

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

TRICIA RIGSBY FRANATOVICH

CIVIL ACTION

VERSUS

**NUMBER: 22-2552
c/w 22-4927**

ALLIED TRUST INSURANCE COMPANY

SECTION: "I"(5)

ORDER

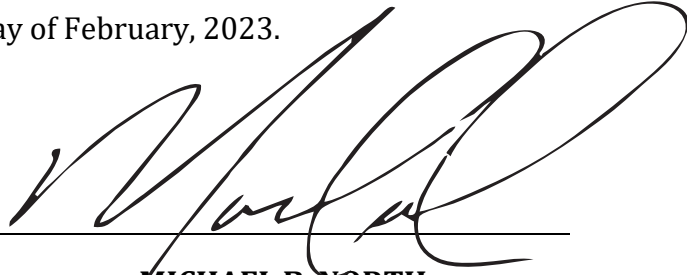
At the February 1, 2023, hearing on Plaintiff's Motion to Nullify and Exclude Appraisal, R. William Huye, III ("Huye") of the law firm McClenny Mosely & Associates ("MMA") advised the Court that MMA would send settlement "breakdowns" to homeowners in connection with claims in which MMA did not represent those homeowners but, rather, represented Apex Roofing. Huye advised the Court that (1) every one of these unrepresented homeowners would have to personally sign off for any settlement proceeds to be processed and (2) that in every such Hurricane Ida case that was settled, the unrepresented homeowner did, in fact, sign a settlement breakdown authorizing MMA to deposit settlement checks and process the funds received from them.

Following the hearing, the Court ordered MMA to provide to it "a list of claims that MMA has settled for properties in this District in which they represented APEX but not the named insured." (Rec. doc. 39). MMA responded to that Order on February 13, 2023, identifying nine such cases. (Rec. doc. 54-1 at 4).

Upon review of that list, the Court hereby Orders MMA to submit to the Court, no later than Tuesday, February 28, 2023, the settlement breakdowns associated with these

settlements, including any and all documents evidencing that the homeowners in those cases were (1) informed of the value of the settlement with Apex Roofing and the breakdown of that settlement and (2) provided their authorization in writing to MMA for MMA to negotiate a settlement check made in the homeowners' name and to deposit the funds from said check into MMA's trust account.

New Orleans, Louisiana, this 22nd day of February, 2023.



MICHAEL B. NORTH
UNITED STATES MAGISTRATE JUDGE