

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No: 13-cv-00079-PAB-KMT
Courtroom Deputy: Sabrina Grimm

Date: January 7, 2015
FTR: Courtroom C-201

Parties:

NATIONAL UNION FIRE INSURANCE COMPANY
OF PITTSBURGH, PA,

Plaintiff,

v.

INTRAWEST ULC f/k/a INTRAWEST
CORPORATION,
FEDERAL INSURANCE COMPANY,

NATIONAL FIRE INSURANCE COMPANY OF
HARTFORD, and
CONTINENTAL CASUALTY COMPANY,

Defendants.

Counsel:

Joseph Lang
Paul Motz
Douglas Stevens

Kellie Fetter

Brett Godfrey
Kelly Dugas
Cathleen Heintz
Michael O'Bresley

COURTROOM MINUTES

MOTIONS HEARING

10:09 a.m. Court in session.

Court calls case. Appearances of counsel.

Also present, David Satnick, for Third Party Defendant Willis of New York.

Discussion regarding the number of depositions. Court clarifies that each party group is allowed 10 depositions against each other party group.

ORDERED: Plaintiff/Counter Defendant's Motion to Amend the Scheduling Order [279] is denied as MOOT.

Discussion and argument regarding additional documents, beyond the underwriting files, that would be responsive to Intrawest's supplemental request for production in dispute.

ORDERED: National Union Fire Insurance Company of Pittsburgh, PA.'s Motion for Protective Order Regarding Intrawest ULC's Supplemental Request for Production [285] is DENIED. Plaintiff is directed to provide a supplemental response to Intrawest on or before January 28, 2015, as discussed.

Discussion and argument regarding Federal's alleged withholding of reserve information, production of payment data, premiums, third amended privilege log, alleged improper description and designation of documents, policy limits per project or aggregate total, the requirement of Endorsement 9 to change the policy limits, and sanctions.

**11:58 a.m. Court in recess.
1:07 p.m. Court in session.**

ORDERED: National Union Fire Insurance Company of Pittsburgh, PA.'s Motion to Compel Federal Insurance Company's Responses to Interrogatories, Production of Documents, and Supporting Memorandum (sic) of Law [281] is GRANTED IN PART AND DENIED IN PART. Defendant Federal is directed to produce to Plaintiff a supplemental privilege log, any additional documents that will not continue to be designated as privileged, and documents pertaining to reserve and premium information on or before January 19, 2015, as represented and discussed in Court. Defendant Federal's objections are sustained as to the production of payment information and sanctions.

Discussion and argument regarding responses by Willis to interrogatories 3, 4, 5, 6, and 7. Court finds interrogatories 3, 4, and 5 are overbroad and interrogatory 6 is irrelevant.

ORDERED: National Union Fire Insurance Company of Pittsburgh, PA.'s Motion to Compel Third-Party Defendant Willis Entities' Responses to Interrogatories and Production of Documents and Memorandum of Law in Support [282] is GRANTED IN PART AND DENIED IN PART. Defendant Willis is directed to produce a narrative or documents responsive to interrogatory 7 and request for production 4, as limited by the Court. The motion is denied in all other respects.

**2:26 p.m. Court in recess.
2:48 p.m. Court in session.**

Discussion and argument regarding National Union's 30(b)(6) deposition.

ORDERED: Plaintiff's Motion for Limited Protective Order [277] is DENIED WITHOUT PREJUDICE, as stated on record.

Further discussion regarding objections during a deposition and extending case scheduling deadlines.

3:40 p.m. Court in recess.

Hearing concluded.

Total in-court time 04:00

*To obtain a transcript of this proceeding, please contact Avery Woods Reporting at (303) 825-6119.