

IN THE SUPREME COURT OF FLORIDA

UNITED INSURANCE COMPANY OF
AMERICA; THE RELIABLE LIFE
INSURANCE COMPANY; MUTUAL
SAVINGS LIFE INSURANCE COMPANY;
and RESERVE NATIONAL INSURANCE

Petitioners,

v.

CASE NO: SC2020-1306
L.T Nos.: 1D18-21142
2016-CA-001009

JIMMY PATRONIS, in his official
capacity as Chief Financial Officer
of the State of Florida, and the
FLORIDA DEPARTMENT OF
FINANCIAL SERVICES,

Respondents.

_____/

**THE NATIONAL ASSOCIATION OF UNCLAIMED
PROPERTY ADMINISTRATORS' UNOPPOSED
MOTION FOR LEAVE TO FILE AMICUS CURIAE
BRIEF IN SUPPORT OF RESPONDENTS**

The National Association of Unclaimed Property Administrators
("NAUPA"), by and through its undersigned counsel, respectfully
moves this Court for leave to file a brief as *amicus curiae* in support
of Respondents.

1. NAUPA is a non-profit organization affiliated with the
National Association of State Treasurers. Members include all states,

the District of Columbia, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands. NAUPA seeks to promote and strengthen unclaimed property administration, uniformity, and interstate cooperation in order to facilitate the return of unclaimed property to rightful owners.

2. The issues presented in this appeal concern the constitutionality of retroactive application of the amendments to Florida Statutes Section 717.107, enacted by the Florida Legislature in 2016, with respect to unclaimed life insurance policy proceeds (the “Florida Amendments”).

3. The issues presented in this appeal are important to NAUPA and its members, since ensuring the reporting of unclaimed life insurance proceeds is an area of significant concern to NAUPA’s member states. The outcome of this case impacts the administration of unclaimed property laws not only in Florida, but potentially other NAUPA member states as well.

4. NAUPA has previously participated as *amicus curiae* in the appeal below, *Patronis v. United Insurance Co.*, 299 So. 3d 1152 (Fla. Dist. Ct. App. 2020), as well as in an unclaimed life insurance case presenting similar issues, *State ex rel. Perdue v. Nationwide Life Ins.*

Co., 717 S.E. 2d 11 (W.Va. App. 2015).

5. Should the Court grant this motion, NAUPA intends to address in its brief why the Court should affirm the First District Court of Appeal's conclusion that the Florida Amendments can be applied retroactively.

6. NAUPA believes that it can assist the Court in understanding the scope of the industry-wide problem of unclaimed life insurance proceeds that has been identified nationwide, the broader context in which the Florida Amendments were enacted and how they are consistent with the historic purposes of the unclaimed property laws, and how the outcome of this matter will impact individuals owed unclaimed life insurance proceeds.

7. Undersigned counsel has conferred with counsel of record for both parties, and the parties consent to NAUPA filing an *amicus curiae* brief.

WHEREFORE, the undersigned respectfully moves this Court for leave to file a brief as *amicus curiae* in support of Respondents' position in this matter.

Respectfully submitted,

/s/ M. Drew Parker

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 28, 2021, a true and correct copy of the foregoing was filed electronically and served to all parties on the attached service list through the Court's electronic portal.

/s/ M. Drew Parker

M. Drew Parker

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