

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Toven v. Metropolitan Life Insurance Company

517 F. Supp. 2d 1171 (C.D. Cal. 2007) · No. No. CV 06-07260ABCRZX · Decided September 12, 2007

SUMMARY

The court denied Metropolitan Life Insurance Company's motion for a protective order seeking to prohibit depositions in an ERISA disability-benefits dispute. Applying *Abatie v. Alta Health & Life Insurance Co.*, the court held that discovery beyond the administrative record may be appropriate to examine the nature, extent, and effect of a structural conflict of interest on the claims decision-making process.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Ralph Zarefsky
JURISDICTION	California
DECIDED	September 12, 2007
DOCKET	No. CV 06-07260ABCRZX
DISPOSITION	other
PROCEDURAL POSTURE	Defendant Metropolitan Life Insurance Company moved for a protective order prohibiting depositions of claims representatives and a consulting physician in an ERISA disability-benefits action. The court denied the motion.
STANDARD OF REVIEW	Assumed abuse-of-discretion review of MetLife's benefit determination; the court noted that the merits court must assess how much weight to give the administrator's reasons in light of any conflict of interest.
PRECEDENTIAL VALUE	Published federal district court opinion; persuasive rather than binding authority outside the case.

TOPICS

- discovery dispute
- insurance
- evidence
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether discovery beyond the ERISA administrative record may be permitted in an action reviewed under an abuse-of-discretion standard when the plan administrator has a conflict of interest.
2. Whether MetLife was entitled to a protective order prohibiting depositions of its claims representatives and consulting physician.

HOLDINGS

1. In an ERISA benefits case subject to abuse-of-discretion review, the court may consider evidence outside the administrative record to determine the nature, extent, and effect of a plan administrator's conflict of interest on its decision-making.
2. MetLife was not entitled to a protective order prohibiting the depositions because the requested discovery could lead to information relevant to the nature, extent, and effect of MetLife's conflict of interest.

KEY QUOTATIONS

“The Court deciding the merits of the dispute has the discretion to consider evidence outside the administrative record.” (1173)

“In the Court's view, the rationale of Abatie leads inevitably to the conclusion that discovery beyond the administrative record now must be allowed.” (1173)

“Such discovery must be confined to the parameters which Abatie discussed discovery which leads to information about “the nature, extent, and effect on the decision-making process of a conflict of interest.”” (1173)

FACTUAL BACKGROUND

MetLife both administered the disability-benefits plan and paid benefits, creating a structural conflict of interest. Plaintiff alleged that MetLife improperly denied his disability claim. Plaintiff sought to depose two MetLife claims representatives and a physician whom MetLife consulted before making its decision.

PROCEDURAL HISTORY

Plaintiff challenged MetLife's denial of disability benefits under ERISA and noticed depositions of two claims representatives and a physician consulted before the denial. MetLife sought to bar the depositions on the ground that review would be confined to the administrative record. The district court denied the protective-order motion after concluding that Ninth Circuit precedent permits discovery beyond the administrative record concerning an administrator's conflict of interest.

DISPOSITION

other

CASES CITED

- Abatie v. Alta Health & Life Insurance Co., 458 F.3d 955 (9th Cir. 2006)
- Tremain v. Bell Industries, Inc., 196 F.3d 970, 976 (9th Cir. 1999)

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