a blur about that.
 19 Q. Did Kerri ever ask you how ethical
 20 you were?
 21 A. Yeah. Before she -- before all
 22 that, she would come into my camper every
 23 once in a while and talk to me. And she

1 said, how ethical are you? And then she'd
2 sit down. And I would say, well, I think
3 I'm very ethical. I try to be ethical. And
4 we would have a weird conversation. She
5 would go, (sigh sound) I know, you're
6 ethical. And then -- I think she did that
7 twice to me.

8 Q. Just give a sigh?

9 A. Yeah. Like, (sigh sound) you are
10 ethical, aren't you? Like it made her upset
11 that I was so ethical.

12 Q. An subsequent to that they did ask
13 to see if you would assist them?

14 A. That was later.

15 Q. Yeah.

16 A. That was much later.

17 Q. Did either Cori or Kerri every ask
18 you to access any of your files?

19 A. Yes, Kerri did.

20 Q. What files?

21 A. Well, she had asked for a copy of
22 an engineer report, one time. It was Anna
23 Vela's file. That's -- she also asked me to

1 just go through any of my files and give
2 them the names of the people that I had.

3 Q. Going back to, you know, when you
4 first were deployed in the fall of '05, you
5 talked about how Ms. Lobrano's demeanor
6 changed as far as the -- her loss and what
7 she was going to do and being depressed
8 about it.

9 Do you recall any discussions, you
10 had with Cori or Kerri about Kerri's, the
11 sale of Kerri's house?

12 A. Well, Kerri sold her house in, I
13 think -- she had an offer in, like,
14 December, and then she had a -- I think she
15 ended up selling it to somebody different
16 in -- I think she closed at the end of
17 February. So I think maybe January they
18 bought it. I can't remember. They had
19 offered her some money, but it wasn't on the
20 market.

21 Q. It was not on the market?

22 A. No, it was not on the market.

23 Q. Did she make a profit, did

1 she represent to you --

2 A. Yeah. I think she doubled her
3 money.

4 Q. Really?

5 A. She bought her house, I think, for
6 around 300, and I know she sold it for well
7 over six.

8 Q. During the fall when you observed
9 the change in personality of Ms. Lobrano
10 about the loss of her house, did you also
11 observe Ms. Lobrano and her daughters
12 watching any movies?

13 A. Around Christmas time they had all
14 gotten together or right at the first of the
15 year they were watching The Insider movie.
16 And they were wanting Dana and I to watch it
17 with them because they wanted to show us,
18 you know, Mike Moore and all the people that
19 were in the movie and, you know, who was
20 acting out Dickie Scruggs and...

21 Q. Did they ever have any discussions
22 who would play them in a movie?

23 A. Yeah. Kerri kept saying that

1 Sandra Bullock was going to play her in the
2 movie.

3 Q. Do you recall a trip they said that
4 they took to Dallas?

5 A. Yes. They went Christmas shopping.

6 Q. And was there anything unusual
7 about that based upon your relationship with
8 them and...

9 A. The main thing that was unusual is
10 that Kerri, who loves her dogs more than
11 anything, she didn't ask me to watch Payton
12 or Piper, and let her mother watch them.
13 And did not ask me to take her to the
14 airport. And then when they got back from
15 the trip, usually when she went -- would go
16 shopping, she would always come back with
17 all these gifts, you know, show -- like
18 bragging about everything she bought, and
19 she didn't show me anything.

20 Q. Okay. Did she change her circle of
21 friends or who she would run with during the
22 fall up through Christmas time of '05?

23 A. Oh, yeah. A little bit. She

1 stopped dating woman and started dating
2 men. I thought that was a little odd. She
3 started dating married men. And...

4 Q. Did she go to any Christmas parties
5 that she bragged about?

6 A. She hung out with -- I remember in
7 December she went to a party -- oh, it was
8 an attorney that -- for the tobacco. And
9 his name is -- totally slipped my mind. He
10 was a young guy.

11 And she went to his house and she
12 just was in awe of his house. And said it
13 was -- you know, he had several homes on
14 like a -- kind of a, you know, compound.

15 Q. Have you -- after the 20/20
16 broadcast and everything, did you keep up
17 with all this events that had been going on
18 in Mississippi through the newspapers and
19 the blogs?

20 A. Yes.

21 Q. Did you become aware of the
22 insurance commissioner from Mississippi
23 representing that Dickie had represented to

1 him that he had an insider in December, as
2 early as December '05?

3 A. Uh-huh (positive response).

4 Q. Insiders working with State Farm?

5 A. Yes, I read that.

6 Q. Did you have an opinion as to who
7 those insiders were?

8 A. I thought it was Kerri and Cori.

9 Q. Okay. Do you ever recall them
10 talking about or making comments about the
11 news reports regarding the Bloomington
12 insider, the corporate insider that Dickie
13 would fly up and take documents from?

14 A. Yeah. Pat and Kerri told me
15 that -- I think it was in March. An article
16 had come out about the moles in the office,
17 and he was trying to, you know, throw
18 suspicion off of them and make the suspicion
19 go towards the State Farm office.

20 So he either flew a jet, flew his
21 jet out there, had a package sent, hired
22 some guy to meet him at the airport, called
23 Bloomington and tipped them off and said

1 that Dickie is there to meet somebody. And
2 Pat kept going, he loves all this. He loves
3 all -- you know. And I was going, what was
4 in the package? They were, like, oh,
5 probably nothing, you know. They were just
6 laughing about it, you know. She kept
7 calling it a cloak and dagger. He loves
8 cloak and dagger, you know.

9 Q. And this was -- who kept --

10 A. Pat kept saying that. He loves
11 cloak and dagger stuff. He just loves to,
12 you know, freak people out and pull the bull
13 over them.

14 Q. What was your understanding from
15 knowing the sisters as to their -- the
16 feelings about Lecky King, the flood
17 coordinator?

18 A. First statement Kerri told me about
19 Lecky was when -- the year before -- I mean,
20 the conference before Katrina was that she
21 was just hideous and a horrible person and
22 she dressed bad. I think that was the main
23 thing, she thought she dressed bad.

1 Q. Did she ever tell you that she
2 thought she did not treat the policyholders
3 fairly?

4 A. No. No. She actual said, Lecky
5 knows her stuff. She's very smart.

6 Q. Okay. But how did they act to
7 Lecky?

8 A. They acted like they loved her.
9 They kissed up to her. Actually, Cori acted
10 like she was her very best friend.

11 Q. But behind the scenes they would
12 represent to you that they didn't like her?

13 A. Yeah, Kerri just couldn't stand
14 her.

15 Q. In your observations in working
16 various catastrophes, Dennis and Katrina,
17 did you ever observe Ms. King not meet the
18 philosophy that you said you were told to
19 adjust claims --

20 A. No.

21 Q. -- with policyholders?

22 A. No.

23 Q. She was fair?

1 A. She was very fair.
2 Q. Were you also made aware by the
3 sisters when they disclosed to State Farm
4 and that they did the, quote, document dump
5 of documents in the first of June; do you
6 recall that?

7 A. Yeah. Actually, we were at the
8 beach in Pensacola and Kerri had come over
9 to met Dana and I. I think it was Memorial
10 Day weekend.

11 Q. How do you know it was Memorial
12 Day?

13 A. Because that's what we went there
14 for, we had some friends down there. And
15 Kerri said, I'll meet you over there on
16 Sunday, I'm off. And so she met us over
17 there that morning. But then she said, I've
18 got to go, I've got a meeting.

19 And so Dana and I were walking her
20 back to the -- to her truck. And she had
21 her State Farm computer in her truck. And
22 she said, well, I've got to go. Dickie
23 wants me to meet a hacker who wants to hack

1 into my computer. And we were, like, why?
2 She was, like, oh, I don't know, he just
3 wants to hack into my computer and see what
4 he can find.

5 And we were, like, you're going to
6 get caught. What are you doing? And we
7 just hugged her and said, okay, we'll never
8 see you again because, I mean, you know, she
9 would never work again. And she was
10 obviously going to be found out. And so
11 that was it. So that was -- I think that
12 was -- must have been one of the data dump
13 things.

14 Q. But she was meeting someone that
15 day --

16 A. Yeah. That date.

17 Q. -- that's why she had to leave that
18 day?

19 A. Yeah.

20 Q. And if the data dump didn't occur
21 until the next weekend on the 4th, then she
22 met with somebody before that weekend?

23 A. Yes, she met with somebody before

1 that weekend.

2 Q. Okay.

3 A. In one of my things, I thought that
4 one of the -- the engineer reports or
5 something were downloaded on that day or
6 something. Something was happening.
7 Something happened.

8 Q. Let me ask you this: When -- in
9 her position as an independent adjustor
10 through Renfro working State Farm claims and
11 your position, would y'all also have to
12 execute confidentiality agreements and
13 non-access agreements?

14 A. Yes.

15 Q. To where you would not allow
16 unauthorized people to access your computer?

17 A. Yes.

18 Q. Okay.

19 MR. BEERS: Let me take a quick
20 break and see if I've got anything else.

21 (WHEREUPON, A SHORT BREAK WAS
22 TAKEN AND THE PROCEEDINGS
23 CONTINUED AS FOLLOWS:)

1 MR. BEERS: I'm finished.

2 We'll change places now. I do have just a
3 couple more questions but I can do it from
4 here. Let me find my place.

5 BY MR. BEERS:

6 Q. Just to sum up, Ms. Hardison, you
7 know, your experience at Katrina. I'm going
8 to ask you whether or not you observed what
9 you considered any type of mistreatment of
10 policyholders in the adjustment of claims by
11 any State Farm personnel?

12 MR. INGE: Object to the form.
13 Go ahead.

14 A. No, I didn't.

15 BY MR. BEERS:

16 Q. Okay. Did you ever observe anyone
17 instruct or actually an adjustor perform an
18 adjustment of a claim where improper payment
19 was made under the flood policy in order to
20 avoid paying a legitimate claim under the
21 homeowner's policy?

22 A. No, I did not.

23 Q. Did you always consider based upon

1 your observations and experiences that State
2 Farm treated their policyholders fair in the
3 adjustment of the homeowner's policy based
4 upon the contract and the coverages?

5 A. Yes, I did.

6 Q. And was that -- their adjustment
7 practices and instructions to you during
8 Katrina, was it consistent in previous
9 catastrophes?

10 A. Yes.

11 Q. Okay. Did you ever observe any
12 missus of engineering reports in order to
13 avoid a legitimate claim?

14 A. I did not observe that, no.

15 Q. Okay. Did you ever observe any
16 intentional shredding of pertinent documents
17 to a claim file as opposed to the normal
18 procedures of shredding of documents for
19 privacy --

20 A. It was no different. It was no
21 different from any other storm, the way we
22 shredded our documents because of
23 confidentiality.

1 Q. Okay. But did you ever observe
2 someone shredding a document to avoid it
3 being in the file to --

4 A. Oh, no.

5 Q. -- to keep a policyholder or
6 someone to review?

7 A. No. Everything went in the file.

8 Q. Okay. And your testimony that your
9 instructions have always been by State Farm
10 to follow the policy and be fair in the
11 adjustment and handle claims like they were
12 your own --

13 A. Yes.

14 Q. -- was that followed based upon
15 your observations in Katrina, to the best of
16 your knowledge?

17 A. Only thing different about Katrina
18 was we almost -- we were told to pay no
19 matter what. I mean, it would be as loose
20 as you could on the wind because there was
21 so much -- you know, everybody had so much
22 damage.

23 Q. So --

1 A. It was even looser than some other
2 storms I know.

3 MR. BEER: Okay. That's all I have.
4 Thank you.

5 EXAMINATION

6 BY MR. FAFATAS:

7 Q. Ms. Hardison, my name is Robert
8 Fafatas.

9 A. Yes.

10 Q. I represent a company called Rimkus
11 Consulting Group, Incorporated. I also
12 represent two individuals. One by the name
13 of Scott Cameron and the other one by the
14 name of Thomas Heifner.

15 You and I met briefly before --
16 this morning before the deposition; do you
17 recall that?

18 A. Yes.

19 Q. Prior to today, have you and I ever
20 spoken?

21 A. No.

22 Q. Okay. All right. I work for the
23 law firm called the Ward Law Firm, just

1 outside of Houston, Texas.

2 Has anybody from the Ward Law Firm
3 spoken to you prior to today?

4 A. Oh, no.

5 Q. I apologize, I don't know if this
6 was asked. We're here -- I'm here today
7 specifically as it relates to a property in
8 Alabama that was owned by John and Lois
9 Thornton. State Farm was the insurance
10 company and Rimkus Consulting Group was the
11 engineering company hired by State Farm.

12 Did you do any work whatsoever in
13 the adjustment of the Thornton claim?

14 A. No, I did not.

15 Q. All right. Do you -- prior to
16 today, do you know who -- did you know who
17 Rimkus Consulting Group is or was?

18 A. I've heard of you.

19 Q. In your work with -- well, on any
20 of the Katrina claims that you worked, did
21 you ever hire or did Renfro ever hire Rimkus
22 Consulting Group?

23 A. I don't believe so.

1 Q. Okay. Do you know who Thomas
2 Heifner is?
3 A. No.
4 Q. Do you know who Scott Cameron is?
5 A. No.
6 MR. FAFATAS: All right.
7 That's all the questions I have. Thank
8 you.
9 MR. INGE: My turn?
10 MR. BEERS: Your turn.
11 MR. INGE: First of all, for
12 the record, I do not -- I reserve the right
13 to adjourn this deposition. I didn't set it
14 today on a Friday. I didn't know we were
15 going to get started this late. I didn't
16 know there were going to be two depositions
17 set. I'm going to try to complete my
18 questioning today. I don't expect that I
19 will.
20 So I reserve the right to
21 resume the balance of the deposition. The
22 deposition notice said it will continue from
23 day to day until it's complete. So let's

1 get started.
2 MR. BEERS: Let the record
3 reflect that you reserve that right; we
4 object to that right.
5 Ms. Hardison's here. We have
6 represented to you that we are here to --
7 you know, my direct examination took
8 probably less than an hour. And there is no
9 reason why your examination could not be
10 completed today. And we would object to any
11 attempts to delay and extend this deposition
12 beyond a date.
13 This is a non-party witness.
14 She is here pursuant to a subpoena. She is
15 employed, and we would consider it
16 harassment of this witness and improper to
17 try and extend this deposition.
18 MR. FAFATAS: I just wanted to
19 join the objection. I'm here and prepared
20 to stay, you know, as late as we need to in
21 order to complete the deposition.
22 MR. INGE: Well, this is not
23 the first time that State Farm has -- has

1 scheduled a deposition. We had the same
2 problem with another engineer that were set
3 on a Friday at two o'clock in -- in Panama
4 City Beach and --
5 MR. LUNA: Pensacola.
6 MR. INGE: -- and I -- it's not
7 my idea to string this out or to
8 inconvenience you. Certainly not to harass
9 you. If you think I'm harassing you, I need
10 you to tell me.
11 But I didn't call you as a
12 witness. I didn't schedule the deposition.
13 I didn't pick the time. I didn't pick the
14 place. And I certainly have the right to
15 examine the witness as I see fit in the --
16 in the interest of my client.
17 So let's get started and we
18 will see how the Court determines to
19 complete your deposition.
20 EXAMINATION
21 BY MR. INGE:
22 Q. Tell the jury everything you did to
23 prepare for your deposition today.

1 A. I met with Mike Beers yesterday for
2 about an hour.
3 Q. Okay. And have you -- and you met
4 with him about several months ago, didn't
5 you?
6 A. Correct.
7 Q. In this office?
8 A. Yes.
9 Q. And another lawyer?
10 A. Yes.
11 Q. And how long did you meet with
12 Mr. Beers and the other lawyer in this same
13 office?
14 A. I can't remember. Couple of hours
15 or so.
16 Q. Okay. And you and Dana Lee have
17 certainly discussed your testimony, haven't
18 you?
19 A. What do you mean? I don't
20 understand.
21 Q. Have you discussed the questions
22 and your recollections and your answers that
23 you expected to give during your deposition?

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1 MR. BEERS: Object to the form.
2 A. We tried to remember some dates
3 together, that's about it.
4 BY MR. INGE:
5 Q. Okay. And you've discussed the
6 substance of what she's going to testify to
7 and the substance of what you're going to
8 testify to, haven't you?
9 A. I don't like to discuss it because
10 it's just -- is easier just to not discuss
11 it.
12 Q. Okay. But the question is: Didn't
13 you discuss it with her?
14 A. I discussed dates with her.
15 Q. All right. And is it merely a
16 coincidence that your emphasis is on exactly
17 the same, using exactly the same words that
18 Dana Lee used this morning, that's just a
19 coincidence?
20 MR. BEERS: Object to the form.
21 MR. FAFATAS: Same objection.
22 A. I don't know what she said.
23 BY MR. INGE:

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1 Q. It's not because y'all rehearsed --
2 A. No, we did not --
3 Q. -- your testimony today?
4 A. -- not rehearse.
5 Q. It's not?
6 A. Absolutely not. I did not rehearse
7 anything with her.
8 Q. It's not because y'all were given
9 advance notice of what the questions were?
10 A. No. We just -- we just kind of
11 talked about how it was going to go and that
12 was about it.
13 Q. And it's just a coincidence that
14 the same words that Dana used are the same
15 words that you used in some of your answers
16 given already. That's a coincidence?
17 MR. BEERS: Object to the form.
18 MR. FAFATAS: Same objection.
19 A. I guess so. We are very good
20 friends.
21 BY MR. INGE:
22 Q. Okay. And other than meeting with
23 Mr. Beers for several hours a couple of

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1 months ago and the other State Farm lawyer,
2 and meeting with Mr. Beers yesterday for
3 about an hour, what other lawyers have you
4 spoken with for any reason in the last six
5 months?
6 A. I talked to the Mississippi
7 Insurance Department.
8 Q. Okay. And when was that?
9 A. I think I talked to Christina and
10 Jimmy Blissert and them --
11 Q. Are they with the Mississippi
12 Insurance, the people you named?
13 A. Yeah. February-ish.
14 Q. Of what year?
15 A. This year.
16 Q. Of 2008?
17 A. Yeah. It was after I was
18 employed. I was employed in December.
19 Q. And those people that you just
20 named, they're with the Mississippi
21 Insurance Commissioner's office?
22 A. Yes.
23 Q. Okay. Any other lawyers, other

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1 than Mississippi Insurance Commissioners,
2 Mr. Beers and the other State Farm lawyer?
3 A. I talked to a Wisemann about
4 another deposition, but it ended up
5 settling.
6 Q. And was that in a Katrina case?
7 A. Yes.
8 Q. And do you know who
9 Mr. Wisemann's -- what Mr. Wisemann's first
10 name is?
11 A. Lord, no. I don't think so. I
12 can't remember.
13 Q. And where did you meet with him?
14 A. I didn't meet with him; I talked to
15 him on the phone.
16 Q. And who did he identify himself as
17 representing in that case?
18 A. You know, I inspected so many, I
19 cannot -- I think it was a Thecky, I think
20 was the claimant.
21 Q. I mean, does he represent the
22 claimant or does he represent State Farm?
23 A. He was a Renfro attorney.

