Filing # 259372794 E-Filed 10/16/2026 12:34:43 PM

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT, IN AND FOR ST. JOHNS COUNTY, FLORIDA

BRADLEY BYRD, an individual, and ANNA BYRD, an individual,

Plaintiffs,

v.

COSTCO WHOLESALE CORPORATION, a foreign for profit corporation, COSTCO-INNOVEL SOLUTIONS, LLC, d/b/a COSTCO WHOLESALE LOGISTICS, a foreign limited liability company, and RXO LAST MILE, INC., a foreign for profit corporation,

Defendants.

_____/

Case No.: 2025-CA-001320A000MX

**PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT COSTCO WHOLESALE CORPORATION'S MOTION FOR PROTECTIVE ORDER**

Plaintiffs, BRADLEY BYRD and ANNA BYRD ("Plaintiffs"), by and through undersigned counsel, file this Response in Opposition to Defendant Costco Wholesale Corporation's ("Costco") Motion for Protective Order seeking to prevent the deposition of Tony Dattilo, and state:

## I. INTRODUCTION

Costco improperly seeks to prevent Plaintiffs from taking the deposition of Tony Dattilo, Costco's Vice President of Logistics, under the "Apex Doctrine" embodied in Florida Rule of Civil Procedure 1.280(i). The Motion should be denied.

Costco's motion characterizes Mr. Dattilo's communications with Bradley Byrd as



Accepted 10/19/2026 03:50 PM by the Clerk of the Circuit Court, St. Johns County, Florida, DIN: 84

courtesy communications. Yet Mr. Dattilo acknowledges that, at COSTCO's CEO's request, he spoke and corresponded with Mr. Byrd about the claim and identified RXO as the delivery and installation vendor. Plaintiffs seek testimony about those firsthand communications and their factual basis—not about Mr. Dattilo's title or the mechanics of installing the refrigerator.

Plaintiffs recognize the distinct requirements of Rule 1.280(i), including the exhaustion requirement, and alternatively request relief that preserves the opportunity to renew the deposition after appropriate additional discovery.

## II. ARGUMENT

### A. Rule 1.280(i) Requires a Two-Stage Inquiry; Personal Contact Alone Does Not Eliminate Apex Protection.

Florida Rule of Civil Procedure 1.280(i) applies to a current or former high-level corporate officer. The party opposing deposition must establish high-level status and submit an affidavit explaining the officer's lack of unique, personal knowledge of the issues being litigated. If those initial burdens are met, the deposition-seeking party must demonstrate both that other discovery has been exhausted and is inadequate and that the officer possesses unique, personal knowledge of discoverable information. *In re Amend. to Fla. Rule of Civ. Proc. 1.280,* 324 So. 3d 459, 463 (Fla. 2021); *Chewy, Inc. v. Covetrus, Inc*., 384 So. 3d 265, 269–73 (Fla. 4th DCA 2024). Prior contact with a litigant does not, standing alone, defeat apex protection. *DecisionHR USA, Inc. v. Mills*, 341 So. 3d 448, 454–57 (Fla. 2d DCA 2022).

Mr. Dattilo's affidavit states that he oversees 130 home delivery centers and approximately 1,600 employees and reports to an executive vice president who reports to Costco's CEO. Plaintiffs do not contend that the title "Vice President," by itself, resolves whether he is a high-level officer; the Court must consider his actual responsibilities. Even assuming he qualifies, his admitted communications with Mr. Byrd identify a narrow subject for

potentially unique firsthand testimony.

The affidavit denies personal knowledge of the cause of the leak and the scope of property damage. Plaintiffs do not dispute that denial for purposes of this motion. It does not, however, negate firsthand knowledge of what Mr. Dattilo learned, said, and did during his own communications with Mr. Byrd and others.

The question is whether that information is uniquely held by Mr. Dattilo and whether other discovery has proved inadequate to obtain it. Plaintiffs address those distinct requirements below.

**B. Mr. Dattilo Personally Participated in Costco's Handling of Plaintiffs' Claim.**

Even apart from the question of Mr. Dattilo's corporate rank, the circumstances giving rise to the requested deposition demonstrate why it is appropriate.

Mr. Dattilo acknowledges in his affidavit that, at the request of Costco's CEO, he personally communicated by telephone and email with Bradley Byrd concerning the incident and Plaintiffs' claim. He further acknowledges that he advised Mr. Byrd that RXO was responsible for the delivery and installation and that RXO would contact him concerning the claim.

