

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
SGM HOLDINGS LLC, SYNDICATED :
GEO MANAGEMENT CORPORATION, :
RICHARD FEATHERLY, LAWRENCE :
FIELD, and PREMIER NATURAL :
RESOURCES LLC, :
:
Plaintiffs, :
:
-against- :
:
A. JAMES ANDREWS, RICHARD GAINES, :
and KARL SCHLEDWITZ, :
:
Defendants. :
:
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15 Civ. 8142 (PAC)

ORDER

As discussed at the pre-motion conference held on March 1, 2022, the Court has conducted an *in camera* review of a sampling of the nearly 2,000 emails¹ provided to the Court by Defendants. Although, in its limited review, the Court has uncovered nothing that appears particularly revelatory to Plaintiffs’ case, the majority of the material reviewed clears the low bar for relevance under Rule 401 of the Federal Rules of Evidence. However, the majority of the material reviewed also appears to at least plausibly implicate either the attorney-client privilege, work product doctrine, or both.

Should Plaintiffs wish to continue seeking disclosure of these materials, the parties are directed to meet and confer concerning:

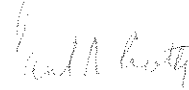
1. Any available avenues to resolve this discovery dispute without judicial intervention;

¹ Defense counsel has acknowledged in his correspondence with the Court that this figure is significantly larger than the “maybe 45, 50 emails” Defendants initially represented would be presented to the Court for review. *See* 3/1/22 Tr. at 4.

2. Should such efforts fail, a timetable for Defendants to prepare and produce a detailed privilege log that will allow Plaintiffs to meaningfully assess and, where applicable, challenge the asserted justification for non-disclosure of each withheld document;
3. If applicable, a timetable for Plaintiffs' motion to compel to be presented at a pre-motion conference, filed, and briefed—a briefing that would presumably cover the proper privilege law to be applied in this case, the relevant work product standards, and the application of both doctrines to the unique circumstances presented in this action.

Dated: New York, New York
March 23, 2022

SO ORDERED



HONORABLE PAUL A. CROTTY
United States District Judge