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NOV 17 2015

**S.C. Supreme Court**

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM AIKEN COUNTY  
COURT OF COMMON PLEAS

Doyet A. Early, III, Circuit Court Judge

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Case No. 2010-CP-02-02665

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Loretta Traynum and Leonard Traynum,..... Appellants,

v.

Cynthia Scavens and Progressive Direct Insurance Company, ..... Respondents.

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MOTION FOR LEAVE TO FILE BRIEF OF AMICUS CURIAE  
PROPERTY CASUALTY INSURERS ASSOCIATION OF AMERICA

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Pursuant to Rule 213, SCACR, Property Casualty Insurers Association of America (“PCIAA”) hereby moves for leave of this Court to file a brief as Amicus Curiae in the above-referenced matter. If granted, PCIAA will file or conditionally file its brief no later than November 17, 2015. PCIAA makes this request for the following reasons:

1. PCIAA is composed of approximately 1,000 member companies, representing a broad cross-section of insurers across the United States. PCIAA members write more than \$195 billion in annual premiums, constituting approximately 35% of the nation’s property casualty insurance. Member companies write approximately 42% of the U.S. automobile insurance market, 28% of the homeowners market, 33% of the commercial property and casualty market, and 35% of the private workers compensation market. PCIAA members write approximately 30.1% of the property casualty insurance

market in South Carolina.

2. PCIAA is committed to promoting and protecting the viability of a competitive private insurance market for the benefit of consumers and insurers. To that end, PCIAA supports legislation and regulations that give consumers and insurers more choice and more flexibility in how insurance information is accessed, purchased, and serviced.

3. This appeal involves a question of the sufficiency of an electronic offer of underinsured motorist (UIM) coverage by an insurer to a consumer who selected and purchased an insurance policy via the internet.

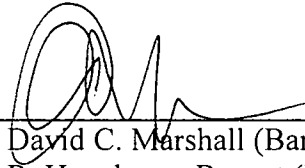
4. Insurance plays a critical role in our civil justice system. It is beneficial to the insurance market for both consumers and insurers to be able to view, shop, and purchase insurance policies electronically via the world wide web. The law imposes certain requirements upon insurers to ensure that a meaningful offer of UIM coverage is made with the sale of each insurance policy, regardless if the sale is in person or online. Any restriction on the ability of consumers to contract for insurance policies online or on the ability of insurers to satisfy the requirements of the meaningful offer statute in online transactions will have negative implications for consumers and for the insurance industry.

5. PCIAA believes its submission of an amicus curiae brief would be desirable and helpful to the Court. The brief will outline and analyze the issues from the perspective of the insurance industry and provide additional analysis of the policy considerations and potential ramifications of the Court's decision on the insurance market.

Respectfully submitted,

November 17, 2015

By:



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ATTORNEYS FOR AMICUS CURIAE  
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ASSOCIATION OF AMERICA

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Loretta Traynum and Leonard Traynum,..... Appellants,

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Direct Insurance Co., ..... Respondents.

**PROOF OF SERVICE**

I certify this 17th day of November 2015 that I have served copies of the  
MOTION FOR LEAVE TO FILE BRIEF OF AMICUS CURIAE PROPERTY  
CASUALTY INSURERS ASSOCIATION OF AMERICA upon other counsel of record,  
by mailing same, postage prepaid in the United States mail, addressed to the following:

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17  
November 10, 2015

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