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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 April 6, 2017, these cases were before the undersigned to address Lennar Mare Island, LLC’s (“Lennar”) motion to compel Steadfast Insurance Company (“Steadfast”) to produce un-redacted copies of certain reinsurance documents. (ECF No. 477 in 2:12-cv-2182; ECF No. 107

1 in 2:16-cv-0291.)¹ Also before the court was Steadfast's motion to compel Lennar to provide
2 further responses to Steadfast's Interrogatory Numbers 11 through 22. (ECF No. 478 in 2:12-cv-
3 2182; ECF No. 108 in 2:16-cv-0291.)² The court and the parties also addressed whether any
4 issues remained with regard to the parties' previous discovery dispute regarding the depositions
5 of John Hatch and Steve Mahoney. Attorney Morgan Tovey appeared on behalf of Steadfast.³
6 Attorney John Purcell appeared telephonically also on behalf of Steadfast. Attorneys Alan Packer
7 and Ryan Werner appeared telephonically on behalf of Lennar. Attorneys Johnathan Jacobson
8 and Mitchell Zeff appeared telephonically on behalf of intervenor plaintiff United States.
9 Attorney Amanda Hairston appeared telephonically on behalf of counterclaimant/counter
10 defendant CH2M Hill Constructors, Inc.

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

- 14 1. Lennar's motion to compel (ECF No. 477 in 2:12-cv-2182; ECF No. 107 in 2:16-cv-
15 0291) is GRANTED.⁴ As the court noted during the hearing, Steadfast does not need
16 to actually produce un-redacted copies of the reinsurance documents Lennar seeks
17 through its motion because Lennar already has un-redacted copies of such documents
18 as a result of the third-party insurers' productions in response to the subpoenas Lennar
19 served on those third parties.⁵

20 ¹ The motions filed in each action are identical.

21 ² The motions filed in each action are identical.

22 ³ After the hearing, the parties requested the court to schedule an informal telephonic discovery
23 conference to address their remaining issues relating to these depositions. The requested
24 telephonic conference will be set by a separate minute order.

25 ⁴ The court grants Lennar's motion based on its finding that Steadfast has waived any claim of
26 attorney-client privilege or work product immunity it may have with regard to the information
27 contained in the reinsurance documents at issue because the third-party reinsurers have already
produced copies of those very same documents to Lennar without any redactions.

28 ⁵ To the extent that Lennar does not already have un-redacted copies of such documents, it **may**

