

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF WASHINGTON  
3 AT TACOMA

3 ALEXANDER M. and AMY N.  
4 SOUSIE,  
5  
6 Plaintiffs,  
7 v.  
8 ALLSTATE INDEMNITY COMPANY,  
9  
10 Defendant.

CASE NO. C17-5078 BHS

ORDER DENYING  
DEFENDANT'S MOTION FOR A  
PROTECTIVE ORDER AND  
PLAINTIFFS' MOTION TO  
COMPEL

9 This matter comes before the Court on Plaintiffs Alexander and Amy Sousie's  
10 ("Sousies") motion to compel (Dkt. 27) and Defendant Allstate Indemnity Company's  
11 ("Allstate") motion for protective order (Dkt. 28).

12 On November 16, 2017, the parties filed the instant motions. The Sousies request  
13 that the Court order (1) Allstate to produce the remainder of its claims history printout,  
14 (2) Allstate produce all pre-denial documents from its claims file, (3) Allstate's claims  
15 adjuster Peter Poulos to sit for another deposition, and (4) Allstate's attorney of record,  
16 Rick Wathen, to sit for a deposition. Dkt. 27. Allstate seeks a protective order to  
17 prevent Mr. Wathen's deposition. Dkt. 28. The parties responded, Dkts. 31, 35, and the  
18 parties replied, Dkts. 33, 37. Allstate filed a surreply to the Sousies' reply. Dkt. 40.

19 The Court will resolve the issues summarily because the motions are premature.  
20 First, the Sousies have not served subpoenas for the requested depositions. The Court  
21 declines to waste judicial resources on informal requests and/or "expected" denials of  
22 formal requests. Therefore, the Court **DENIES** Allstate's motion and the Sousies'

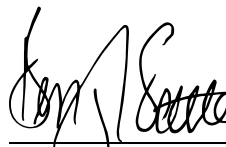
1 motion as to the depositions of Mr. Poulos and Mr. Wathen.

2 Second, the Sousies move to compel material that Allstate declares it will produce.  
3 Allstate has declared that it would supplement its production by November 30, 2017.  
4 Rather than wait for that deadline to pass, the Sousies filed the motion to compel and  
5 noted it for consideration on November 29, 2017. Thus, the motion was ripe one day  
6 before the deadline. This makes no sense whatsoever. Moreover, the Court declines to  
7 issue an order that generally requires Allstate to produce what it must produce because  
8 the rules of procedure already require Allstate to do so. Therefore, the Court **DENIES**  
9 the Sousies' motion on this issue.

10 Finally, the Sousies move the Court to "hold that Allstate is not entitled to assert  
11 the attorney-client privilege or work product doctrine, in order to justify its refusal to  
12 disclose any document created prior to or containing information pertaining to Allstate's  
13 pre-litigation conduct." Dkt. 27 at 8. The motion is denied. The rules of procedure  
14 clearly outline the way in which a party may challenge specific designations and refusals  
15 to produce relevant discovery. Requesting a general blanket waiver for an entire time  
16 period over "any" document is not one of those procedures. Therefore, the Court  
17 **DENIES** the Sousies' motion on this issue and in full.

18 **IT IS SO ORDERED.**

19 Dated this 22<sup>nd</sup> day of December, 2017.

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BENJAMIN H. SETTLE  
United States District Judge