

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Firdos S. Sheikh, M.D. v. Spinnaker Insurance Company

Sheikh · No. 2:23-cv-01582-TLN-SCR · Decided December 23, 2025

SUMMARY

The United States District Court for the Eastern District of California denied without prejudice Plaintiff Firdos S. Sheikh’s ex parte application seeking unredacted discovery from Spinnaker Insurance Company and related parties. The court found that Plaintiff failed to meaningfully meet and confer and did not follow the District’s ordinary discovery-motion procedures. The court ordered Plaintiff and Plaintiff’s counsel to show cause why sanctions should not be imposed for the discovery filing and for relying on a purported transcript that did not exist.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 23, 2025
DOCKET	2:23-cv-01582-TLN-SCR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought ex parte discovery relief requiring Defendant and a former defendant to produce documents without redactions before depositions. Defendant opposed the application and sought monetary sanctions.
STANDARD OF REVIEW	The court applied the meet-and-confer and procedural requirements governing discovery motions under Federal Rule of Civil Procedure 37(a)(1) and Eastern District of California Local Rule 251.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Firdos S. Sheikh, M.D. v. Spinnaker Insurance Company

TOPICS

- discovery dispute
- sanctions
- civil procedure
- insurance

PRACTICE AREAS

Civil procedure

Discovery

Sanctions

Insurance litigation

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to ex parte discovery relief when she had not meaningfully met and conferred as required by Federal Rule of Civil Procedure 37(a)(1), Local Rule 251(b), and the court's standing orders.
2. Whether Plaintiff and Plaintiff's counsel should be ordered to show cause why sanctions should not be imposed for filing the discovery application without meaningful conferral and for relying on a purported transcript that did not exist.

HOLDINGS

1. The court denied Plaintiff's unresolved ex parte discovery requests without prejudice because Plaintiff did not meaningfully complete the required meet-and-confer process and did not proceed through the ordinary discovery-motion procedures prescribed by the district's Local Rules.
2. The court ordered Plaintiff and Plaintiff's counsel to show cause within 14 days why sanctions should not be imposed for the discovery filing and for citing a nonexistent transcript; the court did not yet impose sanctions.

KEY QUOTATIONS

"The Court DENIES the Ex Parte Application without prejudice because Plaintiff failed to meet and confer as required and failed to pursue relief through the ordinary discovery process dictated by the District's Local Rules." (at 1)

"Avoiding needless litigation is the purpose of the meet-and-confer requirement set out in Rule 37(a)(1) and Local Rule 251(b)." (at 3)

"There is no such transcript." (at 4)

FACTUAL BACKGROUND

Plaintiff challenged Spinnaker's redactions and withholding of documents after Spinnaker asserted an advice-of-counsel defense and after production of the disputed materials had occurred months earlier. Plaintiff's counsel raised the issues by email shortly before filing the ex parte application but did not identify specific redactions or privilege-log entries, pursue further discussions with the responsible defense counsel, or confer in person, by telephone, or by video. Plaintiff filed the application shortly after receiving a response requesting additional meet-and-confer efforts.

PROCEDURAL HISTORY

Plaintiff filed an ex parte application on December 12, 2025, concerning alleged waiver of attorney-client privilege, redacted loss-reserve information, and deposition-related discovery. Defendant opposed the application and requested \$3,900 in attorney fees as sanctions. The court denied the unresolved discovery relief

without prejudice and ordered Plaintiff and Plaintiff's counsel to show cause why sanctions should not be imposed.

DISPOSITION

other

CASES CITED

- Akkawi v. Sadr, No. 2:20-cv-01034 MCE AC, 2022 WL 2442234, at *1 (E.D. Cal. July 5, 2022)
- Puckett v. County of Sacramento, No. 2:22-cv-00350-KJM-DB, 2024 U.S. Dist. LEXIS 75679, at *5 (E.D. Cal. Apr. 24, 2024)

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