

State Appellate Court Limits Discovery from Insurer

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A New York state appellate court recently reviewed several discovery rulings in an insurance coverage dispute and limited the discovery sought by the insured from the insurer. *Steadfast Ins. Co. v. Sentinel Real Estate Corp., et al.*, Nos. 2327N, 2327NA, 2000 N.Y. App. Div. LEXIS 13839 (N.Y. App. Dec. 28, 2000).

The policyholder argued that the carrier should produce "all materials generated over the entire course of the parties' relationship." However, the court concluded that the request "for all documents maintained in [the carrier's] databases or files, without reference to the nature of the documents or the particular claim at issue, is overly broad and therefore improper."

The appellate court also affirmed the trial court's denial of the policyholder's motion for additional discovery, finding that the materials relevant to the underlying claim already had been produced. Further, the court affirmed the denial of the policyholder's motion to compel the carrier to provide "proper" responses to the carrier's request for admissions, finding that the policyholder failed to cite the specific responses that it deemed deficient. Lastly, the court affirmed the denial of the policyholder's request to take additional depositions for the purpose of authenticating certain documents, noting that the carrier had admitted that the documents at issue were received and maintained in the ordinary course of its business.