

**BEFORE THE DIRECTOR OF INSURANCE
FOR THE STATE OF ILLINOIS**

**PUBLIC HEARING FOR THE PLANS OF
DIVISION AND RELATED STATEMENTS BY:**

ALLSTATE INSURANCE COMPANY;
ALLSTATE INDEMNITY COMPANY;
ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY; ALLSTATE FIRE AND
CASUALTY INSURANCE COMPANY;
ENCOMPASS INDEMNITY COMPANY;
ENCOMPASS PROPERTY AND CASUALTY
COMPANY; ESURANCE INSURANCE
COMPANY; ESURANCE PROPERTY AND
CASUALTY INSURANCE COMPANY

Hearing No. 21-HR-0010

**The Honorable Mary Anne Mason
(Ret.), Hearing Officer**

STIPULATED VIRTUAL HEARING PROTOCOL

A. Use of Zoom Platform.

1. Technical Director/Hosting Services. The Parties¹ have agreed to use technical personnel experienced in the Zoom platform for court hearings and other evidentiary proceedings. To that end, the Parties have retained FTI Consulting, Inc. (“FTI”) to coordinate the virtual hearing (the “Hearing”) being conducted on March 3, 2021 and (if necessary) March 4, 2021 before Judge Mary Anne Mason (Ret.), the Hearing Officer. Before the Hearing commences, FTI will confirm that key participants have requisite hardware, software, and internet resources, and sufficient training to participate at the Hearing. During the Hearing, the

¹ The Parties to the above-captioned matter are the Applicants (Allstate Insurance Company; Allstate Indemnity Company; Allstate Property and Casualty Insurance Company; Allstate Fire and Casualty Insurance Company; Encompass Indemnity Company; Encompass Property and Casualty Company; Esurance Insurance Company; and Esurance Property and Casualty Insurance Company) and the Illinois Department of Insurance.

FTI Host will, among other things: (1) ensure to the extent possible that all participants are online and connected so that the Hearing may commence at 9 a.m. CST each day of the proceedings; (2) make available and display for use when needed all documents to be used as exhibits; (3) provide a virtual “waiting room” for all witnesses while they wait to make their appearances and add them to the proceeding at the appropriate times; (4) provide virtual “breakout rooms” for the Parties and their counsel to meet privately during breaks; (5) provide virtual “breakout rooms” for the Hearing Officer to confer with Hearing counsel in side-bar conferences sequestered from witnesses and observers, as necessary; (6) provide public access to the proceeding and a mechanism for communicating comments to the group; and (7) provide a mechanism for the Hearing Officer to “seal the courtroom” when appropriate to deal with confidential information (oral or written) by limiting access to the portions of the proceeding to be conducted on a sealed record.

2. Hardware Requirements and Recommendations. In order to conduct the Hearing on the Zoom platform, each Party must have, at a minimum, the following resources:

- An internet connection – broadband wired or wireless
- For active participants, speakers with a dedicated external microphone or a headset with microphone – Bluetooth headphones are NOT recommended
- A webcam or HD webcam – built-in or USB plug-in
- See <https://support.zoom.us/hc/en-us/articles/201362023-System-requirements-for-WindowsmacOS-and-Linux> for specific system requirements for various computer systems and operating systems
- Each Party shall be responsible for ensuring that each witness that Party intends to call shall meet such specifications. In addition to the basic hardware setup, the Parties suggest the participants will benefit from using two screens – one screen to display the video images of speaking participants (*e.g.*, Hearing Officer, witness, examining attorney, and objecting attorney) and a second screen to display exhibits.

3. Security. FTI will utilize the security settings embedded in the Zoom platform to ensure that all security standards recommended by the U.S. Department of Justice are met, as follows:

- Utilizing a random Zoom meeting ID
- Requiring meeting passwords
- Enabling waiting room to monitor participants joining
- Disabling screen-sharing for non-hosts
- Disabling participant annotation function
- Using “mute all” controls
- Disabling data centers associated with China

4. On-Screen/Off-Screen Participants. FTI will ensure that during the Hearing only those participants who have a speaking role (e.g., Hearing Officer, witness, examining attorney, and other participant’s attorney) are shown onscreen during the proceeding, and that non-speaking participants (e.g., party representatives, counsel who are not speaking at the time, expert witnesses who are listening to relevant witness testimony, and court reporter(s)) are on mute and with the video camera disabled. FTI will provide for the ability of certain participants, such as counsel, the court reporter(s) and hearing deputy(ies), to unmute their microphone and cameras as necessary for participation in the proceeding.

