

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

**FAIRFIELD PROPERTIES OF  
LOUISIANA L L C**

**CASE NO. 2:21-CV-01148**

**VERSUS**

**JUDGE JAMES D. CAIN, JR.**

**COLONY INSURANCE CO**

**MAGISTRATE JUDGE KAY**

**MEMORANDUM ORDER**

Before the Court is “Colony Insurance Company’s Motion to Opt Out of Streamlined Settlement Process” (Doc. 8); Plaintiff opposes Defendant’s motion.

Defendant argues that it owes no further amounts to Plaintiff under the Policy, and that prior to the litigation, the parties engaged in settlement negotiations which resulted in an agreed settlement. Plaintiff argues that the issues raised in Colony’s motion are highly disputed including amounts that are still owed Plaintiff and whether or not Defendant acted in good faith by its alleged untimely payment.

The court has “wide discretion to control the course of litigation, which includes authority to control the scope and pace of discovery” and “general discretionary power to stay proceedings before it in the control of its docket and in the interests of justice.” *In re Ramu Corp.*, 903 F.2d 312, 318 (5th Cir. 1990); *McKnight v. Blanchard*, 667 F.2d 477, 479 (5th Cir. 1982). While the initial disclosures do require production of materials defendant might view as irrelevant at this stage, they have been calculated to streamline discovery for these first-party insurance disputes – most of which center on valuation and scope. The streamlined process allows this information to be exchanged efficiently before

the parties proceed to mediation. The Court reminds both parties of its expectation that they will cooperate fully during the process, including any need for additional information or subsequent inspections. Defendant fails to show justification for opting out of the Case Management Order. Accordingly,

**IT IS ORDERED** that the Motion to Opt Out of the Streamlined Settlement Process (Doc. 8) is **DENIED**.

**THUS DONE AND SIGNED** in Chambers on this 13th day of July, 2021.



**JAMES D. CAIN, JR.**  
**UNITED STATES DISTRICT JUDGE**