Mr. Datillo states that he did not personally handle Mr. Byrd's claim. However, the affidavit fails to acknowledge that Mr. Dattilo additionally communicated with Mr. Byrd via email stating on January 11, 2025, "I will be in communication with RXO until your claim is resolved. Please feel free to contact me directly[,]" and provided Mr. Byrd a direct phone number. See Exhibit "1". On January 13, 2025, Mr. Byrd emailed Mr. Datillo receipts of costs already incurred. See Ex. "2". On February 4, 2025, Mr. Byrd emailed Mr. Dattilo, "I'm over $200k out of pocket … I appreciate the $38kthat was sent[,] to which Mr. Dattilo responded, "I

will follow up with RXO and get back to you tomorrow." See Ex. "3". Further, after that communication on February 4, 2025, the next day, Mr. Byrd's public adjuster emailed the claims processor, RXO and Mr. Datillo and others with an update on the matter. See Ex. "4". Further emails from RXO state on February 19, 2025, "RXO executive leadership is with Costco executive leadership today in meetings and I know this claim is being discussed. We are unable to present an offer until the authority is granted." See Ex. "5".

Those communications are directly relevant to issues in this action. Plaintiffs' discovery specifically addresses Costco's relationship with RXO, responsibility for delivery and installation, communications concerning the incident, and Costco's response after learning of Plaintiffs' damages.

Indeed, Plaintiffs' Request for Admissions specifically sought an admission concerning Mr. Dattilo's communication with Bradley Byrd regarding RXO's role in the delivery and installation. Costco's own discovery production likewise includes communications involving Plaintiffs' claim.

Mr. Dattilo is thus a potential fact witness to his own communications, although that fact does not automatically satisfy the separate exhaustion requirement under Rule 1.280(i).

Costco emphasizes that Mr. Dattilo did not personally install the refrigerator, inspect Plaintiffs' property, or investigate the precise cause and extent of the resulting water damage. Plaintiffs do not contend otherwise. But that does not eliminate Mr. Dattilo's personal knowledge of his own communications, representations, actions, and involvement in Costco's handling of Plaintiffs' claim.

Mr. Dattilo can provide firsthand testimony concerning the information he received before speaking with Mr. Byrd, the source and basis of his statement identifying RXO, and any

nonprivileged follow-up actions he personally took. Plaintiffs do not seek privileged communications with counsel.

**C. Costco's Reliance Upon Scheduling of Related Depositions.**

Costco observes that Plaintiffs have not yet taken depositions of RXO personnel or other witnesses. But Costco's proposed witnesses primarily address the installation and physical damage, whereas the proposed questioning of Mr. Dattilo concerns his own later communications and the information underlying them. Most importantly though, is that RXO personnel and others cannot offer Mr. Dattilo's personal knowledge. Costco is a party to this action, and Mr. Datillo is the Costco individual who handled Mr. Byrd's claims.

Plaintiffs do not seek Mr. Dattilo's deposition to determine which installer connected the water line or precisely how the installation was performed. Plaintiffs seek testimony concerning matters within Mr. Dattilo's own personal knowledge, including his communications with Mr. Byrd, his knowledge concerning the respective roles of Costco and RXO, his involvement in Costco's handling of the claim, and the factual basis for representations he personally made concerning those subjects.

Plaintiffs submit that testimony from installation personnel is not a substitute for Mr. Dattilo's personal account. Nevertheless, recognizing the exhaustion requirement, Plaintiffs alternatively request that any protective order be expressly without prejudice to renewal after targeted written discovery, a corporate-representative deposition, or other reasonably available discovery concerning Costco's communications with Plaintiffs and its allocation of responsibilities with RXO.

Such an order would enforce the Rule's sequencing requirement without deciding prematurely that Mr. Dattilo can never be deposed. Rule 1.280(i) expressly permits the Court to

vacate or modify a protective order if subsequent discovery satisfies the deposition-seeking party's burden.

## III. CONCLUSION

Mr. Dattilo admits that, at the CEO's request, he personally communicated with Mr. Byrd and identified RXO as the delivery and installation vendor. The affidavit also disclaims knowledge of the installation and damage. The proper inquiry therefore distinguishes his firsthand communications from information available through RXO or other sources, and applies Rule 1.280(i)'s exhaustion requirement.

Plaintiffs request denial of the motion if the Court finds the Rule's requirements satisfied, with any deposition confined to Mr. Dattilo's nonprivileged personal knowledge. In the alternative, any order protecting him from deposition at this stage should be without prejudice to renewal following further discovery.

WHEREFORE, Plaintiffs respectfully request that the Court deny the Motion for Protective Order and permit a deposition limited to the subjects described above, or alternatively enter a protective order without prejudice to Plaintiffs' right to seek modification under Rule 1.280(i) after further discovery, together with such other relief as the Court deems proper.

Respectfully submitted October 16, 2026.

JOHN D. WEBB, P.A.

***/s/ John D. Webb***
John D. "Jack" Webb, Esq.
Florida Bar Number: 0051871
1662 Stockton Street, Ste. 201 Jacksonville,
Florida 32204 Telephone: (904) 803-4686
Primary Email: jwebb@jackwebblaw.com
Secondary Email: arichey@jackwebblaw.com
Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on October 16, 2026, I electronically filed the foregoing with the Clerk of the Court through the Florida Courts E-Filing Portal, using the E-Service Option, which will send notice of electronic filing to all counsel of record in accordance with Florida Rule of General Practice and Judicial Administration 2.516.

***s/ John D. Webb***
Attorney

Exhibit “1”

Outlook

**Costco Wholesale Corporation**

**From** Tony Dattilo <tdattilo@costco.com>
**Date** Sat 1/11/2025 2:45 PM
**To** Bradley.E.Byrd@gmail.com <Bradley.E.Byrd@gmail.com>

Jan 11, 2025

Mr. Bradley Byrd
[redacted]
Saint Johns, FL 32259

Dear Mr. Byrd:

I am writing in response to your January 7, 2025 email to Costco's CEO, Ron Vachris. As Mr. Vachris previously wrote to you, on behalf of Costco, I am very sorry for what you and your family have experienced.

Our records indicate that December 31, 2024, you instructed RXO and Sedgwick to work directly with your public adjuster. After receiving the public adjuster's letter of representation on January 2, 2025, Sedgwick has been in communication with your public adjuster and is awaiting estimates, invoices, receipts, and other documentation supporting your claim. We understand your adjuster has been on a hunting trip or otherwise unavailable, and is returning Monday.

I am the Vice President over Costco Logistics. My email address is tdattilo@costco.com, and my phone number is (630) [redacted]. I will be in communication with RXO until your claim is resolved. Please feel free to contact me directly.

Sincerely,

Tony Dattilo
Vice President
Costco Logistics

-

Exhibit “2”

Outlook

## Byrd Claim

**From** Bradley E. Byrd <bradley.e.byrd@gmail.com>
**Date** Mon 1/13/2025 9:37 PM
**To** Tony Dattilo <tdattilo@costco.com>
**Cc** David Reed <david@rivercityclaims.com>

2 attachments (1 MB)
2024-12-21 airBNB receipt.pdf; 2024-12-02 AirBnb Receipt.pdf;

Mr. Dattilo, I am copying my PA on this to keep him in the loop. Attached are my airBNB receipts from December 2nd until February 24th. The estimated date for cabinets to be delivered if I order within the next 7 days will be mid April. Move in date would be a week or two after that. I have about $22,000 of receipts for other expenses that have already been paid on top of these. Brad Byrd

Exhibit “3”

Outlook

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**Re: Byrd - Water damage**

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**From** Tony Dattilo <tdattilo@costco.com>
**Date** Tue 2/4/2025 8:45 PM
**To** Bradley E. Byrd <bradley.e.byrd@gmail.com>

Brad,
I will follow up with RXO and get back to you tomorrow.

On Tue, Feb 4, 2025 at 6:18 PM Bradley E. Byrd <bradley.e.byrd@gmail.com> wrote:

> Hi Tony,
>
> Checking in. My PA submitted the final totals last week. He told me that the Sedgwick guys seem to be delaying on their end now. He also told me that he was told not to expect anymore checks.
>
> I'm over $200k out of pocket and have more bills due this week. I appreciate the $38k that was sent, but that's really a drop in the bucket. If something isn't done soon I'm going to have to liquidate stocks to fund the rest of my repairs.
>
> The ball is in RXO's court. They have had 2 months to do their due diligence on the matter and I'm hoping they don't wait until last minute and delay any timely resolution. While I do expect them to do their due diligence on the rest of the info they received last week, in reality it's 1-2 days of work for a seasoned adjuster and is straight forward.
>
> Passing this on to you in the final push to see if you can make sure everyone is on their toes and not delaying anything. Our expectation is that it is realistic to handle this claim within 5 business days of receiving all bids, receipts, and final report, etc... which was sent last Friday.
>
> Brad Byrd

Exhibit “4”

Outlook

## 241202-036090 Byrd water loss

**From** David Reed <david@rivercityclaims.com>
**Date** Wed 2/5/2025 10:01 AM
**To** Christopher.Thomas@sedgwick.com <Christopher.Thomas@sedgwick.com>
**Cc** rccs-2025010002@claimmail.net <rccs-2025010002@claimmail.net>; Aaron Nichols <Aaron_Nichols@gbtpa.com>; tdattilo@costco.com <tdattilo@costco.com>; Jacob Highsmith <Jacob.Highsmith@sedgwick.com>; Leslie Carney <Leslie.Carney@rxo.com>; Brad Byrd <bradley.e.byrd@gmail.com>

