

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

AUTO-OWNERS INSURANCE
COMPANY,

Plaintiff,

v.

SOUTHERN EQUIPMENT SALES &
SERVICE, INC., AND ZT MOTORS
OF FORT WALTON FOUR, LLC

Defendants.

Civil Action

File No. 7:20-cv-00165-WLS

STIPULATION

COME NOW Plaintiff Auto-Owners Insurance Company and Defendant ZT Motors of Fort Walton Four, LLC ("ZT Motors"), by and through counsel, and hereby stipulate and agree to the following:

1. Defendant ZT Motors does not independently contest any coverage issues raised by the Plaintiff in this declaratory judgment action, other than those which have been raised by Southern Equipment Sales & Service, Inc.
2. Defendant ZT Motors expressly stipulates and agrees that it takes no position as to whether the commercial general liability policy issued by Auto-Owners Insurance Company to Defendant Southern Equipment Sales & Service, Inc., policy number 154618-80042452-16 (the "Policy"), provides insurance coverage for the claims asserted and damages sought in the underlying lawsuit

filed in the Circuit Court of Okaloosa County, Florida against Southern Equipment, the same being designated as Civil Action File No. 2019CA3233 ("Underlying Lawsuit").

3. Defendant ZT Motors submits to the jurisdiction of this Court and further consents to be bound by any and all judgments entered by this Court concerning Plaintiff's duties and obligations with respect to the aforementioned insurance policy, which is the subject of this action.
4. Defendant ZT Motors shall have no responsibility for any damages, costs or fee awards that may arise from this action.
5. The parties hereto shall bear their own attorneys' fees and expenses.

This 20th day of April, 2022.

KENDALL | MANDELL, LLC

/s/ D. Scott Mercer
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/s/ James L. Elliott
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[Signed with express permission by
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Counsel for Defendant ZT Motors
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SO ORDERED this 25th day
of April, 2022

W. Louis Sands
W. Louis Sands, Sr. Judge
United States District Court

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served or caused to be served a copy of the within and foregoing **Stipulation** in this matter by electronically filing the same with the Court via the CM/ECF system to the following counsel of record:

James A. Garland, Esq.
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& GOODING, PC
3016 N. Patterson Street
Valdosta, Georgia 31602

This 20th day of April, 2022.

/s/ D. Scott Mercer
D. Scott Mercer