

In The
Supreme Court of the United States

DEBE OLSON,

Petitioner,

v.

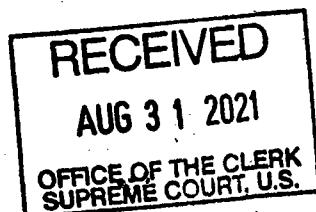
FARMERS NEW WORLD LIFE INSURANCE COMPANY;
FARMERS INSURANCE GROUP, ALSO KNOWN AS
FARMERS GROUP, INCORPORATED,

Respondents.

**On Petition For Writ Of Certiorari
To The United States Court Of Appeals
For The Fifth Circuit**

**OPPOSED MOTION FOR THE CLERK TO FILE THE PETITION OUT
OF TIME DUE TO HIGHLY UNUSUAL CIRCUMSTANCES**

DAVID SHELTER
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Attorney for Petitioner
Debe Olson



To the Honorable Justices of the United States Supreme Court:

I.

Petitioner filed a timely Motion for Extension of Time on January 9,2020 as shown by the true and correct copy of the Motion attached as Ex. “1”. Per the Clerk’s Office there is no Motion in the file.

II.

A letter was sent by the Clerk’s Office claiming that the Motion for Extension of Time was received and filed on March 20, 2020, and the letter states that the Motion for Extension of Time is already out of time. This letter is attached as Exhibit “3” to the Opposed Motion for Extension of Time which is attached as Ex. “2”. The letter has the wrong address on it as it is addressed to 260 FM 1959 not 360 FM 1959. Per the Clerk’s Office this letter is also not contained in the Court’s file.

III.

The letter from the Clerk’s Office attached as Ex. “3” was not received by the Petitioner’s Attorney until August 2020 as stated in the Declaration of Dale Moon attached as Ex. “4”. During all this time, Mr. Sheller made numerous calls to the Clerk’s office which were never returned or answered until Mr. Sheller was given the name and number of Jeff Atkins in the Clerk’s Office by Cockle Legal Briefs.

Once the letter from the Clerk's Office attached as Ex. "3" was received the Petition for Writ was filed on August 17, 2020.

Wherefore Premises Considered, Petitioner Debe Olson and the putative class respectfully request that the court grant the Motion and direct the Clerk's Office to file the Petition Out of Time due to the highly unusual circumstances described herein including Covid and for such other and further relief both at law and in equity to which the Petitioner may be justly entitled.

Respectfully submitted,
SHELLER LAW FIRM, PLLC
DAVID SHELLER
360 FM 1959
Houston, Texas 77034
Telephone: (713)-906-0640
david@shellerlawfirm.com
Attorney for Petitioner
Debe Olson

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this pleading was served in accordance with the US Supreme Court Rule 29 on August 27, 2021, to all Defendants

/s/ David L. Sheller

David L. Sheller

EXHIBIT “1”

IN THE UNITED STATES SUPREME COURT

DEBE OLSON,

Plaintiff-Appellant

v.

FARMERS NEW WORLD LIFE INSURANCE COMPANY; FARMERS INSURANCE GROUP, also known as Farmers Group, Incorporated.

Defendants-Appellees

On Appeal from the United States Court of Appeals for the 5th Circuit

**APPELLANTS OPPOSED MOTION
FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF
CERTIORARI**

Respectfully submitted:

David Sheller
Sheller Law Firm PLLC
SCBN 214784
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360 FM 1959
Houston, Texas 77034
Telephone: (832) 841-1175
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Attorneys for Appellants
Debe Olson

**MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR
WRIT OF CERTIORARI**

To the Honorable Justices of the U.S. Supreme Court:

1. This case involves 903,000 people in a putative class action and an ongoing life insurance sales fraud by Farmers which will defraud Farmers clients out of an additional \$6.4 billion dollars over the next 20 years. This is true because the cost of insurance on a \$50,000 face value policy will be \$285,000 from ages 80 to 100. ROA 1541-1543.
2. It also involves notice and the Farmers policyholders individual and class rights to be heard pursuant to the 14th Amendment.
3. Appellant's Counsel is now aware that 10 days notice for such a Motion for Extension of Time is normally required by the court. Counsel had surgery was in the hospital for a week, and is still in the recovery phase from that surgery.
4. Wherefore Premises Considered, Appellant prays that this Motion will be granted and a 30 day extension given and for such other and further relief to which the Appellant may be justly entitled.

Respectfully submitted:

/s/ David Sheller

David Sheller
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david@shellerlawfirm.com
Attorneys for Appellants
Debe Olson

CERTIFICATE OF CONFERENCE

Defendants- Appellees counsel are opposed to request for extension of time to file Writ of Certiorari with the United States Supreme Court.

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2020 I sent a true and correct copy of the above and foregoing Motion for extension of time to file Petition for Writ of Certiorari by service electronically through facsimile on all parties registered to receive such service as follows:

Carlos Rey Ranier
Phillip Tarpley
Janet Higgins
NORTON ROSE FULBRIGHT US LLP
Fulbright Tower
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
Telephone: (713) 651-5151
ATTORNEY DEFENDANTS,
Farmers New World Life Insurance Company
and Farmers Group, Inc.

Peter Mason Joshua
Lichtman Eric
Herzog
NORTON ROSE FULBRIGHT US
LLP
555 S. Flower Street, 41st
Floor
Los Angeles, CA 90071
Telephone: (213) 892-9200
ATTORNEY FOR
DEFENDANTS,
Farmers New World Life Ins.
and Farmers Group, Inc.

Houston, Texas January 9, 2020.

/s/ David Sheller
DAVID SHELLER

EXHIBIT “2”

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

March 24, 2020

David Sheller
260 FM 1959
Houston, TX 77034

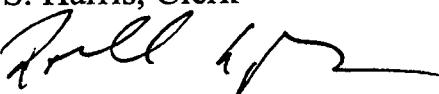
RE: Olson v. Farmers New World Life Insurance Co., et al.
USCA5# 18-20521

Dear Mr. Sheller:

The application for an extension of time within which to file a petition for a writ of certiorari in the above-entitled case was postmarked March 20, 2020 and received March 24, 2020. The application is returned for the following reason(s):

In light of the order of the Court dated March 19, 2020, the deadline to file any petition for a writ of certiorari is extended to 150 days from the date of the lower court judgement. A copy of the order is enclosed.

Sincerely,
Scott S. Harris, Clerk

By: 

Redmond K. Barnes
(202) 479-3022

Enclosures

(ORDER LIST: 589 U.S.)

THURSDAY, MARCH 19, 2020

ORDER

In light of the ongoing public health concerns relating to COVID-19, the following shall apply to cases prior to a ruling on a petition for a writ of certiorari:

IT IS ORDERED that the deadline to file any petition for a writ of certiorari due on or after the date of this order is extended to 150 days from the date of the lower court judgment, order denying discretionary review, or order denying a timely petition for rehearing. See Rules 13.1 and 13.3.

IT IS FURTHER ORDERED that motions for extensions of time pursuant to Rule 30.4 will ordinarily be granted by the Clerk as a matter of course if the grounds for the application are difficulties relating to COVID-19 and if the length of the extension requested is reasonable under the circumstances. Such motions should indicate whether the opposing party has an objection.

IT IS FURTHER ORDERED that, notwithstanding Rules 15.5 and 15.6, the Clerk will entertain motions to delay distribution of a petition for writ of certiorari where the grounds for the motion are that the petitioner needs additional time to file a reply due to difficulties relating to COVID-19. Such motions will ordinarily be granted by the Clerk as a matter of course if the length of the extension requested is reasonable under the circumstances and if the motion is actually received by the Clerk at least two days prior to the relevant distribution date. Such motions should indicate whether the opposing party has an objection.

EXHIBIT “3”

**OPPOSED MOTION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI BASED ON HIGHLY
UNUSUAL CIRCUMSTANCES CAUSED BY COVID 19**

**TO THE HONORABLE JUSTICES OF THE UNITED STATES
SUPREME COURT:**

The Petition for Rehearing En Banc was filed on October 15, 2019.

On January 9, 2020 the Petitioner filed an Application for an Extension of Time with the court and opposing counsel as shown by the attached Certificate of Service Page Ex. "1". Petitioner received a call from the Clerk's office weeks later telling him that the matter would be ruled upon at some point. The Gentleman that called did not know by whom. The Petitioner was instructed to send in 4 hard copies of the Motion which was done immediately after the phone call.

In a letter and Order dated March 24, 2020 the Clerk stated that the Motion had just been received and was being returned because time had expired. See Exs. "2" and "3". This cannot be correct as it was done well before this time. However, Petitioner did not receive this letter and Order until August 2020. Petitioner's Counsel went out of state on March 26, 2020 because of health reasons, and has not returned to Houston because of the coronavirus problems in Houston. The same is true of my staff. The President of the company next door, Dale Moon, collects our mail, and as shown by his Declaration attached as Ex. "4", he did not receive the letter from the U.S. Supreme Court until at least August 2020.

This is a very serious life insurance sales fraud case which affects hundreds of thousands of people who were taken advantage of by the Farmers Defendants. Farmers secretly took interest from one set of policyholders whose policy type was being discontinued to quote a high interest rate to induce new policyholders to purchase the new type of policy. This practice went on for 3 years until the Farmers Defendants stopped the practice in or about March 1996 because it was unfair to existing policyholders per the Farmers secret Interest Committee meetings. The Farmers Universal Life policy owned by Ms. Olson is a \$50,000 face value policy that she has had for over 25 years. Ms. Olson obtained an inforce illustration in 2017 before suit was filed on behalf of her and the class. The illustration showed her premiums would continue at \$856 per year through age 100. In actuality the cost of insurance to keep her \$50,000 policy in force from age 80 to 100 was \$285,000. The Farmers Defendants take the policyholders life savings that they believe have built up inside the policy to pay the premiums. Most policyholders lose their life savings in the policies and lose the policy.

Wherefore Premises Considered, Appellant Debe Olson Individually and on behalf of the putative class requests that the court allow the Petition to be filed due to clerical error probably causes by Covid 19 and for such other and further relief both at law and in equity to which the Appellant may be justly entitled.

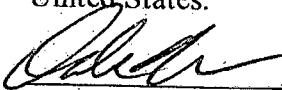
Respectfully submitted,
SHELLER LAW FIRM, PLLC
DAVID SHELLER
360 FM 1959
Houston, Texas 77034
Telephone: (832) 841-1175
david@shellerlawfirm.com
Attorney for Petitioner
Debe Olson

EXHIBIT “4”

DECLARATION OF DALE MOON

My name is Dale Moon, I am over the age of 18 years of age and fully competent to make this declaration and I have personal knowledge of the facts stated herein. I am the owner of the company located next door to Mr. Sheller's office as well as the property manager. As part of my regular business practices I check over Mr. Sheller's mail on a daily basis. I did not see anything from the US Supreme Court addressed to Mr. Sheller until August 2020.

I swear that this declaration is true and correct under penalties of perjuries of the laws of the United States.

 Dated: 8/13/2020
Dale Moon