

**BEFORE THE UNITED STATES JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

**IN RE: COVID-19 BUSINESS)
INTERRUPTION PROTECTION)
INSURANCE LITIGATION)
_____)**

MDL No. 2942

MOTION FOR EXTENSION OF TIME

Pursuant to Rule 6.3 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (the "Panel"), the undersigned Defendants respectfully submit this Application for a three (3) week Extension of Time to file Notices of Appearance, Corporate Disclosure Statements and to oppose Plaintiff's Initial Motion to Transfer (Dkt.1) and Second Motion to Transfer (Dkt. 4) (collectively, the "Motion").

The bases for the request are as follows:

1. On April 21, 2020, the Panel set the following briefing schedule: Notices of Appearance due on or before May 5, 2020; Corporate Disclosure Statements due on or before May 5, 2020; Consolidated Responses due on or before May 12, 2020; and Reply, if any, due on or before May 19, 2020.
2. On May 1, 2020, certain Plaintiffs made a request for expedited consideration of the Motion by asking that the Panel hear the Motion at a hearing scheduled for May 28, 2020.
3. On May 4, 2020, the Panel denied that request for expedited consideration, stating that "[t]he Panel considers all motions in due course and is not persuaded to depart from its long-standing practice."
4. The next hearing before the Panel is July 30, 2020, at which time the Motion will be heard.

5. Under the circumstances, the undersigned Defendants ask for the following Extensions of Time: Notices of Appearance - no later than May 26; Corporate Disclosure Statements - no later than May 26; all Responses - no later than June 5, 2020, and Reply, if any, on or before June 15. All briefing on the Motion will have been completed six weeks before the July 30, 2020 hearing.

6. The basis for the instant motion for an extension of time is set forth immediately below.

7. Many of the Defendants in the actions for which consolidation is requested did not receive notice of the Motion until just recently. They need additional time to prepare their Notices of Appearance, Corporate Disclosure Statements and Consolidated Responses in opposition to the Motion.

8. Over the last few days, additional underlying coverage actions with new and different Defendants have been referred to the Panel for proposed consolidation. As a consequence, these additional Defendants are impacted as new actions are referred to the Panel.

9. Various Defendants have not been served in various actions for which MDL consolidation is sought.

10. Under these circumstances, Defendants and impacted parties need additional time to analyze and evaluate the Motion.

11. This three (3) week extension of dates will not result in any prejudice:

- a. The Motion is to be heard by the Panel at the July 30, 2020 hearing.
- b. The time for any Reply has been extended.
- c. All briefing will have been completed more than six weeks before the July 30, 2020 hearing.

WHEREFORE, the undersigned Defendants respectfully request that the Judicial Panel on Multidistrict Litigation grant the requested extensions of time to file their Notices of Appearance, Corporate Disclosure Statements and Responses and the Reply to the Motion.

DATED: May 5, 2020

Respectfully submitted,

By: /s/ Paul R. Koepff

Paul R. Koepff, Esq.
CLYDE & CO US LLP
The Chrysler Building
405 Lexington Ave., Fl. 16
New York, New York 10174
Tel: 212-710-3945
Mobile: 917-294-6471
Paul.Koepff@clydeco.us

Attorneys for Allianz Global Risks US Insurance Company, AGCS Marine Insurance Company, Allianz Underwriters Insurance Company, Fireman's Fund Insurance Company, American Automobile Insurance Company, Associated Indemnity Corporation, Chicago Insurance Company, Interstate Fire & Casualty Company, Fireman's Fund Indemnity Corporation, National Surety Corporation, The American Insurance Company, Endurance American Insurance Company, Endurance American Specialty Insurance Company, Endurance Assurance Corporation, Endurance Risk Solutions Assurance Co., Sompo America Insurance Company, Sompo America Fire & Marine Insurance Company, Catlin Insurance Company, Inc., Catlin Insurance Services, Inc., Catlin Indemnity Company, Catlin Specialty Insurance Company, Greenwich Insurance Company, Indian Harbor Insurance Company, T.H.E. Insurance Company, XL Insurance America, Inc., XL Specialty Insurance Company, AXA

*Insurance Company, Lloyd's of London,
Syndicate 2003*

By: /s/ Antonia Ianniello

Antonia Ianniello, Esq.
Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036
Tel: 202-429-8087
aianniello@steptoe.com

Attorneys for Admiral Indemnity Company

By: /s/ Laura Foggan

Laura Foggan, Esq.
Crowell & Moring
1001 Pennsylvania Avenue NW
Washington DC 20004-2595
Tel: 202.624.2774
lfoggan@crowell.com

Attorneys for Society Insurance

By: /s/ Lori McAllister

Lori McAllister (P39501)
DYKEMA GOSSETT PLLC
Attorney for Defendants Auto-Owners
Insurance Company and Owners Insurance
Company
201 Townsend St., Ste. 900
Lansing, MI 48933
(517) 374-9150
lmcallister@dykema.com

By: /s/ Lind Stapley_____

Lind Stapley, Esq.
SOHA & LANG
1325 4th Avenue
Seattle, WA 98101
Tel: 206 654 1686
stapley@sohalang.com

*Attorneys for Oregon Mutual Insurance
Company*

By: /s/ Sarah D. Gordon_____

Sarah D. Gordon, Esq.
Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036
Tel: 202 429 8005
Fax: 202 429 3902
Sgordon@steptoe.com

*Attorneys for The Hartford Financial
Services Group Inc., Hartford Fire
Insurance Company, Ltd., Sentinel
Insurance Company, Ltd., Hartford
Casualty Insurance Company, Hartford
Underwriters Insurance Company*

By: /s/ Dennis Dolan_____

Dennis Dolan, Esq.
Litchfield Cavo
303 West Madison Street
Chicago, IL 60606
Tel: 312 781 6641
Dolan@LitchfieldCavo.com

*Attorneys for The Cincinnati Insurance
Company, The Cincinnati Casualty
Company, Cincinnati Financial Corporation
and The Cincinnati Indemnity Company*

By: /s/ Paul L. Fields, Jr.

Paul L. Fields, Jr., Esq.
FIELDS HOWELL
1180 W. Peachtree Street, Suite 1600
Atlanta, GA 30309
Tel: 404-214-1250
pfields@fieldshowell.com

*Attorneys for Certain Underwriters at
Lloyd's, London Known as Syndicates HIS
33, AFB 263, MSP 318, HDU 382, KLN
510, SAM 727, TAL 1183, AMA 1200, AXS
1686, DUW 1729, ACS 1856, QBE 1886,
WRB 1967, APL 1969, AML 2001, XLC
2003, NVA 2007, MMX 2010, CHN 2015,
ARG 2121, NEO 2468, AFB 2623, MAP
2791, BRT 2987, BRT 2988, AGR 3268,
CNP 4444, TRV 5000, WBC 5886, and PPP
9981; Axis Specialty Europe SE; and HDI
Global Specialty SE*

By: /s/ Patrick Hofer

Patrick Hofer, Esq.
CLYDE & CO US LLP
1775 Pennsylvania Avenue, NW, Suite 400
Washington, DC 20006
Tel: 202-747-5110
patrick.hofer@clydeco.us

*Attorneys for Zurich American Insurance
Company, American Guarantee and
Liability Insurance Company, American
Zurich Insurance Company, Colonial
American Casualty & Surety Company,
Empire Fire and Marine Insurance,
Company, Empire Indemnity Insurance
Company, Fidelity and Deposit Company of
Maryland, Hoplite Reinsurance Company of
Vermont, Inc., Rural Community Insurance
Company, Steadfast Insurance Company,
Universal Underwriters Insurance
Company, Universal Underwriters of Texas*

*Insurance Company , Zurich American
Insurance Company of Illinois, and Zurich
American Puerto Rico Insurance Company*

By: /s/ Cari K. Dawson
Cari K. Dawson
ALSTON & BIRD LLP
1201 West Peachtree St.
Atlanta, GA 30309
Phone: (404)881-7766
Fax: (404) 253-8567
Email: cari.dawson@alston.com

*Attorneys for Liberty Mutual Insurance
Company, Liberty Mutual Group Inc., West
American Insurance Company, and The
Ohio Casualty Insurance Company*

By: /s/ Adam J. Kaiser
Adam J. Kaiser
Alston & Bird LLP
90 Park Avenue
New York, NY 10016
Tel: 212 210 9465
Mobile: 646 431 8974
Adam.kaiser@alston.com

*Attorneys for Erie Insurance Exchange and
Erie Insurance Company*

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ON MULTIDISTRICT LITIGATION**

**In re: COVID-19 Business Interruption
Protection Insurance Litigation**

MDL No. 2942

PROOF OF SERVICE

I hereby certify that on May 5, 2020, I caused (1) Motion for Extension of Time and (2) this Proof of Service to be filed with the Court's CM/ECF system, which sends a service copy to all counsel in the action at their associated email addresses.

In addition, on May 5, 2020, I caused true and correct copies of those filings to be served on the following via U.S. mail or e-mail as indicated:

Via U.S. Mail:

Aspen American Insurance Company
175 Capital Boulevard
Suite 100 Rocky Hill, CT 06067

Badger Mutual Insurance Company
1635 West National Avenue
Milwaukee, WI 53204

Chubb Limited
Westchester Surplus Lines Insurance Company
Indemnity Insurance Company
1133 Avenue of the Americas
New York, NY 10036

Lancer Insurance Company
370 West Park Avenue
P.O. Box 9004
Long Beach, NY 11561

Selective Insurance Company of America
Selective Insurance of the Southeast
Selective Insurance Group, Inc.
40 Wantage Avenue
Branchville, NJ 07890

The Cincinnati Insurance Companies
The Cincinnati Specialty Underwriters Insurance Company
6200 South Gilmore Road
Fairfield, OH 45014

Travelers Casualty Insurance Company of America
The Charter Oak Fire Insurance Co.
One Tower Square
Hartford, CT 06183

Nationwide Mutual Insurance Company
One Nationwide Plaza
Columbus, Ohio 43215

Allied Property and Casualty Company
100 Locust Street
Des Moines, Iowa 50391

The Ohio Casualty Insurance Company
175 Berkeley Street
Boston, MA 02116

Via E-Mail:

P. Ted Colquett
COLQUETT LAW, LLC
PO Box 59834 Birmingham,
AL 35259
(205) 245-4370
Email: ted@colquettlaw.com

R. Matt Glover
Prince, Glover & Hayes P.C.
701 Rice Mine Road
North Tuscaloosa, AL 35406
(205) 345-1234
Email: mglover@princelaw.net

Attorneys for Wagner Shoes LLC

Hannah E. Austin
Michael Vincent Laurato
Austin & Laurato, PA
1902 W. Cass St.
Tampa, FL 33606-1232
(813) 258-0624

Email: haustin@austinlaurato.com

Email: mlaurato@austinlaurato.com

Attorneys for Prime Time Sports Grill, Inc. (d/b/a Prime Time Sports Bar)

Benjamin Jacobs Widlanski

Gail Ann McQuilkin

Javier Asis Lopez

Robert J. Neary

Harley Shepard Tropin

Kozyak Tropin Throckmorton LLP

2525 Ponce De Leon Boulevard 9th Floor

Miami, FL 33134

305-372-1800

Email: bwidlanski@kttlaw.com

Email: gam@kttlaw.com

Email: jal@kttlaw.com

Email: rn@kttlaw.com

Email: hst@kttlaw.com

Attorneys for El Novillo Restaurant (d/b/a DJJ Restaurant Corp. and Triad Restaurant Corp.)

Christopher J. O'Malley

Patrick M. Collins

King & Spalding LLP 3

53 N. Clark, 12th Floor

Chicago, IL 60654

(312) 995-6333

Email: comalley@kslaw.com

Email: pcollins@kslaw.com

Shelby S. Guilbert, Jr.

Joseph M. Englert

King & Spalding LLP

1180 Peachtree Street, NE

Atlanta, GA 30309

(404) 572-4600

Email: sguilbert@kslaw.com

Email: jenglert@kslaw.com

Attorneys for Big Onion Tavern Group, LLC, Headquarters Beercade LLC, Machine 1846 LLC, The New 400 LLC, Harper Theater LLC, Welcome Back LLC, Legacy Hospitality LLC, Mcbrides Aurora Inc., Homeslyce Is Where The Heart Is LLC, 3458 Norclark Restaurant LLC, Happy Camper Pizzeria LLC, 1913 Northco LLC, McBride's Pub Inc., and McBride's On 52 Inc.

Christopher J. Esbrook
Michael Stephan Kozlowski, Jr
Esbrook Law, LLC
77 W. Wacker Dr. Suite 4500
Chicago, IL 60601
(312) 319-7681
Email: christopher.esbrook@esbrooklaw.com
Email: michael.kozlowski@esbrooklaw.com

James Henry Podolny
Robert R Duncan
Duncan Law Group, LLC
161 North Clark Street, Suite 2550
Chicago, IL 60601
(312) 202-3281
Email: jp@duncanlawgroup.com
Email: rrd@duncanlawgroup.com

Attorneys for Billy Goat Tavern I, Inc., Billy Goat Midwest, LLC, Billy Goat North II, Inc., Billy Goat VI, Inc., Billy Goat Inn, Inc., Billy Goat Tavern West, LLC

Andrew N. Friedman
COHEN MILSTEIN SELLERS & TOLL PLLC
1100 New York Avenue East Tower, Suite 500
Washington, DC 20005
(202) 408-4600
Email: afriedman@cohenmilstein.com

Attorney for GCDC LLC (d/b/a GCDC Grilled Cheese Bar)

Daniel E. Bacine
Mark R. Rosen
Meghan Jane Talbot
Jeffrey A. Barrack
Barrack Rodos & Bacine
3300 Two Commerce Sq. 2001 Market St.
Philadelphia, PA 19103
215-963-0600
Email: Dbacine@Barrack.com
Email: Mrosen@Barrack.com
Email: MTalbot@Barrack.com
Email: Jbarrack@Barrack.com

Attorneys for Lansdale 329 Prop, LLC, 329 Mainlans, LLC, Lincoln Liquor LLC (d/b/a Stove and Tap), 560 Wellington Square Associates LLC (d/b/a Al Pastor), and Milkboy Center City LLC

Ryan D. Hurd ANAPOL WEISS
One Logan Square
130 N. 18th St. Suite 1600
Philadelphia, Pa 19103
Email: rhurd@anapolschwartz.com

Attorney for Laudenbach Periodontics and Dental Implants, Ltd.

Aaron Samuel Podhurst
Podhurst Orseck, P.A.
25 W. Flagler Street, Suite 800
Miami, FL 33130
(305) 358-2800
Fax: (305) 358-2382
Email: apodhurst@podhurst.com

Kristina Marie Infante
Lea Pilar Bucciero
Matthew Weinshall
Steven Craig Marks
Podhurst Orseck PA
One SE 3rd Avenue, Suite 2300
Miami, FL 33131
(305) 358-2800
Email: kinfante@podhurst.com
Email: lbucciero@podhurst.com
Email: mweinshall@podhurst.com
Email: smarks@podhurst.com

Bruce Alan Weil
James W. Lee
Marshall Dore Louis
Stephen N. Zack
Boies Schiller & Flexner
100 SE 2nd Street, Suite 2800
Miami, FL 33131
(305) 539-8400
Fax: (305) 539-1307
Email: bweil@bsfllp.com
Email: mlouis@bsfllp.com
Email: szack@bsfllp.com

Alex Boies
David Boies
Nicholas A. Gravante, Jr.
Boies Schiller & Flexner
55 Hudson Yards, 20th Floor
New York, NY 10001
(212) 446-2320
Email: aboies@bsfllp.com
Email: dboies@bsfllp.com
Email: ngravante@bsfllp.com

Attorneys for Café International Holding Company LLC

Gordon A. Greenberg
Jason David Strabo
McDermott Will and Emery LLP
2049 Century Park East, Suite 3200
Los Angeles, CA 90067-3218
(310) 277-4110
Email: ggreenberg@mwe.com
Email: jstrabo@mwe.com

Margaret H. Warner
McDermott Will and Emery LLP
The McDermott Building
500 North Capitol Street, NW
Washington, DC 20001
(202) 756-8228
Fax: (202) 756-8087
Email: mwarner@mwe.com

Attorneys for Topa Insurance Company

Guri Ademi
Shpetim Ademi
John D. Blythin
Ademi & O'Reilly LLP
3620 E. Layton Ave
Cudahy, WI 53110
(414) 482-8000
Email: gademi@ademilaw.com
Email: sademi@ademilaw.com
Email: jblythin@ademilaw.com

James Cecchi
Carella Byrne Bain Gilfillan Cecchi Stewart & Olstein
6 Becker Farm Rd
Roseland, NJ 7068
(973) 994-1700
Email: jcecchi@carellabyrne.com

Stephen A Weiss
Seeger Weiss LLP
1 William Street
New York, NY 10004
(212) 584-0700
Email: sweiss@seegerweiss.com

Robert S. Schachter
Zwerling, Schachter & Zwerling, LLP
41 Madison Ave.
32nd Floor
New York, New York 10010
(212) 223-3900
rschachter@zsz.com

Attorneys for Bilrite Furniture Inc. and Camp 1382 LLC

Arnold Levin
Daniel C. Levin
Fred S. Longer
Laurence S. Berman
Keith J. Verrier
LEVIN SEDRAN & BERMAN
510 Walnut Street
Suite 500
Philadelphia, PA 19106
215-592-1500
Email: alevin@ifsblaw.com

Email: dlevin@lfsblaw.com
Email: flonger@lfsblaw.com
Email: lberman@lfsblaw.com
Email: kverrier@lfsblaw.com

Richard M. Golomb
Kenneth J. Grunfeld
GOLOMB & HONIK
1835 Market Street
Suite 2900
Philadelphia, PA 19103
215-985-9177
Fax: 215-985-4169
Email: rgolomb@golombhonik.com
Email: kgrunfeld@golombhonik.com

Attorneys for Newchops Comcast Restaurant LLC and LH Dining LLC, Chester County Sports Arena, Jul-Bur Associates Inc., Julie's Bottega, C.A. Spalding Company, Ian McCabe Studio LLC

Charles Aaron Silverman
Charles Aaron Silverman PC
1601 Sherman Ave #520
Evanston, IL 60201
312-526-3201
Email: chsylvlaw@yahoo.com

Attorney for Sandy Point Dental PC

Michael Joseph Sacks
Michael J. Sacks
7210 Wisteria Avenue
Parkland, FL 33076
954-575-8691
Email: msacks@bellsouth.net

Paul Jeffrey Geller
Robbins Geller Rudman & Dowd LLP
120 East Palmetto Road, Suite 500
Boca Raton, FL 33432
561-750-3000
Email: pgeller@rgrdlaw.com

Christopher A. Seeger
Stephen A. Weiss
Seeger Weiss LLP
55 Challenger Road, 6th Floor
Ridgefield Park, NJ 07660
973-639-9100
Email: cseeger@seegerweiss.com
Email: sweiss@seegerweiss.com

James E. Cecchi
Lindsey H. Taylor
Carella, Byrne, Cecchi, Olstein,
Brody & Agnello, P.C.
5 Becker Farm Road
Roseland, NJ 07068-1739
973-994-1700
Email: jcecchi@carellabyrne.com
Email: LTaylor@carellabyrne.com

Samuel H. Rudman
Robbins Geller Rudman & Dowd LLP
58 S Service Road Suite 200
Melville, NY 11747
631-367-7100
Fax: 631-367-1173
Email: srudman@csgrr.com

Stuart Andrew Davidson
Robbins Geller Rudman & Dowd LLP
120 East Palmetto Park Road, Suite 500
Boca Raton, FL 33432 561-750-3000
Email: sdavidson@rgrdlaw.com

David C OMara
The OMara Law Firm, P.C.
311 E. Liberty Street
Reno, NV 89501
775-323-1321
Fax: 775-323-4082
Email: david@omaralaw.net

Attorneys for SA Palm Beach LLC, Truhaven Enterprises, SA Hospitality Group, LLC, 1000 Madison Avenue LLC, Astoria Cakes LLC, Café Focaccia, Inc., Realtek LLC, SA Midtown LLC, Bailey's Restaurant LLC, SA Special Events, Inc., SASE LLC, Eighty Third And First LLC, 265 Lafayette Ristorante LLC, Felice Gold Street LLC, SA 61st Management LLC, SA

***Third Ave Café LLC, SABF LLC, Felice Chambres LLC, and Felice Water Street LLC,
Project Lion LLC, Project M LLC, Project W LLC***

Mark D. Tinker
Cole, Scott & Kissane, PA – Tampa
4301 W. Boy Scout Blvd., Ste. 400 Tampa, FL 33607
(727) 825-3600
Email: mark.tinker@csklegal.com

***Attorney for DTW1991 Underwriting Limited, a Certain Interested Underwriter at Lloyd's
London***

Andrew S Friedman
Bonnett Fairbourn Friedman & Balint PC - Phoenix, AZ
2325 E Camelback Rd., Ste. 300
Phoenix, AZ 85016
602-776-5902
Fax: 602-274-1199
Email: afriedman@bffb.com

Deborah R Gross
Kaufman Coren & Ress PC
2 Commerce Sq.
2001 Market St., Ste. 3900
Philadelphia, PA 19103
215-735-8700
Fax: 215-735-5170
Email: DGross@kcr-law.com

Francis Joseph Balint , Jr.
Bonnett Fairbourn Friedman & Balint PC
2325 E Camelback Rd., Ste. 300
Phoenix, AZ 85016
602-274-1100
Fax: 602-274-1199
Email: fbalint@bffb.com

Joshua D Glatter
Fleischman Bonner & Rocco LLP
81 Main St., Ste. 515
White Plains, NY 10601
914-278-5100
Fax: 917-591-5245
Email: jglatter@fbrllp.com

Keith M Fleischman
Fleischman Bonner & Rocco LLP
81 Main St., Ste. 515
White Plains, NY 10601
914-278-5100
Fax: 917-591-5245
Email: kfleischman@fbrllp.com

Melissa Christine Mazur
Kaufman Coren & Ress PC
2 Commerce Sq.
2001 Market St., Ste. 3900
Philadelphia, PA 19103
215-735-8700
Fax: 215-735-5170
Email: mmazur@kcr-law.com

Attorneys for Border Chicken AZ LLC

Deborah R Gross
Kaufman Coren & Ress PC
2 Commerce Sq.
2001 Market St., Ste. 3900
Philadelphia, PA 19103
215-735-8700
Fax: 215-735-5170
Email: DGross@kcr-law.com

Attorneys for Big Red Management Corp

Aaron Samuel Podhurst
Podhurst Orseck, P.A.
City National Bank Building
25 W Flagler Street
Suite 800
Miami, FL 33130-1780
305-358-2800
Fax: 305-358-2382
Email: apodhurst@podhurst.com

Kristina Marie Infante
Podhurst Orseck PA
One SE 3rd Avenue
Suite 2300
Miami, FL 33131
3053582800

Email: kinfante@podhurst.com

Lea Pilar Bucciero
Podhurst Orseck, P.A.
SunTrust International Center
1 SE Third Avenue
Suite 2300
Miami, FL 33131
305 358 2800
Email: lbucciero@podhurst.com

Matthew Weinshall
Podhurst Orseck
Suntrust International Center
1 S.E. 3rd Avenue, Suite 2300
Miami, FL 33131
305-358-2800
Email: mweinshall@podhurst.com

Steven Craig Marks
Podhurst Orseck, PA
Suntrust International Center
One S.E. 3rd Avenue
Suite 2300
Miami, FL 33131
305-358-2800
Fax: 305-358-2382
Email: smarks@podhurst.com

Attorneys for Atma Beauty, Inc.

Alexandra Vanassa Boone
Miller Weisbrod, LLP - Dallas
11551 Forest Central Drive
Suite 300
Dallas, TX 75243
214/987-0005
Fax: 214-987-2545
Email: aboone@millerweisbrod.com

Attorneys for Boozer Lindsey, P.A., L.L.C., d/b/a Athens Dental Work

Matthew R McCarley
Fears Nachawati PLLC
5473 Blair Road
Dallas, TX 75231
214-890-0711
Fax: 214-890-0712
Email: mccarley@fnlawfirm.com

Jennifer B Lemaster
Lemaster & Ahmed PLLC
8777 West Rayford Road
Suite 200
The Woodlands, TX 77389
832-356-7983
Fax: 832-653-9360
Email: jennifer@lalawtx.com

Misty Ann Farris
Fears Nachawati
5473 Blair Road
Dallas, TX 75231
469-221-9186
Fax: 214-890-0712
Email: mfarris@fnlawfirm.com

Nabil Majed Nachawati
Fears Nachawati LLP
4925 Greenville Avenue, Suite 715
Dallas, TX 75206
214-890-0711
Fax: 214-890-0712
Email: mn@fnlawfirm.com

Nejat Abubeker Ahmed
Lemaster & Ahmed PLLC
555 Republic Drive, Suite 296
Plano, TX 75074
972-483-0410
Fax: 971-483-0413
Email: nejat@lalawtx.com

S Ann Saucer
Fears Nachawati PLLC
5473 Blair Road
Dallas, TX 75206
214-890-0711
Fax: 214-870-0712
Email: asaucer@fnlawfirm.com

Attorneys for Salum Restaurant Ltd d/b/a/ Salum Restaurant

Matthew Ryan McCarley
Fears Nachawati PLLC
5473 Blair Rd
Dallas, TX 75231
214-890-0711
Email: mccarley@fnlawfirm.com

Attorneys for Frosch Holdco, Inc., Frosch International Travel, LLC and FT Travel, Inc

Adam J Levitt
DiCello Levitt Gutzler LLC
Ten North Dearborn Street
Ste Eleventh Floor
Chicago, IL 60602
312-214-7900
Email: alevitt@dicellolevitt.com

Mark A DiCello
DiCello Levitt
7556 Mentor Avenue
Mentor, OH 44060
440-953-8888
Email: madicello@dicellolevitt.com

Greg G Gutzler
DiCello Levitt Gutzler LLC
444 Madison Avenue
New York, NY 10022
314-833-6645
Email: ggutzler@dicellolevitt.com

Freya K Bowen
Jeff J Bowen
Jesse J Bair
Timothy W Burns
Burns Bowen Bair LLP

1 SPinckney St - Ste 930
Ste 930
Madison, WI 53703
608-286-2037
Email: fbowen@bbblawllp.com
Email: jbowen@bbblawllp.com
Email: jbair@bbblawllp.com
Email: tburns@bbblawllp.com

Attorneys for Rising Dough, Inc., Willy McCoys of Albertville LLC, Willy McCoys of Andover LLC, Willy McCoys of Chaska LLC, Willy McCoys of Shakopee LLC, Whiskey Jacks of Ramsey LLC, Gio Pizzeria & Bar and Gio Pizzereia Boca, LLC

Alex J Brown
The Lanier Law Firm PC
6810 FM 1960 West
Houston, TX 77069
713.659.5200
Fax: 713.659.2204
Email: alex.brown@lanierlawfirm.com

Daniel R Ferri
DiCello Levitt & Casey LLC
Ten North Dearborn Street
Eleventh Floor
Chicago, IL 60602
312-214-7900
Email: dferri@dicellolevitt.com

Douglas A. Daniels
Daniels & Tredennick LLP
6363 Woodway Drive
Suite 965
Houston, TX 77057
713-917-0024
Fax: 713-917-0026
Email: doug.daniels@dtlawyers.com

Evan M Janush
The Lanier Law Firm, PLLC
126 East 56th Street
6th Floor
New York, NY 10022
212-421-2800
Fax: 917-546-0490
Email: emj@lanierlawfirm.com

Freya K Bowen
Burns Bowen Bair LLP
1 SPinckney St - Ste 930
Ste 930
Madison, WI 53703
608-286-2037
Email: fbowen@bbblawllp.com

Jeff J Bowen
Burns Bowen Bair LLP
1 S Pinckney St - Ste 930
Madison, WI 53703
608-286-2391
Email: jbowen@bbblawllp.com

Jesse J Bair
Burns Bowen Bair LLP
1 S Pinckney Street - Ste 930
Madison, WI 53703
608-393-2524
Email: jbair@bbblawllp.com

Laura Reasons
Dicello Levitt Gutzler LLC
Ten North Dearborn Street
Sixth Floor
Chicago, IL 60602
312.214.7900
Email: lreasons@dlcfirm.com

Mark Hamill
Dicello Levitt Gutzler LLC
Ten North Dearborn Street
Sixth Floor
Chicago, IL 60602
312.214.7900
Email: mhamill@dicellolevitt.com

Mark Lanier
The Lanier Law firm PC
10940 West Sam Houston Parkway North
Suite 100
Houston, TX 77064
713.659.5200
Email: WML@LanierLawFirm.com

