

LAW

A Former Chief Justice Battles State Farm as Sitting Justices Weigh Insurance Giant's Fate

 by J.C. Hallman
April 27, 2026



Broken Arrow homeowner Billy Hursh, shown facing the camera, speaks to Attorney General Gentner Drummond (right) at the Oklahoma Supreme Court just before oral arguments regarding Drummond's intention to intervene in Hursh's case against State Farm. (Brent Fuchs/Oklahoma Watch)



A Former Chief Justice Battles State Farm as Sitting...

0:00 / 12:30

1x

Everlit

On Monday, the Oklahoma Supreme Court met en banc — that is, nine justices gathered live — to hear 40 minutes of oral argument over Attorney General Gentner Drummond’s effort to [intervene](#) in Hursh v. State Farm, a bad faith insurance case that has come to represent upwards of 1,000 similar cases involving hail damage to Oklahoma roofs.

It was the [second time](#) in a month that a portion of the symbolically significant Hursh case has reached the Supreme Court.

But lurking behind Monday’s arguments was an even more portentous second.

Two weeks ago, the months-long State Farm roof claim saga appeared to have reached maximum audacity with the [story](#) of the insurance giant’s refusal to pay the claim of retired administrative law judge James R. Linehan.

That turned out to be more prologue than postscript.

On Monday, as Oklahoma’s sitting justices weighed arguments and posed questions to attorneys about whether Drummond should be permitted to exercise heightened subpoena powers to access critical State Farm documents, one of the justices’ own colleagues, retired Chief Justice Joseph M. Watt, awaited word on the State Farm roof claim case that he and his wife first brought 10 weeks ago.

Let that sink in for a moment.

In 2025, long after litigation over State Farm roof claims began — that is, when it was already apparent that the lawsuits would one day ascend to the state’s highest court — State Farm refused to pay the claim of a retired chief justice of the Oklahoma Supreme Court.

Thousands of Our Citizens

The core issues of Monday's argument, which saw the solicitor general of Oklahoma pitted against a former solicitor general, were presented in briefs submitted over the past several months.

Former solicitor general Mithun Mansinghani of the Oklahoma City offices of national litigation firm Lehotsky Keller Cohn, representing State Farm, argued in a brief that Drummond had been too aggressive, in general, in inserting himself in litigation in Oklahoma. Furthermore, Mansinghani said, the Hursh case, which State Farm's attorneys have doggedly argued should be considered in isolation despite hundreds of virtually identical cases, did not implicate the collective interests of Oklahoma insurance consumers.

"He cannot simply declare the public's interest in private litigation and thereby intervene," Mansinghani wrote of Drummond.

In response to Mansinghani's argument that the Oklahoma Constitution vests authority over insurance matters solely to Oklahoma Insurance Department Commissioner Glen Mulready, Solicitor General Garry Gaskins, arguing on behalf of the Hurshes, was quick to point out that Drummond was not in conflict with Mulready in any way.

"Far from claiming the Attorney General is intruding on his prerogatives, the commissioner has invited his participation," Gaskins said of a [letter](#) Mulready wrote on January 29.

As his own roof claim case has moved through the legal system, retired Justice Watt, having embarked on a second-act career as senior counsel in the office of the attorney general, has been uniquely positioned to appreciate the wild and surprising swings of the State Farm roof saga.

Speaking in anticipation of Monday's arguments, Watt expressed admiration for Drummond's intervention and offered comments addressed to all of those who will, come November, face voters who have increasingly become aware of State Farm's alleged scheme.

"It's my hope that the elected officials in this state recognize the problem that exists in this area today, and that in the future they will take steps, whatever those may be, to solve this problem that affects thousands of our citizens," Watt said.

They Did it Anyway — Twice

A tender man with a dry wit, Watt offers new Oklahoma acquaintances a tongue-in-cheek apology for having attended law school in Texas. In 1973, he relocated to Altus, the city that for a time would become his adopted home.

“Best move I ever made,” Watt said.

