

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

DENNIS R. and S. IMANI WOULLARD

PLAINTIFFS

VS.

CIVIL ACTION NO.1:06-cv-1057-LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

**PLAINTIFFS' NOTICE OF WITHDRAWAL OF
PLAINTIFFS' MOTION FOR ORDER CONDITIONALLY
CERTIFYING A RULE 23(b)(1)(A) and (b)(2)
CLASS ACTION AND PRELIMINARILY APPROVING SETTLEMENT**

Plaintiffs hereby withdraw their above-described motion [#25], filed January 24, 2007 ("Motion"), seeking conditional certification and preliminary settlement approval, said withdrawal being for the following reasons: (1) The Court has issued several Orders on the Motion, received many responses invited by the Court, and held a public hearing, all seemingly signifying its reluctance to grant the Motion; (2) It is unclear to the undersigned whether or not State Farm is genuinely amenable further to address even its own interpretations of the Court's actions; and (3) Given this stalemate, counsel must now direct even more focus on the hundreds of individual cases against State Farm and other insurer defendants.

Plaintiffs withdraw the Motion with the hope that a new one can be filed once the Court's concerns are more fully understood, and which will provide a process better than eternal litigation with the limited time and resources of the class and litigants.

The undersigned are indelibly committed to the families they represent on the Coast. They believe that the settlement contained in the now-withdrawn Motion is not only viable legally, but in the best interests of the families on the Coast, particularly in the absence of any other sustainable

alternatives being urged upon the Court. Counsel will use every legal and other appropriate technique to their clients' advantage.

Respectfully submitted this the 12th day of March 2007.

DENNIS R. and S. IMANI WOULLARD, Plaintiffs

By: /S/ RICHARD F. SCRUGGS
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