

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT INDEPENDENCE

2016 NOV 15 9:11 AM  
CLERK OF COURT  
JACKSON COUNTY MO  
*[Signature]*

DENNIS LAGARES, )  
)  
)  
Plaintiff, )  
)  
)  
vs. )  
)  
UNITED FINANCIAL CASUALTY )  
COMPANY d/b/a )  
PROGRESSIVE INSURANCE )  
COMPANY, )  
)  
)  
Defendant. )

Case No. 1016-CV38265  
Division No. 2

*[Handwritten initials]*

**PLAINTIFF'S MOTION FOR CLASS CERTIFICATION**

COMES NOW Plaintiff and pursuant to Missouri Rule 52.08, moves the Court for its Order certifying a Class of similarly situated persons and entities as herein defined as follows:

All individual persons, corporations, partnerships, associations and other entities insured during the Class Period January 1, 2006 to the present under a "MISSOURI COMMERCIAL AUTO POLICY," Form 6912, who suffered a "total loss" as defined in said Form 6912 and whose recovery from the Defendant thereon was based upon a value of the insured vehicle other than the "Stated Amount" for said vehicle.

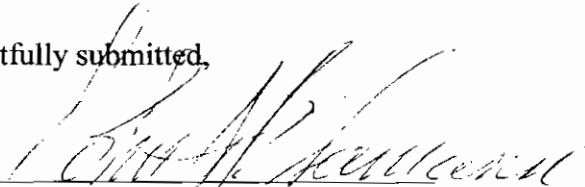
Excluded from the Class are those persons who have lawsuits pending against, or who have settled their claims against, United Financial Casualty Company for the same or similar claims as set forth herein, Members of the Missouri state judiciary, Defendant, Defendant's employees, any entities in which either Defendant has a controlling interest, and the parents, subsidiaries, affiliates, and their officers and directors of Defendant and the members of their immediate families.

For those reasons set forth in Plaintiff's Suggestions in Support of Plaintiff's Motion for Class Certification, which are incorporated herein by reference as if fully set forth, Plaintiff states that the requirements of Missouri Rule 52.08 are met and that aforesaid Class should be certified.

Plaintiff also moves the Court for its Order designating the Plaintiff as the Representative of the Class and Plaintiff's counsel herein as Class Counsel for the Class.

WHEREFORE, Plaintiff moves the Court's Order as requested above.

Respectfully submitted,



John M. Klamann #29335  
Andrew Schmerhorn #62101  
The Klamann Law Firm  
929 Walnut Street, Suite 800  
Kansas City, MO 64106  
Phone: (816) 421-2626  
Fax: (816) 421-8686  
[jklamann@klamannlaw.com](mailto:jklamann@klamannlaw.com)

Martin M. Meyers #29524  
The Meyers Law Firm  
222 W. Gregory Blvd., Suite 340  
Kansas City, MO 64114  
Phone: (816) 444-8500  
Fax: (816) 444-8508  
[mmeyers@meyerslaw.com](mailto:mmeyers@meyerslaw.com)

ATTORNEYS FOR PLAINTIFF  
AND THE PUTATIVE CLASS

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing document was served by electronic mail and U.S. First-Class Mail, postage prepaid, this 15th day of November, 2011, on the following counsel:

Brian C. Fries

[bfries@lathropgage.com](mailto:bfries@lathropgage.com)

James Moloney

[jmoloney@lathropgage.com](mailto:jmoloney@lathropgage.com)

Rachel E. Stephens

[rstephens@lathropgage.com](mailto:rstephens@lathropgage.com)

2345 Grand Blvd, Suite 2200

Kansas City, Missouri 64108-2618

Telephone: (816) 292-2000

Fax: (816) 292-2001

ATTORNEY FOR DEFENDANT

*11/15/11*  
*[Handwritten Signature]*  
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Attorney for Plaintiff