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July 21, 2023

VIA PACER

Hon. Evelyn Padin
United States District Judge

Re: *Barisone v. Farm Family Casualty Ins. Co. et al.*, 2:23-cv-02571

Joint Status Letter

Judge Padin:

We represent Defendant Great American Insurance Company of New York. This letter serves as the requested status update following the July 17, 2023 pre-motion conference. We have conferred with counsel for Defendants Farm Family Casualty Insurance Company and American National Insurance Company. Despite our efforts, Defendants have been unsuccessful in reaching counsel for Plaintiff as of the writing of this letter.

Your order requested a status on the following. We provide responses on behalf of the Defendants below:

(1) whether Plaintiff waives any motion to remand and agrees that this Court has subject matter jurisdiction;

Defendants agree that the court has subject matter jurisdiction.

(2) whether Defendants agree to waive their guardian ad litem argument;

Defendants agree to waive a guardian ad litem argument.

(3) a schedule for limited exchange of documents requested by Defendants, including but not limited to the underlying criminal and civil complaints;

Defendants shall produce to all parties all applicable insurance policies on or before August 21, 2021.

American National Insurance Company advised that it did not issue a policy to the Plaintiff or SweetGrass Farms, LLC, so there is no ANIC Policy to exchange.

Plaintiff shall produce to all parties the criminal complaint on or before August 21, 2023.

(4) a briefing schedule for Defendants' motion(s) regarding the merits of Plaintiff's claims for coverage;

Affirmative motions shall be served on or before October 21, 2023;

Opposition to affirmative motions shall be served on or before November 21, 2023; and

Replies to affirmative motions shall be served on or before December 12, 2023.

In addition to the issues discussed on the July 17 conference call, Great American requests that the court order that its answer is due on or before August 4, 2023.

Respectfully submitted,

/s/ Ryan R. Westerfield

Alexander E. Potente (*pro hac vice* pending)

Ryan R. Westerfield