

THE STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIFIED QUESTION FROM THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF SOUTH CAROLINA

J. Michelle Childs, United States District Judge

Appellate Case No. 2020-001285

RECEIVED

Feb 24 2021

S.C. SUPREME COURT

Miriam Butler and Evelyn Stewart, in her capacity as
Personal Representative of Joseph Stewart and individually
on behalf of others similarly situated.....Plaintiffs,

v.

The Travelers Home and Marine Insurance Company, and
The Standard Fire Insurance Company,.....Defendants.

**MOTION FOR LEAVE TO FILE
AMICUS CURIAE BRIEF**

Pursuant to Rule 213, SCACR, American Property Casualty Insurance Association (“APCIA”) and National Association of Mutual Insurance Companies (“NAMIC”) respectfully request this Court’s leave to file an amicus curiae brief in this matter.

The American Property Casualty Insurance Association (“APCIA”) is the primary national trade association for home, auto and business insurers. APCIA promotes and protects the viability of private competition for the benefit of consumers and insurers, with a legacy dating back 150 years. APCIA members represent all sizes, structures and regions – protecting families, communities and businesses in the United States and across the globe. On issues of importance to the property and casualty insurance industry and marketplace, APCIA advocates sound public

policies on behalf of its members in legislative and regulatory forums and the state and federal levels and files amicus curiae briefs in significant cases before federal and state courts.

NAMIC is the largest property/casualty insurance trade group with a diverse membership of more than 1,400 local, regional and national member companies. This membership includes seven of the top ten property/casualty insurers in the United States. NAMIC members lead the personal lines sector, representing sixty-six percent of the homeowner's insurance market and fifty-three percent of the auto market. Through its advocacy programs NAMIC promotes public policy solutions that benefit NAMIC's member companies and the policyholders they serve and foster greater understanding and recognition of the unique alignment of interests between management and policyholders of mutual companies.

The certified question in this case involves an issue of tremendous importance to APCIA and NAMIC's member companies that write and issue homeowners' insurance policies to South Carolina residents. Thus, it falls within the purposes of both organizations. Furthermore, APCIA and NAMIC believe that their joint amicus curiae brief will benefit the Court's analysis of the certified question by providing the broader perspective of the insurance industry and also discussing the effects that the Court's decision would potentially have on the homeowners' insurance market in South Carolina.

Accordingly, APCIA and NAMIC request that the Court grant them permission to file their joint amicus curiae brief. Pursuant to Rule 213, SCACR, APCIA and NAMIC and conditionally filing a copy of their proposed brief with this motion.

(Signature on next page)

Respectfully submitted,

s/ Thomas C. Salane

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