After 14 years of diverse work as an attorney, Watt ascended to the bench and served five years as a Jackson County district court judge. In 1992, after 15 months as general counsel to Governor David Walters, he was appointed to the Supreme Court. Watt sat on Oklahoma’s highest court for 25 years, with two consecutive two-year terms as chief justice.



Joseph and Cathleen Watt (Courtesy Photo/Joseph Watt)

To those who have followed the State Farm roof claim saga closely, Watt’s close encounter with the insurance behemoth will sound only too familiar.

Fifty years of coverage, Watt said, hundreds of thousands of dollars in premiums paid on every home he and his wife had lived in and cars as well, and older claims settled without a hitch. Nevertheless, State Farm balked when the Watts submitted a claim in late 2024 after discovering a sudden water leak from a recessed ceiling light in the living room of the house in Edmond that the Watts thought of as their dream home.

Watt said a State Farm claim adjuster, Joe Barresi, quickly determined that the leak was the tip of an iceberg: recent hailstorms had inflicted unseen damage, and like many of the Watts’ neighbors, they needed a total roof replacement. Barresi took it to corporate but came back with bad news, Watt said. State Farm rejected the claim.

Two things would be remarkable about Watt’s tussle with State Farm, which would stretch over this claim and another resulting from additional sudden water damage that destroyed the hardwood flooring of their 2012-built home.

First, although Watt had never used his position in public service to escape so much as a speeding ticket, he knew that both his State Farm agent, Mike Teague, and Barresi were aware of who he was. Watt believed that Barresi had fought for him, and surely Barresi would have told his superiors at State Farm’s headquarters in Bloomington, Illinois, that they were denying the claim of a chief justice.

They did it anyway — twice.

Second, regarding both of Watt’s claims, State Farm called in a nationwide third-party adjuster, SeekNow. SeekNow adjusters overruled Barresi’s initial determination that the Watts’ home needed a new roof, and

rejected as well the later claim over sudden water damage that profoundly buckled the home's hardwood floors and rendered it treacherous and unlivable for Watt, 79, and his wife, Cathleen, 77.

In 2023, attorney Chip Merlin, of the Merlin Law Group, wrote a scathing critique of SeekNow after coming into possession of an internal SeekNow text [memo](#). The message from manager Steve Wilson to adjusters noted that State Farm accounted for 50% of SeekNow's business and that adjusters would be punished if their work on State Farm cases led to reinspections.

"To me, the message was clear," Merlin wrote. "Make your opinions about damage lower or face getting reduced wages."

It wasn't just a plaintiff's attorney who was complaining. Since 2023, policyholders have registered [nine complaints](#) against SeekNow with the Better Business Bureau.

In December 2025, a policyholder questioned the company's ethics: "SeekNow lacks the integrity and expertise to document/report any insurance claims."

In December 2024, a policyholder accused them of actionable wrongdoing: "It would appear SEEKNOW is in the pocket of the insurers and are accomplices in fraud."

In August 2024, a policyholder offered stark advice: "If SeekNow is a company the insurance sends to inspect your roof...RUN."

State Farm, Joe Barresi, and SeekNow did not respond to interview requests about the Watts' claims.

Like Judge Linehan, Watt and his wife reached a breaking point. As Monday's oral arguments approached, Watt reflected on the decision they had made to lawyer up.

"I know how insurance works," Watt said. "The Court wrote many opinions on insurance companies over the years, so I had enough knowledge of the insurance industry to know that I wasn't being treated fairly. I was getting lowballed — and it just wasn't right."

You Will Get a Verdict Soon

Monday's arguments, for the most part, followed the script anticipated in the briefs.

Mansinghani repeated his argument that the insurance commissioner held sole power over insurance law. Referring to Mulready's January 29 letter, Mansinghani suggested that the commissioner's unequivocal power nevertheless halted at the ability to share his power with the AG.

"The separation of powers does not turn off and on if the commissioner and the AG happen to agree right now," Mansinghani said.

This prompted Vice Chief-Justice Dana Kuehn, citing the AG's sole statutory authority to bring RICO charges, to question what would happen if an insurer committed an act that the commissioner was not empowered to prosecute.

"Are insurance companies immune because the insurance commissioner can't do anything against an insurance company?" Kuehn said.

The justices peppered both Mansinghani and Gaskins with questions about alternate remedies to the decision they might render, about conflicts between statutes that conflicted with a Constitution that also mandated following written law, and about whether State Farm's malfeasance might be better prosecuted as criminal fraud rather than civil fraud.

Special Justice James Huber questioned Gaskins as to why Billy Hursh, who attended Monday's arguments, would want to have his case burdened by the AG's intervention.

"Why did the Hurshes want to expose themselves?" Huber said.

Gaskins replied that gaining access to the now-infamous State Farm documents would make the case more efficient. Gaskins also spoke to a more fundamental motive for the AG's intervention.

"The people of the state of Oklahoma have an interest in protecting the state from what may be one of the largest frauds in this state's history," Gaskins said.

For his part, Hursh, after the arguments, gently questioned Huber's assumption that the case was simple.



State Farm was represented by Mithun Mansinghani (left) and Mark Rothrock (right), both of national litigation firm Lehotsky Keller Cohn. (Brent Fuchs/Oklahoma Watch)

“All respect in the world to the justice, I don’t think it’s simple,” Hursh said. “This was a widespread, pervasive scheme that, as far as we know, affected thousands of people. I don’t think it’s just a bad-faith negotiation on a contract. We thought it was, but it seems like it’s much bigger than that.”

Toward the end of the argument, Justice James Edmondson, quiet to that point, waxed eloquent in reply to Mansinghani’s final minutes of speaking.

Edmondson spoke of Oklahomans who may even now live in fear of leaking roofs, and he also expressed sympathy for State Farm employees who may be concerned about being dragged before either civil or criminal tribunals.

“I wouldn’t want to be in either position,” Edmondson said. “I don’t know who we are going to rely on to determine whether there has been actionable conduct, but I think it is an act of service that [the AG] owes to this state to plumb the intricacies of this issue.”

Edmondson told Mansinghani and the crowd of dozens that at least some portion of the State Farm roof saga would be resolved quickly.

“I’m sure you will get a verdict soon,” Edmondson said.

The Attorney General Would Reload

Oklahoma Watch obtained a binder of documents from a one-time State Farm whistleblower, including a 1981 file titled “Claim Superintendents’ Manual Memo #77.” A section of the memo called Suits Against the Company advised evaluating which liability cases could be removed from district to federal court and said that pendency — that is, a lawsuit that remains pending, or undecided — could be a useful legal strategy.

“It is not always desirable to have a legal question decided,” the State Farm manual read.

Justice Watt’s case against State Farm has been removed to federal court, despite having sued Teague, his agent, an Oklahoma resident, alongside the company. Watt was miffed that there were many others in the same boat.

“I was surprised to learn that all of these cases were being removed to federal court because there was no jurisdictional reason in my mind, no constitutional issues, it’s purely state issues,” Watt said. “It should

have stayed in state court. It rightly needs to be back in state court. That's where all of these cases need to be litigated."

After Monday's argument, the Supreme Court is tasked with deciding whether the attorney general can intervene in how State Farm cases will be litigated. Gaskins' brief made clear that denying the intervention would merely be a speed bump; the attorney general would reload.

"Denying intervention would not prevent the Attorney General from enforcing consumer-protection laws; it would merely force a separate lawsuit raising identical OCPA and ORICO claims over the same alleged conduct," Gaskins wrote.

Watt, it's fair to say, hopes that as the sitting justices deliberate the Hursh case, they will bear in mind cases like his own, and, more important, the cases of many Oklahomans who may not even know that they can fight back against the insurance giant's alleged scheme.

"State Farm wasn't being a good neighbor to them, and they sure weren't being a good neighbor to us," Watt said.

Ed. Note: This story was updated on April 28, 2026, to correct the location of State Farm's headquarters.



J.C. Hallman covers a variety of topics for Oklahoma Watch. Contact him at jchallman@oklahomawatch.org.

MORE FROM J.C. HALLMAN