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January 26, 2006

VIA E-MAIL and FIRST CLASS MAIL

Danielle Andrews Long, Esq.
Robinson & Cole LLP
One Boston Place
Boston, Massachusetts 01208-4404

RE: Rhodes, et al v. AIG Domestic Claims, Inc., et al

Dear Danielle:

I have re-reviewed Zurich's Responses to Plaintiffs' Second Request for Production, and ask that the Responses be supplemented, especially in light of Judge Gants' Order.

Zurich claims that Request Nos. 22-24 and 25 (policies and procedures of the Major Case Unit) are not relevant. This claim is not viable after Judge Gants' decision, and Zurich should produce all responsive documents.

Additionally, in response to Request Nos. 22-24, Zurich claims that there are no documents concerning Zurich's reserve authority process, evaluation authority process or litigation management policies and procedures "that applied to the business activities of its TPA Liability Claims Oversight unit." In light of Judge Gants' Order, particularly the discussion on page 24, Zurich must produce claims manuals, specifically Zurich's "Liability Best Practices," and other claim handling guidelines, whether or not they apply to particular units. As such, Zurich must produce the "Liability Best Practices" manual, and any other documents regarding Zurich's reserve authority process, evaluation authority process of litigation management policies and procedures, regardless of whether the requested documents applied only to a particular oversight unit.

On a related note, in Response Nos. 22-25, Zurich claims that the TPA Liability Claims Oversight unit was "the only unit involved with the Plaintiffs' underlying claims and litigation." However, Zurich stated in its Answers to Interrogatories that Kathleen Fuell and David McIntosh, members of the Major Case Unit, were the Zurich employees involved the most in the handling of the Rhodes claim. If it was indeed the Major Case Unit that was involved, please supplement your Responses to Plaintiffs' Second Request for Production to reflect that, or if another unit was involved, then please supplement Zurich's Answers to Interrogatories to clarify which unit was actually involved.

Please let me or Margaret know if you have any questions.

Very truly yours,

BROWN RUDNICK BERLACK ISRAELS LLP

By: 
Daniel J. Brown

cc: M. Frederick Pritzker, Esq.
Margaret M. Pinkham, Esq.
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COMMONWEALTH OF MASSACHUSETTS**SUFFOLK, SS.****SUPERIOR COURT
CIVIL ACTION
NO. 05-1360-BLS2****MARCIA RHODES et al.,
Plaintiffs****vs.****AIG DOMESTIC CLAIMS, INC. et al.,
Defendants****ORDER ON DISCOVERY SCHEDULE**

After a telephonic hearing today, this Court **ORDERS** as follows:

1. All documents ordered to be disclosed by this Court's Discovery Order dated January 23, 2006, that the defendants do not intend to be the subject of an appeal before the Single Justice shall be disclosed to plaintiffs' counsel no later than February 8, 2006.
2. All documents ordered to be disclosed by this Court's Discovery Order dated January 23, 2006, that the defendants intend to be the subject of an appeal before the Single Justice may be withheld from plaintiffs' counsel pending the decision of the Single Justice but shall be readied for disclosure and, if the Single Justice were to deny the appeal, shall be disclosed to plaintiffs' counsel the next business day.
3. All depositions of the insurance depositions shall be stayed until March 1, 2006 to permit the resolution of the appeal to the Single Justice. Any further stay will have to be given by the Single Justice.
4. Defense counsel shall work with the deponents and plaintiffs' counsel to find agreeable dates for these depositions to be conducted in March 2006.
5. Although the discovery deadline remains set for close of business on July 24, 2006, in view of this postponement, this Court will extend it to September 8, 2006 if counsel so

Suffolk Civil Action

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No. 05-1360

requests.



Ralph D. Gants
Justice of the Superior Court

DATE: February 2, 2006