

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Steven P. Laitin v. Unum Group, et al.

No. CV-25-02763-PHX-KML (D. Ariz. Apr. 24, 2026) · No. No. CV-25-02763-PHX-KML · Decided April 24, 2026

SUMMARY

The United States District Court for the District of Arizona resolves several discovery disputes in Steven P. Laitin’s bad-faith disability insurance action against Unum Group and Provident Life and Accident Insurance Company. The court grants requests for the NaviLink audit trail and summary statistics concerning medical reviewers, while denying requests concerning personnel evaluations, review guidelines, reviewer compensation, and an Assistant Vice President deposition.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Krissa M. Lanham
JURISDICTION	United States District Court for the District of Arizona
DECIDED	April 24, 2026
DOCKET	No. CV-25-02763-PHX-KML
DISPOSITION	other
PROCEDURAL POSTURE	The parties jointly presented several discovery disputes in an insurance bad-faith action.
STANDARD OF REVIEW	The court applied the proportionality and relevance requirements of Federal Rule of Civil Procedure 26(b)(1).
PRECEDENTIAL VALUE	unpublished and nonprecedential discovery order
PARTIES	Steven P. Laitin v. Unum Group, Provident Life and Accident Insurance Company

TOPICS

- discovery dispute
- insurance bad faith
- insurance
- civil procedure

PRACTICE AREAS

- civil procedure
- insurance bad faith
- disability insurance
- discovery

QUESTIONS PRESENTED

1. Whether personnel evaluations of employees involved in Laitin's claim were relevant and proportional to the needs of the case.
2. Whether Unum must produce the NaviLink audit trail showing who accessed Laitin's claim file and when, subject to work-product redactions.
3. Whether Unum must produce historical guidelines, instructions, and training materials concerning medical-record reviews.
4. Whether compensation information for medical reviewer Katrina Turner was relevant absent evidence that her compensation was tied to claim outcomes.
5. Whether aggregate statistics concerning medical reviewers' disability-file reviews and work-capacity determinations were relevant and proportional.
6. Whether summary figures concerning the number of assessments performed by and referrals made to reviewer Kevin Kohan were discoverable as evidence of business relationship, bias, or financial incentive.
7. Whether Laitin could depose Unum's assistant vice president despite that officer's lack of involvement in Laitin's claim.

HOLDINGS

1. The request for performance evaluations from January 2023 to the present was denied because the records were not shown to be relevant and a two-year sweep of personnel files was not proportional to the needs of the case.
2. Unum was required to produce the NaviLink audit trail for Laitin's claim, subject to redactions for work-product concerns.
3. The request for letters of understanding, guidelines, and instructions concerning medical-record reviews from 2020 to the present was denied because the six-year sweep was disproportionate and Unum's targeted production was sufficient.
4. The request for three years of Turner's salary, bonuses, and incentive targets was denied because her compensation was not shown to be tied to claim outcomes and therefore was not relevant to the bad-faith claim.
5. Unum was required to provide aggregate statistics showing the number of disability-file reviews performed by Turner and Kevin Kohan from 2023 onward and the number in which they determined that a claimant could work.
6. Unum was required to provide the total number of assessments Kohan performed on Unum disability claims and the total number of claims referred to him from 2023 onward.
7. The request to depose Unum's assistant vice president was denied because the officer had no involvement in Laitin's claim and the requested information concerning tracking reports and claims metrics could be obtained from Director Berryman, who worked on the claim and would be deposed.

KEY QUOTATIONS

- “Those statistics are relevant to bias and financial incentive because they may show whether the reviewers Unum used tend to render insurer-favorable opinions with unusual frequency.” (at 2)
- “The burden of producing two summary figures is minimal.” (at 3)
- “Unum shall produce the NaviLink audit trail for Laitin’s claim with work-product entries redacted and respond to ROG Nos. 6 and 8 by providing the appropriate summary figures.” (at 4)

FACTUAL BACKGROUND

Laitin, an anesthesiologist, submitted a disability claim in January 2025, which Unum denied in April 2025. He alleges that Unum acted in bad faith by redefining his occupational duties and relying on in-house and third-party medical reviewers. The disputed discovery sought information about claim handling, reviewer performance and compensation, referral volumes, and supervisory claim metrics.

PROCEDURAL HISTORY

Laitin sued Unum Group and Provident Life and Accident Insurance Company, alleging that they denied his total-disability benefits claim in bad faith. The parties asked the district court to resolve disputes concerning requests for production, interrogatories, and a deposition. The court granted some discovery requests, denied others, and ordered Unum to produce specified information within 21 days.

DISPOSITION

other

CASES CITED

- Jones v. Life Ins. Co. of N. Am., 457 F. Supp. 3d 751, 755-56 (D. Ariz. 2020)
- Demer v. IBM Corp. LTD Plan, 835 F.3d 893, 901 (9th Cir. 2016)
- Cheatwood v. Christian Bros. Servs., No. 2:16-CV-2946-HRH, 2018 WL 287389, at *3-4 (D. Ariz. Jan. 4, 2018)
- Bronick v. State Farm Mut. Auto. Ins. Co., No. CV-11-01442-PHX-JAT, 2013 WL 3716600, at *9-10 (D. Ariz. July 15, 2013)
- Leung v. Unum Life Ins. Co. of Am., No. 22-CV-00767-W-JLB, 2023 WL 4056041, at *6-7 (S.D. Cal. June 15, 2023)
- Frontera v. Unum Grp. Corp., No. 3:17CV933 (DJS), 2018 WL 11445542, at *3 (D. Conn. Dec. 20, 2018)

OPINION

Laitin

PER CURIAM.

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6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF ARIZONA

8 9 Steven P Laitin, No. CV-25-02763-PHX-KML 10 Plaintiff, ORDER 11 v. 12 Unum Group, et
al., 13 Defendants. 14 15 The parties ask the court to resolve several discovery disputes in this
bad-faith 16 disability insurance action. (Doc. 38.) Plaintiff Laitin, an anesthesiologist, alleges 17
defendants Unum Group and Provident Life and Accident Insurance Company 18 (collectively
“Unum”) denied his claim for total disability benefits in bad faith by 19 redefining his
occupational duties and relying on in-house medical consultant Dr. Katrina 20 Turner and third-
party reviewer Dr. Kevin Kohan of Dane Street, LLC. (Doc. 38 at 1–2.) 21 Laitin’s disability
claim was submitted in January 2025 and denied in April 2025. (Doc. 1 22 at 7, 9.) The disputes
are resolved as follows: 23 RFP No. 2: Laitin seeks the performance evaluations of individuals
involved in this 24 claim from January 2023 to present. (Doc. 38 at 2.) But Unum represents that
those 25 employees are not evaluated based on whether they approve or deny claims (Doc. 38 at
3), 26 so those records are not obviously relevant to the case. A sweep of personnel records from
27 two years before the case began also is not proportional to the needs of the case. Fed. R. 28 Civ.
P. 26(b)(1). The request is denied. 1 NaviLink Audit Trail: Laitin seeks the NaviLink audit trail for
his claim, which 2 reflects the individuals who accessed the file and when. (Doc. 38 at 2.) That
information is 3 relevant to how the claim was handled. The request is granted, subject to Unum’s
4 redactions to address work-product concerns. 5 RFP No. 9: Laitin seeks letters of understanding,
guidelines, and instructions 6 relating to medical record reviews, including those provided to Dane
Street, from 2020 to 7 present. (Doc. 38 at 2.) A six-year sweep of materials is disproportionate to
a claim pending 8 for only three months in 2025, and Unum has agreed to produce the relevant
section of the 9 Claims Manual in effect when the claim was decided, along with any linked
training 10 materials Laitin cannot access. (Doc. 38 at 3–4.) That targeted production is sufficient.
11 Laitin’s request is denied. 12 ROG No. 4: Laitin seeks three years of compensation information
for Turner, 13 including salary, bonuses, and incentive targets. (Doc. 38 at 2, 4.) Turner is a
salaried 14 employee whose compensation is not tied to claim outcomes. (Doc. 38 at 4.) Absent
such 15 a link, her salary information is not relevant to the bad-faith claim. The request is denied.
16 ROG No. 6: Laitin seeks aggregate statistics regarding the number of disability file 17 reviews
Turner and Kohan performed from 2023 onward and the number in which they 18 determined the
claimant could work. (Doc. 38 at 2, 25). Those statistics are relevant to bias 19 and financial
incentive because they may show whether the reviewers Unum used tend to 20 render insurer-
favorable opinions with unusual frequency. Courts have recognized that 21 bias-related evidence
concerning repeat use of reviewers and similar indicators of partiality 22 can be relevant in
disability cases. See *Jones v. Life Ins. Co. of N. Am.*, 457 F. Supp. 3d 23 751, 755–56 (D. Ariz.
2020) (allowing discovery into “the number of times [the reviewers] 24 concluded that a claimant
could perform work”); see also *Demer v. IBM Corp. LTD Plan*, 25 835 F.3d 893, 901 (9th Cir.
2016) (challenges to reviewer objectivity are comparable to 26 conventional efforts to impeach
retained experts based on number of times they have 27 served a party and amount of

compensation received). And notably, those cases arose in the ERISA context, where discovery plays a far more limited role than in ordinary civil cases like this one. *Jones*, 457 F. Supp. 3d at 753. That said, other courts in this district have declined to allow similar discovery. See, e.g., *Cheatwood v. Christian Bros. Servs.*,

3 No. 2:16-CV-2946-HRH, 2018 WL 287389, at *3–4 (D. Ariz. Jan. 4, 2018); *Bronick v.*

4 State Farm Mut. Auto. Ins. Co., No. CV-11-01442-PHX-JAT, 2013 WL 3716600, at *9– 5 10 (D. Ariz. July 15, 2013). Because Laitin’s request seeks only summary figures, not the 6 underlying claim files, the burden of production appears modest and proportional to the 7 needs of the case. Any concern that such statistics may be misleading can be addressed 8 later in the litigation, including at trial. Cf. *Cheatwood*, 2018 WL 287389, at *3. The 9 request is granted. 10 ROG No. 8: Interrogatory No. 8 is somewhat unclear (see Doc. 38 at 29), and the 11 parties’ joint summary does not meaningfully clarify it. Laitin appears to seek the total 12 number of assessments Kohan performed on Unum disability claims and the total number 13 of claims referred to him from 2023 onward. (Doc. 38 at 3.) Unlike ROG No. 6, this request 14 does not ask about claim outcomes. It asks about the volume of Unum’s referrals to Kohan, 15 which is relevant to the depth of the business relationship and the potential bias or financial 16 incentive arising from it. See *Leung v. Unum Life Ins. Co. of Am.*, No. 22-CV-00767-W- 17 JLB, 2023 WL 4056041, at *6–7 (S.D. Cal. June 15, 2023) (compelling Unum to produce 18 number of times it hired Dane Street as relevant to bias). The burden of producing two 19 summary figures is minimal. The request is granted. 20 AVP Deposition: Laitin seeks to depose Unum’s Assistant Vice President, who 21 supervises Director Berryman and receives weekly tracking reports. (Doc. 38 at 3.) Here, 22 the AVP had no involvement in Laitin’s claim, cf. *Frontera v. Unum Grp. Corp.*, No. 23 3:17CV933 (DJS), 2018 WL 11445542, at *3 (D. Conn. Dec. 20, 2018), and information 24 about weekly tracking reports and claims metrics can be obtained from Berryman, who did 25 work on the claim and will be deposed. (Doc. 38 at 4–5.) The request is denied. 26 IT IS ORDERED no later than 21 days after the date of this order, Unum shall 27 produce the NaviLink audit trail for Laitin’s claim with work-product entries redacted and 28 respond to ROG Nos. 6 and 8 by providing the appropriate summary figures. 1 IT IS FURTHER ORDERED Laitin’s requests for additional responsive 2|| information regarding RFP No. 2, RFP No. 9, ROG No. 4, and to conduct the AVP 3 || deposition are denied. 4 Dated this 24th day of April, 2026. 5 Honorable Krissa M. Lanham 8 United States District Judge 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 -4-