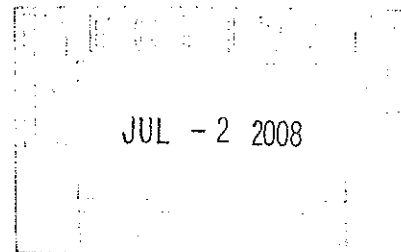


Rebuilding Mountain



Federal Tax ID 20-0867845

JRR
MJD
NAK
Client



June 30, 2008

The Honorable Chief Justice Ronald M. George
And the Honorable Associate Justices
Of the California Supreme Court
350 McAllister Street
San Francisco, CA 94102

Re: *Agnes H. Everett v. State Farm General Insurance Company*
(2008) Fourth District, Division 2,
Case No. E41807, 08 C.D.O.S. 5181

Request for Depublication

Dear Hon. Chief Justice Ronald M. George and the Associate Justices of the California Supreme Court:

I am writing in my capacity as Executive Director of Rebuilding Mountain Hearts & Lives (RMHL), to respectfully request Depublication of *Agnes H. Everett v. State Farm General Insurance Company* under California Rules of Court, Rule 8.1125.

Rebuilding Mountain Hearts & Lives is a non-profit organization that was formed to assist with the fire recovery resulting from the 2003 Old Fire. RMHL was named the local lead agency for the 2007 Fire Recovery (Grass Valley and Slide Fire). We not only serve as a "Resource Center" but also partner with many service clubs, faith-based, public and private agencies, and other non-profit organizations to facilitate the recovery efforts.

We have firsthand knowledge of how serious the underinsurance problem is. Inadequate insurance has been a primary impediment to the ability of our residents to rebuild their homes in a timely manner following the fires. Inadequate insurance has truly slowed the pace of rebuilding and the San Bernardino County tax base has suffered as a result.

Blue Jay Office:
27315 North Bay Road, Suites A & B
Blue Jay, CA 92317
909.337-9922
Fax 909.337-6130

Mailing Address:
P. O. Box 4644
Blue Jay, CA 92317

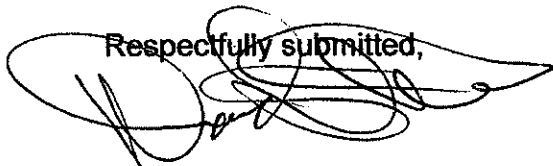
Running Springs Office:
31900 Hilltop Blvd., Unit B
Running Springs, CA 2382
909.867-2700
Fax 909.867-2939

The *Everett* decision imposes an unreasonable burden on homeowners to distrust and disregard the replacement cost calculations that insurance professionals offer at the point of sale when setting policy limits. *Everett* essentially requires that homeowners go out and find a contractor to prepare a detailed reconstruction cost estimate of their home, bring that back to an agent/insurer as the basis for setting their limits. That is a scenario that simply can't and won't happen.

One of the goals of RMHL is to educate individuals regarding the underinsurance issue. During our presentation we ask homeowners to review their current homeowner's insurance policy to see if they are underinsured. To calculate the current replacement cost of a home in our area today, multiply the square footage of the home by \$250 and compare this figure with your insurance coverage. The average citizen is not current with regards to construction cost and they believe their agent has them covered when they contract for insurance. We have determined that 75% of those impacted by the fires were in fact underinsured.

If the current decision is allowed to remain published, insurers will use it, as they have already begun to do, to defeat the claims of innocently underinsured policyholders and shield themselves from any liability for failing to calculate replacement costs and set homeowners' policy limits accurately, and for misleading customers at the point of sale by creating a false sense of security about the extent of the coverage they are buying.

Respectfully submitted,



David Stuart
Executive Director

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Fax 909.337-6130

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PROOF OF SERVICE

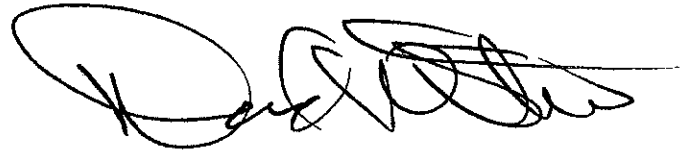
Re: **Letter to Hon. Ronald M. George and Associate Justices**
Caption: *Agnes H. Everett v. State Farm General Insurance Company* (2008)
Fourth District, Division 2, Case No. E41807, 08 C.D.O.S. 5181

I declare that I am employed in the County of San Bernardino, California. I am over the age of 18 years and am not a party to the within action; my business address is P.O. Box 4644, Blue Jay, CA 92317. On June 30th, I served the forgoing document described as **Letter to Hon. Ronald M. George and Associate Justices**, by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

 X (BY MAIL) I deposited such envelope in the mail at Blue Jay, California. The envelope was mailed with postage thereon fully prepaid with adequate postage for first class delivery and deposited each with the U.S. Postal Service:

Everett, Agnes : Plaintiff and Appellant	Christian J. Garris Law Offices of Christian Garris 633 West Fifth Street, 28th Floor Los Angeles, CA 90017
State Farm General Insurance Company : Defendant and Respondent	Randall M. Nunn Hughes & Nunn 401 "B" Street, Suite 1250 San Diego, CA 92101 James R. Robie Robie & Matthai 500 S. Grand Avenue, Suite 1500 Los Angeles, CA 90071-2609
Court of Appeal , Fourth District, Division 2	3389 Twelfth Street Riverside, CA 92501

I declare under penalty of perjury under the State of California that the foregoing is true and correct.
Executed on June 30, 2008 at Blue Jay, CA.



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