Skip McBride
The Lanier Law Firm PC
10940 West Sam Houston Parkway North
Suite 100
Houston, TX 77064
713.659.5200
Email: skip.mcbride@lanierlawfirm.com

Timothy W Burns
Burns Bowen Bair LLP
1 South Pinckney Street
Suite 930
Madison, WI 53703
608-286-2808
Email: tburns@bbblawllp.com

Adam J. Levitt
DiCello Levitt Gutzler LLC
Ten North Dearborn Street
Eleventh Floor
Chicago, IL 60602
312-214-7900
Fax: 312-253-1443
Email: alevitt@dicellolevitt.com

Amy E. Keller
DiCello Levitt Gutzler LLC
Ten North Dearborn Street
Eleventh Floor
Chicago, IL 60602
312-214-7900
Fax: 312-346-0022
Email: akeller@dicellolevitt.com

Kenneth P. Abbarno
DiCello Levitt & Gutzler
7556 Mentor Avenue
Mentor, OH 44060
440-953-8888
Fax: 440-953-9138
Email: kabbarno@dicellolevitt.com

Mark Abramowitz
DiCello Levitt and Casey LLC
7556 Mentor Avenue
Mentor, OH 44060
440-953-8888
Fax: 440-953-9138
Email: mabramowitz@dlcfirm.com

Mark A. DiCello
DICELLO LAW FIRM
7556 Mentor Avenue
Mentor, OH 44060
440-953-8888
Fax: 440-953-9138
Email: madicello@dicellolaw.com

Attorneys for Bridal Expressions LLC

Christopher Moze Cowper
Cowper Law LLP
10880 Wilshire Boulevard Suite 1840
Los Angeles, CA 90024
877-529-3707
Fax: 877-284-0980
Email: mcowper@cowperlaw.com

Adam J Levitt
DiCello Levitt Gutzler LLC
Ten North Dearborn Street 6th Floor
Chicago, IL 60602
312-214-7900
Fax: 312-253-1443
Email: alevitt@dicellolevitt.com

Douglas A Daniels
Daniels and Tredennick LLP
6363 Woodway Drive Suite 700
Houston, TX 77057
713-917-0024
Fax: 713-917-0026
Email: doug.daniels@dtlawyers.com

Jeff J Bowen
Burns Bowen Blair LLP
1 South Pinckney Street Suite 930
Madison, WI 53703
608-286-2391
Email: jbowen@bbblawllp.com

Noel Elaine Garcia
Cowper Law
10880 Wilshire Boulevard Suite 1840
Los Angeles, CA 90024
877-529-3707
Fax: 877-284-0980
Email: ngarcia@cowperlaw.com

W Mark Lanier
Lanier Law Firm PC
10940 West Sam Houston Parkway North No 100
Houston, TX 77064
713-659-5200
Fax: 713-659-2204
Email: mark.lanier@lanierlawfirm.com

Attorneys for Caribe Restaurant & Nightclub, Inc.

Adam J. Levitt
DiCello Levitt & Casey LLC
Ten North Dearborn Street
Eleventh Floor
Chicago, IL 60602
312-214-7900
Fax: 440-953-9138
Email: alevitt@dicellolevitt.com

Jennifer S. Wagner
Stoll Stoll Berne Lokting & Shlachter
209 SW Oak Street
Suite 500
Portland, OR 97204
503-227-1600
Fax: 503-227-6840
Email: jwagner@stollberne.com

Steve D. Larson
Stoll Stoll Berne Lokting & Shlachter P.C.
209 SW Oak Street
Suite 500
Portland, OR 97204
503-227-1600
Fax: 503-227-6840
Email: slarson@stollberne.com

Attorneys for Dakota Ventures, LLC

W Mark Lanier
The Lanier Law Firm
10940 W. Sam Houston Pkwy N
Suite 100
Houston, TX 77064
713-659-5200
Fax: 713-659-2204
Email: wml@lanierlawfirm.com

Adam J Levitt
DiCello Levitt Gutzler LLC
Ten North Dearborn Street
Sixth Floor
Chicago, IL 60602
312-214-7900
Email: alevitt@dicellolevitt.com

Alex J Brown
The Lanier Law Firm
10940 W. Sam Houston Pkwy N
Houston, TX 77064
713.659.5200
Fax: 713.659.2204
Email: alex.brown@lanierlawfirm.com

Ralph D McBride
Bracewell & Giuliani
711 Louisiana
Suite 2300
Houston, TX 77002-2770
713/223-2900
Fax: 713/221-1212

Attorneys for Christie Jo Berkseth-Rojas DD

Adam J. Levitt
DiCello Levitt Gutzler LLC
Ten North Dearborn Street
Eleventh Floor
Chicago, IL 60602
312-214-7900
Fax: 312-253-1443
Email: alevitt@dicellolevitt.com

Alex J Brown
The Lanier Law Firm PC
6810 FM 1960 West
Houston, TX 77069
713.659.5200
Fax: 713.659.2204
Email: alex.brown@lanierlawfirm.com

Amy E. Keller
DiCello Levitt Gutzler LLC
Ten North Dearborn Street
Eleventh Floor
Chicago, IL 60602
312-214-7900
Fax: 312-346-0022
Email: akeller@dicellolevitt.com

Daniel R Ferri
DiCello Levitt & Casey LLC
Ten North Dearborn Street
Eleventh Floor
Chicago, IL 60602
312-214-7900
Email: dferri@dicellolevitt.com

Douglas A. Daniels
Daniels & Tredennick LLP
6363 Woodway Drive
Suite 965
Houston, TX 77057
713-917-0024
Fax: 713-917-0026
Email: doug.daniels@dtlawyers.com

Freya K Bowen
Burns Bowen Bair LLP
1 SPinckney St - Ste 930
Ste 930
Madison, WI 53703
608-286-2037
Email: fbowen@bbblawllp.com