1 Q. A Renfro attorney?
 2 A. Yes.
 3 Q. Okay. Any other lawyers other than
 4 the Renfro attorney and the State Farm
 5 attorneys?
 6 A. Well, yeah. I mean, no, not in the
 7 last six months.
 8 Q. Okay. Have you -- when is the last
 9 time you reviewed the -- Cori Rigsby's --
 10 Cori Moran's deposition?
 11 A. I kind of skimmed through it a
 12 little bit, but I don't know the date.
 13 Q. And when -- approximately when?
 14 A. You know, on the blog. I can't
 15 remember. I kind of -- could have been
 16 around Christmas time, December.
 17 Q. Of what year?
 18 A. Last year.
 19 Q. Of '07?
 20 A. Yes.
 21 Q. Christmas of '07?
 22 A. I believe. I mean, I've kind of
 23 skimmed through it once or twice, but not --

1 I have not read it page to page.
 2 Q. Has anybody ever given you a copy
 3 of the transcript of that deposition?
 4 A. Oh, no.
 5 Q. Has anybody ever given you a copy
 6 of the -- her sister's deposition?
 7 A. No.
 8 Q. Have you ever looked at Kerri's?
 9 A. Oh, yeah, on the insurance blog.
 10 Q. So the both of them? You looked at
 11 Cori's and Kerri's?
 12 A. Yeah. I skimmed through it. Yeah.
 13 Q. Okay. Have you ever spoken with
 14 Jim Newman in any way?
 15 A. I don't know who he is.
 16 Q. Have you ever spoken with Ron Luna
 17 in any way?
 18 A. No. Oh, is that Ron? I just said
 19 hi to him today.
 20 Q. Okay. Have you ever spoken with
 21 him?
 22 A. Like in any detail about anything?
 23 Q. Well -- or either scheduling this

1 deposition or what you were going to be
 2 asked or...
 3 A. No, I did not know he was going to
 4 be here.
 5 Q. Okay. Have you -- what about
 6 Mr. Fafatas?
 7 A. I did not know he was going to be
 8 here either.
 9 Q. Okay. So the only one you've
 10 spoken with is Mr. Beers and -- about this
 11 deposition is Mr. Beers and the insurance --
 12 the State Farm insurance lawyer?
 13 A. Not about this deposition. Not
 14 about this deposition, no. I've spoken -- I
 15 was -- I misunderstood you. I've talked to
 16 so many attorneys that -- in my past year or
 17 two, that -- about this deposition, the only
 18 one I've spoken to is him (indicating).
 19 Q. Okay. What other lawyers have you
 20 spoken to in the last year or two, besides
 21 the ones you just mentioned?
 22 A. I can't even name them all. I
 23 talked to the Grand Juries. I've talked to

1 the FBI. I've talked to -- I've had another
 2 deposition in another case. I don't
 3 remember --
 4 Q. A Katrina case?
 5 A. Oh, yeah.
 6 Q. Do you remember who asked you to
 7 attend that deposition?
 8 A. I can't remember his name, no.
 9 Q. Was he a State Farm lawyer?
 10 A. Yeah. He had curly hair. That's
 11 all I can remember.
 12 Q. Do you remember the name of the
 13 case, the name of the claim?
 14 A. No, I don't.
 15 Q. And do you remember who any of the
 16 other lawyers were, other than curly headed?
 17 A. I can't remember his name. I met
 18 with some Renfro attorneys, too. I think it
 19 was Williams. I don't know. It was a --
 20 Vicki -- it was Vicki, also I met with.
 21 Q. And are they in the Ward firm out
 22 of Houston?
 23 A. No. The ones that I met with from

1 Renfro were from Washington.
 2 Q. Okay.
 3 A. And Vicki Helms was from -- God, I
 4 don't know where she was from. Either
 5 Jackson or Alabama or Atlanta. I can't
 6 remember. It's been so many.
 7 Q. Okay. And so how many depositions
 8 have you -- depositions -- civil depositions
 9 in civil lawsuits have you given about
 10 Katrina?
 11 A. Would Grand Jury count?
 12 Q. No. Just --
 13 A. Just --
 14 Q. -- depositions in civil cases?
 15 A. Three or four.
 16 Q. And you can't give me the names of
 17 any claimants or any of the lawyers?
 18 A. I can't remember. The first one
 19 escapes my memory. And the lawyers -- gosh,
 20 I talk to them -- I might have them in my
 21 phone. I could look them up.
 22 Q. Do you mind doing that?
 23 A. Yeah. Let me see if I've got

1 them. I can't remember. I think Joe
 2 Williams -- I think Joe Williams is one. I
 3 don't know.
 4 Q. Do you know what state he's from?
 5 A. Let me see if I have his card. I
 6 changed wallets. I think they're from
 7 Washington. They were from some hot shot
 8 firm in Washington. But I met with him.
 9 Also, I have a friend that's an attorney,
 10 Laura Rogers, I met with her too. Just
 11 about the whole case.
 12 Q. About defending you or representing
 13 you or --
 14 A. No, just talking about everything.
 15 Q. All right. And you can't remember
 16 the name of claimants of any of the
 17 depositions that you've given?
 18 A. It was only -- Thecky was the
 19 second one. And the first one --
 20 Q. Becky is --
 21 A. Thecky. Thecky. Thecky was the
 22 claimant on the --
 23 Q. Do you remember the first name of

1 Thecky?
 2 A. Oh, no. Uh-uh (negative
 3 response). I inspected a lot of people. I
 4 couldn't remember everybody.
 5 Q. But I would think that you would
 6 remember if you were -- took half a day --
 7 A. I never even met him face to face,
 8 so, no.
 9 Q. No, I was talking about the
 10 deposition.
 11 A. I didn't give that deposition, that
 12 was cancelled. They settled.
 13 Q. Okay. And how many depositions
 14 have you given about your work in Katrina,
 15 other than to the Grand Jury or the --
 16 A. For claimants, only one. But I've
 17 given other depositions, you know, like --
 18 well, I guess to -- to the insurance
 19 department mostly.
 20 Q. Okay.
 21 A. I guess I gave them two or three.
 22 Q. And who was the claimant?
 23 A. That was -- they were just doing an

1 investigation of the whole thing. There was
 2 no claimant.
 3 Q. I know, but you said you gave
 4 deposition of one -- in one claim.
 5 A. I cannot remember his name. I
 6 cannot remember.
 7 Q. Not the claimant's name or the
 8 lawyer's name?
 9 A. Vicki Helms was the Renfro
 10 attorney, and I remember her. But that's
 11 the only person that I remember.
 12 Q. Okay.
 13 A. I met him that day and that was
 14 it.
 15 Q. You said Vicki?
 16 A. Vicki Helms of Helms and Greene.
 17 Q. And Vicki Helms -- Vicki's a male?
 18 A. Yeah. It was -- Vicki Helms was an
 19 E.A. Renfro attorney. I had talked with her
 20 and --
 21 Q. Hold on. Vicki is a female?
 22 A. Correct.
 23 Q. Okay. I thought you said a him.

1 A. And there's a State Farm attorney
2 that had very curly hair and was young, and
3 I don't remember his name.

4 Q. Okay. And were you ever given a
5 transcript of those depositions, of that
6 deposition to review?

7 A. I'm sure I have it, yes.

8 Q. Okay. Do you have any problem in
9 producing it to me?

10 A. No.

11 Q. Okay.

12 A. If I can find it.

13 Q. All right. If you would do that, I
14 will certainly pay for your trouble.

15 A. If I still have it. Okay.

16 Q. Okay. What documents did you
17 review in preparation for this deposition
18 today?

19 A. None.

20 Q. Did Mr. Beers show you any
21 documents several months ago when you met
22 with him?

23 A. Not that I remember any documents.

1 Q. What about yesterday, would --

2 A. No. I didn't see any documents.

3 Q. Okay. All right. Did he give --
4 did Mr. Beers give you a -- an agenda of
5 things that he was going to discuss today or
6 something to be thinking about?

7 A. We just kind of -- just kind of
8 said, well, this is, you know, we're going
9 to kind of go over this and what sections
10 and that was about it. It was really kind
11 of short.

12 Q. In what like sections?

13 A. Just -- he didn't say exactly. He
14 said it'll be like an outline form and that
15 will be about it

16 Q. And did he -- did he have -- did he
17 give you anything yesterday to look at on
18 the outline of what you were --

19 A. Absolutely not.

20 Q. -- going to discuss?

21 A. No.

22 Q. Okay. Have you ever been a party
23 to a civil lawsuit?

1 A. No.

2 Q. And you know what a civil lawsuit
3 is?

4 A. Like --

5 Q. Where you're being sued?

6 A. Yeah. No.

7 Q. Okay. Have you ever been named in
8 any case about Katrina damages?

9 A. Like named as a -- no.

10 Q. Okay. What is a PE?

11 A. All I can think of is physical
12 education.

13 Q. Okay. How many -- as I
14 understand -- well, first of all, how many
15 Katrina claims files did you work after
16 Katrina? Approximately? Your best
17 estimate?

18 A. I worked -- I want to say I worked
19 200 and -- I worked more than anybody in our
20 office, and it was either like 278 or 298,
21 but I cannot be exact.

22 Q. Okay. And all of those were for
23 State Farm?

1 A. Yes.

2 Q. And all of those were State Farm
3 insureds?

4 A. Yes. That was all there was down
5 there.

6 Q. And what counties were they --
7 well, what states were those involving?
8 What properties were involved in those?

9 MR. BEERS: Object to the form
10 of that question.

11 BY MR. INGE:

12 Q. I mean, the three coastal
13 Mississippi counties?

14 A. I worked from Pontotoc, Mississippi
15 to Goshay. I worked -- the main claims I
16 worked in Bay St. Louis. I worked pretty
17 much the whole end of the Gulf Coast.

18 Q. I mean, Harrison, Hancock, Jackson
19 County, Mississippi?

20 A. Yeah.

21 Q. The three coastal --

22 A. I'm sure I did, yes.

23 Q. Okay. Did you handle anything in

1 Louisiana?
 2 A. No.
 3 Q. Any claims in Louisiana?
 4 A. No.
 5 Q. Any claims in Alabama?
 6 A. No, I was working in Mississippi.
 7 Q. Okay. And out of those claims that
 8 you -- the more than 200, how many had
 9 engineers that were assigned to assist you
 10 in the adjustment of those claims, those
 11 200-something claims?
 12 A. I can't remember exactly.
 13 Q. Best estimate?
 14 A. Maybe less than 20.
 15 Q. Okay. And so of the remaining 250
 16 or 260, or whatever it is claims that you
 17 worked, you adjusted them without an
 18 engineer?
 19 A. There was probably no need for an
 20 engineer, so, no. Yes.
 21 Q. So the answer is yes, that no --
 22 A. Exactly.
 23 Q. Okay. So who made the decision

1 that you would have -- that 20 or less than
 2 20 of those 275 claims that you worked,
 3 claims files, who made the decision that an
 4 engineer was needed?
 5 A. I would, if I couldn't discern
 6 between the damages.
 7 Q. Were decisions made by State Farm
 8 personnel or would you call in an
 9 engineer -- would you call in the need or
 10 request an engineer from State Farm?
 11 A. I would -- yes, I would request the
 12 engineer.
 13 Q. Okay. Now -- and who would you
 14 request the engineer from?
 15 A. It would just go -- I would just
 16 turn it into a basket.
 17 Q. I mean, Mark Drain, Lecky King?
 18 A. Yeah I would turn it into my
 19 manager, Mark Drain.
 20 Q. Okay. And you would say, I need an
 21 engineer, right --
 22 A. Yeah.
 23 Q. -- in this claim. And Mark Drain

1 would hand you -- would assign you an
 2 engineer?
 3 A. I don't know if it was Mark. It
 4 was somebody in the office, I'm sure.
 5 Q. But a State Farm person in the
 6 office?
 7 A. Yeah.
 8 Q. Okay. And they would assign --
 9 they would pick the engineer, and they would
 10 say -- they would assign the claims that the
 11 engineer would work for?
 12 A. I guess so.
 13 Q. Okay. Or would work? Okay. Now,
 14 how long had you -- let's see. And I
 15 believe you said you started -- you started
 16 adjusting on your own for Renfro in the
 17 spring of 2005, right?
 18 A. Oh, just whenever Hurricane Charley
 19 hit. I don't know what that date was.
 20 Q. I know. But I'm from my Mobile --
 21 A. Yeah, I know.
 22 Q. -- and we have 100 hurricanes. And
 23 it's hard to keep them straight.

1 A. I gotcha on that one.
 2 Q. And I don't know which one Charley
 3 is.
 4 A. Yeah, I got you. I can't..
 5 Q. I mean, you know, maybe I could
 6 look it up somewhere. But I think you said
 7 that you only adjusted for three or four
 8 months before --
 9 A. It was like August. It was like
 10 August of whatever year Charley hit. That
 11 would be more exact.
 12 Q. I know, but help me. If Katrina
 13 was August 29th of '05, how long had you
 14 been adjusting for Renfro before August 29th
 15 of '05?
 16 A. On my own for about a year.
 17 Q. Okay. So Charley was probably in
 18 the summer of 04?
 19 A. Well, yeah.
 20 Q. Okay. Of the -- before Katrina,
 21 from the summer of '04 -- from, say, August
 22 of '04 to August '05, how many claims did
 23 you adjust, approximately?

1 A. Let me think how long I worked. I
2 worked -- I mean, I worked about seven or
3 eight months and I could have inspected
4 anywhere between four to seven a day, so --
5 and I worked seven days a week, so I don't
6 know what the math is. I don't know how
7 many I adjusted.

8 Q. Okay. And of those however --
9 whatever the math totals, how many of those
10 did you have engineers? Now, we're talking
11 about before Katrina.

12 A. Well, I didn't use engineers there.

13 Q. Any?

14 A. No.

15 Q. In all -- okay. Now -- and in
16 Katrina, in the -- let's just say 275 claims
17 that you worked Katrina, you only worked --
18 you only had adjusters in less than 20; is
19 that right?

20 A. Correct.

21 Q. Okay. Now, tell me the
22 circumstances of a claim, a Katrina -- well,
23 tell me the circumstances of a claim where

1 couldn't tell in a flood claim whether it
2 was wind or water, that you would ask Mark
3 Drain for the assistance of an engineer,
4 right?

5 A. Yeah, or just fill out a form.
6 Yes.

7 Q. Okay. And what about the wind
8 claim -- and if I understand your testimony,
9 that's about the flood claims.

10 But on a wind claim, how would you
11 decide -- if you said you couldn't decide
12 whether it was wind or water, what would
13 you -- how would you request the engineer on
14 the wind side?

15 A. Well, usually an engineer is
16 used -- I used them in Atlanta -- if you
17 can't tell how to repair a building. You
18 know, say the damage, you know, it's -- the
19 house has shifted, you didn't know if it
20 needed to be, you know, jacked up or
21 whatever, I would request an engineer.

22 Now, I did request an engineer on
23 a -- I think it was -- he had maybe six

1 you would say, can't make a determination,
2 need an engineer. Mark, I need an engineer?

3 A. Well, a claim -- one of reasons why
4 I think they -- I think -- you know, I only
5 had a few flood claims. I didn't have that
6 many. I had maybe 20 or 30, I don't really
7 remember. It wasn't a lot. It was about a
8 stack. And --

9 Q. A stack about 10 to 12 inches?

10 A. Yeah. It wasn't that many. And of
11 those, if I couldn't determine between what
12 caused the damage, the water or the wind,
13 then an engineer was requested.

14 Q. Okay. Well -- okay. You said that
15 there was stack of about 12 inches of flood
16 claims?

17 A. Yeah.

18 Q. Okay. And I assume the stack of
19 wind claims would have been much higher --

20 A. Yeah.

21 Q. -- than 10 to 12 inches?

22 A. Yes.

23 Q. Okay. And you said that if you

1 inches of water and his house had shifted a
2 little bit.

3 Q. This was in Atlanta?

4 A. That was in the Gulf, too. I
5 mean --

6 Q. You mean in Charley?

7 A. Yeah. It was one --

8 MR. BEERS: Object to the form.

9 A. -- one storm. I can't remember
10 which one.

11 BY MR. INGE:

12 Q. Okay. And we are talking about
13 before Katrina?

14 A. I want to say, yeah, I think there
15 was one, maybe one.

16 Q. Okay. And -- and so in Katrina, I
17 think you said that in the flood claims, the
18 20 or so flood claims, you couldn't -- if
19 you couldn't make a decision whether it was
20 wind or water, you would request or fill out
21 a form for an engineer.

22 Well, what about on the wind
23 claims?

1 MR. BEERS: Object to the form.
 2 A. Well, the wind claims didn't --
 3 they didn't have a lot of wind, it would be
 4 mostly just roof damage, so --
 5 BY MR. INGE:
 6 Q. You just lost me.
 7 A. -- I wouldn't need an engineer.
 8 Why would I need an engineer on how to
 9 repair a roof? I mean...
 10 Q. Because if the claim was going to
 11 be denied because of water.
 12 A. Well, they didn't have water damage
 13 where I was working in the -- up north area.
 14 Q. Okay. Hold on just a minute.
 15 A. Yeah.
 16 Q. Explain that to me. I though
 17 you -- all the way from the coast --
 18 A. Yeah. But a lot of my claims, they
 19 went up, you know. As those closed out,
 20 maybe I did, you know...
 21 Q. No, no, no. I'm sorry. They went
 22 up. What does that mean?
 23 A. Well, you don't understand how --

1 independent adjuster works the hardest hit
 2 area first and then they go to where the
 3 least damage is.
 4 Q. Okay. Move from --
 5 A. So the longer you're there --
 6 Q. Move from the coastline --
 7 MR. BEERS: Let her finish her
 8 answer.
 9 A. So the longer you're there, the
 10 less damage there is.
 11 BY MR. INGE:
 12 Q. Hold on. They move from the
 13 coastline --
 14 A. Yep. Up --
 15 Q. -- up northern in the county
 16 because most of the damage is in the
 17 coastline --
 18 A. Yeah. You want to do your severity
 19 level.
 20 Q. Okay.
 21 A. So the more damage -- you know, the
 22 level one -- you know, say there is a house
 23 that's very severely damaged and they can't

1 live in the house, that would take priority
 2 over a house that only had a couple of
 3 shingles off of the roof.
 4 Q. Okay. Now, how would you decide
 5 when an engineer was needed -- let's just
 6 say for a slab. A slab house. Is that --
 7 A. Yeah. And I accidentally ordered a
 8 few on some slabs. So...
 9 Q. What does that mean, accidentally
 10 ordered --
 11 A. Because there is nothing there to
 12 look at. I mean, there was nothing for the
 13 engineer to look at. I was under the
 14 assumption that the engineer report was --
 15 it was a lot of confusion at first.
 16 First we thought -- you know, our
 17 communication level was really poor because
 18 of all the damage.
 19 Q. Whose communication level?
 20 A. Just between the office. I was out
 21 in the field. I was driving around with
 22 gasoline in my truck. I was working in Bay
 23 St. Louis. You know, we're told. Order

1 engineer reports. And so we're thinking
 2 maybe we should order them on everybody.
 3 And then it's like, well, why
 4 would you order them on a slab, you don't --
 5 there is no damage. I mean, you can't see
 6 the house. What would an engineer --
 7 engineers go out to look at the structure.
 8 So then it was told to me later
 9 that we should order engineers if we cannot
 10 discern between the damage. So say you've
 11 got -- I had a lot of houses that had 10
 12 feet of mud in the house, and I couldn't
 13 tell exactly where the water stopped and
 14 maybe there was some damage above, you
 15 know. So I would order some engineer
 16 reports on those. And if the --
 17 Q. Stop. Stop. Stop.
 18 A. Well, I'm just trying to think.
 19 Q. I know. I'm interested in all of
 20 this. But you're going so fast and --
 21 A. Yeah, I'm just trying to relive it,
 22 because I was thinking about -- you know, I
 23 was worried about the houses that were full

1 of mud if -- for the engineer report, if the
 2 houses needed to be torn down or not.
 3 Q. Ms. Hardison, just -- I need --
 4 this is very important.
 5 You said that initially there
 6 was a lot of confusion?
 7 A. Oh, yeah.
 8 Q. You said they would say engineer in
 9 every case. Who is they?
 10 A. Oh, like the other adjusters.
 11 Q. Okay. Wait a minute. The other
 12 Renfro adjusters?
 13 A. Well, just --
 14 Q. Or you mean State Farm?
 15 A. It was just -- we didn't know why
 16 they were doing it. I never really heard of
 17 doing mass engineer reports.
 18 Q. Okay. That's what I want to ask
 19 you about.
 20 A. Yeah.
 21 Q. You said there was confusion. Was
 22 it confusion between State Farm, who is the
 23 one ultimately responsible for paying or not

1 paying the claim, and Renfro? Or was it --
 2 I mean, isn't that where the confusion was,
 3 between --
 4 A. Actually, it was confusion from --
 5 somewhat about -- you know, maybe with me
 6 about when to order the engineer report to
 7 begin with in the very beginning. I mean,
 8 I'm saying within days.
 9 Q. Okay. But the question is: What
 10 was -- was State Farm telling you an
 11 engineer report in every slab case? Or was
 12 Renfro telling you a State Farm -- I mean,
 13 an engineer --
 14 A. I can't remember who. I don't know
 15 if it was another adjuster or what. I can't
 16 remember exactly about -- it was just very
 17 confusing, so -- in the beginning.
 18 Q. Did the confusion come from State
 19 Farm with -- as far as instructions, or did
 20 the confusion come from Renfro employees and
 21 management?
 22 A. No, I don't know. I think it was
 23 just the whole nature of the beast. I mean,

1 I couldn't get in touch with all of my
 2 insureds, and it was just -- everything was
 3 just -- the damage and the inability to
 4 drive around due to all the debris. It was
 5 just a very confusing time, is what kind of
 6 what I'm at.
 7 Q. I know. But I'm particularly
 8 talking right now about the confusion about
 9 when do you use an engineer and when do you
 10 not use an engineer.
 11 A. Yeah, I think we -- I want to say
 12 we had a meeting to clarify that it's more
 13 discernable damage --
 14 Q. I know. But we -- I know, but
 15 we -- we had a meeting. I don't know who we
 16 is.
 17 A. It's like the office, State Farm
 18 office.
 19 Q. State Farm office?
 20 A. Yeah, to say, you know, you need an
 21 engineer when, you know, you cannot discern
 22 between the damages. And so that's when
 23 we're like, oh, that's what --

1 Q. And who was telling you that? The
 2 State Farm employee?
 3 A. Yeah, I mean, I think so.
 4 Q. Okay. So they weren't clear on
 5 when to use an engineer and when not to use
 6 an engineer?
 7 MR. BEERS: Object to the
 8 form. How did you come out of that -- from
 9 that -- that answer? I'm going to object to
 10 the form of that question. You are
 11 testifying --
 12 MR. INGE: Are you going to
 13 object for the record, or are you going to
 14 make speaking objections?
 15 MR. BEERS: I'm going to --
 16 who's testifying between me and you? Every
 17 question is testifying. I object to you
 18 miss- -- misconstruing her answer --
 19 MR. INGE: Okay. Am I just
 20 going to have to -- to recess the
 21 deposition, because you're going to start
 22 telling me what I can do and what I'm not?
 23 You object for the record just like in any

1 other case, just like in the Civil Rules,
2 and we go about our business.

3 MR. BEERS: Right, Herndon, but
4 I want you to let her finish asking --
5 answering --

6 MR. INGE: And you don't need
7 to tell me, I've been practicing for a long
8 time.

9 MR. BEERS: Well, you're not
10 listening to her answer, obviously.

11 MR. INGE: You don't need to
12 tell me how to practice law. You just let
13 me do my job and you do your job. You
14 object for the record just like the rules
15 say.

16 MR. BEERS: Okay. Let's go.

17 BY MR. INGE:

18 Q. Now, I want to know -- I want to
19 know who has been given -- who gave you
20 instructions at these -- in the office. Was
21 it State Farm was giving you instructions on
22 when to use an engineer? Was it Renfro --
23 Renfro was giving you instructions? Who was

1 giving you instructions on when to use an
2 engineer?

3 A. You know, I cannot remember who
4 exactly told me that.

5 Q. Okay. Now, let's say that there
6 was a slab, all that was left was a slab.
7 And let's say that there wasn't a flood
8 claim.

9 A. Okay.

10 Q. Okay? And you go out there and you
11 see a slab. You see a slab and a few
12 pilings.

13 A. Uh-huh (positive response).

14 Q. Okay? Then are you capable of
15 making the decision that it was not damaged
16 by wind and therefore it was damaged by
17 flood and therefore the claim should be
18 denied?

19 MR. BEERS: Object to the form.

20 A. Well, on a slab case that had no --
21 had no flood coverage. You would go out and
22 you would look and you would take pictures
23 of the slab area and you would try to look

1 at the trees and see if you saw any broken
2 limbs. You would try to make note of where
3 the water was. How close to the slab was to
4 the water.

5 You would also then take the
6 pictures back to your manager at State
7 Farm. And they would look up, you know,
8 what the surge levels were in that area, and
9 the wind velocity speeds. And if it was
10 believed to have been water damage, which
11 would take precedence over the wind damage,
12 it would be denied.

13 BY MR. INGE:

14 Q. And you were capable of making that
15 decision?

16 A. Me and my manager, yes.

17 Q. Okay. But you were not an
18 engineer, right?

19 A. Right.

20 Q. And you were not a meteorologist,
21 right?

22 A. Right.

23 Q. And you had been adjusting for a

1 year, right?

2 A. Right.

3 Q. And you were --

4 A. Well, but with the policy, the
5 policy and the concurrent causation clause,
6 that would be a correct call.

7 Q. Well, we'll talk about that in a
8 minute.

9 The question is: You were capable
10 of making that decision to say it was water
11 and therefore it was -- therefore it was
12 denied. But you're not an engineer, you're
13 not an meteorologist and you had only been
14 adjusting for a year; is that right?

15 MR. BEERS: Object to the form.

16 A. Correct.

17 BY MR. INGE:

18 Q. Okay. What specialized -- you
19 already testified that you're not an
20 engineer. What specialized engineering
21 training have you had?

22 A. I don't understand what you mean by
23 that.

1 Q. Well, have you ever been to school
2 for engineering, structural engineering
3 education?
4 A. I have built some framing walls,
5 and I've done some work around my house and
6 stuff. But I have never taken a class, no.
7 Q. And that's what qualifies you --
8 that's the experience or education that you
9 have had in structural --
10 A. I never said I was an engineer.
11 Q. Okay. And what specialized
12 education have you had, even though you
13 admit that you are not a meteorologist?
14 MR. BEERS: Object to the form.
15 MR. FAFATAS: Same objection.
16 A. I don't even understand the
17 question.
18 BY MR. INGE:
19 Q. Specialized weather or metrological
20 training have you had, even though you said
21 you're not a meteorologist?
22 MR. BEERS: Object to the form.
23 A. None.

1 BY MR. INGE:
2 Q. Okay. Now, let's talk about who --
3 let's talk about before Katrina. Okay?
4 Before August 29th of 2005.
5 A. Okay.
6 Q. Tell me who had discussed with you
7 the anti-concurrent cause clause before
8 Katrina?
9 MR. BEERS: Object to the form.
10 A. I think it had come up in maybe
11 talking with Rachel one time about that.
12 BY MR. INGE:
13 Q. And when approximately?
14 A. When working cleanup for Ivan.
15 Q. And that was out of the Pensacola
16 office?
17 A. Yeah.
18 Q. And what did she tell you about the
19 anti-concurrent cause clause?
20 A. I can't remember. I mean, I don't
21 know. We were just kind of talking about,
22 you know, that clause because, you know, we
23 were going over the policy and stuff.

1 Q. All right. And now, that was
2 before Katrina?
3 A. Yeah.
4 Q. Tell who discussed with you the
5 anti-concurrent cause clause after Katrina.
6 A. Oh, I can't remember exactly who
7 in -- I know Kerri had gone over it with
8 me. I know Cori probably -- I think she
9 went over it with me since she was my
10 manager. Mark could have discussed it with
11 me.
12 Q. Mark Drain?
13 A. Yes, Mark Drain. And Lecky King
14 could have gone over it with me, too.
15 Q. Okay. And what did they tell you
16 their opinion of the anti-concurrent cause
17 clause applied to your adjustments?
18 A. What do you mean, what did they
19 tell us?
20 MR. BEERS: Object to the form.
21 BY MR. INGE:
22 Q. Well, what did they tell -- I mean,
23 why did they bring it up? How did they tell

1 you to apply it?
2 A. Because you had two causes of loss
3 there.
4 Q. And what did they tell you about
5 it?
6 A. Well, if you have two -- I
7 understood that if you have two causes of
8 loss that happened, you know, concurrently
9 or at the same time, similar times, the one
10 that -- say you have wind damage at the
11 beginning and then the flood comes and takes
12 the house away, which the -- Kerri would
13 always say that water has much more power
14 than wind, that that would take precedence
15 over the wind and the -- that clause stays,
16 but that is not covered.
17 Just the same as, you know, if you
18 had rot in your house and the earth moved or
19 something, you had earthquake coverage and
20 your house collapsed but no one else's did,
21 than that would take precedence because your
22 house was rotted. That would not be
23 covered.

1 Q. Okay. And so if I understand your
2 testimony, this is what Kerri had instructed
3 you, that if the house -- if the -- if major
4 structural portions of the house had been
5 blown away by wind, okay, before the storm
6 surge, or the walls had collapsed, or the
7 exterior walls had collapsed, or the
8 interior walls had collapsed, and then the
9 storm surge came along and washed away the
10 sub floor, that the way it was explained to
11 you, the anti-concurrent cause clause means
12 no coverage?

13 MR. BEERS: Object to the form.

14 A. I don't know if it's exactly like
15 that. I thought it was more like if there
16 was some wind damage in the beginning and
17 then the main force was the water. You're
18 making it the other way around, as if the
19 house imploded.

20 Now, if you had, you know, a
21 witness or any type of video of it they
22 paid. Now, if your house blew apart and
23 then say the water came after that --

1 BY MR. INGE:

2 Q. Okay.

3 A. -- they would pay for it.

4 Q. And that's the way you understand
5 it?

6 A. Yeah.

7 Q. That's the way it was explained to
8 you?

9 A. Yeah.

10 Q. Okay. So if structural damage was
11 done and then the storm surge -- if it was
12 proven that structural damage was done by
13 wind before the storm surge got there, that
14 there still could be some coverage even
15 though the storm surge came away and washed
16 the house away. Is that the way you
17 understand it?

18 A. I mean, I just thought they had to
19 happen concurrently within -- you know,
20 within one storm and...

21 Q. Oh, that's what I want to know.
22 You're saying within one storm. If it
23 happened within one storm?

1 A. Yeah. I mean, what are you asking
2 me about? Were there two storms? There was
3 one Katrina. I don't know what you're...

4 Q. Well, professional meteorologists
5 and professional structural engineers say
6 that severe winds were experienced for hours
7 before the storm surge came.

8 MR. BEERS: Object to the form,
9 if that's a question.

10 BY MR. INGE:

11 Q. And that the reported wind speeds
12 were sufficient to do structural damage to
13 the insured's structure.

14 A. Correct.

15 Q. But then the storm surge came along
16 and washed it all away. A lot of damage had
17 already been done by the wind, but then the
18 storm surge. And they were told that if
19 the -- if the storm surge blew the house off
20 the foundation, total denial.

21 And so my question is: Is that the
22 way it was explained to you?

23 A. I don't know if it was explained --

1 MR. BEERS: Object to the form.

2 A. -- exactly like that.

3 MR. BEERS: Object to the form.

4 A. I don't remember anything --
5 anybody talking like that.

6 BY MR. INGE:

7 Q. Okay.

8 A. I just know that I had to pay for
9 any damage that I could see. And if there
10 was no -- nothing there, you know, I
11 couldn't pay for wind damages if there was
12 not a house.

13 Q. Even though reported winds --
14 damage -- even though reported winds were
15 sufficient velocity to do predictable --

16 A. But I would not know that. And,
17 you know, I don't know.

18 Q. Okay. Well, let me ask you
19 something else.

20 You had said that some of the
21 instruction that you were given was to look
22 at the tree damage.

23 A. Yes.

1 Q. Did the -- did the tree damage --
2 did you ever -- in any of the cases that you
3 adjusted, did any of the tree damage
4 convince you that there was a tornado that
5 did structural damage to the structure, to
6 the insured structure, even though the water
7 came along later and did more damage?

8 MR. BEERS: Object to the form.

9 MR. FAFATAS: Object to the
10 form.

11 A. Well, a lot of my houses were in
12 Bay St. Louis after -- that was the bulk of
13 my houses. And they were all standing with
14 no -- the roofs intact and they were
15 engulfed in mud.

16 BY MR. INGE:

17 Q. Okay. Okay. Hold on.

18 A. That was my experience.

19 Q. That's what I'm asking.

20 A. Yeah.

21 Q. You say they were still standing?

22 A. They were still standing. Pristine
23 roof, metal roofs, most of them, and they

1 were 14 feet elevated, was my basic house
2 that I had.

3 Q. The average claim?

4 A. Yes, that was the bulk of my
5 claims. And they were -- say they had -- I
6 had to wade through the mud and the
7 waterlines would either be right to the --
8 you know, right to the top of the ceiling
9 or -- that would be the waterline, you know,
10 it would go down.

11 And so it was like a -- actually, I
12 had an insured tell me that he was in the
13 house and he was 14 feet elevated and he
14 floated out the window after the storm --
15 when the storm hit.

16 So in my area, I did not notice a
17 lot of tornadic activity.

18 Q. Okay. And you're saying that the
19 finish floor level was 14 feet over the
20 water?

21 A. Elevated.

22 Q. Yeah. And so -- and then the house
23 was built on top of that?

1 A. Correct.

2 Q. And the roof was intact?

3 A. Correct.

4 Q. And -- but you say the water got
5 over the finish floor level into the house?

6 A. Oh, all the way up, like, 10 feet.

7 Q. Okay. That's what I thought you
8 had said, to the ceiling --

9 A. Yes.

10 Q. -- I just meant -- so it came over
11 the 14 feet --

12 A. Yeah.

13 Q. -- and then it came however high
14 the ceiling was inside the house, but the
15 roof was still intact?

16 A. Yeah.

17 Q. And that's the majority of the
18 claims that you saw in Katrina?

19 A. I had a lot of those, yes.

20 Q. Or either there, or north of there
21 where the damage was even less?

22 A. Well, then I had that or I had
23 south of there where there were slabs.

1 Q. Slabs?

2 A. Right.

3 Q. Okay. And --

4 A. It was Waveland and Bay St. Louis
5 area, hardest hit areas.

6 Q. Okay. And how many did you have at
7 the coast?

8 A. I can't remember.

9 Q. A dozen, two?

10 A. I had more than that. Maybe 50,
11 you know --

12 Q. Okay. And of those --

13 A. -- 60.

14 Q. -- of those 50, did you -- did you
15 consider that there was wind damage before
16 the storm surge arrived?

17 A. What do you mean, of the mud
18 houses?

19 Q. Of the slab houses.

20 A. Oh, I didn't have that many slabs.

21 I only had maybe 20ish or so, maybe 12 to
22 20. I don't even remember. Not very many.

23 Q. Okay.

1 A. I did have a file that -- Anna Vela
2 file that was kind of a slab. Her house had
3 imploded and that her neighbor had taken.
4 All the other houses were standing, but her
5 house was the only one that was leveled, and
6 her neighbor took a photo of it. And I paid
7 full limits under that wind coverage.

8 Q. Okay. And -- so you didn't need an
9 engineer to say whether it was wind or
10 whether it was water in the Anna Vela house?

11 A. I think it had an engineer report.
12 I can't remember exactly, but I think the
13 engineer had said it was wind.

14 Q. And you requested that engineer
15 report on Ms. Vela?

16 A. No, it was -- somebody else had
17 been there prior to me. It was a second --

18 Q. Some other?

19 A. Yeah. I mean, that's kind of how
20 it happens. You inspect and they leave, and
21 you get them.

22 Q. You say somebody else had been
23 there, meaning --

1 A. Another adjustor.

2 Q. Another adjuster?

3 A. Correct.

4 Q. Okay. What I want to do,
5 Ms. Hardison, is find out where you were
6 specifically the week or 10 days before
7 Katrina made landfall.

8 A. The week, I was at Pensacola.

9 Q. Okay. And were you going into the
10 State Farm CAT office in Pensacola over
11 that -- as I understand, you and Dana left
12 on about the 28th of August and went to
13 Kerri's house in Ocean Springs; is that
14 right?

15 A. Yeah, it might have been a few days
16 before that.

17 Q. Okay. So approximately from the
18 20th of August until about the 27th or the
19 28th of August of 2005?

20 A. Yeah. I want to say it was like
21 the 25th or 26th, and then we ended up
22 staying a few days because we were kind of
23 -- the Mobile bridge was washed out, you

1 know. Couldn't get back to the office.

2 Q. Okay. And during that week until
3 the 26th of August of 2005 when you left,
4 were you in the -- were you in the State
5 Farm Catastrophe office -- Pensacola office
6 regularly?

7 A. Yeah.

8 Q. Okay. Did you hear any
9 discussions, at that time did you overhear
10 any discussions at that time about Renfro
11 being hired to adjust Katrina claims?

12 A. No.

13 Q. Okay. So what I'm asking you is
14 from about August the 20th until about
15 August 26th, what discussion did you
16 overhear about Katrina's getting ready to
17 start north and hit the Mississippi coast
18 and y'all need to start making plans to go
19 adjust?

20 A. Well, that's kind of funny because
21 we thought -- everybody in the office didn't
22 think it was going to do anything because it
23 was such a big storm. Usually those just

1 kind of fall apart when they hit land. So
2 we really didn't talk about it.

3 Actually, I didn't even tell my
4 manager I was even going to evacuate. He
5 said, well, you might want to get somewhere
6 safe, and I evacuated. And then they
7 thought we were all dead because we couldn't
8 get in touch with anybody.

9 So we just thought it was just
10 going to be like any other hurricane, it
11 hits land, falls apart, and -- you know. It
12 was kind of what Dennis did. Dennis was
13 like this big huge storm, came ashore and it
14 just fell apart.

15 Q. Okay. What I'm asking you is --

16 A. So there was no discussion about
17 that, about Renfro getting that CAT.

18 Q. No discussion?

19 A. Not at that time, no.

20 Q. Okay. No -- you didn't overhear
21 any State Farm people saying, you know,
22 there have been meetings and the whether
23 forecasters say that it's going to be a heck

1 of storm causing a lot of damage in Southern
2 Mississippi?

3 A. We thought it was going to go to
4 New Orleans.

5 Q. Okay. So you didn't hear any
6 discussions about State Farm hiring Renfro
7 or anybody else to adjust --

8 A. I just remember during the
9 evacuation, I think Kerri had talked to
10 somebody at Renfro and she said -- she
11 requested that we get to work that storm
12 since we lived through it, you know, since
13 we were there and evacuated it.

14 So it's -- I think there's some
15 kind of rotation, different adjusting firms
16 get different storms. So I don't know how
17 that works. I didn't even know if we were
18 going to get that storm at all.

19 Q. And so during that period of time
20 you were -- during the August 20th to August
21 26th when you left to go to Ocean Springs
22 you were only doing Renfro work?

23 A. I was working for State Farm

1 through Renfro, yes.

2 Q. I know. Okay. Only State Farm and
3 only Renfro for that...

4 A. From -- I think for Frances on,
5 Hurricane Frances on I've worked State Farm,
6 whatever that means to you.

7 Q. Is that a year? Is that a year?

8 A. Yeah, a year or two. Yeah.

9 Q. Okay. Okay. What is the first
10 date that you were told you were going to
11 work Katrina?

12 A. Oh, I don't know. It was whenever
13 I got back to the office and --

14 Q. The Pensacola office?

15 A. Yeah, and asked Mark if he would
16 release me. And I can't remember the date.
17 It might have been September, first of
18 September.

19 Q. Okay. First of September. So a
20 couple of days after the storm you knew that
21 were going to be called on by Renfro to
22 adjust Katrina?

23 A. Well, they were starting to set up

1 the office. It was like an office -- kind
2 of a satellite office-type thing in Ocean
3 Springs that was kind of like they were
4 trying to figure out how bad the damage was
5 and where they were going to go, and they
6 had to send people out looking for damage
7 and see where the best place for an office.
8 Because there was so much damage they didn't
9 know where to put an office. So it was
10 really kind of up in the air.

11 Q. Well, my question was: You knew
12 within a couple of days of --

13 A. Well, I had to ask to leave Dennis
14 to be able to go work Katrina.

15 Q. But I'm just saying you knew within
16 a couple of days --

17 A. I helped work that storm, yes.

18 MR. BEERS: Let him finish
19 asking his questions.

20 A. Sorry, sorry, sorry.

21 MR. BEERS: She can't take but
22 one person at a time. She's good, but it's
23 tough.

1 BY MR. INGE:

2 Q. So you know within a day or so
3 after Katrina made landfall that you were
4 going to be working Mississippi?

5 A. I didn't know for sure, no.

6 Q. And when did you know for sure?

7 A. When Mark said I could go and work
8 Katrina. So that was the first week of
9 September.

10 Q. Okay. Do you remember what he told
11 you?

12 A. He said, well, I'm going to go work
13 Katrina; we're all going to work Katrina,
14 so...

15 Q. Did he say how many claims you were
16 going to work? Did he say --

17 A. No, he had no idea.

18 Q. Did he say how many inspections a
19 day?

20 A. No. No, I mean, that wasn't
21 discussed.

22 Q. Okay. Who is Mark Wilcox?

23 A. You know, I don't know. I don't

1 know him.

2 Q. Have you ever heard of a State Farm
3 construction consultant or vice president
4 named Mark Wilcox?

5 MR. BEERS: Object to the form.

6 A. No. I mean, no. Uh-uh (negative
7 response.)

8 BY MR. INGE:

9 Q. Okay. Have you ever heard in the
10 State Farm office that State Farm expects
11 10,000 investigations of Katrina damages?

12 MR. BEERS: Object to the form.

13 A. No, I didn't know. No, I didn't
14 hear that.

15 BY MR. INGE:

16 Q. You never overheard that?

17 A. No. At the office? No.

18 Q. Okay. Did you ever hear -- did you
19 ever overhear in the office that State Farm
20 would be offering an engineer a maximum of
21 \$2,500 per inspection report?

22 MR. BEERS: Object to the form.

23 A. I knew they were expensive, but I

1 can't remember how much exactly they were.

2 BY MR. INGE:

3 Q. Did you ever overhear in the office
4 that State Farm was offering an engineer
5 less for a report that showed the damage was
6 caused by wind?

7 MR. BEERS: Object to the form.

8 A. No. Uh-uh (negative response.)

9 BY MR. INGE:

10 Q. As I understand your work -- well,
11 first of all, I understand State Farm has --
12 and I don't know what they call it -- but a
13 standard, regular adjustment pyramid in --
14 in every area, and that doesn't include the
15 adjusting of a catastrophe. That they pull
16 in a catastrophe team for a hurricane or an
17 earthquake or an ice storm or something like
18 that; is that right?

19 MR. BEERS: Object to the form.

20 A. I don't know what -- I don't
21 understand what you're asking me.

22 BY MR. INGE:

23 Q. I mean, in place at all times they

1 have an adjustment hierarchy which is not
2 supposed to adjust a catastrophe. That's
3 the reason Lecky King and Mark Drain and --
4 move around.

5 MR. BEERS: Object to the form.

6 A. I never heard that.

7 BY MR. INGE:

8 Q. Okay. Well, you didn't think that
9 Mark Drain worked in Pensacola all the time,
10 did you?

11 A. Well, I just thought -- if you're
12 asking me if I knew that they had
13 catastrophe people, I did know that. But I
14 don't know what -- I don't understand
15 what -- that you're talking about hierarchy
16 and all of that.

17 Q. Well, I'm just saying the CAT team
18 moves to the catastrophe, don't they?

19 A. Well, I think they're just a group
20 of people. I think they alternate them
21 around. Because I remember having a
22 catastrophe manager that was an auto guy.
23 So I think -- they just kept -- he was an

1 auto man, he had done auto all his life.

2 And they were trying to -- you know, they
3 cross train.

4 Q. And who was that?

5 A. Oh, God, I can't remember his
6 name. He was a nice guy. I can't
7 remember. I met him in Orlando. But he
8 didn't know anything about catastrophe. I
9 mean, he was like learning, you know, he was
10 coming in on the end when there was really
11 no damage left, and they were trying to
12 train him, cross train him.

13 Q. Tell me what training you received
14 from Renfro to become an adjustor?

15 A. I trained with other independent
16 adjustors.

17 Q. Did you have any school, schooling?

18 A. Well, I took the -- you know, I did
19 the classes for the adjusting, and then
20 State Farm gave classes.

21 Q. I know, tell me about the classes
22 for adjusting. I don't know anything about
23 the classes for adjusting.

1 A. It's just whatever Mississippi
2 required. I can't remember exactly what it
3 was, it was --

4 Q. Was it a week?

5 A. It was, you know --

6 Q. A day?

7 A. Could have been a couple of weeks,
8 maybe.

9 Q. Okay. So that's the Renfro
10 classes?

11 A. No, it wasn't Renfro, it was for
12 the state of Mississippi.

13 Q. Okay. I see. And you said that
14 you got some other instruction from State
15 Farm?

16 A. Then I had to take some testing
17 for -- I did, like, their IDL whichever is
18 something I had to sit through, and then --

19 Q. What is IDL?

20 A. I don't know what it stands for.
21 It's just about the company, and then --

22 Q. About the State Farm company?

23 A. I think so, if I can recall.

1 Q. Okay. How long did that last?

2 A. It was like a day I think.

3 Q. Okay.

4 A. And then I took their Estimatics
5 trainings. And -- I don't know, wind and
6 hail and, you know, just -- I can't remember
7 exactly what it was.

8 Q. What courses have you had on what
9 to look for in hurricane claims adjusting?

10 A. Renfro offers things at their
11 conferences, you know, like wind-versus-
12 water classes.

13 Q. Did you take those?

14 A. Yeah, I've taken those. I can't
15 remember exactly all the ones I signed up
16 for, but, you know, it's like three days of
17 classes.

18 Q. And when was that? When did you
19 take those three days?

20 A. That was prior to -- that was prior
21 to Katrina and then after Katrina.

22 Q. Some --

23 A. Well, it was two classes I went to.

1 Q. Okay. What instruction have you
2 been given either from the state of
3 Mississippi or from State Farm or from
4 Renfro on what -- well, first of all, do you
5 understand the difference between objective
6 analysis and subjective analysis?

7 MR. BEERS: Object to the form.

8 MR. FAFATAS: Same objection.

9 BY MR. INGE:

10 Q. You know, that objective is based
11 on data and facts and papers and that sort
12 of thing, and subjective is just my opinion,
13 not based on anything. So that's what I
14 want to ask about.

15 I'm asking you about objective
16 observations or calculations.

17 A. Uh-huh (positive response).

18 Q. Okay? What objective observations
19 or calculations or check boxes were you
20 instructed to look for to decide whether it
21 was wind or water?

22 A. We are supposed to look at the --
23 how close the property was to the water, and

1 note that. Supposed to look at the tree
2 damage. See if there was any boats on the
3 property. Just take actual pictures of the
4 entire elevation of each -- you know.

5 Are you talk about the slab cases
6 or are you talking about the ones that were
7 standing?

8 Q. I was probably talking about the
9 slab cases, but I don't imagine it's going
10 to be...

11 A. I mean, you just kind of look at
12 the area and then you take that back and let
13 your manager decide.

14 Q. What were you to look for in the
15 tree damage?

16 A. Wind is always -- happens from the
17 top down. So you look at the top of the
18 trees, you look to see if you saw any
19 breaks.

20 Q. And what did that tell you?

21 A. Well, you could tell if you had
22 some wind damage in the area. Lot of --

23 Q. And what did wind damage -- since

1 trees are not insured, what did wind damage
 2 tell you? Wind damage in the area, what did
 3 that tell you?
 4 A. Well, a lot of trees were pretty
 5 much pristine. I mean, they were pretty
 6 much just standing, I mean, where I was.
 7 Q. In the Bay St. Louis area?
 8 A. Yes.
 9 Q. Because they were mostly live oaks.
 10 A. Yeah. Well, they were -- or they
 11 were engulfed because of the area.
 12 Q. Or they were what?
 13 A. Engulfed in water. You know, the
 14 water would go over them because there would
 15 be like boats in the trees and things like
 16 that. Little plastic bottles and stuff on
 17 top of the houses and...
 18 Q. So the live oaks in Bay St. Louis
 19 were not damaged very much other than the
 20 leaves were blown off, so that really didn't
 21 give you much objective data to --
 22 A. Not all -- there wasn't all live
 23 oaks, there were some pines and some other

1 type trees, too.
 2 Q. Did you ever see damage in the pine
 3 trees? Snapped pine trees?
 4 A. I'm sure there may have been some.
 5 I mean, there was so much debris and
 6 clothing in the trees.
 7 Q. How did that help -- how did
 8 snapped pine trees above the ground, how did
 9 that assist you in making your determination
 10 whether the damage was done by wind or the
 11 damage was done by water?
 12 A. Actually, the determination would
 13 be made by the surge levels and the wind
 14 velocity speeds that the office had.
 15 Q. You mean the height of the storm
 16 surge?
 17 A. Yeah. Yeah.
 18 Q. Uh-huh (positive response). But
 19 when there was a question about whether
 20 structural damage was done by wind, wouldn't
 21 the damage, the high-level damage in the
 22 trees, wouldn't that be an indicator that
 23 severe --

1 A. I didn't see a lot of that.
 2 Honestly, I did not see a lot of that.
 3 Q. Where you were?
 4 A. Yeah.
 5 Q. Okay.
 6 A. I mean, I had a guy with a pontoon
 7 boat on his roof. I mean, I had a lot of
 8 boats around me. I mean, it was terrible.
 9 MR. LUNA: Did he get to keep
 10 the boat?
 11 A. He had to have it removed because
 12 people kept blocking the street, taking
 13 pictures.
 14 BY MR. INGE:
 15 Q. Was there any meteorological or
 16 weather data that you looked for that was --
 17 that would assist you in deciding whether
 18 the damage was done by wind or water?
 19 A. We had a book that stated the wind
 20 velocity speeds, but I didn't -- I mean,
 21 what are you asking me? Like, did I talk to
 22 a weatherman?
 23 Q. I'm asking you what -- you say

1 there was a book. What...
 2 A. It was some book that Mark had that
 3 we could look at and -- and he would look at
 4 and would tell us what, you know, what the
 5 -- say I had an area and he would say, okay,
 6 that area had certain speeds of wind and had
 7 certain surge levels of water, so...
 8 Q. Was the book -- did the book
 9 predate Katrina or was it a Katrina book?
 10 A. It was after Katrina.
 11 Q. Okay. So it was -- it was weather
 12 data compiled for Katrina?
 13 A. I guess so.
 14 Q. Okay. So it was not the Fujita
 15 scale? It was a --
 16 A. I don't know what that is.
 17 Q. You don't know what the Fujita
 18 scale is?
 19 A. I've heard of it, I don't know what
 20 that is.
 21 Q. Okay. But you say that a book was
 22 compiled that talked about specific
 23 weather -- specific wind speeds and surge --

1 and the heights of surges in Katrina?
 2 A. Right.
 3 Q. Okay. And that Mark had that book,
 4 Mark Drain had that book?
 5 A. I think all the managers had it.
 6 Q. Okay. All the State Farm managers?
 7 A. I believe so, in the office, yeah.
 8 Q. Okay. And did you ever look at
 9 that book?
 10 A. Yeah.
 11 Q. I mean, do you know who compiled
 12 that book?
 13 A. It was an engineering firm. I
 14 can't remember -- it might have been Hage.
 15 Q. Okay. And did you ever hear Lecky
 16 King discuss that Hage training manual?
 17 MR. BEERS: Object to the form.
 18 A. What do you mean, training manual?
 19 BY MR. INGE:
 20 Q. Well, the Hage book is called --
 21 the name of it is the Hage Instruction
 22 Training Manual. And I wondered if you ever
 23 heard Lecky King discuss that Hage training

1 manual?
 2 MR. BEERS: Object to the form.
 3 MR. FAFATAS: Same objection.
 4 A. I don't remember her discussing a
 5 Hage training manual, no.
 6 BY MR. INGE:
 7 Q. Isn't it a fact that Mark Drain and
 8 Lecky King called it the Bible?
 9 MR. BEERS: Object to the form.
 10 A. I don't remember that.
 11 BY MR. INGE:
 12 Q. Okay. Have you -- did anybody with
 13 the -- did Mark Drain or Lecky King or
 14 anybody in the State Farm office ever
 15 discuss you investigating for the collapse
 16 of the structure, the insured structure?
 17 A. I don't know what you're talking
 18 about.
 19 Q. Have you ever heard that term
 20 discussed by State Farm team managers or
 21 supervisors about the collapse of the
 22 structure?
 23 A. No, I don't know what you're

1 talking about.
 2 Q. What eyewitnesses do you know about
 3 in Harrison County, Jackson County or
 4 Hancock County, Mississippi, any?
 5 A. I know I had a couple of
 6 eyewitnesses.
 7 Q. Do you remember their names or do
 8 you --
 9 A. No. We were told to turn them over
 10 to a unit that would go out and
 11 investigate. We didn't have time to go out
 12 and interview them.
 13 Q. Do you know the name of the unit
 14 or...
 15 A. I think it was the Special Handling
 16 Unit?
 17 Q. And that's State Farm Special
 18 Handling Unit?
 19 A. Yeah.
 20 Q. Okay. And --
 21 A. I think it was for eyewitnesses,
 22 yeah.
 23 Q. Four?

1 A. For the eyewitnesses. For the
 2 eyewitness thing. Not four eyewitnesses,
 3 there was --
 4 MR. BEERS: F-O-R.
 5 BY MR. INGE:
 6 Q. The Special Handling Unit was to
 7 investigate the eyewitnesses?
 8 A. No, just to investigate -- you
 9 know, say you had an insured say I had an
 10 eyewitnesses. And I would turn that over,
 11 you know.
 12 Q. Okay. Did you ever see any
 13 statements of eyewitnesses?
 14 A. No.
 15 Q. Written statements?
 16 A. No.
 17 Q. Did you ever see any video
 18 recordings?
 19 A. Not while I was there, no. After I
 20 came back, yeah.
 21 Q. After you came back, what do you
 22 mean?
 23 A. On the news. Like videotapes of

1 people's houses.
 2 Q. Okay. Katrina --
 3 A. Yeah.
 4 Q. -- videotapes?
 5 A. Yeah.
 6 Q. Okay. Did you see the Anna Vela
 7 eyewitness photographs?
 8 A. Yeah. That was in the file. There
 9 was one picture. I told you that earlier,
 10 that there was a picture in the file.
 11 Q. I know. But I'm just saying, that
 12 was one of your files?
 13 A. Yeah, but it was already
 14 investigated and they told me to pay it, and
 15 I got it.
 16 Q. Okay. And that was the one that
 17 was investigated by another adjustor
 18 previously and that you were told to pay it?
 19 A. Correct.
 20 Q. So that is in -- that is in that
 21 file?
 22 A. Yeah.
 23 Q. Okay. And do you remember when

1 that file -- when that file was paid,
 2 approximately? I mean, was it early on in
 3 the process? Late in the process?
 4 A. It was inspected early on, and it
 5 was paid -- like the house was paid first,
 6 and then I had to get a contents list so
 7 that was paid later. That was paid right
 8 before I left. But I paid the house part
 9 before.
 10 Q. And do you remember where the Vela
 11 house was located?
 12 A. I don't know the name of the
 13 street. It was -- I can't remember.
 14 Q. What village, what town?
 15 A. Could have been Gulfport. I don't
 16 remember.
 17 Q. It was not Bay St. Louis?
 18 A. No.
 19 Q. And it was not Pascagoula?
 20 A. I don't think so.
 21 Q. Okay.
 22 A. I want to say Gulfport, but I'm not
 23 sure.

1 Q. Okay. Of the claim files that you
 2 worked after Katrina, what percentage showed
 3 or did you find structural damage caused by
 4 wind or predominantly by wind?
 5 MR. BEERS: Object to the form.
 6 MR. FAFATAS: Same objection.
 7 A. I have no idea on what percentage.
 8 BY MR. INGE:
 9 Q. Best estimate?
 10 MR. BEERS: Object to the form.
 11 BY MR. INGE:
 12 Q. Most? Few?
 13 A. What do you mean, like if there was
 14 like a tree on the house and it damaged the
 15 roof structurally or...
 16 Q. No. That the velocity of the wind
 17 caused structural damage to the insured
 18 structure.
 19 MR. BEERS: Object to the form.
 20 BY MR. INGE:
 21 Q. In other words --
 22 A. Like it totaled the house or was --
 23 Q. Not necessarily totaled it, just

1 did structural damage, unless structural
 2 damage is considered totaled.
 3 A. Maybe -- structural damage? I did
 4 maybe about 10 houses that had structural
 5 damage from wind.
 6 Q. Okay. Out of the 275?
 7 A. Yeah, I think. I can't remember.
 8 MR. BEERS: Object to the form.
 9 A. I can't really remember.
 10 BY MR. INGE:
 11 Q. Okay. And the rest had damage --
 12 had either non-structural wind damage or
 13 had -- the damage was done by water?
 14 A. Well, it was usually a tree fell on
 15 the house and split the house or punctured
 16 the house.
 17 Q. Okay. And I believe you testified
 18 or did you testify that of the 10 or 20
 19 engineer reports that one of them said
 20 structural damage by wind?
 21 A. I believe so, yes.
 22 MR. BEERS: Object to the form.
 23 A. I believe so. I didn't always get

1 my engineer reports back because I was
2 working and that claim would go to somebody
3 else. I was working only new -- you know,
4 that would have been like a re -- reinspect,
5 to go back out to it.

6 BY MR. INGE:

7 Q. Did most of the ones that you --
8 the Katrina claims, did most of the houses
9 suffer some non-structural wind damage?

10 A. Did most of them?

11 Q. Uh-huh (affirmative response.)

12 A. Oh, yeah.

13 MR. BEERS: Object to the form.

14 A. I think a lot of them. I don't
15 know -- a lot of them had roof damage. You
16 know, like a few shingles here, a few
17 shingles there, some siding damage, fascia
18 damage.

19 BY MR. INGE:

20 Q. How many -- of the 275 that you
21 adjusted for Katrina, how many found a
22 combination of wind and water?

23 MR. BEERS: Object to the form.

1 MR. FAFATAS: Same objection.

2 A. I can't even -- I don't even know.
3 The mud houses, I can't remember how many I
4 had.

5 BY MR. INGE:

6 Q. Half? Lots? Not many?

7 A. Probably not that many. Not that
8 many.

9 MR. BEERS: Same objection.

10 A. Fifty. Sixty. I had a guy that
11 had a couple of inches here -- I can't
12 remember all of them.

13 BY MR. INGE:

14 Q. And you didn't -- after Katrina,
15 you didn't adjust any claims other than for
16 State Farm, right?

17 A. While I was at Katrina?

18 Q. Yeah.

19 A. I worked for State Farm.

20 Q. Only State Farm?

21 A. Oh, yeah.

22 Q. No insurance companies other than
23 State Farm?

1 A. Correct.

2 Q. What do you know about Forensic
3 Analysis?

4 A. What do you mean, what do I know?
5 It's an engineering firm, I believe.

6 Q. Did they hire Renfro?

7 A. I don't think so.

8 Q. Did State Farm hire Forensic
9 Analysis and Forensic hire Renfro?

10 A. I don't think so.

11 Q. Okay. Have you ever --

12 A. What do you mean by that? I don't
13 even understand what you mean by that.

14 Q. I'm just asking --

15 A. Why would they do that?

16 Q. All sorts of strange things
17 happened in Katrina.

18 A. That's weird. Strange things are
19 happening here.

20 Q. Do you --

21 A. They are.

22 Q. What do you know about Forensic
23 Analysis?

1 A. It's an engineering firm, I
2 believe. But I don't know where they're
3 from.

4 Q. Okay. Have you ever dealt with
5 Forensic Analysis in any way?

6 A. I possibly could have. I don't
7 know for sure.

8 Q. You said that Mark Drain had -- had
9 the Hage book, the book of data, weather
10 data and that sort of thing from Katrina.

11 What other weather data was
12 supplied to you to adjust your claims,
13 supplied to you?

14 A. What do you mean?

15 Q. Weather data.

16 MR. BEERS: Object to the form.

17 A. I don't know what you're talking
18 about.

19 BY MR. INGE:

20 Q. Okay. Some people have said that
21 they went to the State Farm office and saw
22 charts and graphs printed on 8X10 sheets,
23 stapled -- taped to the wall and -- based on

1 different locations. This is the wind
 2 speed, this is the timing, this is the --
 3 A. I don't remember.
 4 Q. -- storm surge. Okay. If you
 5 don't remember that in the State Farm
 6 office -- okay. So that --
 7 MR. BEERS: Object to the form
 8 of that question.
 9 BY MR. INGE:
 10 Q. And then how did you -- did you
 11 even --
 12 A. Are you talking about like in the
 13 office itself? I don't remember that.
 14 Q. Okay.
 15 A. Okay. Just trying to remember.
 16 Q. That was a different company. But
 17 I'm just saying, that's one way to do it is
 18 to print it out and staple it, tape it to
 19 the wall.
 20 My question is: What weather data
 21 was provided to Tammy Hardison?
 22 A. Well, we could reference that book.
 23 Q. The Hage book?

1 A. Yeah.
 2 Q. Okay. But what damage -- I mean,
 3 what weather data was given to Tammy
 4 Hardison?
 5 A. I don't remember exactly what was
 6 given to me about meteorological-type stuff.
 7 Q. I mean, were charts given to you?
 8 Were wind speeds given to you? Or did you
 9 just have the Hage book?
 10 A. We had a meeting about the wind
 11 velocity speeds and the surge levels, too.
 12 I can't -- I don't know, I think that was
 13 around -- I don't know what time that was or
 14 when that was.
 15 Q. You mean for all over the coast,
 16 though?
 17 A. It was for our office.
 18 Q. I know. But for adjustments of
 19 insured properties all along the coast?
 20 A. Yeah. Yeah.
 21 Q. Okay.
 22 A. And upper levels, too, yeah.
 23 Q. What do you mean upper levels too?

1 A. Upper Mississippi, too.
 2 Q. Okay.
 3 A. Yeah.
 4 Q. Northern --
 5 A. Northern part.
 6 Q. Oh, okay. My question was: Did
 7 you say the storm level in South Harrison
 8 County where -- or maybe it's Hancock, South
 9 Hancock County around Bay St. Louis near the
 10 coast, the storm surge was this high, and
 11 this wind speed hit this part -- hit the
 12 coastline of Hancock County. But up here by
 13 the Highway 90 bridge, this is what storm
 14 surge and this is what wind speed. And up
 15 by the interstate of Bay St. Louis, this is
 16 the storm surge.
 17 Anything -- any weather data given
 18 to you like that about targeting specific
 19 sites along the three coastal Mississippi
 20 counties?
 21 A. Possibly. I can't recall, to be
 22 honest with you.
 23 Q. Well, when you were adjusting, did

1 you say, okay, I'm looking for, you know,
 2 Love Joy Lane and this is where it is. And
 3 I'm going to go compare to some weather
 4 data, surge data, wind data, what happened
 5 on Love Joy Lane?
 6 A. Well, I'm just trying to think --
 7 Q. Or Lover's Lane?
 8 A. I'm thinking about me as working as
 9 an adjuster. I was in an area where I was
 10 trying to find as much wind damage as
 11 possible to pay for, because I wanted to pay
 12 it so I could make money. So -- and the
 13 roofs where I was in Bay St. Louis --
 14 Q. The what, roofs?
 15 A. The roofs were metal, and they did
 16 not have a lot of damage. So it was very
 17 hard for me to try to justify paying wind
 18 damage in those areas, but I tried. And I
 19 was told to buy roofs that didn't really
 20 have damage. If they had a tree, I was told
 21 to buy the roof even though --
 22 Q. Meaning pay for the damage to the
 23 roof?

1 A. Yeah.
 2 Q. Buy the roof.
 3 A. Yeah. Be generous. So I didn't
 4 really have to look at all the data that
 5 much. I didn't have that many slabs.
 6 Q. Okay.
 7 A. So.
 8 MR. BEERS: Good time for a
 9 break?
 10 MR. INGE: Okay.
 11 (WHEREUPON, A SHORT BREAK WAS
 12 TAKEN AND THE PROCEEDINGS CONTINUED AS
 13 FOLLOWS:)
 14 (WHEREUPON, A TELEPHONE CALL
 15 WAS PLACED TO SPECIAL MASTER COPELAND, AND
 16 THE PROCEEDINGS CONTINUED AS FOLLOWS:)
 17 MR. LUNA: Reggie, can you hear
 18 me?
 19 SPECIAL MASTER COPELAND: Yes.
 20 MR. LUNA: Okay. Ryan Luna.
 21 I've got Mike Beers, Robert Fafatas and
 22 Herndon here, as well as the court reporter.
 23 SPECIAL MASTER COPELAND: I see

1 Judge Johnstone is in one of these other
 2 aisles, I may just go over there and hand
 3 him my phone.
 4 MR. LUNA: Well, you can do
 5 that.
 6 MR. INGE: Let me -- Reggie,
 7 this is -- I was noticed a couple of weeks
 8 ago about coming to Memphis to take two
 9 depositions of -- this is what I was told,
 10 two independent adjusters; one scheduled for
 11 nine o'clock and one scheduled for 11
 12 o'clock. And -- and I called Ryan, and Ryan
 13 said that they were independent adjusters
 14 and that they wouldn't take long. So I
 15 prepared my examination of -- of two -- of
 16 these two.
 17 All of -- my reservation,
 18 flight reservation on this Friday afternoon
 19 is 7:45 tonight. I understand that Mike
 20 Beers' reservation is at 7:00 tonight. Ryan
 21 Luna is today -- it's his 30th birthday and
 22 his wife's 30th birthday.
 23 You know, I had taken the

1 position early on that I haven't gotten the
 2 records from State Farm. I don't like the
 3 idea that depositions are being taken
 4 without all the documents that I need to
 5 take the deposition, and -- but I can't stop
 6 it if State Farm scheduled the depositions
 7 of witnesses.
 8 So, you know, I'm here. We've
 9 been going since before nine o'clock this
 10 morning. The State Farm and Rimkus lawyers
 11 have asked the witnesses everything that
 12 they want to ask. And now I was told that I
 13 should be able to complete my examination
 14 of -- of the adjusters -- of the adjustor's
 15 witness or the adjustor when I haven't
 16 nearly completed my questioning.
 17 And I was told that since we
 18 got started and since two of them were set
 19 on the same day and I haven't finished, that
 20 the Notice of Deposition says from day to
 21 day and that it's a Friday afternoon and we
 22 can't finish, and I wanted to find out when
 23 we would be recessing the deposition so we

1 can make our flights.
 2 We had this same -- we had this
 3 same discussion with Tom Heifner several --
 4 two months ago, or whenever it was, and --
 5 SPECIAL MASTER COPELAND: I
 6 remember. Y'all called me at that one.
 7 MR. INGE: That's right. But
 8 this is about whether we're going to have
 9 to -- whether I'm going to have to complete
 10 my examination of this witness, or whether
 11 we are going to reschedule it and come back
 12 some other time or do it by telephone or
 13 whatever.
 14 And I say that if it's a Friday
 15 afternoon, we ought to go to a reasonable
 16 time where we can make our departing flights
 17 and recess the deposition, and that gives me
 18 time to get some more State Farm documents
 19 so I can ask the witness about existing
 20 documents.
 21 I mean, I can't finish today,
 22 and I don't think I should be forced to go
 23 until midnight. It's a Friday afternoon.

1 MR. BEERS: Reggie, this is
2 Mike Beers.
3 SPECIAL MASTER COPELAND: Yeah,
4 I got something that said you had filed an
5 appearance today.
6 MR. BEERS: I did.
7 SPECIAL MASTER COPELAND: Yes.
8 MR. BEERS: It's been a long
9 time --
10 SPECIAL MASTER COPELAND: I
11 know you're ecstatic with joy that you've
12 done that.
13 MR. BEERS: Yeah, I appreciate
14 it. I'm here in place of Jim Newman today.
15 Ryan Luna is here, as well.
16 These two witnesses are non
17 parties. They are witnesses that we
18 identified for a very, very limited issue
19 that is relevant to the overall allegations
20 and accusations being made by the
21 plaintiffs.
22 These two witnesses were
23 subpoenaed. They're not related or employed

1 by any of the parties. They're employed by
2 a separate company, have nothing to do with
3 State Farm or any of this Katrina
4 litigation. They came here to be deposed.
5 Like I said, it was very limited.
6 They have no knowledge
7 personally with regards to any of the two
8 claims that -- the basis of these lawsuits
9 or any of the characters in this lawsuit.
10 The only purpose of their testimony was to
11 address some credibility issues with the two
12 relators of -- and the whistle blowers that
13 are the origin of some of the accusations or
14 allegations.
15 My examination of both of these
16 witnesses -- my examination of the first
17 witness I don't believe took over an hour
18 and a half. Maybe not even that long. I
19 was through by 10 something. Like Herndon
20 said, we started at 9:00. And my
21 examination of the second witness did not
22 last as long as the first one. It lasted
23 probably about an hour.

1 Herndon -- like I said, many --
2 most of the questions -- most of the
3 questions Herndon is asking are more
4 appropriate for a 30(b)(6) representative of
5 the company that he can choose when he wants
6 to depose them and examine them on all of
7 these areas and nothing to do with these two
8 individual witnesses.
9 Just about a 90 -- 80 percent
10 of the responses by the first witness as to
11 the questions of Herndon is: I don't know;
12 I have no personal knowledge of this fact.
13 And, you know, we went on and on for hours
14 and hours. And we're now in the second
15 one.
16 There is no reason but for an
17 attempt to delay and harass this witness and
18 the parties to continue this drawn-out
19 examination of two people that clearly
20 questions are more relevant to a 30(b)(6)
21 and to parties.
22 And his comparison to an
23 engineer that was a material witness in the

1 case, an expert in the case, is totally
2 different. It's an apples and oranges
3 situation.
4 We have represented to Herndon
5 that if he wants to choose for us to miss
6 our flights, that it's best for us to
7 continue with this witness and be finished
8 with this witness and not to bring her back
9 at another time. She's missed a day of work
10 already today. And that is our position.
11 Yet his position is he wants to
12 adjourn so he can make his flight, and then
13 come back to this witness later on. And we
14 object to that.
15 MR. LUNA: Just for the
16 record. Robert doesn't have a flight to
17 catch, and I don't either. This is Ryan.
18 So we don't have to worry about catching
19 flights.
20 MR. BEERS: And I will miss my
21 flight as opposed to make this witness
22 having to come back on another day to which
23 she is dutifully employed and needs to

1 work. And I think she has represented to
 2 everyone at this table that she would like
 3 to be finished today.
 4 SPECIAL MASTER COPELAND: Well,
 5 is she sitting there?
 6 MR. FAFATAS: Yes. Reggie, if
 7 I may. This it Robert Fafatas.
 8 SPECIAL MASTER COPELAND: Hi,
 9 Robert.
 10 MR. FAFATAS: Hi. I just want
 11 to get my two cents in. I --
 12 SPECIAL MASTER COPELAND:
 13 Sure. Go ahead. If y'all hear noise in the
 14 background, I'm sitting in a patio chair at
 15 Sams. So, go ahead.
 16 MR. FAFATAS: My total
 17 examination of the two witnesses was less
 18 than 10 minutes. And I have already -- I
 19 cannot make the last flight back tonight, so
 20 I'm going to be here tonight anyway.
 21 And I just voiced earlier on
 22 the record, maybe it wasn't on the record,
 23 that, you know, we're all here and I'd like

1 to see it just go ahead and get completed.
 2 I can't even fly back until the middle of
 3 the day tomorrow anyway.
 4 MR. INGE: Reggie --
 5 SPECIAL MASTER COPELAND: Hold
 6 on, Herndon. Is the witness there?
 7 MR. LUNA: She is, Reggie. She
 8 can hear you.
 9 SPECIAL MASTER COPELAND:
 10 What's the witness's name?
 11 MR. LUNA: Her name is Tammy
 12 Hardison.
 13 SPECIAL MASTER COPELAND: I'm
 14 sorry?
 15 MR. LUNA: Tammy Hardison.
 16 SPECIAL MASTER COPELAND: What
 17 would the witness like to do?
 18 THE WITNESS: I'd like to
 19 finish tonight.
 20 SPECIAL MASTER COPELAND:
 21 Okay.
 22 Herndon, I mean, my inclination
 23 when -- when you started was -- when you

1 started telling me your position was it
 2 sounded reasonable enough to me. And if
 3 y'all could try to finish, fine; if not, you
 4 know, you could adjourn it and either do it
 5 by telephone or whatever means you think you
 6 need to do it.
 7 But I will -- and that may be
 8 what y'all end up doing, but it may be at
 9 the risk of somebody having to pay the
 10 freight to go back up there and
 11 inconvenience this lady another day, be it
 12 on the telephone or live.
 13 And I guess -- and I'm not
 14 asking you to answer this in a definitive
 15 way, but -- so think about what I'm asking
 16 you, which is: I mean, is this a deposition
 17 that you find critical to the -- in other
 18 words, I heard what Michael Beers said about
 19 what role, if any, these witnesses play in
 20 the whole overall context of the case.
 21 And it's your case as the
 22 plaintiff. And I am -- am, you know,
 23 somewhat reluctant to tell you how you

1 should or -- you know, to interfere with how
 2 you feel you should pursue your case. Do
 3 you really think you want to go back up
 4 there, or did the answers the first one give
 5 you kind of give you an idea of where this
 6 witness is going with her responses to your
 7 questions?
 8 MR. INGE: Can I talk now?
 9 SPECIAL MASTER COPELAND:
 10 Yeah. I wasn't trying to cut you off from
 11 talking, I was just trying to let you have
 12 the benefit of my view of where we are.
 13 MR. INGE: Well, we started
 14 about 10 minutes 'til 9:00 because everybody
 15 was here and the defendants stopped about
 16 10:20. Then excluding a lunch break, we
 17 finished the first witness at two o'clock.
 18 Now, I wasn't the one that
 19 scheduled two depositions in one day in
 20 Memphis; State Farm scheduled the two
 21 depositions. You know, they've done this
 22 before. The Tom Heifner deposition was
 23 scheduled at two o'clock on a Friday. You

1 know, after they get everything that they
2 want, then they say, oh, I'm sorry, you're
3 going to have -- you know, even though we
4 were fresh and the examination was when
5 everybody was fresh, and now Herndon gets
6 the -- you know, gets what's left over,
7 sloppy seconds.

8 And, you know, they've done
9 this to me before. They -- this witness
10 says that other witnesses are not telling
11 the truth, and that this witness is believed
12 to be saying that -- that all of these
13 things that have been sworn to in other
14 depositions are not true. And, yes, her
15 testimony is critical.

16 SPECIAL MASTER COPELAND: Well,
17 you know, I think I said, I'm very reluctant
18 to interfere with how you think you need to
19 pursue your case.

20 And so, you know, if y'all have
21 two on a day and -- all I'm saying to you is
22 I think you need to decide whether you want
23 to finish her then -- you know, now, while

1 you're there, which may mean you don't come
2 back until tomorrow. Or if you take the
3 position that you've got that much more to
4 go and you want to catch a flight, then I
5 don't think they can force you to end the
6 deposition.

7 And the question of whether
8 y'all go back up there, we'll just have to
9 revisit at another -- we'll have to address
10 if that's something you need to do. She got
11 subpoenaed once before, I assume she can be
12 subpoenaed again. I'm just simply saying
13 somebody may pay the freight for that. And
14 I would hope this was the kind of thing
15 y'all could work out, whether it was to call
16 Judge Stuart or calling me. But I'm not
17 going to tell you you've got to finish by a
18 certain time.

19 MR. INGE: Now, Reggie, I
20 understand that, and I appreciate your
21 insight. But, you know, this is not the
22 first time that State Farm's lawyers have
23 played this game. They set a deposition

1 whenever they want at whatever time of the
2 day they want. They get their testimony,
3 and then they make sure that I don't get my
4 testimony. It happened with Heifner the
5 first day set on a Friday at two o'clock.

6 And, you know, I just think
7 that there should be a level playing field.
8 I think that if they want to set a
9 deposition on a -- if they want to set a
10 deposition, it should be with some input
11 from me. I have -- from day one, I have
12 said, let's not set depositions until I get
13 the records, because otherwise we're going
14 to have to resume the deposition that this
15 witness knows about and other witnesses know
16 about as soon as we get the records.

17 You know the problem I've had
18 with getting records from State Farm. They
19 are doing this on purpose, they're
20 manipulating the rules. They get whatever
21 they want, and then they make me suck high
22 in tit and I don't appreciate it.

23 And I think that you, as the

1 Special Discovery Master, ought to say I'm
2 going to put a stop to it. And, you know,
3 if State Farm decides to set two witnesses
4 on the same day, then they should suffer the
5 consequences. I shouldn't have to suffer
6 the consequences. You know, this is the
7 Rules of Civil Procedure.

8 MR. LUNA: Well, it is Rules of
9 Civil Procedure and there's mechanisms. You
10 can file an objection to a deposition or a
11 motion to quash. You've never filed an
12 objection; you've never voiced any concerns
13 thus far.

14 You know, we set these up. This is
15 the day you picked. You picked a Friday to
16 take these two depositions. We gave you the
17 whole week, and you picked the Friday.

18 Mike's examination of these two
19 girls has been a grand total of maybe two
20 and a half hours. You've had the other six
21 or seven hours. It ain't our fault you're
22 asking these ridiculous questions that have
23 nothing to do with the case.

1 SPECIAL MASTER COPELAND: Hey,
 2 let's everybody take a deep breath on that
 3 one. Okay? Because part of the reason,
 4 Herndon -- and I'm not talking about the
 5 depositions -- and I think everybody just
 6 sitting there, except maybe Michael, since
 7 he's new to this wonderful experience -- I
 8 mean, I freely confess that if we're behind
 9 where we ought to be on discovery then we're
 10 behind because my schedule has got crazy.
 11 My class action matter finished up this
 12 week, and I intend to sit down and devote as
 13 much time as is needed to get this thing
 14 back on track, because there should be, and
 15 should have already been, a better
 16 resolution of the document issues that have
 17 been going back and forth.

18 So my promise to everybody
 19 that's in the room is we are going to get to
 20 that in short order, and, you know -- and
 21 get caught up in terms of the various
 22 requests and objections that are out there.

23 I know it's late in the day and

1 I'm sure y'all are getting a little
 2 frustrated, but let's everybody take a deep
 3 breath.

4 Here is my view of where we
 5 are, is, I think, Herndon, whether somebody
 6 else thinks they're questions he ought to
 7 ask or not, is really not the point in my
 8 mind because he gets to decide what he wants
 9 to ask. And there are mechanisms if you
 10 think -- you know, either way. Which -- if
 11 one side thinks the other side is not acting
 12 appropriately, either -- all the parties in
 13 this case have that right.

14 Here's -- you know, y'all are
 15 up there. I'm very mindful of the fact that
 16 the witness would not like to be
 17 inconvenienced any more than she already
 18 has. I'm simply going to request that
 19 you -- that y'all do as much as you can to
 20 try to finish so that you can get it done.

21 But, Herndon, if you still have
 22 examination at a point when you would like
 23 to leave to catch your airplane, my view is

1 you take the position that the deposition is
 2 not completed, it's simply adjourned --
 3 recessed, and we'll fight the battle of
 4 whether you're entitled to go back up or
 5 whether they're entitled to prevent you from
 6 going back up there or by whatever means we
 7 can somewhere down the road.

8 I don't think I can sit here
 9 and tell y'all, Herndon, you've got to stop
 10 asking questions in another hour. Because
 11 then all I'm doing is opening a can of worms
 12 that none of y'all want in terms of -- of
 13 that issue and -- and me or the Judge
 14 cutting lawyers off when there are questions
 15 that -- whether you agree with them or not,
 16 they think they're entitled to ask.

17 MR. LUNA: Well, from State
 18 Farm's perspective we're going to -- if we
 19 have to come back up here we do want to put
 20 you on notice that we will be moving for
 21 costs.

22 SPECIAL MASTER COPELAND: Well,
 23 we'll cross that bridge when we get to it.

1 And I hope we don't get to it, but -- but if
 2 we do, we'll face it when we face it.

3 My view was to send y'all an
 4 e-mail on Monday -- I'll add Michael to the
 5 e-mail list -- saying when are the parties
 6 available for us to sit down and have a
 7 lengthy session on all these issues? I've
 8 gotten through some of them and I mean --
 9 you know, I've got some proposed
 10 recommendations in mind, but I want to raise
 11 them and let people be heard on some of
 12 them, and then, you know, put those
 13 recommendations in front of Judge Stuart at
 14 the appropriate time. And it may be that
 15 this issue about this deposition is one of
 16 those issues.

17 But I don't see how, at this
 18 point with what I've heard you say, that I
 19 can tell Herndon Inge or any other lawyer
 20 that he's got to stop asking questions at a
 21 certain point in time.

22 I don't have the benefit of
 23 what all y'all have been doing there. I

1 know that there are all kind of theories and
2 allegations in this case. So, I mean, I can
3 imagine that any deposition in this case is
4 lengthy.

5 So I haven't solved your
6 problem, but I truly view this as one where
7 if y'all can't communicate and get -- agree
8 to it yourselves, then I think Herndon can
9 take the position when he's done -- when he
10 gets to a point, a stopping point in order
11 to catch a plane, if he's not finished, he
12 can ask that it be recessed.

13 I would simply say it sounds
14 like, Herndon -- I'm going to leave this up
15 to you, but it sounds like all the other
16 folks in the room, including the witness,
17 are willing to stay there as long as is
18 needed to get it done. And I'm not
19 suggesting that you have to go along with
20 that by any stretch, but it would solve the
21 problem if y'all stayed there until you got
22 finished.

23 MR. INGE: And what happens if

1 we go to midnight and still haven't
2 finished, or seven o'clock, or the witness
3 passes out and we still haven't finished?
4 Then we're in exactly the same position.
5 And so why --

6 SPECIAL MASTER COPELAND:
7 That's what I'm saying, I'm leaving that up
8 to you because you know how much more you
9 want to get into with the witness. And I'm
10 not saying that you've got to follow some
11 arbitrarily -- arbitrary stopping time or go
12 until everybody drops.

13 So I'm leaving -- I'm agreeing
14 with you in the sense that that's going to
15 be your call. If it's -- if it's at this
16 point in the day you're still asking
17 questions, that's your call. So I'm not
18 disagreeing with you.

19 MR. INGE: Okay.

20 MR. BEERS: Thank you, Reggie,
21 appreciate it.

22 SPECIAL MASTER COPELAND: Okay.

23 MR. INGE: Thanks.

1 SPECIAL MASTER COPELAND: Take
2 care.

3 (WHEREUPON, THE TELEPHONE
4 CONFERENCE WITH SPECIAL MASTER COPELAND WAS
5 CONCLUDED, AND THE PROCEEDINGS CONTINUED AS
6 FOLLOWS:)

7 MR. INGE: Well, assuming --
8 I'm going to go another 55 minutes.

9 MR. BEERS: Okay. Your call.

10 BY MR. INGE:

11 Q. Ms. Hardison, were you -- were you
12 ever specifically told by Renfro in your
13 adjustments to look for damage caused by
14 tornadoes, wind gusts or mesocyclones?

15 MR. BEERS: Object to the form.

16 A. I don't remember that.

17 BY MR. INGE:

18 Q. Were you ever told to specifically
19 look for the direction that trees fell with
20 or -- within or without the subject property
21 or the neighborhood?

22 A. I don't remember being told that,
23 no.

1 MR. BEERS: Object to the form.

2 BY MR. INGE:

3 Q. Were you told to look above the
4 ground level to investigate the treetops to
5 tell about the -- to tell -- as it relates
6 to the cause of the damage to the structure?

7 A. I was told to look at the trees,
8 yes.

9 Q. Okay. What parts of the trees were
10 you told to look at?

11 A. The treetops.

12 Q. Treetops?

13 A. Yeah.

14 Q. Okay. Were you ever told to look
15 for damage by wind before the water arrived?

16 A. I don't even understand that
17 question.

18 Q. Look for the damage caused by wind
19 before the water got there, before the storm
20 surge?

21 MR. BEERS: Object to the form.

22 A. On a slab case?

23 BY MR. INGE:

1 Q. On any kind of case. Look for --
 2 in any kind of case where there was a storm
 3 surge, look for the damage and -- you know,
 4 look for damage caused by wind, if you could
 5 discern it from what was left, before the
 6 storm surge got there?
 7 A. I was told to pay for the wind
 8 damage under the wind claim, and pay for the
 9 flood under the flood claim.
 10 Q. Okay. And what about if there --
 11 what about if the damage was done -- what
 12 about if the damage was done -- if there
 13 was -- if you could see that there was wind
 14 damage, but then the storm surge came along
 15 and damaged the structure, were you ordered
 16 to pay -- were you ordered to look for wind
 17 damage even though you know that the storm
 18 surge came and did more damage?
 19 A. I was told to look for discernable
 20 wind damage.
 21 Q. Okay.
 22 MR. BEERS: And pay for it?
 23 A. Yeah.

1 MR. BEERS: Okay.
 2 BY MR. INGE:
 3 Q. Were you told to look for evidence
 4 of damage caused by wind-borne objects?
 5 A. If that was wind damage, I would.
 6 Yes.
 7 Q. Were you given instructions by
 8 either State Farm or by Renfro not to
 9 mention the initial cause of the loss?
 10 MR. BEERS: Object to the form.
 11 A. No. I don't know what you're
 12 talking about with that. By Renfro?
 13 BY MR. INGE:
 14 Q. Or by State Farm?
 15 A. The cause of the loss?
 16 Q. Uh-huh. Don't address in your
 17 report the initial cause of the loss.
 18 A. No, I don't remember being told
 19 that.
 20 MR. BEERS: Object to the form.
 21 BY MR. INGE:
 22 Q. Okay. Were you told by either
 23 Renfro or by State Farm not to allocate the

1 percentage of damage caused by wind and
 2 damage caused by water?
 3 A. Can you ask me that in a different
 4 way?
 5 Q. Yeah. Were you ever instructed,
 6 don't put in your report the initial cause
 7 of the damage? Don't put the initial cause?
 8 A. I was never told that.
 9 MR. BEERS: Object to the form,
 10 asked and answered.
 11 BY MR. INGE:
 12 Q. Were you ever told, don't allocate
 13 percentages to damage done by wind and
 14 damage done by water?
 15 MR. BEERS: Object to the form.
 16 A. What do you mean by allocate?
 17 BY MR. INGE:
 18 Q. This percentage done by wind -- of
 19 the damage on this -- that I see, this much
 20 was done by wind and this percentage was
 21 done by water?
 22 A. Yet, again, I was told to pay for
 23 the wind damage under the wind claim and the

1 flood damage under the flood claim, if they
 2 had flood -- if they had flood coverage.
 3 Q. Okay. But under the wind
 4 coverage -- but under the wind coverage --
 5 okay.
 6 Were you ever told to discount or
 7 ignore eyewitness -- by either State Farm or
 8 Renfro, to discount or ignore eyewitness
 9 evidence because they're biased?
 10 A. Never.
 11 Q. Okay. Were you told not to address
 12 the principal or main or predominate cause
 13 of the damage?
 14 A. Can you ask that again?
 15 Q. Yeah. In your reports, other
 16 witnesses have testified, other sworn
 17 testimony, that they were instructed by
 18 State Farm, don't include in your report,
 19 oh, this is the principal cause or the main
 20 cause of the damage.
 21 MR. BEERS: Object to the form
 22 of the question.
 23 A. I was never told that.

1 BY MR. INGE:
 2 Q. Okay. Were you told to specify
 3 this much of the damage was structural
 4 damage specifically and this much of the
 5 damage was non-structural damage?
 6 A. I was never told that.
 7 Q. Okay. Before Katrina, was it
 8 customary in your year of adjusting to
 9 specify the initial cause of damage in your
 10 reports before Katrina?
 11 MR. BEERS: Object to the form.
 12 A. What do you mean? I treated my
 13 Katrina claims just like I treated any
 14 claim. So I don't understand what you're
 15 asking me.
 16 BY MR. INGE:
 17 Q. Well, other sworn testimony from
 18 other witnesses have said that the standard
 19 procedure before Katrina was that the
 20 report, the adjustment report says this is
 21 the initial cause of the damage. But that
 22 changed in --
 23 A. I don't remember every having to

1 put this is the initial cause of the
 2 damage. I would say -- in Katrina, and in
 3 any other storm, I would say, damage caused
 4 by wind, da, da, da, da, da, because it
 5 would be a wind claim. And then under the
 6 flood claim, I would say damaged caused by
 7 flood, and I would pay for the flood.
 8 MR. BEERS: Object to the form
 9 of that question that she answered.
 10 BY MR. INGE:
 11 Q. So you were never -- so as far as
 12 you were concerned, there was no instruction
 13 to change --
 14 A. Absolutely not.
 15 Q. -- the way your adjustment report
 16 reads?
 17 A. No.
 18 Q. Okay. Before Katrina, were you
 19 advised or encouraged to say this percentage
 20 of the damage was done by wind and this
 21 percentage of the damage was done by water?
 22 MR. BEERS: Object to the
 23 form. Asked and answered.

1 A. I don't remember that, no.
 2 BY MR. INGE:
 3 Q. Okay. Before Katrina, weren't you
 4 encouraged to seek out any eyewitness
 5 testimony of the cause of damage?
 6 MR. BEERS: Object to the form.
 7 A. I don't remember being asked to
 8 seek out any -- anything like that.
 9 BY MR. INGE:
 10 Q. Did you ever receive any weather
 11 data, records from State Farm or from
 12 weather data about the cause of -- about the
 13 cause of damage to Katrina area properties?
 14 MR. BEERS: Object to the form.
 15 A. Did I receive anything personally?
 16 BY MR. INGE:
 17 Q. Yes.
 18 A. Yet again, I had -- I could
 19 reference that book.
 20 Q. Uh-huh (positive response). The
 21 Hage book?
 22 A. That was...
 23 Q. So other than the Hage book --

1 A. Which was a very thick and thorough
 2 book.
 3 Q. But other than that, you didn't
 4 receive any weather data from State Farm?
 5 MR. BEERS: Object to the form.
 6 A. I don't remember anything else.
 7 MR. BEERS: Let the record
 8 reflect that this has been covered --
 9 A. Ten times --
 10 MR. BEERS: -- ten times
 11 before. Asked and answered.
 12 MR. INGE: Is that an objection
 13 for the record?
 14 MR. BEERS: For the record --
 15 MR. INGE: Okay. Good.
 16 MR. BEERS: -- for purposes of
 17 the record --
 18 MR. INGE: Now if you --
 19 please, no arguing objection, just state for
 20 the record.
 21 MR. BEERS: This is not arguing.
 22 I'm just setting the fact -- for the record,
 23 in case we have to argue whether or not you

1 get to come back.
 2 MR. INGE: I don't know why you
 3 have to be unpleasant. We've all got a job
 4 to do.
 5 BY MR. BEERS:
 6 Q. What weather data have you received
 7 from Weather Data, Inc.?
 8 A. I don't remember receiving
 9 anything.
 10 Q. Have you ever seen any -- any
 11 documents or reports or data or charts
 12 from -- with the -- that said it was formed
 13 by -- it was performed by Weather Data,
 14 Inc.?
 15 A. I don't remember that.
 16 Q. How often would you have
 17 discussions with Mark Drain about your
 18 adjustment reports?
 19 A. How often?
 20 Q. Yes. This is in Katrina; not in
 21 Dennis or Charley.
 22 A. What do you mean discussions?
 23 Q. How many -- how often would Mark

1 Drain call you in or see you in the State
 2 Farm office and say I need to talk to you
 3 about the way you're adjusting reports?
 4 A. I would see Mark every day, usually
 5 in the morning and usually at night. And if
 6 he had any questions, he would ask me them.
 7 Q. Would he have a staff meeting --
 8 A. Sometimes.
 9 Q. -- or an adjustment -- and a number
 10 of people there or just you? Just --
 11 A. There would be our team. Would be
 12 our team.
 13 Q. And who was on your team?
 14 A. I can't remember their names.
 15 Q. The Katrina --
 16 A. I know Rachel was on my team,
 17 Rachel Fisher.
 18 Q. Okay. And how often would you --
 19 would you meet with Lecky King?
 20 A. We might have had one meeting with
 21 her, but I can't remember if we had anything
 22 else.
 23 Q. Was it like a staff meeting or

1 adjuster meeting, or was this just you one
 2 on one, or you and Mark and Lecky King?
 3 A. Like a formal meeting, I think we
 4 had one with the whole -- like the whole
 5 office.
 6 Q. And what was the substance of that
 7 meeting?
 8 A. About the weather data.
 9 Q. And what did she tell you about the
 10 weather data?
 11 A. She showed us where the surge
 12 levels were. She had the maps of the area.
 13 Q. Okay. Were they in addition to the
 14 Hage book, or were they out of the Hage
 15 book?
 16 A. I don't know if they were in the
 17 Hage book, I'm not sure. It was just -- it
 18 was just a meeting to go over that. And
 19 then she had -- and they also said they had
 20 the books available for us.
 21 Q. Well, that's what I want to ask
 22 you. If you say it wasn't pinned to the
 23 wall, and it wasn't handed to you

1 directly --
 2 A. It was in a trailer. Like a -- it
 3 wasn't in the office, it was in a trailer,
 4 we had a meeting.
 5 Q. Okay. You were saying the weather
 6 data. But you said it wasn't handed to you
 7 directly, so you could take it off with
 8 you. And it wasn't posted on the wall for
 9 everybody to look at. So was it within the
 10 Hage report?
 11 A. I don't know if that same data was
 12 in the book. I'm assuming it was.
 13 Q. Well, did she say look at the Hage
 14 book and also look at this other data over
 15 here?
 16 A. No, she had a meeting -- we had a
 17 meeting of many people at the meeting,
 18 several -- several State Farm people, and
 19 she was there also, and went over the data
 20 and, like, on the wall. And then said that
 21 the book was available.
 22 Q. Okay. In other words, the data on
 23 the wall was in the book?

1 A. I guess.
 2 MR. BEERS: Object to the form.
 3 A. I guess it was.
 4 BY MR. INGE:
 5 Q. Well, did she say, okay, look at
 6 the book, but look over here at this -- this
 7 map that I have over here?
 8 A. I don't remember if she said that.
 9 Q. Okay. Did she make that map
 10 available to you, or was it just the weather
 11 data that was in the book?
 12 A. You know, I don't know if the map
 13 was available. It could have been still on
 14 the wall in that trailer, but I don't know.
 15 Q. Did you consult that map?
 16 A. I looked at it that day.
 17 Q. I know, but -- I know, but I would
 18 assume if the room is full of people and the
 19 map was up on the wall, that that couldn't
 20 answer your questions about any
 21 particular --
 22 A. You don't understand the situation.
 23 The office we had was over here, and then we

1 had a bunch of trailers over here. The
 2 office that we were in leaked a lot, the
 3 roof was damaged and some of the tiles were
 4 falling in when the -- the thing would
 5 flood. So you really didn't want put
 6 anything -- like our files would get wet if
 7 we had them in our baskets. The building
 8 was in kind of shambles. So we had these
 9 trailers that we sometimes we would have
 10 meetings in.
 11 Q. All I'm asking you, Ms. Hardison,
 12 is were you given weather data other than
 13 the weather data that was in the Hage book?
 14 A. I don't remember if I did.
 15 MR. BEERS: Object to the form.
 16 A. I don't remember if I did.
 17 BY MR. INGE:
 18 Q. Were you encouraged to look at
 19 other weather data other than the weather
 20 data that was in the Hage book?
 21 A. I don't remember if I was.
 22 Q. Okay. As I understand your
 23 testimony, Lecky King was in the Gulfport

1 office?
 2 A. Uh-uh (affirmative response).
 3 Q. And Mark Drain and y'all were in
 4 the Biloxi office; is that right?
 5 A. No, that's not right. We were all
 6 in the Gulfport office.
 7 Q. Okay. Okay. So Mark Drain and
 8 Lecky King and you were all -- and the
 9 Rigsby sisters were all in the --
 10 A. Yeah, and Rick Moore was running
 11 the office.
 12 Q. Okay. And that was all in the
 13 Gulfport office?
 14 A. Uh-huh (positive response).
 15 Q. Who was in the Biloxi office?
 16 A. I think Dave Randel was over there.
 17 Q. Okay. Were there any -- what
 18 contact people -- what State Farm contact
 19 people were identified to you other than
 20 Mark Drain and Lecky King that would assist
 21 you in your -- in your adjustments?
 22 A. We had a bunch of trainers that
 23 could ride with us.

1 Q. Well, I'm really talking about
 2 contact people that likes -- like
 3 represented State Farm and gave you
 4 instructions from State Farm and that sort
 5 of thing.
 6 A. Like the trainers would help us if
 7 we had problems or questions.
 8 Q. And who were they?
 9 A. They were the State Farm trainers
 10 that would ride with the adjusters if they
 11 were having difficulties with their claims.
 12 Q. Do you remember any names?
 13 A. Shane worked under Mark, and he was
 14 our trainer. Each team had a trainer. I
 15 had a guy that rode with me a couple of
 16 times in the beginning, I can't remember his
 17 name.
 18 Q. Did he have any authority, or was
 19 he just an adjustor trainer?
 20 A. Yeah, he had authority.
 21 Q. I mean, could he --
 22 A. He could write checks and he could
 23 make calls.

1 Q. Could he tell you the same -- give
2 you the same type of instructions like Lecky
3 King and Mark Drain?

4 A. I mean, I don't know. I don't know
5 what power. I have no idea.

6 Q. Okay. And so if I understand your
7 testimony, the only State Farm people that
8 discussed with you weather data was Lecky
9 King, like we talked about in the trailer,
10 and Mark Drain who had the Hage book?

11 A. I guess.

12 Q. I mean, was there any other weather
13 data -- anybody else provide weather data to
14 you besides those two State Farm people?

15 A. I don't remember.

16 Q. Did you personally inspect all 275
17 of the home sites of the claims?

18 A. I believe so.

19 Q. You didn't ask anybody else to
20 go -- I think --

21 A. Cori rode with me on a bunch of
22 them.

23 Q. No, I know. But did you go -- I

1 mean, other people may have gone with you,
2 but did you go, did you physical go to
3 all -- and I think what Dana calls it was
4 scope.

5 A. Yeah.

6 Q. Did you scope all those sites?

7 A. Yeah.

8 Q. Okay. You didn't do -- your
9 adjustments didn't include any other
10 insurance companies other than State Farm
11 for Katrina?

12 MR. FAFATAS: Object to the
13 form.

14 MR. BEERS: Object to the form
15 of the question.

16 A. No. Why would I? Why would I work
17 for anybody, I was working for State Farm.
18 Why would I run around and work for somebody
19 else?

20 BY MR. INGE:

21 Q. There were other insurance
22 companies. I didn't know whether Renfro was
23 hired --

1 A. I wasn't released from that storm.
2 I mean, I guess I could have, but I don't
3 understand what you're asking. Why you keep
4 asking me that.

5 Q. I'm asking if Renfro was -- was
6 hired to adjust for anybody else other than
7 State Farm in Katrina?

8 A. Yeah, they worked -- Renfro did.
9 Renfro worked USAA, Allstate, probably all
10 the big insurance companies.

11 Q. Okay. Renfro did --

12 A. Yeah.

13 Q. -- but you only did State Farm
14 claims; is that right?

15 MR. FAFATAS: Object to the
16 form.

17 MR. BEERS: Object to the form.

18 A. At that time, yeah, I did.

19 BY MR. INGE:

20 Q. Katrina?

21 A. Yeah.

22 Q. Okay. What percentage of the
23 reports that you submitted to Renfro and

1 onto State Farm were reopened for any
2 reason, reopened or reinspected or...

3 A. I would say all the claims are
4 close to being reopened. It could be -- you
5 could close a claim to put it back in the
6 office back and then reopen it to pay it.
7 Or you could reopen it, you know, if they
8 have -- there was more damage. I mean,
9 so --

10 Q. Okay. I didn't mean to pay for
11 contents or ALE or anything like that.

12 A. Well, I mean that's just -- yeah.

13 Q. I was asking you how many claims
14 were reopened because we need a different
15 engineer, we don't like what the engineer
16 said, we don't like what you said --

17 A. I have no idea.

18 MR. FAFATAS: Object to the
19 form.

20 MR. BEERS: Same objection.

21 BY MR. INGE:

22 Q. Any?

23 A. I don't know.

1 Q. Any claim file sent back to you for
 2 any --
 3 A. I have no idea.
 4 Q. No. You don't have any idea
 5 whether any of them were sent back to you?
 6 A. What do you mean?
 7 Q. Okay. You submit your report and
 8 they -- and State Farm looks at it, and they
 9 say, Tammy, do over.
 10 A. You see, what I was doing, I was
 11 running first claims. I was the first
 12 person out there. So I have no idea how
 13 many were reopened.
 14 Q. Okay. So they could have been
 15 reopened by somebody else --
 16 A. Sure. I'm sure they could have.
 17 Q. -- but you were doing first
 18 claims --
 19 A. Uh-huh (positive response).
 20 Q. -- and so it wouldn't have come
 21 back to you?
 22 A. That's right.
 23 Q. Okay. Did you -- explain to me

1 the -- is the computer system that was
 2 used -- software system used by State Farm,
 3 was it called Reflections?
 4 MR. BEERS: Object to the form.
 5 BY MR. INGE:
 6 Q. Or do you even know the name --
 7 A. I don't know.
 8 Q. -- of the software?
 9 A. Yeah, I don't know.
 10 Q. Okay. Did you ever -- explain to
 11 me what information was -- okay. What
 12 information was on the computer -- well,
 13 first of all, was every claim -- did every
 14 claim get categorized or get referred to by
 15 claim number? Is that the number we're
 16 starting with, the claim number?
 17 A. Uh-huh (positive response).
 18 Q. Okay. So you don't look at the
 19 Anna Vela claim or somebody else, MacIntosh
 20 claim, you look at the claim number; is that
 21 right?
 22 MR. BEERS: Object to the form.
 23 MR. FAFATAS: Object to the

1 form.
 2 A. When I receive the claim?
 3 BY MR. INGE:
 4 Q. No. If you're looking up a claim
 5 file in the computer.
 6 A. Like if I'm just searching for
 7 something?
 8 Q. If you say, I want to find out
 9 something in a claim.
 10 A. Okay.
 11 Q. Do you look it up by file number?
 12 A. You can pull it up several ways.
 13 You can look it up by their last name or you
 14 can pull it up by their claim number.
 15 Q. Okay. Can you also pull it up by
 16 the address?
 17 A. Maybe. I don't know if you can. I
 18 don't know if I ever did, but you might
 19 could.
 20 Q. Okay. My question is: From what
 21 you know about the State Farm computer, is
 22 there any way to check whether there were
 23 two inspections or adjustments on the same

1 piece of property?
 2 MR. BEERS: Object to the form.
 3 A. I mean, what do you mean by that?
 4 BY MR. INGE:
 5 Q. Okay. Tammy --
 6 A. You would log it. You would log
 7 it.
 8 Q. Tammy Hardison submits her first
 9 claim. Okay. It goes in. Tammy Hardison
 10 is done. She did first claim, she was done.
 11 A. Yeah.
 12 Q. Okay. They say, we don't like what
 13 Tammy Hardison did. She said pay it under
 14 wind, but we don't want to do that. We want
 15 to send somebody else out because -- and
 16 we're going to keep looking until we find an
 17 adjustor or an engineer that says it was by
 18 water so we can deny it.
 19 Now, what I'm asking you is, from
 20 what you know about the State Farm computer
 21 software --
 22 A. Uh-huh (positive response).
 23 Q. -- how would you -- how would you

1 find out -- how would you -- if -- if --
 2 other than the activity log, how would you
 3 find out if there was a reinspection or a
 4 re-adjustment of the same claim?

5 A. Everything --

6 MR. BEERS: Object to the form.

7 MR. FAFATAS: Object to the
 8 form.

9 A. Everything is in the claim log. I
 10 mean, if I went out there -- yeah,
 11 everything that I put in would be in the
 12 claim log. You can't go back and change
 13 it. You can't even change it if you
 14 misspell a word. I mean, you inspect the
 15 property, you put it in. You try to do it
 16 while you're there.

17 BY MR. INGE:

18 Q. Okay. So let me then -- and that's
 19 the activity log --

20 A. Yeah.

21 Q. -- we're talking about?

22 A. That's what you do.

23 Q. Okay. So you're saying as far as

1 you know, once Tammy Hardison puts it in,
 2 you can't get it out?

3 A. That's what -- I don't think so. I
 4 mean --

5 Q. You can't erase it?

6 A. I tried to get out some bad words
 7 that -- I mean, like, misspelled words that
 8 I put it, but I couldn't.

9 Q. And so if Tammy Hardison sent in
 10 the claim file and logged that into the
 11 activity log, it ain't coming out?

12 A. I don't think so.

13 Q. As far as you know?

14 A. Yeah.

15 Q. Okay.

16 A. We had difficulty putting stuff in
 17 the claim log when we were down there
 18 because you couldn't get -- the computer --
 19 we were doing it wireless and that was real
 20 difficult. So sometimes I would have to sit
 21 up all night and try to do my claim logs at
 22 night, so...

23 Q. So you're saying that if Tammy

1 Hardison had submitted a claim, and 10 years
 2 from now we look at the activity log, if it
 3 was sent out for another adjuster or for an
 4 engineer or a do over, it would be in the
 5 claim log as far as you know?

6 A. I would assume. I think it
 7 would -- I think so.

8 Q. As far as you now?

9 A. As far as I know.

10 Q. Okay. So as far as you know, the
 11 allegations by other sworn witnesses that
 12 say that -- that State Farm would keep
 13 picking engineers or keep picking adjusters
 14 until they found one that could deny the
 15 claim for water damage, you're saying that
 16 that would all be in the activity log,
 17 because once you put it in you can't get it
 18 out?

19 MR. BEERS: Object to the form.

20 MR. FAFATAS: Object to the
 21 form.

22 A. I mean, I'm just saying me as an
 23 adjuster, I put everything in the claim

1 log. I don't know what you're talking
 2 about.

3 BY MR. INGE:

4 Q. Well, what I'm talking about is
 5 what you know about the State Farm activity
 6 log. If you say --

7 A. It should all be in there.

8 Q. Well, it should all be in there.

9 MR. FAFATAS: Object to the
 10 form.

11 MR. BEERS: Same objection.

12 A. Because I remember some claims I
 13 would get, you know, assigned claims to
 14 Tammy Hardison or reassigned claim or
 15 whatever.

16 I remember one time I had an
 17 adjuster that, he accidentally got my
 18 claims. We both had the same claims. And
 19 he was putting in there that he was
 20 inspecting the property. And so we had
 21 figured out that they had assigned both
 22 claims to us, I mean, so one of them had to
 23 give it up.

1 I don't know what those allegations
2 are that you just said.
3 BY MR. INGE:
4 Q. So if there had been two reports,
5 two adjustment reports and -- or two
6 engineer reports on the same piece of
7 property, that all would have been in the
8 activity log?
9 MR. BEERS: Object to the form.
10 A. I assuming so.
11 BY MR. INGE:
12 Q. How many cases do you know of where
13 State Farm objected to the result even
14 though you say it wouldn't have come back to
15 you, how many cases --
16 A. None.
17 Q. Okay. How many cases do you know
18 of where State Farm took the position that
19 they disagreed with the engineer report?
20 A. None.
21 Q. Were you ever asked to submit a
22 draft of your claim report?
23 A. What do you mean a draft?

1 MR. BEERS: Object to the form.
2 BY MR. INGE:
3 Q. A draft, meaning not a final
4 draft --
5 A. No. I always turned mine in to
6 close. Turned them in -- finished them,
7 turned them in to close, to be reviewed.
8 Q. So you know of no -- you know of
9 none of yours that were submitted for -- as
10 a preliminary draft --
11 A. No.
12 Q. -- or what do you think about it
13 before it comes in in final form?
14 A. No.
15 MR. BEERS: Object to the form.
16 A. No.
17 BY MR. INGE:
18 Q. And is that the same with the
19 engineer's report, that it came in in final
20 form and didn't come in in a draft?
21 A. I remember the engineer reports --
22 MR. BEERS: Object to the form.
23 A. -- would come in, they wouldn't

1 make any sense. And they would say things
2 like -- I remember one report, I think, said
3 that the wind blew the mud in the attic.
4 And I would have to take it into Mark and he
5 would have to try to decipher how I could
6 pay for the wind and the mud and the water
7 and stuff, so I could pay some wind damage
8 for that property.
9 BY MR. INGE:
10 Q. Do you know if engineers were ever
11 instructed to submit them in a draft form
12 before they came in in final form?
13 A. I didn't hear of that.
14 Q. What is your best estimate of how
15 much Renfro paid you for your professional
16 adjusting services in 2005?
17 A. What that I was paid that year?
18 Q. Uh-huh (positive response).
19 A. I think I was paid probably around
20 250,000.
21 Q. And what about in 2006?
22 A. Oh, probably paid 133.
23 Q. And what about in 2007?

1 A. I took -- I didn't really work
2 then, I was helping my dad out, so they
3 didn't pay me anything.
4 Q. Did I ask you whether the vast
5 majority of your work for Renfro was
6 insurance-company related?
7 A. Yes.
8 Q. Okay. In the 275 claims or
9 whatever it is that you worked, how -- out
10 of how many -- what proportion of those did
11 you do independent weather data research?
12 MR. BEERS: Object to the form.
13 A. Well, I didn't really have a reason
14 to use the weather data on a lot of them
15 because it wasn't a question. So maybe a
16 handful.
17 BY MR. INGE:
18 Q. Are you familiar with a term, cut
19 and paste?
20 MR. BEERS: Object to the form.
21 BY MR. INGE:
22 Q. I mean in computer, in word
23 processing.

1 A. Yeah. Just -- yeah. I mean, is
2 that what you mean?
3 Q. Uh-huh (positive response). Is
4 most of your creation of your report, is it
5 mostly cut and paste, taking existing
6 paragraphs from another report or something
7 and then plugging them in, moving them into
8 a template in your report, that sort of
9 thing? I mean, do you --
10 MR. BEERS: Object to the form.
11 BY MR. INGE:
12 Q. -- do a lot of word processing, cut
13 and paste in your reports?
14 MR. BEERS: Object to the form.
15 A. Are you talking about like making
16 macros or something?
17 BY MR. INGE:
18 Q. Yeah. Making macros or --
19 A. I'm not very good at macros. But a
20 lot of people would use -- if you had the
21 same damage over and over again sometimes
22 you could use macros to help you do the
23 estimate.

1 Q. What I'm saying is, I'm sure you
2 didn't reinvent the wheel out of all of the
3 275 reports that you did, did you?
4 MR. BEERS: Object to the form.
5 A. I tried, yeah.
6 BY MR. INGE:
7 Q. Did you start from zero?
8 A. A lot of times.
9 Q. I mean, type every word?
10 A. Sometimes I would cut and paste if
11 it was, like, inspect claim, you know, stuff
12 like that. I'd -- you know...
13 Q. Did State Farm ever provide you
14 wording?
15 A. They always told us to make sure
16 that they stood independently of each
17 other. You know, that the claim would --
18 because sometimes you would kind of copy
19 over the information from the flood to the
20 wind because it was the same.
21 You know, like, inspected
22 claim, you know, saw, you know, boat in
23 front yard, da, da, da, you know. So it

1 wasn't, like, exact facts, but it was
2 similar. It was the same exact claim, so --
3 same house; same property.
4 Q. Did you ever receive paragraphs
5 from State Farm saying we want you to use
6 these paragraphs?
7 A. I don't remember that.
8 Q. Okay. Now as I understand, State
9 Farm sent pay for your services to Renfro
10 and Renfro sent pay for your services to
11 you; is that right?
12 A. They got a percentage of what I
13 billed.
14 MR. BEERS: Object to the form.
15 BY MR. INGE:
16 Q. Who?
17 A. Is that what you mean?
18 Q. Well, what I meant was, you didn't
19 get any checks from State Farm, you get
20 checks from Renfro.
21 A. Yeah, Renfro pays us.
22 Q. Okay. And -- and -- don't they
23 bill you out at a certain scale, and then

1 they bill -- Renfro bills an override or a
2 commission or a profit or something on --
3 MR. BEERS: Object to the form.
4 A. I don't know. I just know that I
5 turn in my billings accordingly to the
6 claim, and Renfro gets a percentage of it.
7 BY MR. INGE:
8 Q. Okay. And your billings are based
9 on the claim amount paid.
10 A. Correct.
11 Q. Is that right?
12 A. Uh-huh (positive response).
13 Q. And so the more -- the more you
14 pay --
15 A. Uh-huh (positive response).
16 Q. -- the more you get?
17 A. Well, yeah. It has to be -- like
18 in certain claims, it has to be -- if you
19 get -- if you have roof damage, you get paid
20 a certain amount. If you get siding damage,
21 you get paid a certain amount.
22 Now if you get the
23 percentage bill where they've got a lot of

1 damage, then you get a lot -- you know, you
 2 get more, you get more money.
 3 Q. But if it was a total denial from a
 4 water damage of a wind claim, you don't --
 5 A. I didn't get anything. I hated
 6 those. Actually, I think they kind of broke
 7 the rules because it was so horrible that
 8 they were being nice and paying us a little
 9 bit of money, it wasn't very much. It
 10 wasn't like what I got paid on the Anna
 11 Vela. I think that was like 14,000 or
 12 something.
 13 Q. Do you consider that you -- do you
 14 understand the term, fiduciary
 15 responsibility?
 16 MR. BEERS: Object to the form.
 17 A. Well, yeah. I mean, what do you
 18 mean?
 19 BY MR. INGE:
 20 Q. A fiduciary responsibility, that
 21 you owe -- that you're in a position of -- a
 22 certain position of trust as it relates to
 23 representing the interest of some other

1 person. That you are in a position of --
 2 you're in an important fiduciary position
 3 looking out for the interest of somebody
 4 else.
 5 A. Okay.
 6 MR. BEERS: Object to the form.
 7 A. What do you mean by that?
 8 BY MR. INGE:
 9 Q. Okay. My question is: What --
 10 what ethical responsibilities do you have to
 11 the homeowner?
 12 MR. BEERS: Object to the form.
 13 A. I try to pay them as much as I
 14 possibly could under their policies, and
 15 treat them as I would treat myself or my
 16 family.
 17 BY MR. INGE:
 18 Q. And what ethical responsibility do
 19 you have to your employer, who is Renfro?
 20 A. None.
 21 Q. And what ethical responsibility do
 22 you have --
 23 A. You mean --

1 Q. -- to State Farm?
 2 A. -- for money? I mean, is that what
 3 you're talking about, for money, or...
 4 Q. Say that again.
 5 A. Are you talking about money? Are
 6 you talking money?
 7 Q. No, I'm talking about ethics. I'm
 8 talking about --
 9 A. I would follow their rules, their
 10 ethical rules.
 11 Q. Okay. In other words, is your
 12 first responsibility or your first duty to
 13 your employer?
 14 A. First duty --
 15 MR. BEERS: Object to the form.
 16 A. -- is to the insured.
 17 BY MR. INGE:
 18 Q. Okay.
 19 A. I'm there to help them out.
 20 Q. To what professional adjusting
 21 associations do you belong?
 22 A. What?
 23 Q. Professional adjusting

1 associations. I mean, are you --
 2 A. To date? Zero.
 3 Q. Okay. Are you in the International
 4 Institute of Loss Adjusters?
 5 A. No.
 6 Q. Are you a member of the National
 7 Association of Independent Insurance
 8 Adjusters?
 9 A. No.
 10 Q. Are you a member of the National
 11 Association of Public Insurance Adjusters?
 12 A. I don't think so.
 13 Q. Okay. Did you ever receive any
 14 communications from Mark Wilcox at the State
 15 Farm office in Biloxi?
 16 MR. BEERS: Object to the form.
 17 A. You know, I don't even know who he
 18 is. No.
 19 BY MR. INGE:
 20 Q. Have you ever received any
 21 paperwork with his name on it, said it came
 22 from him?
 23 A. I have no idea.

1 Q. Have you ever received a copy of
 2 the code of conduct of Renfro?
 3 A. I may have a copy.
 4 Q. Have you ever read that code of
 5 conduct of Renfro?
 6 A. I'm sure at one time I did.
 7 Q. Do you remember when the last time
 8 you read that Renfro code of conduct?
 9 A. Nope.
 10 Q. Did you say nope?
 11 A. I mean, I don't remember.
 12 Q. Okay. I mean, that was nope?
 13 A. Nope.
 14 Q. Okay. What does NOAA stand for?
 15 A. I have no idea.
 16 Q. Have you ever been informed -- has
 17 State Farm or Renfro ever instructed you
 18 that wind always precedes water in all
 19 hurricanes?
 20 MR. BEERS: Object to the form.
 21 A. I don't remember that.
 22 BY MR. INGE:
 23 Q. Did State Farm or Renfro ever

1 instruct you that the peak or highest storm
 2 surge occurs as the eye of the hurricane
 3 makes landfall?
 4 MR. BEERS: Object to the form.
 5 A. Did State Farm tell me that, is
 6 that what --
 7 BY MR. INGE:
 8 Q. Or Renfro?
 9 A. Oh, I don't remember that.
 10 Q. Did State Farm or Renfro ever tell
 11 you that the National Weather Service,
 12 University of South Alabama Hurricane Office
 13 said that the eye of the -- of Katrina
 14 crossed land at approximately 10:00 a.m. On
 15 August 29th, 2005?
 16 MR. BEERS: Object to the form.
 17 MR. FAFATAS: Same objection.
 18 A. Maybe. I have no idea. I don't
 19 know.
 20 BY MR. INGE:
 21 Q. Were you ever given instructions or
 22 training by Renfro or Katrina on the timing
 23 of damage before the storm surge arrived?

1 MR. BEERS: Object to the form.
 2 MR. FAFATAS: Object to the
 3 form.
 4 A. I don't remember that.
 5 BY MR. INGE:
 6 Q. Were you ever told to look at the
 7 direction that a tree fell or the direction
 8 that the -- that the debris from the house
 9 was in relation to the foundation as to when
 10 the damage was done?
 11 MR. BEERS: Object to the form.
 12 A. I don't remember that.
 13 BY MR. INGE:
 14 Q. Did you ever hear -- were you ever
 15 given instructions by State Farm or Renfro
 16 that the direction that a tree fell was a
 17 time stamp of when the actual damage was
 18 done?
 19 A. I don't remember that.
 20 Q. Have you ever received a copy of
 21 the booklet called NOAA Hurricane Basics?
 22 A. I don't think so.
 23 Q. Have you ever been instructed by

1 Renfro or State Farm that in all hurricanes
 2 there is a likely presence of tornados?
 3 A. Was I told by Renfro or --
 4 Q. Or State Farm?
 5 A. I don't think so.
 6 Q. Have you ever heard -- are you
 7 familiar with the term, narrow path of
 8 destruction?
 9 A. Oh, maybe.
 10 Q. Do you know what that means?
 11 A. Tell me.
 12 Q. No, I'm just --
 13 A. I'm just kidding.
 14 Q. Okay. Did State Farm or Renfro
 15 ever tell you that there was -- that there
 16 is one beach front home that was entirely
 17 destroyed leaving the adjacent home
 18 relatively unscathed and that was evidence
 19 of wind damage?
 20 MR. BEERS: Object to the form.
 21 MR. FAFATAS: Object to the
 22 form.
 23 A. I don't remember that.

1 BY MR. INGE:
 2 Q. Did they every instruct you on the
 3 characteristics of mesocyclones?
 4 MR. BEERS: Object to the form.
 5 A. I thought you asked me that
 6 already, didn't you?
 7 BY MR. INGE:
 8 Q. Did I?
 9 A. Yeah. I don't think so.
 10 Q. Did you ever ask the property owner
 11 in the 275 or so cases to -- how old their
 12 house was to see what building codes applied
 13 when the house was built?
 14 A. No, I don't remember.
 15 Q. Are you familiar with the term,
 16 lifting effect?
 17 A. Of the house?
 18 Q. Yes.
 19 A. Yes.
 20 Q. And what is that?
 21 A. You're talking about when the house
 22 lifts from the water, floating it over an
 23 object or over a street?

1 Q. Is that what you think the lifting
 2 effect is?
 3 A. Are you talking about how the roof
 4 could be lifted off the house? I'm not
 5 quite sure.
 6 Q. Okay.
 7 A. It's been a few years.
 8 Q. Did you -- did State Farm or Renfro
 9 provide you weather data on the velocity of
 10 sustained winds and the velocity of wind
 11 gusts, the different data on both of those?
 12 MR. BEERS: Object to the form.
 13 MR. FAFATAS: Object to the
 14 form.
 15 A. I don't remember. They might
 16 have. I don't remember.
 17 MR. BEERS: I think that's the
 18 12th time you've asked about weather data.
 19 A. Yeah. Sorry.
 20 MR. INGE: Is that an objection
 21 or is that just a comment, just a sarcastic
 22 comment?
 23 MR. BEERS: It's a comment for

1 the record for later purposes.
 2 BY MR. INGE:
 3 Q. Did Renfro or -- or State Farm ever
 4 give you instructions that property built
 5 immediately upon open water or upon open
 6 fields with no wind breaks receive the full
 7 impact of wind gusts and tornadoes in
 8 determining the damage done to the property?
 9 A. I don't remember that.
 10 Q. Did Renfro or State Farm advise you
 11 that National Weather Service Doppler Radar
 12 Imaging found a tornadic vortex signature
 13 plus mesocyclones and 3-D sheer as the eye
 14 wall made landfall on the Mississippi coast?
 15 MR. BEERS: Object to the form.
 16 A. I don't remember that.
 17 BY MR. INGE:
 18 Q. Have you -- did State Farm or
 19 Renfro ever advise you that Butch Loper,
 20 manager of the Emergency Operations Center
 21 of Jackson County, Mississippi, reported two
 22 wind gusts of 137 and 140 miles an hour
 23 before he evacuated the structure?

1 MR. BEERS: Object to the form.
 2 MR. FAFATAS: Object to the
 3 form.
 4 A. No, have no idea what you're
 5 talking about. I don't know.
 6 BY MR. INGE:
 7 Q. Did you -- what did you say, no
 8 idea?
 9 A. No idea.
 10 Q. Okay. What is the Bernoulli
 11 Theorem?
 12 A. I don't know.
 13 Q. Did State Farm or Renfro ever teach
 14 you that there was sustained wind speeds
 15 recorded at 145 miles an hour at 6:00 a.m.
 16 on the morning of the storm, and 135 miles
 17 an hour at 8:00 a.m. on the morning of the
 18 storm as the eye wall impacted the
 19 Mississippi Gulf Coast?
 20 MR. BEERS: Object to the form.
 21 MR. FAFATAS: Object to the
 22 form.
 23 A. I don't remember that.

1 BY MR. INGE:
 2 Q. Were you trained on the impact or
 3 the structural consequences of certain -- of
 4 certain wind speeds, the predictable
 5 damages?
 6 A. At one time I was, yes. I don't
 7 know if I could quote it now.
 8 Q. Were you instructed by that in
 9 adjusting Katrina claims?
 10 A. What do you mean instructed?
 11 Q. Well, taught that at this speed,
 12 this is the damage that you can expect; at
 13 that wind speed, this is the damage you can
 14 expect?
 15 A. Kerri and Cori talked about that.
 16 Q. Did they teach you to --
 17 A. Yeah, Kerri had taught me that
 18 before.
 19 Q. And did they give you a manual, the
 20 Hage manual or anything else that told you
 21 when you -- that this is the wind speed, so
 22 you need to predict -- you need to expect
 23 this type of damage based on this reported

1 sustained wind speed?
 2 A. I don't recall.
 3 Q. Did State Farm or Renfro teach you
 4 or advise you that the tidal gauges along
 5 the northern Gulf Coast were either disabled
 6 by structural failure or power failure so
 7 the precise measurement of the storm surge
 8 produced by Katrina is impossible?
 9 MR. BEERS: Object to the form.
 10 MR. FAFATAS: Same objection.
 11 A. I don't know. I don't remember
 12 that.
 13 BY MR. INGE:
 14 Q. In your adjustments did State Farm
 15 and Renfro advise you that the closest storm
 16 surge data closest to the site in question
 17 is most relevant to your findings?
 18 MR. BEERS: Object to the form.
 19 A. Now what?
 20 BY MR. INGE:
 21 Q. Okay. In other words, the storm
 22 surge 100 miles away is not as important in
 23 the adjustment of a particular site, so you

1 look for the storm surge data closest to the
 2 particular site. Isn't that--
 3 A. Yeah. I mean, I know. I
 4 understand.
 5 Q. You look for the closest storm
 6 surge data.
 7 A. I understand that. I also looked
 8 in the neighboring areas for the waterlines.
 9 Q. Whatever the -- you were looking
 10 for whatever the closest --
 11 A. I had around 25 to 30 feet in my
 12 area.
 13 Q. Okay. But you weren't interested
 14 in the storm surge data furtherest away, you
 15 were interested in the storm surge closest
 16 to your site in question, weren't you?
 17 A. I'm assuming so, yeah.
 18 Q. Okay. Were you ever given a copy
 19 of State Farm's piece of paper that said --
 20 that's called Our Commitment to our
 21 Policyholders?
 22 A. I don't know.
 23 Q. In the State Farm computer that was

1 provided to you, didn't you have wireless
 2 access?
 3 A. Yeah.
 4 Q. Okay. And so you could access the
 5 State Farm -- the State Farm data base from
 6 a motel or from your RV or...
 7 A. Yeah. You would think so, but it
 8 was very hard during the storm.
 9 Q. But, I mean, that was the point,
 10 right?
 11 A. That was the plan.
 12 Q. Okay. Do you recognize the name
 13 Robert Kocham, K-O-C-H-A-M?
 14 A. Nope.
 15 Q. What did Steve Haddock do with
 16 State Farm?
 17 A. Steve Haddock? I don't know.
 18 Q. Didn't Renfro specialize or state
 19 that they provided adjusters to handle
 20 catastrophes by having personnel trained on
 21 State Farm equipment? Weren't they proud of
 22 that fact?
 23 MR. BEERS: Object to the form.

1 A. I don't know if they were proud. I
2 don't know what you're talk -- I don't know
3 what you're -- what do you mean?

4 BY MR. INGE:

5 Q. I mean, weren't Renfro adjusters
6 trained on State Farm equipment so they
7 wouldn't need to learn --

8 A. If they were working for State
9 Farm, they were.

10 Q. Okay. And weren't they trained on
11 State Farm policies, Renfro adjusters
12 trained on State Farm policies?

13 A. I don't know if all -- a lot of
14 them worked for USAA.

15 Q. But I'm talking about the ones that
16 worked for State Farm, right?

17 A. What's the --

18 Q. There was no learning curve. That
19 they -- that they would -- that they knew
20 that y'all could get up to speed on State
21 Farm policies because --

22 A. Well, a lot of them didn't. I
23 mean, there was lot of new guys that didn't

1 know about State Farm. They had never
2 worked for State Farm in the beginning.

3 Q. Wasn't Kerri Rigsby, wasn't she
4 assigned to adjust only for State Farm?

5 A. Actually, she had gotten -- I
6 remember she was going to work for
7 Nationwide at one time. But I think the
8 bulk of her training was State Farm.

9 Q. Do you know -- tell me what Dave
10 Randel's job duties were with State Farm?

11 MR. BEERS: Object to the form.

12 A. I don't know what his duties were.
13 I just think he -- wasn't he the CAT
14 coordinator or something? I don't know for
15 sure. It's been so long.

16 Q. Did he have 12 to 15 section
17 managers? Was he one of 12 to 15 section
18 managers for State Farm?

19 MR. BEERS: Object to the form.

20 A. I have no idea.

21 BY MR. INGE:

22 Q. Was he Lecky King's boss?

23 MR. BEERS: Object to the form.

1 A. I'm assuming so.

2 BY MR. INGE:

3 Q. And Rick Moore and John
4 Dagonheart's boss?

5 A. Yeah, I guess. I mean, I'm pretty
6 sure.

7 Q. Was he the principal supervisor
8 over all adjustments of Katrina claims in
9 Gulf Coast?

10 A. I have no idea. I didn't even see
11 him very much. I saw him twice.

12 Q. Was he the -- primarily responsible
13 for making the decision to hire structural
14 engineers when the adjustor says that they
15 needed a structural engineer?

16 A. I have no idea.

17 MR. FAFATAS: Object to the
18 form.

19 BY MR. INGE:

20 Q. What was Lecky King's job title
21 with State Farm, do you know?

22 A. I think she was just a team manger.

23 Q. Was she also the co-CAT team

1 coordinator?

2 A. When Rick was out, she would -- she
3 would run -- but I think Rick was over her.

4 Q. And did she work -- did she work
5 under as well as alongside Dave Randel?

6 A. I don't know if she worked
7 alongside with him. I don't know. I mean,
8 she wasn't there that much. She was there,
9 like, for 30 days and then she would leave
10 for 30 days.

11 Q. Was she -- did you ever hear her
12 described as State Farm's flood insurance
13 guru?

14 A. Kerri called her that, I think,
15 or -- Kerri or Rachel called her that. I
16 think they called her the flood queen, is
17 what they called her.

18 Q. Did she -- did Lecky King ever give
19 you instructions on the application of the
20 anti-concurrent cause clause?

21 MR. BEERS: Object to the form.

22 A. Now what?

23 BY MR. INGE:

1 Q. Did Lecky King ever discuss with
 2 you the application of the anti-
 3 concurrent --
 4 A. I don't remember if she did or
 5 not. She could have.
 6 MR. BEERS: Object to the form.
 7 A. I have no idea.
 8 BY MR. INGE:
 9 Q. Did Lisa -- was Lisa Wachter
 10 Lucky's assistant?
 11 MR. BEERS: Object to the form.
 12 A. I think she was at one time.
 13 BY MR. INGE:
 14 Q. What dealings did you have with
 15 Dave Haddock?
 16 A. He assigned a claim to me one time.
 17 Q. Was he a team, State Farm team
 18 manager?
 19 A. He wasn't mine, but he was a team
 20 manager.
 21 Q. In the Gulfport office?
 22 A. Uh-huh (positive response). He was
 23 my team manager in Pensacola before the

1 storm.
 2 Q. Did you ever hear that -- that Mark
 3 Drain had an additional duty as -- in charge
 4 of special claims?
 5 A. Yeah, that's what -- I think Cori
 6 told me that.
 7 Q. Did -- do you know whether special
 8 claims included the high profile claims like
 9 Trent Lott and Congressman Gene Taylor?
 10 A. Yeah, I think so.
 11 Q. Who is Chris Canteberry?
 12 A. I've heard the name. I don't know.
 13 Q. Is he a Renfro adjustor who
 14 reported to Cori and Kerri?
 15 A. I don't know. I mean, I've heard
 16 the name, but I don't know who he is. I
 17 thought maybe he worked for State Farm.
 18 MR. INGE: Okay, guys.
 19 MR. LUNA: Okay what?
 20 MR. INGE: I've got to catch a
 21 plane. I am not finished.
 22 MR. BEERS: So we've stated for
 23 the record our position, so we'll just go

1 with that.
 2 MR. INGE: Okay.
 3 MR. BEERS: We're adjourned.
 4 MR. INGE: We're recessed.
 5 (WHEREUPON, THE DEPOSITION CONCLUDED
 6 AT APPROXIMATELY 6:00 P.M.)
 7 (AND FURTHER DEPONENT SAITH NOT)
 8 (SIGNATURE NOT WAIVED)

1 ERRATA SHEET FOR THE TRANSCRIPT OF:
 2 Deponent: TAMMY HARDISON
 3 Case Name: THORNTON ET AL VS. STATE FARM ET
 4 AL
 5 Case Number: CV-06-900071-SHS,
 6 CV-06-900007-RHS
 7 Job Date: JULY 17, 2008
 8 Place MEMPHIS, TN
 9 Ref. No. 29948LW
 10
 11 CORRECTIONS
 12
 13 Page Line Now Reads Should Read Reasons
 14 Therefore
 15 _____
 16 _____
 17 _____
 18 _____
 19 _____
 20 _____
 21 _____
 22 _____
 23 _____

 Signature of Deponent

 (Date)

1 CERTIFICATE

2 STATE OF TENNESSEE:

3 COUNTY OF SHELBY:

4 I, KRISTI HEASLEY, CSR, RPR and Notary
Public, Shelby County, Tennessee, CERTIFY:

5
6 The foregoing deposition was taken
before me at the time and place stated in
the foregoing styled cause with the
7 appearances as noted.

8 Being a Court Reporter, I then reported
the deposition in Stenotype, and the
9 foregoing pages contain a true and correct
transcript of my said Stenotype notes then
and there taken.

10 I am not in the employ of and am not
11 related to any of the parties or their
12 counsel, and I have no interest in the
matter involved.

13
14 I further certify that this
transcript is the work product of this court
reporting agency and any unauthorized
15 reproduction AND/OR transfer of it will be
in violation of Tennessee Code Annotated
16 39-14-149, Theft of Services.

17 Witness my signature this the _____ day
of _____, 2008.

18
19 _____
KRISTI HEASLEY, CSR, RPR

20 Notary Public at Large

21 For the State of Tennessee

22 My Commission Expires:
23 July 29, 2010