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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF CALIFORNIA

In the Matter of the Rate Applications of
State Farm General Insurance
Company,
Applicant.

File Nos.: PA-2024-00011, PA-2024-00012,
PA-2024-00013

**DECLARATION OF BENJAMIN
POWELL IN SUPPORT OF
OCTOBER 22, 2025 JOINT STATEMENT**

1 I, Benjamin Powell, declare as follows:

- 2 1. I am an active member in good standing of the Bar of the State of California. I am a Staff
3 Attorney with Consumer Watchdog and am one of the counsel for intervenor Consumer
4 Watchdog in the above-captioned matters. I have personal knowledge of the facts set
5 forth herein, and, if called upon, could and would competently testify thereto under oath.
- 6 2. In an email from State Farm counsel on October 21, 2025, State Farm counsel explained
7 that it would be making an additional production on the day of this filing, October 22, of
8 documents responsive to Request Nos. 27, 32, 40, and 60. As of October 22 at 1pm PST,
9 Consumer Watchdog has not received this production.
- 10 3. As to Request Nos. 20, 29, 31, and 38, during meet and confer efforts Consumer
11 Watchdog asked State Farm to produce, or at least provide links to, the publicly available
12 documents State Farm references in its responses to these Requests. As of today's filing,
13 State Farm has not done so.
- 14 4. During the meet and confer process, State Farm disclosed that it maintains a database of
15 consumer complaints, and that it had logged approximately 600 complaints related to rate
16 increases (responsive to Request No. 50), and approximately 6,000 complaints related to
17 fire claims (responsive to Request Nos. 51–57) for the five-year period specified.
- 18 5. Consumer Watchdog proposed that State Farm produce random samplings of the various
19 complaints in order to satisfy its discovery obligations in the following manner:
 - 20 a. Consumer Watchdog proposed that State Farm produce a random sample of 500
21 complaints responsive to Request No. 50, using a mutually agreed-upon random
22 sampling methodology (e.g., a selection of dates/names starting with particular
23 letters), and with personal policyholder information redacted;
 - 24 b. Consumer Watchdog proposed that State Farm produce a random sample (again,
25 using an agreed-upon methodology) of 1,000 complaints (or the full amount if
26 less than 1,000 of the 6,000 fire complaints in State Farm's database relate to the
27 2025 Los Angeles Wildfires) responsive to Request Nos. 51–53 and 55–57, with a
28 subset of segregated smoke damage complaints, including initial and final or

1 approved adjustor reports, and with personal policyholder information redacted;
2 and

3 c. Consumer Watchdog proposed that State Farm produce a random sample (again,
4 using an agreed-upon methodology) of 1,000 wildfire claims complaints over the
5 five-year period from 2020–2025, with personal policyholder information
6 redacted, in response to Request No. 54.

7 6. As of the time of the filing of the Joint Statement, meet and confer efforts with regard to
8 Request No. 30 are ongoing. Prior to the date of this filing, State Farm has only directed
9 Consumer Watchdog to publicly available documents submitted on SERFF, and has not
10 agreed to search for or produce anything further, claiming that State Farm is unclear
11 about what Consumer Watchdog is actually seeking.

12 7. Consumer Watchdog has clarified via email and phone calls that the request specifically
13 refers to catastrophe risk metrics and analytics used by State Farm from 2020 to the
14 present “*for each catastrophe model used in the filing*” and specifically for the purposes
15 of capital adequacy, capital allocation, underwriting, exposure management, and
16 reinsurance.

17 8. Consumer Watchdog has further clarified that it is seeking *all* the statistics that State
18 Farm reviewed, considered, and/or evaluated and how those were determined, not just
19 those that State Farm wishes to supply (i.e., limited to the publicly filed documents
20 submitted in response to questions from CDI). To be clear, this would include,
21 nonexhaustively, the statistics noted in the Request: PML, TVaR, Standard Deviation,
22 size of loss distribution, or any other similar statistics not included in the publicly filed
23 information noted above.

24 9. State Farm sent an update on this Request the day this filing was due, October 22, at
25 1:18pm, in which it claims, among other things, that (1) publicly available information
26 can provide Consumer Watchdog with some portion of the information it seeks;
27 (2) responsive documents in State Farm’s possession are actually protected trade secrets
28 and will not be produced; and (3) the Court should consider an alternative proposal

1 crafted by State Farm should it be required to produce documents responsive to this
2 Request. Consumer Watchdog has not had the opportunity to thoroughly review this new
3 response, which is based in part on a declaration Consumer Watchdog received the night
4 before this filing was due, and would, at a minimum, require Consumer Watchdog to
5 consult with its experts as to its sufficiency.

6 10. During meet and confer efforts following the hearing on the Parties' discovery motions
7 held on September 16, Consumer Watchdog proposed to counsel for State Farm setting
8 up a system whereby Consumer Watchdog counsel and its expert witnesses would be
9 permitted to review documents withheld by State Farm on a secure server created by
10 State Farm that Consumer Watchdog would agree to use as a review-only platform, and
11 would not print, download, or otherwise save any documents.

12 11. Under this proposal, after reviewing the documents, Consumer Watchdog would
13 determine whether the parties could narrow the number of documents actually under
14 dispute, or potentially agree that only limited portions of certain documents were relevant
15 to the issues in the proceeding.

16 12. As an alternative, Consumer Watchdog also agreed to meet at an agreed-upon location
17 where Consumer Watchdog counsel and its expert witnesses would be able to review the
18 documents in person, though we noted that Consumer Watchdog's initial proposal was
19 more practical given the logistical difficulties of reviewing large numbers of documents
20 in person.

21 13. State Farm rejected these compromise proposals without any counter proposals and
22 continues to refuse to produce or allow review of any of the highly relevant documents it
23 contends are trade secret-protected.

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1 I declare under penalty of perjury that the foregoing is true and correct and that this Declaration
2 was executed on October 22, 2025 in Los Angeles, California.

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4 **CONSUMER WATCHDOG**

5 /s/ Benjamin Powell

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