

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Simplifi Health Benefit Management, :
LLC, :
 : Civil Action 2:13-cv-00714
Plaintiff :
 : Judge Watson
v. :
 : Magistrate Judge Abel
Cayman Islands National Insurance :
Company, :
Defendant :

Status Conference Order

On May 8, 2014, counsel for the parties participated in a telephone status conference with the Magistrate Judge.

Plaintiff Simplifi continues to make a rolling production of documents. It will produce electronic documents on May 13. Defendant Cayman Islands National Insurance Company has completed its production of documents.

There are disputes regarding plaintiff's responses to defendant's document requests. During the conference, I asked Simplifi's counsel to give Cayman Islands' counsel a final response to the document requests, indicating which requests they believe ask for irrelevant information and which would be burdensome to produce. Under Rule 26(b)(2)(C)(iii), Fed. R. Civ. P., the court may consider whether the "burden or expense of the proposed discovery, outweighs its likely benefit, taking into account the needs of the case, the amount in controversy, a party's resources, the importance of the issues at stake in the litigation, and the importance of the proposed discovery in resolving the issues." If

Simplifi maintains that responding to a particular discovery request would be burdensome, it must provide Cayman Islands with factual information about how documents containing information responsive to specific discovery requests or groups of discovery requests are stored, how those documents can be accessed, what steps would be required to locate and search each document for the requested information, the number of employees who would be needed to access the documents, the hourly rates those employees would be paid, and the like.

Depositions. No depositions have been taken. Plaintiff's counsel believes he will be in a position to take the deposition of Cayman Islands National Insurance Company's CEO Lonny Tibbetts by mid-July.

Status Report Due. Counsel are DIRECTED to call my office (614.719.3370) on Thursday, **May 29, 2014** at 11:00 a.m. for another telephone conference with me to advise me of the status of document production and any discovery disputes arising out of the responses to the document requests.

s/Mark R. Abel
United States Magistrate Judge