Jeff J Bowen
Burns Bowen Bair LLP
1 S Pinckney St - Ste 930
Madison, WI 53703
608-286-2391
Email: jbowen@bbblawllp.com

Jesse J Bair
Burns Bowen Bair LLP
1 S Pinckney Street - Ste 930
Madison, WI 53703
608-393-2524
Email: jbair@bbblawllp.com

John E. Tangren
DICELLO LEVITT & GUTZLER LLC
11th Floor
10 North Dearborn Street
Chicago, IL 60602
312 984 0000
Email: jtangren@dlcfirm.com

Laura Reasons
Dicello Levitt Gutzler LLC
Ten North Dearborn Street
Sixth Floor
Chicago, IL 60602
312.214.7900
Email: lreasons@dlcfirm.com

Mark Hamill
Dicello Levitt Gutzler LLC
Ten North Dearborn Street
Sixth Floor
Chicago, IL 60602
312.214.7900
Email: mhamill@dicellolevitt.com

Mark Lanier
The Lanier Law firm PC
10940 West Sam Houston Parkway North
Suite 100
Houston, TX 77064
713.659.5200
Email: WML@LanierLawFirm.com

Skip McBride
The Lanier Law Firm PC
10940 West Sam Houston Parkway North
Suite 100
Houston, TX 77064
713.659.5200
Email: skip.mcbride@lanierlawfirm.com

Timothy W Burns
Burns Bowen Bair LLP
1 South Pinckney Street
Suite 930
Madison, WI 53703
608-286-2808
Email: tburns@bbblawllp.com

Kenneth P Abbarno
Reminger Co., L.P.A.
1400 Midland Building
101 Prospect Avenue West
Cleveland, OH 44115-1093
216-430-2102
Fax: 216-687-1841
Email: kabbarno@dicellolevitt.com

Mark Abramowitz
DiCello Levitt and Casey LLC
7556 Mentor Avenue
Mentor, OH 44060
440-953-8888
Fax: 440-953-9138
Email: mabramowitz@dlcfirm.com

Mark A. DiCello
DICELLO LAW FIRM
7556 Mentor Avenue
Mentor, OH 44060
440-953-888
Fax: 440-953-9138
Email: madicello@dicellolaw.com

Attorneys for Troy Stacy Enterprises Inc.

Michael A Hawash
Hawash Cicack & Gaston LLP
3401 Allen Parkway
Suite 200
Houston, TX 77019
713-658-9015
Fax: 713-658-9007
Email: mhawash@hcglp.com

Attorneys for SCGM, Inc.

Gretchen Freeman Cappio
KELLER ROHRBACK LLP (WA)
1201 3RD AVE
STE 3200
SEATTLE, WA 98101-3052
206-623-1900
Fax: 206-623-3384
Email: gcappio@kellerrohrback.com

Ian S Birk
KELLER ROHRBACK LLP (WA)
1201 3RD AVE
STE 3200
SEATTLE, WA 98101-3052
206-623-1900
Email: ibirk@kellerrohrback.com

Irene Margret Hecht
KELLER ROHRBACK
1201 3RD AVE
STE 3200
SEATTLE, WA 98101-3052
206-623-1900
Fax: 206-623-3384
Email: IHecht@Kellerrohrback.com

Lynn Lincoln Sarko
KELLER ROHRBACK LLP (WA)
1201 3RD AVE
STE 3200
SEATTLE, WA 98101-3052
206-623-1900
Fax: 206-623-3384
Email: lsarko@kellerrohrback.com

Nathan L Nanfelt
KELLER ROHRBACK LLP (WA)
1201 3RD AVE
STE 3200
SEATTLE, WA 98101-3052
206-623-1900
Email: nnanfelt@kellerrohrback.com

Maureen M Falecki
KELLER ROHRBACK
1201 3RD AVE
STE 3200
SEATTLE, WA 98101-3052
206-623-1900
Email: mfalecki@kellerrohrback.com

Amy C Williams-Derry
KELLER ROHRBACK LLP (WA)
1201 3RD AVE
STE 3200
SEATTLE, WA 98101-3052
206-623-1900
Email: awilliams-derry@kellerrohrback.com

Alison Chase
801 Garden Street, Suite 301
Santa Barbara, CA 93101
Telephone: 805 456 1496
Email: achase@kellerrohrback.com

Attorneys for Mikkelson, Fox, Stan's Bar-B-Q LLC, Nguyen, Marler, Chorak, Germack, Hsue, Kashner, Kim, Pacific Endodontics, P.S., Prato

Brian D Katz
Herman Herman & Katz
820 O'Keefe Ave
New Orleans, LA 70113
504-581-4892
Fax: 504-561-6024
Email: bkatz@hhkc.com

John Spencer Creevy
Herman Herman & Katz
820 O'Keefe Ave
New Orleans, LA 70113
504-581-4892
Email: jcreevy@hhkc.com

Soren E Gisleson
Herman Herman & Katz
820 O'Keefe Ave
New Orleans, LA 70113
504-581-4892
Fax: 504-561-6024
Email: sgisleson@hhkc.com

Stephen J Herman
Herman Herman & Katz
820 O'Keefe Ave
New Orleans, LA 70113
504-581-4892
Fax: 504-561-6024
Email: sherman@hhkc.com

Joseph Edward Cain
Herman Herman & Katz
820 O'Keefe Ave
New Orleans, LA 70113
504-581-4892
Fax: 504-561-6024
Email: jcain@hhklawfirm.com

Attorneys for Odyssey Imports, Inc.

Rachel L Jensen
Robbins Gellar Rudman & Dowd LLP
655 West Broadway
Suite 1900
San Diego, CA 92101

(619) 231-1058
Fax: (619) 231-7423
Email: rjensen@rgrdlaw.com

Attorneys for Pigment Inc.

