



**In the  
Court of Appeals  
Second Appellate District of Texas  
at Fort Worth**

---

No. 02-21-00067-CV

---

IN RE ELEPHANT INSURANCE COMPANY, Relator

---

Original Proceeding  
342nd District Court of Tarrant County, Texas  
Trial Court No. 342-321069-20

---

Before Bassel, Birdwell, and Wallach, JJ.  
Per Curiam Memorandum Opinion

## MEMORANDUM OPINION

Real party in interest Amber Savala sued her insurance carrier, relator Elephant Insurance Company, to recover benefits under an uninsured/underinsured motorist (UIM) policy. The trial court compelled the deposition of relator's corporate representative on six topics, and relator seeks mandamus relief from that order. We express no opinion on the trial court's order because we believe that the trial court should have the opportunity to reconsider it in light of the Texas Supreme Court's recent opinion addressing the taking of an insurer's corporate representative's deposition in a suit seeking UIM benefits and the relevance, proportionality, and deposition scope analyses that the supreme court applied to determine permissible topics for such a deposition. *See In re USAA Gen. Indem. Co.*, No. 20-0281, 2021 WL 2483767, at \*5–8 (Tex. June 18, 2021) (orig. proceeding). Accordingly, to give the trial court that opportunity, we deny the petition for writ of mandamus without prejudice, and we release this court's March 16, 2021 stay. *See In re Liberty Cty. Mut. Ins. Co.*, No. 20-0983, 2021 WL 2483764 (Tex. June 18, 2021) (orig. proceeding).

Per Curiam

Delivered: June 24, 2021