

IN THE
INDIANA SUPREME COURT

Cause No. _____

TOM SEEBER,

Appellant (Plaintiff below)

-vs-

GENERAL FIRE AND CASUALTY COMPANY,
INDIANA INSURANCE COMPANY, and
PEERLESS INDEMNITY INSURANCE
COMPANY,

Appellees (Defendants below)

) Appeal from Court of Appeals
) Cause No. 53A01-1405-PL-00208
)
) Monroe Circuit Court
) Cause No. 53C01-1011-PL-2790
)
) Hon. E. Michael Hoff, Judge

**MOTION OF UNITED POLICYHOLDERS TO FILE *AMICUS CURIAE* BRIEF
IN SUPPORT OF APPELLANT TOM SEEBER**

Under Appellate Rule 41, United Policyholders asks the Court's leave to file an *amicus curiae* brief in support of Appellant Tom Seeber's petition to transfer. *Amicus* tenders its brief with this motion, and supports its motion as follows:

1. United Policyholders (“UP”) is a non-profit 501(c)(3) organization founded in 1991 that is a voice and an information resource for insurance consumers in Indiana and throughout the United States. Grants, donations, and volunteers support the organization’s work.

2. UP assists and informs individual and commercial policyholders with regard to every type of insurance product, but the organization’s focus is on property insurance, which is the insurance at issue in this case. Through a Roadmap to Recovery™ program, UP staff and volunteers travel to disaster areas and partner for up to 24 months with local officials and impacted property owners during the long term recovery process. Through twenty-two years of doing this work, UP has developed extensive expertise in the nuances of the issues involved in this case.

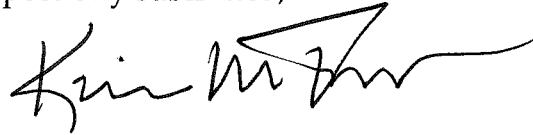
3. UP strives to assist courts as *amicus curiae* in insurance-related appellate proceedings throughout the U.S. UP’s *amicus curiae* brief was cited with approval by the United States Supreme Court in its opinion in *Humana Inc. v. Forsyth*, 525 U.S. 299, 314 (1999). UP has been granted leave to appear as *amicus curiae* in a number of Indiana cases, including *Commonwealth Land Title Ins. Co. v. Robertson* (No. 49A04-1302-PL-00084, Ind. Ct. App. 2013); *Wellpoint Inc., Anthem Ins. Co v. Nat. Union. Fire Ins. Co.* (No. 49A05-1202-PL-92, 2013); and most recently, *Thomson, Inc. et al v. American Ins. Co. et al* (No. 49A05-1109-PL-470, 2014).

4. The issues in this case are important and recurrent for Indiana policyholders as well as other insureds across the United States.

5. UP's brief is being filed "within the time allowed the party with whom the proposed *amicus curiae* is substantively aligned." Ind. App. R. 41(B). December 1, 2014, the day this motion and brief are being filed, is the last day allowed for filing the petition to transfer under Appellate Rule 57(C).

FOR THESE REASONS, United Policyholders asks this Court to grant its motion for leave to file the accompanying *amicus curiae* brief.

Respectfully submitted,



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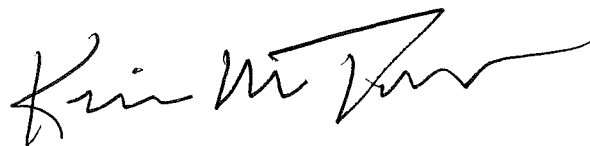
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been deposited in the United States Mail, first-class postage prepaid, addressed to the following this 1st day of December, 2014.

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