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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

COLLEEN STEWART,

Plaintiff,

v.

PROPERTY AND CASUALTY
INSURANCE COMPANY OF
HARTFORD

Defendant.

No. 2:17-cv-2418-TLN-KJN

ORDER

On January 10, 2019, the court conducted an informal telephonic discovery conference in this matter. At the conference, attorney James Vorhis appeared on behalf of plaintiff, and attorney Ann Johnston appeared on behalf of defendant. For the reasons discussed with the parties at the conference, IT IS HEREBY ORDERED that:


1. Notwithstanding the stay entered by the district judge on January 10, 2019 (ECF No. 36), the parties have agreed, with the exception of plaintiff's bank statements, credit card statements, and phone records referenced below, that plaintiff has presently produced all documents in her possession, custody, or control in response to defendant's requests for production of documents. The parties also agreed that plaintiff is precluded from using any responsive documents that were not produced for purposes of the case, including trial, unless: (a) the documents are generated in the

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course of expert discovery (such as photos taken by experts or public record permits pulled by experts as part of their evaluation), or (b) the documents are newly discovered and could not reasonably have been discovered earlier despite plaintiff's diligent efforts.

2. The parties further agree that, no later than January 29, 2019, plaintiff shall produce either: (a) all her bank statements, credit card statements, and phone records responsive to Requests for Production of Documents, Set Two, Nos. 15-17, or (b) the account numbers corresponding to such documents along with a signed authorization from plaintiff for release of such documents sufficient for defendant to expeditiously subpoena such documents from appropriate third parties.
3. The settlement conference presently set for February 12, 2019 shall go forward, unless the parties stipulate otherwise or compelling new medical evidence is presented by plaintiff precluding the conduct of an effective settlement conference.
4. Defendant's request for sanctions is denied without prejudice.

Dated: January 11, 2019


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE