

***Anthony and Priscilla Evans, et al. v. Liberty Mutual Insurance Company***

c/o Phoenix Settlement Administrators

PO Box 7208

Orange, CA 92863



EVLBRTY5433

T28851

Nikolai Schlegel

6 Elizabeth Ln

Danville, CA 94526-1547

*Anthony and Priscilla Evans, et al. v. Liberty Mutual Insurance Company*  
Los Angeles County Superior Court Case No. 20STCV14006

**IMPORTANT LEGAL NOTICE**  
**PLEASE READ**

You are receiving this notice because you may be a member of a class action that was filed in Los Angeles County Superior Court against Liberty Insurance Corporation ("LIC") by its insureds Anthony and Priscilla Evans on behalf of themselves and other insureds of LIC between April 9, 2016 through June 7, 2022.

**THE LAWSUIT**

The Plaintiffs in this lawsuit, Anthony and Priscilla Evans, seek to represent all people insured by LIC in California under a homeowner's policy at any time from April 9, 2016 through June 7, 2022: (a) who suffered a covered loss to their dwelling which included flooring loss totaling or exceeding 100 square feet; and (b) where LIC is alleged to have paid less than the local market area cost for flooring material only.

The Plaintiffs allege that LIC violated California Code of Regulations, Title 10 § 2695.9(d). This section is titled "Additional Standards Applicable to First Party Residential and Commercial Property Insurance Policies," and states, in part:

(d) If losses are settled on the basis of a written scope and/or estimate prepared by or for the insurer . . . [t]he estimate prepared by or for the insurer shall be in accordance with applicable policy provisions, of an amount which will restore the damaged property to no less than its condition prior to the loss . . . . The insurer shall take reasonable steps to verify that the repair or rebuilding costs utilized by the insurer or its claims agents are accurate and representative of costs in the local market area. . . .

Plaintiffs allege that LIC violated the regulation by not taking reasonable steps to verify that flooring material costs estimated and paid by LIC were accurate and representative of costs in your local market area.

Plaintiffs do not seek to recover any monetary damages against LIC. Instead, their claims against LIC seek only declaratory and/or injunctive relief. This means that, even if Plaintiffs prevail on their claims against LIC on behalf of themselves and the class, it will not result in any monetary award or recovery to you.

LIC denies any liability or wrongdoing of any kind with respect to these allegations, and contends that it reasonably estimated and paid insurance benefits that were accurate and representative of flooring material costs in your local market area.

The Court has not made any decision on the merits of Plaintiffs' claims and allegations asserted against LIC.

Plaintiffs' attorneys would like your Contact Information (name, address, email address and telephone number(s)) to help them investigate the claims against LIC. **You are NOT** required to share your Contact Information with Plaintiffs' attorneys, but **if you do NOTHING** after receiving this letter, the Court may require LIC to provide Plaintiffs' attorneys with your most recent Contact Information from its insurance records.

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**WHAT ARE YOUR OPTIONS?**

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|---|---|
| Do nothing  | The Court may require LIC to provide your Contact Information to Plaintiffs' attorneys. |
| Submit the enclosed postcard and place the postcard in the mail for delivery to Phoenix Settlement Administrators, P.O. Box 7208, Orange, CA 92863, by March 1, 2023. | LIC will not provide your contact information to Plaintiffs' attorneys.                 |

**This is not a communication from the Court. Please do not contact the Los Angeles County Superior Court with any questions about this case.**

If you have any questions about this notice, or the claims at issue in this case, you may seek an attorney of your choosing and/or you may contact any of the attorneys representing the Plaintiffs in this case at the contact information listed below:

Evan Selik  
Christine Zaouk  
523 W. 6<sup>th</sup> Street, Los Angeles, California 90014  
Ph: (213) 225-6150  
[eselik@mccathernlaw.com](mailto:eselik@mccathernlaw.com)  
[czaouk@mccathernlaw.com](mailto:czaouk@mccathernlaw.com)