

Appendix

Interrogatories:

Interrogatory	Answer
<u>NO. 10</u> : Identify the number of claims in which Defendant or its attorneys have hired any physicians to provide medical records reviews or medical examinations in any Montana cases in the last 10 years.	Travelers objects to this Interrogatory as irrelevant, overly broad, burdensome, oppressive, not proportional to the needs of the case, and seeking non-discoverable expert information beyond that allowed by Rule 26(b)(4) of the Federal Rules of Civil Procedure.
<u>NO. 11</u> : For all claims in which Defendant has hired any Montana physicians to provide medical records reviews or medical examinations in the last 10 years, identify the nature of the case and the name, address, and phone number of the Montana physicians Defendant or its attorneys have hired.	Travelers objects to this Interrogatory as irrelevant, overly broad, burdensome, oppressive, not proportional to the needs of the case, seeking non-discoverable expert information beyond that allowed by Rule 26(b)(4) of the Federal Rules of Civil Procedure, and violative of the right to privacy afforded under Article II, Section 10 of the Montana Constitution.
<u>NO. 12</u> : State the amount of money which Defendant or its attorneys have paid to the Montana physicians identified above in the last 10 years.	Travelers objects to this Interrogatory as irrelevant, overly broad, burdensome, oppressive, not proportional to the needs of the case, and seeking non-discoverable expert information beyond that allowed by Rule 26(b)(4) of the Federal Rules of Civil Procedure.
<u>NO. 13</u> : Provide a list of all claims that have been made against Defendant for underinsured motorist coverage, uninsured motorist coverage, medical payment coverage, and bad faith in the last 10 years.	Travelers objects to this Interrogatory as irrelevant, overly broad, burdensome, oppressive, not proportional to the needs of the case, and violative of the right to privacy afforded under Article II, Section 10 of the Montana Constitution.

Requests for Production:

Requests	Response
<p><u>NO. 6:</u> Produce the entire claims file or files pertaining to Steve Nei's claims involved in this case from the date they were opened to the present.</p>	<p><i>See</i> claims file attached as Exhibit 2, which is being produced subject to the privilege log provided contemporaneously with these discovery responses.</p>
<p><u>NO. 7:</u> Produce a copy of all electronic documents, including but not limited to adjuster's notes, diary entries, e-mails, or any other electronic documents dealing in any manner with Plaintiff's medical payment and underinsured motorist claims.</p>	<p><i>See</i> claims file attached as Exhibit 2, which is being produced subject to the privilege log provided contemporaneously with these discovery responses.</p>
<p><u>NO. 13:</u> Please produce any and all policy manuals, claim manuals, general manuals, rules, instructions, guidelines, internal operating procedures, or other similar written evidence of the policies, procedures, or protocols required or recommended by Defendant or Defendant's adjusters, in connection with the processing, adjustment, settlement, or handling of bodily injury and underinsured motorist claims in Montana.</p>	<p>Travelers objects to this Request for Production as irrelevant, overly broad, not limited in duration, burdensome, oppressive, not proportional to the needs of the case, and seeking information that is confidential and/or proprietary business information.</p>
<p><u>NO. 15:</u> Please produce all manuals, guidelines, newsletters, or directives made available to claim supervisors or managers during the period of 2005 through the present by Defendant or Defendant's employees.</p>	<p>Travelers objects to this Request for Production as irrelevant, overly broad, burdensome, oppressive, not proportional to the needs of the case, and seeking information that is confidential and/or proprietary business information.</p>
<p><u>NO. 16:</u> Please produce all asset and balance sheets showing the net worth of Defendant.</p>	<p>Travelers objects to this Request for Production as irrelevant, overly broad, burdensome, oppressive, not proportional to the needs of the case, and seeking information that is confidential and/or proprietary business information. Plaintiff is not entitled to discovery of Travelers' financial information unless his claim for punitive</p>