Good morning
By now everyone should have received our estimate of damages and loss for Mr and Mrs Byrd. We used the best methods of calculating the loss including bids from contractors and invoices from venders already used. Much of these are incurred expenses. When reviewing ,please keep in mind that the Byrd family ,including pets have been out of their home since December 2nd. They have incurred over $200k in expenses to keep this moving so hopefully they can be back in their home soon. Mr Byrd has also missed countless days of work because of this. At this point Sedwick has requested to view the water damaged items that are in storage at Herring Cleanings storage facility. We are working with them to coordinate a time and cost to have everything available for viewing.
We are requesting the amount shown on the estimate minus monies already paid to be paid without delay. Please reach out to me with any questions.

**David P. Reed**
Licensed Public Adjuster
W386600
Office: (904) 274-4500
Direct: (609) 381-7520
david@rivercityclaims.com
450 State Road 13 N. Suite 106 PMB 403
St. Johns, FL 32259

RiverCitySignatureLogo

Exhibit “5”

Outlook

## Fwd: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

**From** David Reed <david@rivercityclaims.com>
**Date** Wed 2/19/2025 3:16 PM
**To** Brad Byrd <bradley.e.byrd@gmail.com>

FYI

**David P. Reed**
Licensed Public Adjuster
W386600
Office: (904) 274-4500
Direct: (609) 381-7520
david@rivercityclaims.com
450 State Road 13 N. Suite 106 PMB 403
St. Johns, FL 32259

RiverCitySignatureLogo

Begin forwarded message:

**From:** Leslie Carney <Leslie.Carney@rxo.com>
**Date:** February 19, 2025 at 3:15:08 PM EST
**To:** Aaron Nichols <Aaron_Nichols@gbtpa.com>, "Highsmith, Jacob" <Jacob.Highsmith@sedgwick.com>, David Reed <david@rivercityclaims.com>
**Cc:** Jeanne Reed <jeanne@rivercityclaims.com>, rccs-2025010002@claimmail.net, "Thomas, Christopher" <Christopher.Thomas@sedgwick.com>
**Subject: RE: 241202-036090 || Sedgwick Claim #4A24128QY52-0001**

Jacob is OOO for a medical procedure.
RXO/Sedgwick has submitted authority request internally to be able to make an offer. RXO executive leadership is with Costco executive leadership today in meetings and I know this claim is being discussed.
We are unable to present an offer until the authority is granted.
Thank you,

**Leslie Carney**
Manager, Claims, Last Mile

**RXO**
1851 West Oak Pkwy
Marietta, GA 30062 USA
M: +1 404-757-0536

---

**From:** Aaron Nichols <Aaron_Nichols@gbtpa.com>
**Sent:** Wednesday, February 19, 2025 3:12 PM
**To:** Highsmith, Jacob <Jacob.Highsmith@sedgwick.com>; David Reed <david@rivercityclaims.com>
**Cc:** Jeanne Reed <jeanne@rivercityclaims.com>; rccs-2025010002@claimmail.net; Leslie Carney <Leslie.Carney@rxo.com>; Thomas, Christopher <Christopher.Thomas@sedgwick.com>
**Subject:** RE: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

**This Message Is From an External Sender**

This message came from outside your organization.

Hi Jacob,
Can you please provide us with an update?
Thank you,

**Aaron Nichols** | Resolution Manager | Gallagher Bassett-Costco Wholesale Corporation
Gallagher Bassett CA License Number: 2731012
**Reporting Branch:** Downers Grove (197) | **Office Location**: St. Peter's, MO
**Mailing Address:** PO Box 6330, Oakbrook Terrace, IL 60181
**D:** 636-345-9531 | **F:** 630-932-9111
**E:** aaron_nichols@gbtpa.com
Alternate Point of Contact: Hope Walton (636) 345-9335
:Hope_Walton@gbtpa.com

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**From:** Highsmith, Jacob <Jacob.Highsmith@sedgwick.com>
**Sent:** Monday, February 10, 2025 9:25 PM
**To:** David Reed <david@rivercityclaims.com>
**Cc:** Aaron Nichols <Aaron_Nichols@gbtpa.com>; Jeanne Reed <jeanne@rivercityclaims.com>; rccs-2025010002@claimmail.net; Leslie.Carney@rxo.com; Thomas, Christopher

<Christopher.Thomas@sedgwick.com>
**Subject:** RE: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

[EXTERNAL]

David, yes I will attend on this Friday 2/14 at 1 PM.
Best Regards,

**Jake Highsmith, CPCU, AIC, WRT** | Regional General Adjuster
Florida License# P174918
6440 Southpoint Pkwy, Ste. 200B, Jacksonville, FL 32216
Office: 904.396.9406 | Fax: 904.396.6484
Cell: 904.248.8576| Email: jacob.highsmith@sedgwick.com
www.sedgwick.com| Caring counts®

sedgwick.

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**From:** David Reed <david@rivercityclaims.com>
**Sent:** Monday, February 10, 2025 8:21 PM
**To:** Highsmith, Jacob <Jacob.Highsmith@sedgwick.com>
**Cc:** Aaron Nichols <Aaron_Nichols@gbtpa.com>; Jeanne Reed <jeanne@rivercityclaims.com>; rccs-2025010002@claimmail.net; Leslie.Carney@rxo.com; Thomas, Christopher <Christopher.Thomas@sedgwick.com>
**Subject:** Re: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe…**

Hello Jacob
Per your request we will try and place an age factor to the damaged personal property list previously sent. We will also take the damaged electronic devices to Herring so they can be evacuated by there electronic experts. We also have scheduled this Friday February 14th at 1pm viewing of the damaged personal property as well as undamaged personal property that's in storage at Herrings storage facility. This was the first availability that they could coordinate this as this isn't typical procedure. Please advise if there's anything else we need provide you in order to not delay movement towards resolution.
Please confirm you or someone from your company will attend the viewing of damaged personal property at Herrings storage facility on Friday February 14th at 1pm. I believe the address is 239 Jones Rd,Jacksonville FL 32220.

**David P. Reed**
Licensed Public Adjuster
W386600
Office: (904) 274-4500
Direct: (609) 381-7520
david@rivercityclaims.com
450 State Road 13 N. Suite 106 PMB 403
St. Johns, FL 32259
RiverCitySignatureLogo

On Feb 10, 2025, at 11:36 AM, Highsmith, Jacob <Jacob.Highsmith@sedgwick.com> wrote:

David, also we asked the homeowner to obtain diagnostics on the electronics and computers prior to your involvement. We still need the diagnostics to tell us the cause of loss to the electronics, the method of repair, repairability, and cost of repair. You need to prove your loss to us. A computer sitting on a desk is not necessarily damaged with water on the ground. The homeowner stated water damaged a power supply or backup, isn't the back up designed not to sed a surge to the computer equipment?

Best Regards,

**Jake Highsmith, CPCU, AIC, WRT |** Regional General Adjuster
Florida License# P174918
6440 Southpoint Pkwy, Ste. 200B, Jacksonville, FL 32216
Office: 904.396.9406 | Fax: 904.396.6484
Cell: 904.248.8576| Email: jacob.highsmith@sedgwick.com
www.sedgwick.com| Caring counts®
<image001.png>

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**From:** Highsmith, Jacob
**Sent:** Monday, February 10, 2025 10:29 AM
**To:** David Reed <david@rivercityclaims.com>; Aaron Nichols <Aaron_Nichols@gbtpa.com>
**Cc:** Jeanne Reed <jeanne@rivercityclaims.com>; rccs-2025010002@claimmail.net; Leslie.Carney@rxo.com; Thomas, Christopher <Christopher.Thomas@sedgwick.com>
**Subject:** RE: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

David, good morning, as discussed last week we will need the ages of all personal property being claimed, with the exception of food. This is in keeping with the principle of indemnity which is widely understood and practiced.

Best Regards,

**Jake Highsmith, CPCU, AIC, WRT |** Regional General Adjuster
Florida License# P174918
6440 Southpoint Pkwy, Ste. 200B, Jacksonville, FL 32216
Office: 904.396.9406 | Fax: 904.396.6484
Cell: 904.248.8576| Email: jacob.highsmith@sedgwick.com
www.sedgwick.com| Caring counts®
<image001.png>

**From:** David Reed <david@rivercityclaims.com>
**Sent:** Friday, February 7, 2025 4:02 PM
**To:** Aaron Nichols <Aaron_Nichols@gbtpa.com>
**Cc:** Highsmith, Jacob <Jacob.Highsmith@sedgwick.com>; Jeanne Reed <jeanne@rivercityclaims.com>; rccs-2025010002@claimmail.net; Leslie.Carney@rxo.com; Thomas, Christopher <Christopher.Thomas@sedgwick.com>
**Subject:** Re: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe...**

