

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

**The Travelers Indemnity Company, as Subrogee v. Johnson Controls
Fire Protection, L.P., v. SF Overland Park, LLC; Park Meadows
Senior Living, LLC; Spectrum Retirement Communities, LLC; SRC
of Kansas, LLC; and Spectrum Acquisition Partners, LLC**

Travelers v. Johnson Controls · No. 24-cv-2601-JWL-JBW · Decided May 14, 2026

SUMMARY

The United States District Court for the District of Kansas addresses Johnson Controls Fire Protection, L.P.’s motion to compel discovery from several third-party defendants in litigation arising from a January 2024 flooding incident at a senior living facility. The court grants the motion in part and denies it in part, compelling limited production concerning insurance coverage decisions, reservations of rights, corporate relationships, delegated maintenance responsibilities, and damage-related records, while sustaining certain relevance and overbreadth objections.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	Jennifer B. Wieland
JURISDICTION	United States District Court for the District of Kansas
DECIDED	May 14, 2026
DOCKET	24-cv-2601-JWL-JBW
DISPOSITION	other
PROCEDURAL POSTURE	Defendant/third-party plaintiff Johnson Controls Fire Protection, L.P. moved under Federal Rule of Civil Procedure 37(a) to compel discovery responses and document production from SF Overland Park, LLC, Park Meadows Senior Living, LLC, and Spectrum Retirement Communities, LLC.
STANDARD OF REVIEW	Discovery is governed by the relevance, privilege, and proportionality requirements of Federal Rule of Civil Procedure 26(b)(1). When the relevance of requested discovery is apparent on its face, the resisting party bears the burden of showing lack of relevance or that the discovery is only marginally relevant and unduly harmful or burdensome; when relevance is not apparent, the requesting party

	bears the burden of establishing relevance. Under Rule 37(a), evasive or incomplete discovery responses are treated as failures to respond.
PRECEDENTIAL VALUE	Unknown
PARTIES	Johnson Controls Fire Protection, L.P. v. SF Overland Park, LLC, Park Meadows Senior Living, LLC, Spectrum Retirement Communities, LLC

TOPICS

discovery dispute

civil procedure

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PRACTICE AREAS

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torts

insurance

QUESTIONS PRESENTED

1. Whether the requested insurance policies, coverage communications, and investigation materials were relevant and proportional to the claims and defenses.
2. Whether contracts and other documents concerning the corporate relationships among the property owner, tenant, and Spectrum entities were relevant to Johnson Controls' contractual defenses and identification of the responsible entity.
3. Whether discovery concerning delegation of responsibility for maintenance and repair of the fire-suppression system was relevant and, if so, whether it required temporal limitations.
4. Whether requests for documents and communications concerning damages, repairs, remediation, and text messages were overly broad, unduly burdensome, privileged, or irrelevant.
5. Whether discovery concerning the age, condition, maintenance history, causation, and damage to the fire-suppression system and property was relevant despite the responding parties' eggshell-skull argument.

HOLDINGS

1. The applicable Travelers insurance policy and agreed-to-produce coverage decision and reservation-of-rights letters were relevant, but the remaining insurance-related materials sought by the requests were not shown to be relevant or proportional and need not be produced.
2. Contracts, written use agreements, leases, and management agreements concerning relationships among Spectrum Retirement, SF Overland Park, Park Meadows, SRC, and Spectrum Acquisition were relevant to Johnson Controls' defenses and claims concerning agency, delegation, contracting authority, and responsibility for the sprinkler system.
3. The request for documents concerning delegation of responsibility for maintenance, testing, inspection, and repair of the fire-suppression system was relevant to liability, contractual defenses, and causation,

but was limited to the five years preceding the January 2024 flooding event. The related interrogatory was sufficiently answered and did not require supplementation.

4. Requests for records and communications concerning the January 2024 water losses were enforceable when limited to response, damages, repairs, and remediation. Text messages concerning the water losses or the January 18–19, 2024 repair work were relevant and sufficiently limited. Documents concerning alleged damages and losses also had to be produced, subject to privilege-log requirements.
5. Discovery concerning the age, condition, maintenance history, corrosion, and potential alternative causes relating to the fire-suppression system and damaged property was relevant, notwithstanding the eggshell-skull argument, but the requests had to be temporally and substantively limited.

KEY QUOTATIONS

“To be discoverable, the information sought must be nonprivileged, relevant, and proportional to the needs of the case.” (5-6)

“This tort remedy principle would not bar discovery of what JCFP alleges caused or contributed to the damages, i.e., the condition of the fire suppression system before the flooding event.” (22)

FACTUAL BACKGROUND

A January 18, 2024 flooding incident occurred at a senior living center owned by SF Overland Park and leased to Park Meadows. Johnson Controls had performed inspection, testing, maintenance, and repair work on the property's fire-suppression dry sprinkler system, and it asserted that responsibility for system maintenance may also have been delegated among Park Meadows and related Spectrum entities. Travelers insured the property, paid amounts on behalf of its insureds, and intervened to pursue subrogation claims against Johnson Controls.

PROCEDURAL HISTORY

SF Overland Park and Park Meadows initially sued Johnson Controls Fire Protection, L.P. over a January 2024 flooding incident allegedly caused by work on a fire-suppression sprinkler system. Travelers intervened as a plaintiff based on its subrogation rights, while Johnson Controls asserted counterclaims and third-party claims involving the corporate entities associated with the property and its management. After the original plaintiffs voluntarily dismissed their claims against Johnson Controls without prejudice, the parties were realigned and Johnson Controls filed the motion to compel. The court granted the motion in part and denied it in part.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. The motion to compel was granted in part and denied in part. Ordered productions were due within thirty days of the order, and privilege logs were due by the same date as the corresponding document productions.

CASES CITED

- Holick v. Burkhart, No. 16-1188-JTM-KGG, 2018 WL 372440, at *2 (D. Kan. Jan. 11, 2018)
- Oppenheimer Fund, Inc. v. Sanders, 437 U.S. 340, 351 (1978)
- Rowan v. Sunflower Electric Power Corp., No. 15-9227, 2016 WL 3745680, at *2 (D. Kan. July 13, 2016)
- Brecek & Young Advisors, Inc. v. Lloyds of London Syndicate 2003, No. 09-2516-JAR, 2011 WL 765882, at *3 (D. Kan. Feb. 25, 2011)
- Adkins v. TFI Family Services, Inc., No. 13-CV-2579-DDC-GLR, 2017 WL 3130587, at *9 (D. Kan. July 24, 2017)
- Watt v. AvalonBay Communities, Inc., No. 22-CV-07671 (JMW), 2023 WL 5179634, at *4 (E.D.N.Y. Aug. 11, 2023)

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