	damages can survive summary judgment. <i>See Corp. Air v. Edwards Jet Ctr.</i> , 2008 MT 283, ¶54, 345 Mont. 336, 190 P.3d 1111.
<u>NO. 17</u> : Please produce organizational charts regarding the claims department from 2005 to the present. [If you contend that your company did not maintain organizational charts during any portion of the time covered by this request, then please produce documents and writings containing information regarding the departmental structure, lines of supervision or authority, and personnel employed by Defendant during such period.]	Travelers objects to this Request for Production as irrelevant, overly broad, burdensome, oppressive, and not proportional to the needs of the case.
<u>NO. 18</u> : Please produce written job descriptions for all positions held by Anthony Schwisow and his supervisors during the years of 2005 through the present.	Travelers objects to this Request for Production as irrelevant, overly broad, burdensome, oppressive, not proportional to the needs of the case, seeking information that is confidential and proprietary business information, and violative of the right of privacy afforded under Article II, Section 10 of the Montana Constitution.
<u>NO. 19</u> : Please produce all directions for your claims adjusters handling cases in Montana.	Travelers objects to this Request for Production as irrelevant, overly broad, not limited in duration, unduly vague, ambiguous, burdensome, oppressive, not proportional to the needs of the case, and seeking information that is confidential and/or proprietary business information.
<u>NO. 20</u> : Please produce complete copies of all information Travelers produced in discovery in the case of <i>Grossi v. Travelers</i> , 79 A.3d 1141 (Pa. Super 2013), with the exception of any of the plaintiffs medical records or private information regarding the plaintiff in that case.	Travelers objects to this Request for Production as irrelevant, overly broad, burdensome, oppressive, not proportional to the needs of the case, seeking information that is confidential and proprietary business information, and violative of the right of privacy afforded under Article II, Section 10 of the Montana Constitution.
<u>NO. 24</u> : Please produce a computerized list of and copies of complaints filed in all	Travelers objects to this Request for Production as irrelevant, overly broad,

<p>civil actions against Defendant during the past ten (10) years alleging insurance bad faith, unfair claim settlement practices, fraud, or similar tort theories, stating the court in which the case was filed, the case number, and the name, address, and telephone number of counsel for plaintiff(s) in each such action.</p>	<p>burdensome, oppressive, not proportional to the needs of the case and seeking information equally available to Plaintiff to the extent it seeks information in the public record.</p>
<p><u>NO. 28:</u> Please produce copies of all complaints by policyholders received by Defendant from individuals in Montana from 2005 to the present.</p>	<p>Travelers objects to this Request for Production as irrelevant, overly broad, unduly vague, ambiguous, burdensome, oppressive, not proportional to the needs of the case, and violative of the right of privacy afforded under Article II, Section 10 of the Montana Constitution.</p>
<p><u>NO. 29:</u> Please produce complete copies of Defendant's claims manuals pertaining to evaluating and reserving uninsured and underinsured motorist claims by its policyholders, including Travelers Liability Best Practices Manual(s).</p>	<p>Travelers objects to this Request for Production as irrelevant, overly broad, not limited in duration, burdensome, oppressive, not proportional to the needs of the case, and seeking information that is confidential and/or proprietary business information.</p>
<p><u>NO. 30:</u> Please produce any written documentation that explains with specificity and particularity the manner in which you compensate your employees who adjust, handle, settle, litigate, or otherwise process uninsured or underinsured claims submitted to you.</p>	<p>Travelers objects to this Request for Production as irrelevant, overly broad, not limited in duration, burdensome, oppressive, not proportional to the needs of the case, and seeking information that is confidential and/or proprietary business information.</p>
<p><u>NO. 32:</u> Please produce copies of any Montana-specific claims manuals or directives you have generated or used for Montana claims from 2005 to the present.</p>	<p>Travelers objects to this Request for Production as irrelevant, overly broad, burdensome, oppressive, not proportional to the needs of the case, and seeking information that is confidential and/or proprietary business information.</p>
<p><u>NO. 33:</u> Please produce your underinsured motorist claims manuals and their indexes for the years 2005 to the present.</p>	<p>Travelers objects to this Request for Production as irrelevant, overly broad, burdensome, oppressive, not proportional to the needs of the case, and seeking information that is confidential and/or proprietary business information</p>

<p><u>NO. 34</u>: Please produce any manuals or directives regarding handling Montana cases which address medical payment and stacking.</p>	<p>Travelers objects to this Request for Production as irrelevant, overly broad, not limited in duration, burdensome, oppressive, not proportional to the needs of the case, and seeking information that is confidential and/or proprietary business information.</p>
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