

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

PATRICIA JEAN DISNEY,)
)
 Plaintiff,)
)
 vs.) No. 02-2210 BV
)
 STATE FARM FIRE)
 AND CASUALTY COMPANY,)
)
 Defendant.)

ORDER DENYING DEFENDANT'S MOTION TO RECONSIDER ORDER GRANTING IN
PART AND DENYING IN PART PLAINTIFF'S THIRD MOTION TO COMPEL

Before the court is the June 3, 2003 motion of the defendant, State Farm Fire and Casualty Company, asking the court to reconsider the portion of its order granting the plaintiff's third motion to compel, ordering the deposition of Jim Boyd to be resumed, and directing Boyd to bring with him the entire original claim file and make available for inspection the portion of the file to which no privilege has been asserted. The motion was referred to the United States Magistrate Judge for determination. For the reasons that follow, the motion is denied.

State Farm has not presented any new ground in its motion for reconsideration that would entitle it to relief. The court finds that State Farm's arguments in its motion for reconsideration are merely duplicative of its earlier arguments and therefore insufficient to warrant relief from the prior ruling. In reaching

its decision to grant in part Disney's third motion to compel, the court considered the very arguments and issues now raised again by State Farm.

Although State Farm made available the non-privileged portions of its claim file to Disney for inspection nearly two years ago and offered to make it available on another occasion, Disney is still entitled to have the original claim file available at the deposition of Boyd.

Accordingly, State Farm's motion for reconsideration is denied.

IT IS SO ORDERED this 26th day of February, 2004.

DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE