

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

GLOBAL AEROSPACE, INC.,)
)
Plaintiff,) C.A. No. N16C-07-235 MMJ
)
v.)
)
CAROL MCDOWELL as)
Representative for the Estate of JAMES)
MCDOWELL, and SHELLY DEVRIES)
as representative for the Estate of)
BAUKE DEVRIES,)
)
Defendant.)

Submitted: April 19, 2018

Decided: June 14, 2018

ORDER

James M. Altieri, Esq., Lars A. Dyrka, Esq., William T. Corbett, Jr., Esq., Michael J. Maimone, Esq., Drinker Biddle & Reath LLP, Attorneys for Plaintiff Global Aerospace, Inc.

Robin P. Moody, Esq., Richard E. Genter, Esq., Bifferato Gentilotti LLC, Attorneys for Defendant Carol McDowell as Representative for the Estate of James McDowell.

JOHNSTON, J.

This is an action for declaratory judgment brought by Plaintiff Global Aerospace, Inc., an aircraft insurance company, against Defendants, representatives of the estates of victims of an airplane crash. Defendant Carol McDowell, on behalf of the McDowell estate, made a Motion to Compel Discovery. Oral argument was

held on the motion on March 29, 2018. At oral argument, the Court ordered *in camera* review of documents withheld by Global on the basis of attorney-client privilege or attorney work product. Global provided the Court with 187 withheld, allegedly privileged documents, which the Court has reviewed.¹

The Court holds that the documents marked with the following Bates numbers are not privileged and are subject to disclosure:

PRIV 00001

PRIV 00005

PRIV 00006

GLOB_MCD00077072– GLOB_MCD00077141

PRIV 1873

PRIV 1395–PRIV 1396

Defendant's motion to compel is hereby **GRANTED IN PART AND DENIED IN PART**. Plaintiff shall produce the documents listed above. The Court holds that all other documents reviewed by the Court are privileged and not subject to disclosure.

IT IS SO ORDERED.


The Honorable Mary M. Johnston

¹ The Court notes that two documents on Global's privilege log were not included in the materials sent to the Court: Bates number PRIV 1995 and PRIV 1599.