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BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF CALIFORNIA

13  
14 In the Matter of the Rate Applications of  
15 State Farm General Insurance  
16 Company,  
17 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

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

- c. Consumer Watchdog proposed that State Farm produce a random sample (again, using an agreed-upon methodology) of 1,000 wildfire claims complaints over the five-year period from 2020–2025, with personal policyholder information redacted, in response to Request No. 54.
- 6. As of the time of the filing of the Joint Statement, meet and confer efforts with regard to Request No. 30 are ongoing. Prior to the date of this filing, State Farm has only directed Consumer Watchdog to publicly available documents submitted on SERFF, and has not agreed to search for or produce anything further, claiming that State Farm is unclear about what Consumer Watchdog is actually seeking.
- 7. Consumer Watchdog has clarified via email and phone calls that the request specifically refers to catastrophe risk metrics and analytics used by State Farm from 2020 to the present “*for each catastrophe model used in the filing*” and specifically for the purposes of capital adequacy, capital allocation, underwriting, exposure management, and reinsurance.
- 8. Consumer Watchdog has further clarified that it is seeking *all* the statistics that State Farm reviewed, considered, and/or evaluated and how those were determined, not just those that State Farm wishes to supply (i.e., limited to the publicly filed documents submitted in response to questions from CDI). To be clear, this would include, nonexhaustively, the statistics noted in the Request: PML, TVaR, Standard Deviation, size of loss distribution, or any other similar statistics not included in the publicly filed information noted above.
- 9. State Farm sent an update on this Request the day this filing was due, October 22, at 1:18pm, in which it claims, among other things, that (1) publicly available information can provide Consumer Watchdog with some portion of the information it seeks; (2) responsive documents in State Farm’s possession are actually protected trade secrets and will not be produced; and (3) the Court should consider an alternative proposal

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

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

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

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

13. State Farm rejected these compromise proposals without any counter proposals and continues to refuse to produce or allow review of any of the highly relevant documents it 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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**PROOF OF SERVICE**  
**BY OVERNIGHT OR U.S. MAIL, FAX TRANSMISSION,**  
**EMAIL TRANSMISSION AND/OR PERSONAL SERVICE**

**State of California, City of Los Angeles, County of Los Angeles**

I am employed in the City and County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 6330 South San Vicente Boulevard, Suite 250, Los Angeles, California 90048, and I am employed in the city and county where this service is occurring.

On October 22, 2025, I caused service of true and correct copies of the document entitled

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

upon the persons named in the attached service list, in the following manner:

1. If marked FAX SERVICE, by facsimile transmission this date to the FAX number stated to the person(s) named.
2. If marked EMAIL, by electronic mail transmission this date to the email address stated.
3. If marked U.S. MAIL or OVERNIGHT or HAND DELIVERED, by placing this date for collection for regular or overnight mailing true copies of the within document in sealed envelopes, addressed to each of the persons so listed. I am readily familiar with the regular practice of collection and processing of correspondence for mailing of U.S. Mail and for sending of Overnight mail. If mailed by U.S. Mail, these envelopes would be deposited this day in the ordinary course of business with the U.S. Postal Service. If mailed Overnight, these envelopes would be deposited this day in a box or other facility regularly maintained by the express service carrier, or delivered this day to an authorized courier or driver authorized by the express service carrier to receive documents, in the ordinary course of business, fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 22, 2025 at Los Angeles, California.

  
Kaitlyn Gentile

## Service List

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