

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MICHAEL PORTER,)
)
 Plaintiff,)
)
 v.)
)
 FARMERS INSURANCE COMPANY,)
 INC.,)
)
 Defendant.)

Case No. 10-CV-116-GKF-PJC

OPINION AND ORDER

Defendant Farmers Insurance Company, Inc. ("Farmers") has submitted to the Court for *in camera* review, the personnel files of Trisha Gilpin, Joseph Cazpla and James Beins who were involved in the processing the insurance claim of Plaintiff Michael Porter ("Porter"). Farmers has asserted general objections to production of any portion of these files on grounds of confidentiality and relevance.


As this Court noted in an earlier Order in this case, "Courts have generally permitted discovery of relevant personnel files in insurance bad faith cases." *Porter v. Farmers Inc. Co., Inc.*, 2011 WL 1566018, *1 (N.D. Okla. April 25, 2011). *See also, Waters v. Continental General Insurance Co.*, 2008 WL 2510039, *1 (N.D. Okla. June 19, 2008); *Fullbright v. State Farm Mutual Automobile Ins. Co.*, 2010 WL 300436, *4 (W.D. Okla. Jan. 20, 2010). In such cases, evidence concerning an employee's training and job performance may be relevant.

The Court has reviewed the submitted personnel files *in camera* and finds that the following information from those files should be produced, subject to the extant protective order: information regarding the employee's background and job qualifications, training and job performance. As an example, in reviewing Trisha Gilpin's file, the Court finds that the following pages should be produced:

FA721-733; FA738-756; FA761-762; FA771-795.

Similar documents in the Czapla and Beins files should also be produced.

IT IS SO ORDERED this 10th day of May 2011.



Paul J. Cleary
United States Magistrate Judge