Thomas Lether
LEATHER LAW GROUP
1848 WESTLAKE AVE N STE 100
SEATTLE, WA 98109
206-467-5444
Fax: 206-467-5544
Email: tlether@letherlaw.com

Attorneys for Dentists Insurance Company

DATED: May 5, 2020

Respectfully submitted,

By: /s/ Paul R. Koepff

Paul R. Koepff, Esq.
CLYDE & CO US LLP
The Chrysler Building
405 Lexington Ave., Fl. 16
New York, New York 10174
Tel: 212-710-3945
Mobile: 917-294-6471
Paul.Koepff@clydeco.us

*Attorneys for Allianz Global Risks US
Insurance Company, AGCS Marine
Insurance Company, Allianz Underwriters
Insurance Company, Fireman's Fund
Insurance Company, American Automobile
Insurance Company, Associated Indemnity
Corporation, Chicago Insurance Company,
Interstate Fire & Casualty Company,
Fireman's Fund Indemnity Corporation,
National Surety Corporation, The American
Insurance Company, Endurance American
Insurance Company, Endurance American
Specialty Insurance Company, Endurance
Assurance Corporation, Endurance Risk*

Solutions Assurance Co., Sampo America Insurance Company, Sampo America Fire & Marine Insurance Company, Catlin Insurance Company, Inc., Catlin Insurance Services, Inc., Catlin Indemnity Company, Catlin Specialty Insurance Company, Greenwich Insurance Company, Indian Harbor Insurance Company, T.H.E. Insurance Company, XL Insurance America, Inc., XL Specialty Insurance Company, AXA Insurance Company, Lloyd's of London, Syndicate 2003

By: /s/ Antonia Ianniello

Antonia Ianniello, Esq.
Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036
Tel: 202-429-8087
aianniello@steptoe.com

Attorneys for Admiral Indemnity Company

By: /s/ Laura Foggan

Laura Foggan, Esq.
Crowell & Moring
1001 Pennsylvania Avenue NW
Washington DC 20004-2595
Tel: 202.624.2774
lfoggan@crowell.com

Attorneys for Society Insurance

By: /s/ Lori McAllister

Lori McAllister (P39501)
DYKEMA GOSSETT PLLC
Attorney for Defendants Auto-Owners
Insurance Company and Owners Insurance
Company
201 Townsend St., Ste. 900
Lansing, MI 48933
(517) 374-9150
lmcallister@dykema.com

By: /s/ Lind Stapley

Lind Stapley, Esq.
SOHA & LANG
1325 4th Avenue
Seattle, WA 98101
Tel: 206 654 1686
stapley@sohalang.com

*Attorneys for Oregon Mutual Insurance
Company*

By: /s/ Sarah D. Gordon

Sarah D. Gordon, Esq.
Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036
Tel: 202 429 8005
Fax: 202 429 3902
Sgordon@steptoe.com

*Attorneys for The Hartford Financial
Services Group Inc., Hartford Fire
Insurance Company, Ltd., Sentinel
Insurance Company, Ltd., Hartford
Casualty Insurance Company, Hartford
Underwriters Insurance Company*

By: /s/ Dennis Dolan

Dennis Dolan, Esq.
Litchfield Cavo
303 West Madison Street
Chicago, IL 60606
Tel: 312 781 6641
Dolan@LitchfieldCavo.com

Attorneys for The Cincinnati Insurance Company, The Cincinnati Casualty Company, Cincinnati Financial Corporation and The Cincinnati Indemnity Company

By: /s/ Paul L. Fields, Jr.

Paul L. Fields, Jr., Esq.
FIELDS HOWELL
1180 W. Peachtree Street, Suite 1600
Atlanta, GA 30309
Tel: 404-214-1250
pfields@fieldshowell.com

Attorneys for Certain Underwriters at Lloyd's, London Known as Syndicates HIS 33, AFB 263, MSP 318, HDU 382, KLN 510, SAM 727, TAL 1183, AMA 1200, AXS 1686, DUW 1729, ACS 1856, QBE 1886, WRB 1967, APL 1969, AML 2001, XLC 2003, NVA 2007, MMX 2010, CHN 2015, ARG 2121, NEO 2468, AFB 2623, MAP 2791, BRT 2987, BRT 2988, AGR 3268, CNP 4444, TRV 5000, WBC 5886, and PPP 9981; Axis Specialty Europe SE; and HDI Global Specialty SE

By: /s/ Patrick Hofer

Patrick Hofer, Esq.
CLYDE & CO US LLP
1775 Pennsylvania Avenue, NW, Suite 400
Washington, DC 20006
Tel: 202-747-5110
patrick.hofer@clydeco.us

Attorneys for Zurich American Insurance Company, American Guarantee and Liability Insurance Company, American Zurich Insurance Company, Colonial American Casualty & Surety Company, Empire Fire and Marine Insurance, Company, Empire Indemnity Insurance Company, Fidelity and Deposit Company of Maryland, Hoplite Reinsurance Company of Vermont, Inc., Rural Community Insurance Company, Steadfast Insurance Company, Universal Underwriters Insurance Company, Universal Underwriters of Texas Insurance Company, Zurich American Insurance Company of Illinois, and Zurich American Puerto Rico Insurance Company

By: /s/ Cari K. Dawson
Cari K. Dawson
ALSTON & BIRD LLP
1201 West Peachtree St.
Atlanta, GA 30309
Phone: (404)881-7766
Fax: (404) 253-8567
Email: cari.dawson@alston.com

Attorneys for Liberty Mutual Insurance Company, Liberty Mutual Group Inc., West American Insurance Company, and The Ohio Casualty Insurance Company

By: /s/ Adam J. Kaiser
Adam J. Kaiser
Alston & Bird LLP
90 Park Avenue
New York, NY 10016
Tel: 212 210 9465
Mobile: 646 431 8974
Adam.kaiser@alston.com

Attorneys for Erie Insurance Exchange and Erie Insurance Company