

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH,
NORTHERN DIVISION

Anthony J. Edlefsen v. IHC Health Services, Inc.

No. 1:25-cv-00167 (D. Utah Apr. 28, 2026) · No. 1:25-cv-00167 · Decided April 28, 2026

SUMMARY

The United States District Court for the District of Utah denied Anthony J. Edlefsen’s motion seeking information about IHC Health Services, Inc.’s preservation of electronically stored information. The court held that Rule 26(f) does not require particular disclosures about preservation protocols and that the requested information constituted disfavored “discovery on discovery” absent a reasonable basis to doubt the sufficiency of IHC’s preservation efforts.

CASE DETAILS

COURT	United States District Court for the District of Utah, Northern Division
WRITING FOR THE COURT	Daphne A. Oberg
JURISDICTION	United States District Court for the District of Utah, Northern Division
DECIDED	April 28, 2026
DOCKET	1:25-cv-00167
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, proceeding pro se in a wrongful-termination action, moved to compel the defendant to provide information concerning its preservation of electronically stored information. The magistrate judge denied the motion.
STANDARD OF REVIEW	Discovery-motion and motion-to-compel standards; the court evaluated whether plaintiff established a basis to compel the requested preservation information.
PRECEDENTIAL VALUE	unpublished memorandum decision

TOPICS

- discovery dispute
- civil procedure
- wrongful termination

PRACTICE AREAS

- civil procedure
- employment law
- electronic discovery

QUESTIONS PRESENTED

1. Whether Rule 26(f) or another legal authority required IHC to disclose details about its ESI preservation protocols.
2. Whether plaintiff could obtain preservation-protocol information as discovery on discovery absent reasonable doubt about the sufficiency of IHC's preservation efforts.

HOLDINGS

1. Federal Rule of Civil Procedure 26(f) requires the parties to discuss issues concerning preservation of discoverable information, but it does not require particular disclosures about a party's preservation protocols.
2. Discovery seeking details about a party's discovery-preservation process is disfavored absent reasonable doubt about the sufficiency of the party's discovery response or preservation efforts.
3. A party has a pre-existing legal obligation to preserve information it knows or should know is relevant to imminent or ongoing litigation, and a preemptive order compelling preservation is not necessary merely to impose that obligation.

KEY QUOTATIONS

“Because Mr. Edlefsen’s request is not legally supported and improperly seeks “discovery on discovery,” his motion is denied.”

“This is a “general duty that arises from case law,” and “[t]here is no need for a preemptive order to require preservation.””

“And even if he had, such requests would constitute “discovery on discovery,” which is disfavored unless there is “reasonable doubt about the sufficiency of a party’s response.””

FACTUAL BACKGROUND

Edlefsen brought a wrongful-termination action against his former employer after an employment period that IHC characterized as lasting only three months. He sought information about whether IHC had preserved specified electronic sources, including email, Microsoft Teams, shared drives, human-resources files, and training records, and whether retention or auto-deletion policies had been suspended under a litigation hold. IHC represented that it had taken reasonable steps to preserve information relevant to the litigation, and plaintiff did not identify any preservation deficiency or discovery response whose sufficiency was reasonably in doubt.

PROCEDURAL HISTORY

Anthony J. Edlefsen sued his former employer, IHC Health Services, Inc., for wrongful termination. After plaintiff's counsel withdrew and plaintiff appeared pro se, he filed a short-form discovery motion seeking information about IHC's ESI preservation sources and litigation hold practices. IHC opposed the motion, and the court denied it because plaintiff identified no legal entitlement to the requested information and no reasonable basis to doubt the sufficiency of IHC's preservation efforts.

DISPOSITION

other

CASES CITED

- Hall v. Bellmon, 935 F.2d 1106, 1110 (10th Cir. 1991)
- Fry v. School District No. 1, No. 24-cv-02284, 2024 U.S. Dist. LEXIS 253885 (D. Colo. Dec. 31, 2024)
- Zbylski v. Douglas County School District, 154 F. Supp. 3d 1146, 1162-64 (D. Colo. 2015)
- Dalton v. Town of Silver City, No. 17-1143, 2021 U.S. Dist. LEXIS 181328 (D.N.M. Sept. 22, 2021)

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