Hello Aaron
Everyone should now have what we believe the value of the loss at this time. This will change depending how long this is delayed for. The Byrds living outside of their home is roughly $500 per day in housing. We have factored out until Feb 24th for the Airbnb  This date is contingent upon the Byrds hope of being able to at least stay at their home. It's projected if payment is made soon then the drywall,flooring,paint and trim can be mostly completed before months end. The cabinets would not be delivered and installed until end of April so the kitchen would be completed end of May most likely.We have submitted a food allowance for $300 per day while the kitchen is unusable. The estimate we've submitted includes mitigation,remediation from Santiclean based upon Luce MAR and remediation protocol. Luce MAR ,PRV and invoices. That has been completed and paid for in full by Mr Byrd. There are invoices and estimates from Herring Cleaning and Restoration for personal property pack out and storage, ACE Handyman is broken out on our estimate,Cabinet bid item from Costco,tile bid item from Integrity Contracting, Woodsman Kitchen Floors for the countertops,JW Heating and air for duct and AC cleaning.
Please reach out to me with any questions.

**David P. Reed**
Licensed Public Adjuster
W386600
Office: (904) 274-4500
Direct: (609) 381-7520
david@rivercityclaims.com
450 State Road 13 N. Suite 106 PMB 403
St. Johns, FL 32259
RiverCitySignatureLogo

On Feb 7, 2025, at 1:09 PM, Aaron Nichols <Aaron_Nichols@gbtpa.com> wrote:

Hi David,

Thank you for the invoice. I understand this is the remediation aspect of the claim, do we have an estimate for restoration at this time?

Sedgwick,

Can you please confirm that you are in receipt of David's invoice.

Regards,

**Aaron Nichols** | Resolution Manager | Gallagher Bassett-Costco Wholesale Corporation
Gallagher Bassett CA License Number: 2731012
**Reporting Branch:** Downers Grove (197) | **Office Location**: St. Peter's, MO
**Mailing Address:** PO Box 6330, Oakbrook Terrace, IL 60181
**D:** 636-345-9531 | **F:** 630-932-9111
**E:** aaron_nichols@gbtpa.com
Alternate Point of Contact: Hope Walton
(636) 345-9335 :Hope_Walton@gbtpa.com
Gallagher Bassett is committed to providing exceptional service. If you wish to share a compliment or comment about the service I have provided, please email **GB.ServiceExcellence@gbtpa.com.**

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**From:** David Reed <david@rivercityclaims.com>
**Sent:** Thursday, February 6, 2025 1:41 PM
**To:** Aaron Nichols <Aaron_Nichols@gbtpa.com>
**Cc:** Jacob Highsmith <Jacob.Highsmith@sedgwick.com>; Jeanne Reed <jeanne@rivercityclaims.com>; rccs-2025010002@claimmail.net; Leslie.Carney@rxo.com; Christopher Thomas <Christopher.Thomas@sedgwick.com>
**Subject:** Re: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

[EXTERNAL]

Hello Aaron

I just left you a message. The entire remediation package from Santiclean including the paid invoice was sent it to everyone today. Please reach back out to me at your convenience.

**David P. Reed**
Licensed Public Adjuster
W386600
Office: (904) 274-4500
Direct: (609) 381-7520
david@rivercityclaims.com
450 State Road 13 N. Suite 106 PMB 403
St. Johns, FL 32259
RiverCitySignatureLogo

> On Feb 4, 2025, at 1:55 PM, Aaron Nichols <Aaron_Nichols@gbtpa.com> wrote:
>
> Hi David,
>
> Can we please be advised of an update? Has the final remediation package been sent at this time?
>
> Thank you,
>
> **Aaron Nichols** | Resolution Manager | Gallagher Bassett-Costco Wholesale Corporation
> Gallagher Bassett CA License Number: 2731012
> **Reporting Branch:** Downers Grove (197) | **Office Location**: St. Peter's, MO
> **Mailing Address:** PO Box 6330, Oakbrook Terrace, IL 60181
> **D:** 636-345-9531 | **F:** 630-932-9111
> **E:** aaron_nichols@gbtpa.com
> Alternate Point of Contact: Hope Walton (636) 345-9335 :Hope_Walton@gbtpa.com
> Gallagher Bassett is committed to providing exceptional service. If you wish to share a compliment or comment about the service I have provided, please email GB.ServiceExcellence@gbtpa.com.
>
> ---
>
> **From:** David Reed <david@rivercityclaims.com>
> **Sent:** Wednesday, January 22, 2025 3:39

PM
**To:** Aaron Nichols <Aaron_Nichols@gbtpa.com>
**Cc:** Jacob Highsmith <Jacob.Highsmith@sedgwick.com>; Jeanne Reed <jeanne@rivercityclaims.com>; rccs-2025010002@claimmail.net; Leslie.Carney@rxo.com; Christopher Thomas <Christopher.Thomas@sedgwick.com>; Jacob Highsmith <Jacob.Highsmith@sedgwick.com>; Christopher Thomas <Christopher.Thomas@sedgwick.com>
**Subject:** Re: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

[EXTERNAL]

Hello Aaron
I'm awaiting the final remediation package from Santiclean. My understanding is the the house will be turned back over with PRV on or before 2/3/2025. I'm hoping to have the final invoice from them as well as the information on damaged personal property by weeks end. Once I have that I can finish our estimate and submit.

**David P. Reed**
Licensed Public Adjuster
W386600
Office: (904) 274-4500
Direct: (609) 381-7520
david@rivercityclaims.com
450 State Road 13 N. Suite 106 PMB 403
St. Johns, FL 32259
RiverCitySignatureLogo

> On Jan 22, 2025, at 4:22 PM, Aaron Nichols <Aaron_Nichols@gbtpa.com> wrote:

Hi David,

Checking in to see if there is an update or anything on our end in regards to help accelerate the claim's resolution for Mr. Byrd.

Warm Regards,

**Aaron Nichols** | Resolution Manager | Gallagher Bassett-Costco Wholesale Corporation
Gallagher Bassett CA License Number: 2731012
**Reporting Branch:** Downers Grove (197) | **Office Location**: St. Peter's, MO
**Mailing Address:** PO Box 6330, Oakbrook Terrace, IL 60181
**D:** 636-345-9531 | **F:** 630-932-9111
**E:** aaron_nichols@gbtpa.com
Alternate Point of Contact: Hope Walton (636) 345-9335 :Hope_Walton@gbtpa.com
Gallagher Bassett is committed to providing exceptional service. If you wish to share a compliment or comment about the service I have provided, please email GB.ServiceExcellence@gbtpa.com.

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**From:** David Reed <david@rivercityclaims.com>
**Sent:** Thursday, January 16, 2025 4:13 PM
**To:** Aaron Nichols <aaron_nichols@gbtpa.com>; Highsmith, Jacob <Jacob.Highsmith@sedgwi

ck.com>; Jeanne Reed <jeanne@rivercityclaims.com>
**Cc:** rccs-2025010002@claimmail.net; Leslie.Carney@rxo.com; Thomas, Christopher <Christopher.Thomas@sedgwick.com>
**Subject:** RE: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

[EXTERNAL]

Good afternoon Aaron Thank you for reaching out. Just an update to a couple things. We are getting close to having a Remediation, Rebuild and damaged personal property estimate including already incurred ALE as well as anticipated expected expenses until the Byrds can move back into their home safely. I have reached out to the company that has most of the personal property and am just waiting to hear back from them on when we can inspect it. Please Don't hesitate to reach out to me if you have any questions.


## David P. Reed

Licensed Public Adjuster
W386600
Office: (904) 274-4500
Direct: (609) 381-7520
david@rivercityclaims.com

450 State Road 13 N.
Suite 106 PMB 403
St. Johns, FL 32259
<image001.jpg>

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**From:** Aaron Nichols <aaron_nichols@gbtpa.com>
**Sent:** Thursday, January 16, 2025 2:45 PM
**To:** Highsmith, Jacob <Jacob.Highsmith@sedgwick.com>; Jeanne Reed <jeanne@rivercityclaims.com>
**Cc:** rccs-2025010002@claimmail.net; Leslie.Carney@rxo.com; David Reed <david@rivercityclaims.com>; Thomas, Christopher <Christopher.Thomas@sedgwick.com>
**Subject:** RE: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

Hi Jeanne

Can we please be provided with an update on this claim? We would like to inform Costco and update our file accordingly.

Kind Regards,

**Aaron Nichols** | Resolution Manager | Gallagher Bassett-Costco Wholesale Corporation
Gallagher Bassett CA License Number: 2731012
**Reporting Branch:** Downers Grove (197) | **Office Location**: St. Peter's, MO

**Mailing Address:** PO Box 6330, Oakbrook Terrace, IL 60181
**D:** 636-345-9531 | **F:** 630-932-9111
**E:** aaron_nichols@gbtpa.com
Alternate Point of Contact: Hope Walton (636) 345-9335 :Hope_Walton@gbtpa.com
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**From:** Highsmith, Jacob <Jacob.Highsmith@sedgwick.com>
**Sent:** Wednesday, January 8, 2025 2:39 PM
**To:** Jeanne Reed <jeanne@rivercityclaims.com>
**Cc:** rccs-2025010002@claimmail.net; Aaron Nichols <aaron_nichols@gbtpa.com>; Leslie.Carney@rxo.com; David Reed <david@rivercityclaims.com>; Thomas, Christopher <Christopher.Thomas@sedgwick.com>
**Subject:** RE: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

[EXTERNAL]

Jeanne, also we need to schedule a time to inspect all of the damaged

personal property items. Most of the personal property affected was removed prior to our inspection and is at storage. We need to document every single item you are claiming as damaged. Please have the guns unloaded with open-bolt indicators installed if possible or have locked open chambers if able to. I also want to make sure that the muzzles are kept pointed in a safe direction at all times while inspecting the guns.

