Electronically Filed
11/10/2014 9:51:16 AM
Hidalgo County District Clerks
Reviewed By: Brenda Lopez

MDL NOS. 13-0123 and 13-0130

IN RE MARCH 29, 2012 AND APRIL 20, 2012 HAIL STORM LITIGATION	§ § § § § § §	**IN THE DISTRICT COURT** **HIDALGO COUNTY, TEXAS** **206TH JUDICIAL DISTRICT**

ORDER GRANTING PLAINTIFFS' MOTION TO ENFORCE THE COURT'S PRIOR ORDERS AGAINST DEFENDANT NATIONAL LLOYDS INSURANCE COMPANY, MOTION TO COMPEL DEFENDANTS TO PRODUCE RESPONSIVE DOCUMENTS TO REQUESTS FOR PRODUCTION, AND MOTION FOR COSTS

On November 2, 2014, came on to be heard *Plaintiffs' Motion to Enforce the Court's Prior Orders Against Defendant National Lloyds Insurance Company, Motion to Compel Defendants to Produce Responsive Documents to Requests for Production, and Motion for Costs* ("Motion to Enforce"). The Court, having considered Plaintiffs' to Motion Enforce, the response(s) thereto, the evidence and record before it, and the arguments of counsel as allowed, finds that Plaintiffs' Motion to Enforce should be GRANTED as follows:

Plaintiffs' motions to enforce the Court's prior orders requiring Defendant National Lloyds Insurance Company ("Defendant" or National Lloyds") to provide discovery and to compel Defendant National Lloyds to produce documents responsive to Plaintiffs' request for production are GRANTED, and Defendant National Lloyds is hereby ORDERED to produce the following documents and information to Plaintiffs **on or before Friday, November 14, 2014**.

(1) **Accounting Report** – After conducting an in camera review of the accounting report at issue, the Court is ordering Defendant to produce a complete copy of the accounting report containing information regarding all 2012 Hidalgo County hail

Electronically Filed
11/10/2014 9:51:16 AM
Hidalgo County District Clerks
Reviewed By: Brenda Lopez

storm claims. Defendant is permitted to redact information related to claimants who are not represented by the Mostyn Law Firm.

(2) **Management Reports and Emails** – National Lloyds is ordered to produce all emails, reports attached to emails, and any follow-up correspondence and information related to those reports which were sent or received by a National Lloyds employee or any affiliated adjusting company employees.

(3) **Performance Review and Job Descriptions and Responsibilities** – National Lloyds is ordered to produce all documents responsive to Institutional Requests for Production No. 3 and Claim Specific Requests for Production No. 11, 17, and 18 to the extent that those documents and information have not already been produced to Plaintiffs.

(4) **TDI Documents and Correspondence** – National Lloyds is ordered to produce all documents responsive to Institutional Requests for Production No. 5 and 6 to the extent that those documents have not been produced to Plaintiffs.

(5) **Persons included in Email Groups** –Defendants are ordered to provided Plaintiffs with the identity of the individuals included in the following Email Groups:

a. Allmanagers

b. Lloyds_Adj

c. Wardlaw_Deployed_Adj_Nat_Lloyds

d. NLIC Claims

e. NLIC Adjusters

f. Catclaims

g. Prior Loss Claims

Electronically Filed
11/10/2014 9:51:16 AM
Hidalgo County District Clerks
Reviewed By: Brenda Lopez

h. Claims@natlloyds.com

i. natlloydsmgmt@wardlawclaims.com

(6) **Field/Scope Notes** – To the extent that responsive documents and information exist, National Lloyds is ordered to produce all field and scope notes that relate to claims for Plaintiffs represented by the Mostyn Law Firm. National Lloyds is specifically ordered to retrieve the box containing Dena Waller's field/scope notes and produce responsive documents to Plaintiffs.

Pursuant to Rule 215 of the Texas Rules of Civil Procedure, Defendant National Lloyds is further ORDERED to pay Plaintiffs' reasonable expenses incurred in obtaining this order, including reasonable and necessary attorney's fees caused by National Lloyds' failure to comply with this Court's prior Orders Adopting Special Master Roberto Ramirez Recommendations No. 9 and No. 11 dated July 16, 2014 and July 22, 2014. The reasonable expenses caused by National Lloyds' failure are attorney fees in the amount of $15,726.25. National Lloyds is ordered to pay $15,726.25 to Plaintiffs' counsel **on or before Monday, December 15, 2014.** The Court finds that National Lloyds' failure to obey the Court's prior discovery orders was not substantially justified and that the aforementioned sanctions are just and appropriate under the circumstances and pursuant to Rule 215 of the Texas Rules of Civil Procedure.

At this time, the Court shall hold in abeyance all further orders related to relief that Plaintiffs may be justly entitled to with regard to Defendant National Lloyds noncompliance with Court orders dated July 16, 2014 and July 22, 2014.

SIGNED this _____ day of 11/12/2014, 2014.

HON. ROSE GUERRA REYNA