

STATE OF NEW JERSEY)

ss:

COUNTY OF ESSEX)

SUSAN SMITH, being of full age, and being duly sworn according to law upon my oath, depose and say:

1. I am the plaintiff in this lawsuit.
2. The defendant insurance company, Acme, insures me under a policy which contains a provision for uninsured/underinsured motorist claims.
3. My lawyers originally notified Acme of a potential underinsured motorist claim and at that same time requested Acme to appoint an arbitrator.
4. Both the insurance company and I have named our choices to serve as two of the three members of the arbitration panel provided for under the terms of my insurance policy.
5. To date, however, the two arbitrators have been unable to agree on the appointment of a third arbitrator as provided for under the terms of my insurance policy and, as a result, my claim cannot proceed to arbitration.

SUSAN SMITH

Sworn and subscribed to
before me this _____ day
of _____, 2000
