

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

PAUL PURSLEY, JR.

CIVIL ACTION

VERSUS

NO: 21-1776

SUSAN LAWRENCE, ET AL

SECTION: "S" (5)

ORDER AND REASONS

**IT IS HEREBY ORDERED** that plaintiff's **Motion for Review of Magistrate's Denial of Production of Entire Claims File** (Rec. Doc. 105) is **GRANTED**, and GEICO Casualty Company is **ORDERED** to produce its full claims file to plaintiff, by the end of business today.

Plaintiff previously filed a motion to compel the entire claims file, which the Magistrate Judge denied. Plaintiff now seeks review of that denial.

A district court reviews a magistrate judge's order on non-dispositive pretrial matters under a clearly erroneous or contrary to law standard. 28 U.S.C. § 636(b)(1)(A); *see, Perales v. Sasilla*, 950 F.2d 1066, 1070 (5th Cir. 1992); *see also*, FED. R. CIV. P. 72(a).

In denying the discovery request, Magistrate Judge North specifically noted that the motion was filed well after the discovery deadline and after the parties had submitted a proposed pretrial order that specifically advised there were no other motions pending. The ruling was not clearly erroneous based upon the information available to the Magistrate Judge at the time.

However, it has become apparent through subsequent motion practice that GEICO intends to use at trial material in the claims file that it has not disclosed. Accordingly, plaintiff is

entitled to production of the entire claims file, and thus,

**IT IS HEREBY ORDERED** that plaintiff's **Motion for Review of Magistrate's Denial of Production of Entire Claims File** (Rec. Doc. 105) is **GRANTED**, and GEICO Casualty Company is **ORDERED** to produce its full claims file to plaintiff, by the end of business today.

New Orleans, Louisiana, this 15<sup>th</sup> day of September, 2022.



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MARY ANN VIAL LEMMON  
UNITED STATES DISTRICT JUDGE