5. Chat Function: The setting to disable the chat function for a given Zoom session is either “ON” or “OFF” for the entire session. Therefore, the Parties have agreed that the chat function will be disabled for the entirety of the Hearing.

B. Public Attendance and Comments

6. Per the instructions set forth in the Notice of Hearing, members of the public wishing to speak at the hearing will have submitted notice that they intend to speak through the

Department's website not later than seven (7) days before the scheduled hearing date, *i.e.* by Wednesday, February 24, 2021. The Parties will provide FTI with a list of the individuals' names who wish to speak at the hearing and any instruction that the Hearing Officer has provided, to the extent she has provided instruction, with respect to the time such individuals should be permitted to speak. Members of the public will have their camera turned off and their microphones muted throughout the hearing. At the appropriate time, at the direction of the Hearing Officer, FTI will provide each listed individual, one at a time, with the ability to turn his or her camera on, unmute his or her microphone, and make his or her comment live during the Hearing. At the end of his or her comment, or, in the case of a question, at the end of the answer given in response to his or her question, or at the Hearing Officer's direction, FTI will mute his or her microphone and turn off his or her camera.

7. If the Hearing Officer would like to give other members of the public, who have connected to the Hearing but who did not previously submit notice that they intended to speak through the department's website, an opportunity to be heard, the Hearing Officer may, at the appropriate time, instruct members of the public to use the Zoom "raise hand" function to indicate that they have a comment. If a member of the public is attending the Hearing via audio only, if/when the Hearing Officer invites members of the public to use the Zoom "raise hand" function, the member of the public may "raise their hand" by dialing *9. In the event that a member of the public raises his or her hand, and is recognized and permitted to participate by the Hearing Officer, at the appropriate time at the direction of the Hearing Officer, FTI will provide the user (if connected by video) with the ability to turn his or her camera on, unmute his or her microphone, and make his or her comment live during the Hearing. If a member of the public who has dialed in by audio only is recognized by the hearing officer, before making his or her

comment, he or she will need to unmute his or her line and first state his or her name. At the end a comment, or, in the case of a question, at the end of the answer given in response to the question, or at the Hearing Officer’s direction, FTI will mute the member of the public’s microphone and (if applicable) turn off his or her camera. The Hearing Officer will not recognize or respond to “raised hands” until the public comment portion of the Hearing.

8. Members of the public who wish to attend the hearing, but do not wish to speak, may do so. Before being admitted from the Zoom waiting room into the Hearing session, members of the public must identify themselves, for purposes of the Zoom name information, using their first and last names and indicating that they are members of the public, for example “Jane Doe [public].” Once properly named, FTI will be able to admit members of the public to the Hearing session. As noted above, all members of the public will have their camera turned off and their microphones muted throughout the hearing, until such time when members of the public are invited to “raise their hand” as described above. Members of the public may also attend the Hearing by dialing in using a Zoom access phone number. Members of the public choosing to attend the hearing via audio connection only will have their phone line muted throughout the hearing, until such time when members of the public are invited to “raise their hand” as described above.

C. TrialMax Cloud Portal

9. FTI will provide a single webpage as a central point of entry for all participants (with the exception of the public). This portal page will have links available for the participants to access the Zoom meeting, the court reporters real-time feed, and, if the Parties request, a central repository for documents used during the Hearing.

10. Real-time feed: FTI will work with the court reporter to ensure that the real time transcript feed will be made accessible via the FTI portal page for all Parties to connect.

D. Preparation and Displaying of Exhibits

11. FTI will provide a presentation technology consultant (“hotseat operator”) who will be responsible for displaying documents and presentations within the Zoom platform based on the direction of the Parties. This individual is a neutral party and will not share any information or practices with opposing sides should they be asked to help in preparation prior to the Hearing.