

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTERNATIONAL CONSTRUCTION :
PRODUCTS, LLC, :
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 Plaintiff, :
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 v. : Civil Action No. 15-108-RGA
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 CATERPILLAR, INC., et al., :
 :
 :
 Defendants. :

MEMORANDUM ORDER

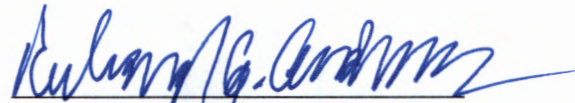
The Magistrate Judge had a hearing and then issued an order in a discovery dispute. (D.I. 582; *see* D.I. 592). Defendant filed “partial objections.” (D.I. 591). Plaintiff responded. (D.I. 601).

I review for abuse of discretion.

I do not find that there was any abuse of discretion. First, to the extent the documents at issue involved litigation funding and financial arrangements with its lawyers, the documents would be irrelevant. After the Magistrate Judge’s ruling, at the pretrial conference, I granted Plaintiff’s motion in limine (D.I. 689-13 (Exh. 11a)) seeking to exclude such evidence. Thus, not compelling production of such documents or permitting further deposition of Mr. Joseph Frank on those topics was not an abuse of discretion. Second, to the extent that the documents would have been about other subjects, the likelihood that the documents would be duplicative of other documents already produced is a reasonable conclusion, and I do not find an abuse of discretion in not compelling such discovery, particularly given the timing of when the issue was raised with the Magistrate Judge.

The "Partial Objections" are OVERRULED. The Magistrate Judge's Order (D.I. 582) is AFFIRMED.

IT IS SO ORDERED this 3rd day of April 2024.


United States District Judge