

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Antonio Garcia v. LHM SWH, LLC, doing business as LHM Southwest Hyundai Albuquerque; Liberty Mutual Insurance Company; and Hyundai Capital America, doing business as Hyundai Motor Finance

Garcia · No. 1:25-cv-942-JMR-KRS · Decided February 25, 2026

SUMMARY

The United States District Court for the District of New Mexico granted in part and denied in part as moot, without prejudice, Plaintiff Antonio Garcia’s motion to compel Liberty Mutual Insurance Company to provide complete discovery responses. The court ordered Liberty Mutual to provide a supplemental response to Interrogatory 4 concerning the factual bases, documents, and witnesses supporting its affirmative defenses, but declined to award fees.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Kevin R. Sweazea
JURISDICTION	United States District Court for the District of New Mexico
DECIDED	February 25, 2026
DOCKET	1:25-cv-942-JMR-KRS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel Liberty Mutual to provide complete responses to the first set of discovery, specifically including the factual bases, documents, and witnesses supporting each affirmative defense.
STANDARD OF REVIEW	The court assessed whether Liberty Mutual had provided a complete response to a discovery interrogatory under the Federal Rules of Civil Procedure.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Antonio Garcia v. LHM SWH, LLC, doing business as LHM Southwest Hyundai Albuquerque, Liberty Mutual Insurance Company, Hyundai Capital America, doing business as Hyundai Motor Finance

TOPICS

discovery dispute

affirmative defenses

civil procedure

insurance

commercial litigation

PRACTICE AREAS

civil procedure

discovery

insurance litigation

QUESTIONS PRESENTED

1. Whether a party may respond to an interrogatory seeking the factual basis, documents, and witnesses supporting affirmative defenses by referring generally to the pleadings and reserving the right to amend or withdraw defenses.
2. Whether Liberty Mutual was required to supplement its response if it later became aware of facts, witnesses, or documents supporting its defenses.
3. Whether either party was entitled to fees for the motion to compel.

HOLDINGS

1. A party must provide a complete substantive response to an interrogatory seeking the factual basis for its affirmative defenses and identifying supporting documents and witnesses; it may not rely on the assertion that its defenses are self-explanatory or on a general reservation of the right to amend or withdraw them.
2. If a party later becomes aware of facts, witnesses, or documents supporting an affirmative defense, it must supplement its discovery response within the period required by the governing discovery order; if it cannot provide evidentiary support for a defense, it may withdraw that defense.
3. The court declined to award fees because each party's position concerning the motion was reasonable.

KEY QUOTATIONS

“If Liberty Mutual does not, at this time, have any facts, witnesses, or documents to support a defense, its response to Interrogatory 4 should so state.” (¶ 5)

“Until it does so, however, the defenses are subject to discovery.” (¶ 5)

“Therefore, Liberty Mutual’s supplemental response to Interrogatory 4 shall be served on or before March 18, 2026.” (¶ 6)

FACTUAL BACKGROUND

Liberty Mutual's answer asserted nineteen separate defenses. In response to an interrogatory requesting the factual basis for each defense and identification of supporting documents and witnesses, Liberty Mutual stated that its defenses were self-explanatory, could be amended or withdrawn, and were reserved subject to facts developed during litigation. The court found that response inadequate and required a supplemental response based on information presently known to Liberty Mutual.

PROCEDURAL HISTORY

The motion to compel was partially mooted by Liberty Mutual's supplemental responses concerning Interrogatory 1 and Request for Production 3. The court granted the motion as to Interrogatory 4, denied the moot portion without prejudice, ordered Liberty Mutual to supplement its response, and declined to award fees because both parties' positions were reasonable.

DISPOSITION

other

CASES CITED

- Williams v. Sprint/United Management Co., 235 F.R.D. 494, 501 (D. Kan. 2006)
- StairMaster Sports/Medical Products, Inc. v. Groupe Procycle, Inc., 182 F.R.D. 117, 119 (D. Del. 1998)

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