

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Lewis v. OFI's Trucking, LLC and Adolfo Huerta

Lewis · No. 4:25 CV 214 JMB · Decided February 4, 2026

SUMMARY

The court denied without prejudice Plaintiff Robert W. Lewis, Sr.’s motion for sanctions arising from the alleged failure to preserve electronically stored information after a vehicle accident. The court held that the motion was premature because Plaintiff had not properly pursued discovery or complied with applicable conferral and certification requirements, and because he had not yet established that the information could not be restored or replaced through additional discovery. The court explained the requirements for sanctions under Federal Rule of Civil Procedure 37(e), including prejudice and intentional deprivation.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
WRITING FOR THE COURT	John M. Bodenhausen
JURISDICTION	United States District Court for the Eastern District of Missouri
DECIDED	February 4, 2026
DOCKET	4:25 CV 214 JMB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for sanctions based principally on alleged failure to preserve electronically stored information and failure to produce discovery. The district court denied the motion without prejudice as premature.
STANDARD OF REVIEW	Discovery rulings are reviewed for abuse of discretion. Rule 37(e) sanctions and remedial measures are entrusted to the district court's discretion, subject to the requirements of the rule.
PRECEDENTIAL VALUE	Unpublished or nonprecedential district court memorandum and order; precedential status is unknown.

TOPICS

sanctions

discovery dispute

evidence

civil procedure

PRACTICE AREAS

Civil procedure

Discovery and sanctions

Spoilation of electronically stored information

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to sanctions or compelled discovery when he had not shown that he properly served discovery requests addressing the information sought and had not certified compliance with the meet-and-confer requirement.
2. Whether sanctions under Federal Rule of Civil Procedure 37(e) were appropriate before Plaintiff established that the electronically stored information could not be restored or replaced through additional discovery.
3. Whether the record established the prejudice and intentional deprivation required for the more severe sanctions authorized by Rule 37(e)(2).

HOLDINGS

1. The court would not compel responses to discovery requests that had not been served, and Plaintiff could not obtain relief under Rule 37 without complying with the applicable meet-and-confer and certification requirements.
2. Rule 37(e) sanctions were premature because Plaintiff had not first demonstrated that the allegedly lost electronically stored information could not be restored or replaced through additional discovery.
3. The court did not impose Rule 37(e)(2) sanctions because the record did not yet establish, through an evidentiary showing, that Defendants acted with intent to deprive Plaintiff of the information's use in the litigation.

KEY QUOTATIONS

"Plaintiff's motion must be denied, without prejudice, because it is premature."

"Only after he has determined whether the information cannot be recovered or replaced may he then seek the sanctions contemplated by Rule 37(e) including costs, fees, adverse instructions, and/or default judgment."

FACTUAL BACKGROUND

After a motor-vehicle accident, Plaintiff sent preservation letters concerning telematics data, driver logs, camera footage, and other electronic information to entities associated with Defendants. Defendants did not dispute that they failed to take steps to preserve the electronic data, and Monarch Tracking later produced limited GPS data while stating that other data had been wiped under its retention policy. Plaintiff sought additional discovery and sanctions, asserting that Defendants failed to preserve or produce telematics, communications, dispatch, fuel, and camera information.

PROCEDURAL HISTORY

Plaintiff served preservation letters shortly after the accident and later served interrogatories and requests for production. After a discovery-dispute conference, Defendants were ordered to respond to outstanding discovery by August 21, 2025. Plaintiff then moved for sanctions, additional discovery, monetary sanctions, and an extension of the discovery deadline. The court held a hearing on January 28, 2026, at which Plaintiff failed to appear, and denied the motion without prejudice because the requested discovery had not been properly pursued and the prerequisites for Rule 37(e) sanctions had not yet been established.

DISPOSITION

other

CASES CITED

- Best Buy Stores, L.P. v. Developers Diversified Realty Corp., 247 F.R.D. 567, 570 (8th Cir. 2007)
- Vallejo v. Amgen Inc., 903 F.3d 733, 742 (8th Cir. 2018)
- Mehner v. Furniture Design Studios, Inc., 143 F.4th 941, 954-955 (8th Cir. 2025)
- Auer v. City of Minot, 896 F.3d 854, 858 (8th Cir. 2018)