Please provide your complete claim, Building, Personal Property, and Additional Living Expense in line item format, detailing what you are claiming as the complete claim.

Best Regards,

**Jake Highsmith, CPCU, AIC, WRT** | Regional General Adjuster
Florida License# P174918
6440 Southpoint Pkwy, Ste. 200B, Jacksonville, FL 32216
Office: 904.396.9406 | Fax: 904.396.6484
Cell: 904.248.8576| Email: jacob.highsmith@sedgwick.com
www.sedgwick.com| Caring counts®
<image002.png>

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**From:** Thomas, Christopher <Christopher.Thomas@sed

gwick.com>
**Sent:** Wednesday, January 8, 2025 2:36 PM
**To:** Jeanne Reed <jeanne@rivercityclaims.com>; Highsmith, Jacob <Jacob.Highsmith@sedgwick.com>
**Cc:** rccs-2025010002@claimmail.net; aaron_nichols@gbtpa.com; Leslie.Carney@rxo.com; David Reed <david@rivercityclaims.com>; Thomas, Christopher <Christopher.Thomas@sedgwick.com>
**Subject:** RE: 241202-036090 || Sedgwick Claim #4A24128QY52-0001

Jeanne:

I am the Sedgwick adjuster assigned to this file. We are in receipt of your LOR and PA contract. I left a voice message for David earlier today and was told he was out of the office until Friday (1/10). I also left a voice message on David's mobile number. Please provide a copy of your damage estimate for the claim. In addition, Mr. Byrd outlined additional damages he had which included:

1. ***Storage of Boat - normally kept in my garage. The garage will be quarantined and repaired and I need to remove all excessive items***

***from garage. I have no idea what boat storage costs.***

2. ***Storage of project car - car was scheduled to be returned by Herring Cleaning and Restoration on 12-15, however the garage is no longer available to store it during remediation and rebuild.***

3. ***Storage of Piano - The piano will need to be moved and stored during remediation and rebuild. It will also require inspection by a qualified individual to determine what damage if any it received.***

4. ***Violins, Cello, Guitars - These will need to be transported, inspected, repaired as needed from water exposure, and stored with a luthier during remediation and rebuild.***

5. ***Firearms - the safe had water that intruded into it and some firearms got wet. I would like to have a gunsmith check out all of the firearms and wipe them to prevent corrosion and address and***

***corrosion that may have been caused by this water event.***

We would like to set-up a call to discuss the items outlined by Mr. Byrd and the findings of our Industrial Hygienist.

Please let us know what date/time works for you.

Thank you,
Chris

**Christopher Thomas** | Claims Examiner
FL Independent Adjuster License No.: E130480
**Sedgwick Claims Management Services, Inc.**
DIRECT 856-396-2693
MOBILE 215-485-6530
EMAIL Christopher.Thomas@sedgwick.com
www.sedgwick.com | **Caring counts℠**
<image003.gif>

**Sedgwick manages claims for AIG Insurance Company on behalf of RXO Last Mile, Inc.**

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**From:** Jeanne Reed <jeanne@rivercityclaims.com>
**Sent:** Wednesday, January 8, 2025 12:37 PM
**To:** Highsmith, Jacob <Jacob.Highsmith@sedgwick.com>
**Cc:** rccs-2025010002@claimmail.net; Thomas, Christopher

<Christopher.Thomas@sedgwick.com>; aaron_nichols@gbtpa.com ; Leslie.Carney@rxo.com; David Reed <david@rivercityclaims.com>
**Subject:** 241202-036090

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe...**

Good afternoon,

I am following up on the email I sent last week for the Byrd - [redacted] claim. Please provide confirmation of receipt of the LOR and PA contract and let me know if you need anything additional.

Thanks,


## Jeanne Reed

License: W549263

River City Claims

[redacted]

(904) 274-4500 (office)

jeanne@rivercityclaims.com

101 E Town Place, Suite 140

Saint Augustine, FL
32092

<image004.png>

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