

No. 05-4708
UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

GENERAL REFRACTORIES COMPANY
Plaintiff – Appellant,
v.

FIRST STATE INSURANCE COMPANY, et al.
Defendants – Appellees.

ON APPEAL FROM THE ORDERS OF THE UNITED
STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF PENNSYLVANIA DATED
SEPTEMBER 26, 2005 AND OCTOBER 27, 2005 AT
CIVIL ACTION NO. 04-CV-3509

**MOTION OF AMICUS CURIAE UNITED POLICYHOLDERS FOR
LEAVE TO FILE A BRIEF IN SUPPORT OF APPELLANTS GENERAL
REFRACTORIES COMPANY**

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United Policyholders hereby seeks leave, pursuant to Federal Rule of Appellate Procedure 29, to file a brief and supporting appendix and otherwise appear as amicus curiae in the above-captioned action.

United Policyholders is a national, not for profit, educational organization whose mission is to educate the public, legislators and the courts on insurance issues and consumer rights, and to assist policyholders in securing prompt and fair insurance settlements. United Policyholders regularly files briefs as amicus curiae in state and federal appellate courts in support of policyholders. In a recent United States Supreme Court case, the Court cited favorably to an amicus brief submitted by United Policyholders. See Humana, Inc. v. Forsyth, No. 97-303, 1999 U.S. LEXIS 744, at * 27 (Jan. 20, 1999).

In this brief, United Policyholders seeks to fulfill the role of amicus curiae by assisting in a case of general public interest, supplementing the efforts of counsel, and drawing the court's attention to law that escaped consideration. United Policyholders is vitally interested in drawing the court's attention to the broad implications the district court's ruling could have on policyholders, insurance companies, this court, and third parties. In this case, the Court will consider whether Federal Rule of Civil Procedure 19 mandates the joinder of every insurance company that sold a policy to the policyholder during a coverage block, and whether the absent insurance companies are indispensable parties.

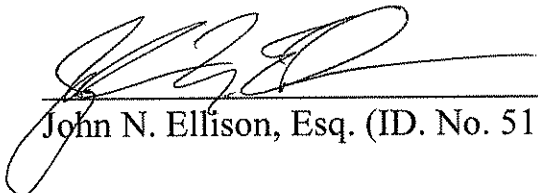
Accordingly, United Policyholders seeks leave to provide the Court with information concerning the present action, and the public interest nature of insurance.

CONCLUSION

For all the foregoing reasons, United Policyholders seeks leave of the Court to file a brief and supporting appendix in the above-captioned action as amicus curiae.

Respectfully submitted,

Dated: March 21, 2006

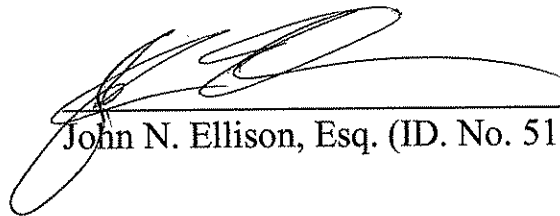


John N. Ellison, Esq. (ID. No. 51098)

CERTIFICATE OF SERVICE

I hereby certify that the following documents: Brief of Amicus Curiae United Policyholders In Support of Appellant General Refractories Company; Motion of Amicus Curiae United Policyholders for Leave to File A Brief in Support of Appellants General Refractories Company; and Motion of Amicus Curiae United Policyholders for Leave to File Brief in Support of Appellants General Refractories Company Out of Time was sent by first class mail to the following listed on the attached service list.

Dated: March 21, 2006



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