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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

PACIFIC MARINE CENTER, INC., a  
California corporation, and SONA  
VARTANIAN, an individual,

Plaintiff,

vs.

PHILADELPHIA INDEMNITY INSURANCE  
COMPANY, a Pennsylvania corporation, and  
DOES 1 through 10, inclusive,

Defendant.

**Case No.: 1:13-cv-00992-AWI-SKO**

**ORDER RE THE PARTIES'  
DISCOVERY DISPUTE**

On November 26, 2014, the parties appeared for an informal telephonic conference regarding a discovery dispute. Bruce Smyth, Esq., appeared on behalf of Defendant Philadelphia Indemnity Insurance Co. ("Defendant"); Jeff Reich, Esq., appeared on behalf of Plaintiffs Sona Vartanian and Pacific Marine Center, Inc. ("Plaintiffs").

1 **Requests For Production in September 29, 2014, Letter to Plaintiffs' Counsel**

2 Plaintiffs are ORDERED to supplement their responses to the following requests for  
3 production, propounded by Defendant in its letter of September 29, 2014. Unless otherwise set  
4 forth below, the supplemental responses shall be produced by **December 26, 2014**.

5 **1. RFP Nos. 1 and 2:** Plaintiffs indicated they will provide additional responsive documents  
6 and are ORDERED to produce those documents. Plaintiffs are also ORDERED to supplement their  
7 responses to these interrogatories, indicating under oath that all responsive documents have been  
8 provided. If there is any objection to production, the parties are to meet and confer. If further meet  
9 and confer efforts do not resolve the issue, the parties shall file a joint statement indicating their  
10 respective positions with regard to these interrogatories, as set forth below.

11 **2. RFP Nos. 4, 5, and 6:** Plaintiffs are to supplement their responses to RFP Nos. 4, 5, and 6  
12 and state definitively under oath that all responsive documents have been produced.

13 **3. RFP No. 9:** Plaintiffs indicated there are one year of documents responsive to this request  
14 that have not yet been produced. Plaintiffs are ORDERED to produce these documents.

15 **4. RFP Nos. 10 and 11:** Plaintiffs shall conduct a search for responsive documents and shall  
16 produce any responsive documents, or state under oath that all responsive documents have been  
17 produced.

18 **5. RFP No. 12:** Plaintiffs are ORDERED to supplement their response and provide all  
19 responsive documents or state definitively under oath that all responsive documents have been  
20 provided.

21 **6. RFP No. 16:** Plaintiffs are ORDERED to supplement their response to this RFP. If the  
22 response includes an objection based upon a privilege, a privilege log **MUST** be provided to  
23 Defendant **by December 12, 2014**. The parties are to meet and confer regarding any dispute over  
24 the supplemental response. If a dispute remains following the parties' meet and confer, they are to  
25 submit a joint status report to the Court outlining the dispute and indicating their respective  
26 positions, as set forth below.

27 **7. RFP No. 17:** Plaintiffs are ORDERED to supplement their responses to indicate  
28 definitively under oath that all responsive documents have been produced.

1 **Amended Responses to Request for Production, Set One**

2 On November 6, 2014, Plaintiffs produced additional documents responsive to Defendant's  
3 **RFPs, Set One.** Defendant is to review Plaintiffs' production and the parties shall meet and confer  
4 regarding any disputes remaining with respect to RFPs, Set One.

5 **Interrogatories, Set One**

6 As it pertains to Defendant's **Interrogatories, Set One,** Plaintiffs served supplemental  
7 responses that Defendant claims remain insufficient. With respect to these interrogatories, Plaintiffs  
8 are ORDERED to supplement their responses by December 26, 2014.

9 **1. Interrogatories Nos. 1, 4, and 7:** Plaintiffs shall specifically identify which facts support  
10 which claim, as directed by the interrogatories. A narrative of Plaintiffs' version of events is  
11 insufficient.

12 **2. Interrogatories Nos. 3, 6, and 9:** Plaintiffs shall supplement their responses to identify the  
13 documents produced by claim, indicating which documents are relevant to each claim as directed by  
14 the interrogatories.

15 **3. Interrogatory No. 11:** Plaintiffs shall supplement their response to state under oath  
16 whether she has visited a health provider as set forth in the interrogatory. If Plaintiff Sona  
17 Vartanian has seen a health care provider, she must provide the name and address of that provider.  
18 Plaintiffs indicate they have documents they will produce relevant to this interrogatory.

19 Accordingly, IT IS HEREBY ORDERED that:

- 20 1. All supplemental responses to either the RFPs or the Interrogatories SHALL be  
21 made by December 26, 2014;
- 22 2. As discussed above, if a privilege is claimed and documents are withheld pursuant to  
23 a privilege, Plaintiffs **shall** provide a privilege log by December 12, 2014;
- 24 3. Once Plaintiffs have supplemented their response, the parties are to meet and confer  
25 regarding any further disputes;
- 26 4. If there are remaining disputes following a meet and confer, the parties SHALL  
27 submit via email to [skoorders@caed.uscourts.gov](mailto:skoorders@caed.uscourts.gov) **by no later than January 15,**  
28 **2015, one** joint statement outlining the remaining disputes and setting forth their

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respective positions; and

5. A further informal telephonic conference is SET for January 22, 2015, at 4:00 p.m. The parties are to coordinate one joint conference call to chambers at (559) 499-5790 at the date and time set for the conference.

IT IS SO ORDERED.

Dated: December 2, 2014

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE