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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LENNAR MARE ISLAND, et al.,

 Plaintiffs,

 v.

STEADFAST INSURANCE COMPANY,
et al.,

 Defendants.

No. 2:12-cv-2182-KJM-KJN

LENNAR MARE ISLAND, LLC,

 Plaintiff,

 v.

STEADFAST INSURANCE COMPANY,

 Defendant.

No. 2:16-cv-0291-KJM-KJN

ORDER

On February 16, 2017, these cases were before the undersigned to address plaintiff/counterdefendant Lennar Mare Island, LLC’s (“Lennar”) motions to compel Steadfast Insurance Company (“Steadfast”) to amend and/or supplement its responses to Lennar’s request for inspection numbers 37 and 124. (ECF Nos. 438, 440 in Case No. 12-cv-2182; ECF Nos. 73,

1 75 in Case No. 2:16-cv-0291.)¹ Attorney Allan Packer appeared on behalf of Lennar. Attorney
2 John Purcell appeared telephonically on behalf of Steadfast. Attorney Mitchell Zeff appeared
3 telephonically on behalf of intervenor plaintiff United States. Attorneys Adam Dawson and
4 Amanda Hairston appeared telephonically on behalf of counterclaimant/counter defendant CH2M
5 Hill Constructors, Inc.

6 Based on Lennar's motions and the parties' joint statements regarding these discovery
7 disputes, other relevant filings, and oral arguments, and for the reasons discussed below and on
8 the record during the hearing, IT IS HEREBY ORDERED that:

- 9 1. Lennar's motions to compel (ECF Nos. 438, 440 in Case No. 12-cv-2182; ECF Nos.
10 73, 75 in Case No. 2:16-cv-0291) are GRANTED.
- 11 2. By no later than 4:00 p.m. on March 3, 2017, Steadfast shall produce to Lennar a
12 declaration by its counsel representing upon Steadfast's information and belief that it
13 has produced every document that, as of that date, comprises the claims files Lennar
14 seeks through its request for inspection numbers 37 and 124 and identifying, for each
15 such claim file described in Lennar's requests, the produced documents that make up
16 each such file by their Bates stamp numbers.
- 17 3. Lennar's request for \$10,800.00 in attorneys' fees pursuant to Federal Rule of Civil
18 Procedure 37(a)(5)(A) is GRANTED. For the reasons discussed on the record during
19 the hearing, the court finds that Steadfast was not substantially justified in its
20 responses to Lennar's discovery requests at issue. Furthermore, the court finds that
21 the declarations of Ryan L. Werner submitted in support of Lennar's request for
22 attorneys' fees (ECF Nos. 456, 459 in Case No. 12-cv-2182, and ECF Nos. 90, 93 in
23 Case No. 2:16-cv-0291) provide a sufficient basis to support such a request, and that
24 the amount requested is reasonable under the circumstances. Accordingly, Steadfast
25 shall pay Lennar \$10,800.00 pursuant to Federal Rule of Civil Procedure 37(a)(5)(A)
26 for the reasonable attorneys' fees Lennar incurred in its efforts to obtain the discovery
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28 ¹ The motions to compel filed in both actions are identical.

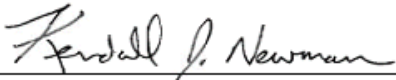
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sought through its present motions to compel.

4. This order resolves the motions to compel filed at ECF Nos. 438, 440 in Case No. 12-cv-2182, and ECF Nos. 73, 75 in Case No. 2:16-cv-0291.

IT IS SO ORDERED.

Dated: February 17, 2017


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE