

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

CHERYL FITZGERALD

v.

CHUBB & SON INC.

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CIV. NO. 3:10CV848 (WWE)

RULING ON PLAINTIFF'S MOTION TO COMPEL

Pending is plaintiff's Motion to Compel [Doc. #110] a privilege log and unredacted copies of documents. Oral argument was held on November 9, 2011. On November 15, 2011, plaintiff filed a Rule 37 Motion for Order and for Sanctions. [Doc. #114].

1. Settlement Authority

Defendant will provide unredacted copies of 2006 and 2007 settlement authority information for the twenty-two other claims examiners assessed in the RIF.

2. Documents Bates Stamped 2755 and 2756

Plaintiff states that these documents appear to disclose the types of cases that the claims examiners, including Cheryl Fitzgerald, were working on around the time of the RIF. Defendant will provide unredacted copies of these documents within seven days.

3. Documents Bates Stamped 2762 and 2763

Plaintiff states that these documents will reflect recommendations of bonus and salary increases for the twenty-two other claims examiners assessed in the RIF, as of January 20,

2009. Defendant will provide unredacted copies of these documents within seven days.

4. Documents Bates Stamped 2815 and 2816

Plaintiff states that the these documents will reflect the reserve/settlement authority of the other twenty-two claims examiners assessed in the RIF. Defendant will provide unredacted copies of these documents within seven days.

5. Document Bates Stamped 1804

Plaintiff states that defendant has already provided an unredacted version Bates Stamped 2883. Defendant will provide an unredacted copy of this document or state under oath that it is the same as document 2883 within seven days.

6. Privilege Log

Defendant stated during oral argument that there are no documents withheld on the basis of privilege. Defendant will state this in writing within seven days.

CONCLUSION

For the foregoing reasons, plaintiff's Motion to Compel **[Doc. #110]** is **GRANTED**. Defendant will provide the documents to plaintiff subject to the protective order within seven (7) days of the filing of this order. Plaintiff's Motion for Rule 37(b) Order for Production **[Doc. #114]** is **GRANTED**.

The Court reserves decision on plaintiff's Motion for Rule 37 Sanctions. [Doc. #114].

This is not a recommended ruling. This is a discovery ruling and order which is reviewable pursuant to the "clearly erroneous" statutory standard of review. 28 U.S.C. § 636 (b) (1) (A); Fed. R. Civ. P. 6(a), 6(e) and 72(a); and Rule 2 of the Local Rules for United States Magistrate Judges. As such, it is an order of the Court unless reversed or modified by the district judge upon motion timely made.

Entered at Bridgeport this 16th day of November 2011.

\_\_\_\_\_/s/\_\_\_\_\_  
HOLLY B. FITZSIMMONS  
UNITED STATES MAGISTRATE JUDGE