

FILED IN DISTRICT COURT  
OKLAHOMA COUNTY

SEP 27 2022

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IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

JEREMY ROWAN and )  
MELINDA ROWAN, husband and wife, )  
 )  
Plaintiffs, )

vs. )

STATE FARM FIRE & CASUALTY )  
COMPANY, )  
 )  
Defendant. )

Case No. CJ-2017-7301

*The Honorable Don Andrews*

**JOURNAL ENTRY OF JUDGMENT**

On the 29<sup>th</sup> day of August 2022, there came on for trial by jury the above styled and numbered cause. Plaintiffs Melinda Rowan and Jeremy Rowan appeared personally and through their attorney, J. Revell Parrish, Esq. of Whitten Burrage of Oklahoma City, Oklahoma. Defendant State Farm Fire and Casualty Company appeared through their corporate representative, Jason Taylor, and through its attorneys of record, Lance Leffel, Esq., Jay Walters, Esq. and Ashlyn Smith, Esq. of Gable Gotwals of Oklahoma City, Oklahoma.

Whereupon, all parties having announced ready for trial, a jury was duly impaneled and sworn, and the parties made their opening statements. Plaintiffs then called witnesses and on the 31<sup>st</sup> day of August 2022, rested their case in chief. Defendant then interposed its demurrers to the Plaintiffs' evidence, which demurrers were overruled by the Court. Defendant then called witnesses for its case in chief and rested its case on September 1, 2022. Plaintiffs moved for directed verdict on their breach of contract claim as it related to electrical damage. Defendants moved for directed verdict on all claims. The Court overruled the motions.

On the afternoon of September 1, 2022, the jury was instructed as to the law by the Court, and closing arguments were presented on behalf of Plaintiffs and Defendant, whereafter the jury

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retired to deliberate. After due deliberation, the jury returned its verdicts on said date, which verdicts were examined by the Court and found to be in proper form as follows:

1. By a unanimous vote of twelve to zero, on Plaintiffs' claim for breach of contract against Defendant: For Plaintiffs and fixed the dollar amount of their actual damages for breach of contract in the sum of \$70,400.00;
2. By a unanimous vote of twelve to zero, on Plaintiffs' claim of Breach of the Duty of Good Faith and Fair Dealing against Defendant: For Plaintiffs and fixed the dollar amount of their actual damages in the sum of \$680,000.00 for Defendant's bad faith.
3. By a vote of eleven to one, the jury did not find by clear and convincing evidence that Defendant recklessly disregarded its duty to deal fairly and act in good faith with its insured. As such, the jury did not award punitive damages.

The jury affirmed that such was their verdict. Whereafter, the Court accepted the verdicts and discharged the jury.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Plaintiffs shall have and recover judgment on their claims of breach of contract and bad faith from Defendant in the amount of \$750,400.00 in actual damages. The parties reserve the issue of Plaintiffs' entitlement to pre-judgment interest under 36 O.S. § 3629(B), and post-judgment interest from and after September 2, 2022, as provided by law and Plaintiffs' entitlement to attorney fees and costs under 36 O.S. 3629(B), to be determined by the Court.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that judgment be entered in favor of Plaintiffs and against Defendant on Plaintiffs' claims of breach of contract and bad faith in the above styled and numbered cause.

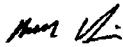
Issues as to the appropriateness and the amounts of awarding pre-judgment and post-judgment interests, as well as attorney fees and costs, shall be reserved for hearing at a later date.

IT IS SO ORDERED this 27<sup>th</sup> day of September, 2022.



**THE HONORABLE DON ANDREWS  
JUDGE OF THE DISTRICT COURT**

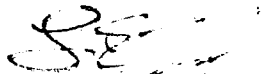
**APPROVED:**



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