

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, ALEXANDRIA DIVISION

Agalar Aliev v. Trans Union, LLC

Aliev v. Trans Union · No. 1:25-cv-01248 (RDA/WBP) · Decided January 26, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia resolves the remaining privilege-designation issue in Plaintiff Agalar Aliev’s motion to compel discovery from Trans Union, LLC in a Fair Credit Reporting Act action. The court holds that most of Trans Union’s redactions, including those covering a credit-file summary, reason codes, and remaining documents, are not protected work product, while sustaining limited designations for potentially attorney-client communications. Trans Union is ordered to produce unredacted versions of specified pages by January 30, 2026.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Alexandria Division
WRITING FOR THE COURT	William B. Porter, United States Magistrate Judge
JURISDICTION	United States District Court for the Eastern District of Virginia, Alexandria Division
DECIDED	January 26, 2026
DOCKET	1:25-cv-01248 (RDA/WBP)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel production of documents in a Fair Credit Reporting Act action. The court had previously resolved the motion except for the challenge to Trans Union's attorney-client privilege and work-product designations, which the court resolved in this memorandum opinion and order.
STANDARD OF REVIEW	The court independently evaluated the asserted attorney-client privilege and work-product protection based on the privilege log, the parties' submissions, oral argument, and in camera review.
PRECEDENTIAL VALUE	Unknown; memorandum opinion from a federal district court
PARTIES	Agalar Aliev v. Trans Union, LLC

TOPICS

discovery dispute

work product doctrine

attorney client privilege

credit reporting

civil procedure

PRACTICE AREAS

consumer protection

civil discovery

privilege

QUESTIONS PRESENTED

1. Whether Trans Union's redactions to the summary report constituted protected opinion work product because they identified documents counsel directed personnel to collect or print.
2. Whether the redacted comments were protected by the attorney-client privilege or work-product doctrine.
3. Whether reason codes explaining why documents were printed constituted protected work product.
4. Whether Trans Union established privilege or work-product protection for the remaining entirely redacted documents.

HOLDINGS

1. Trans Union's redactions to the summary report were not protected opinion work product because they did not reveal counsel's selection of particular documents from a larger universe; instead, the report showed that counsel requested production of the plaintiff's entire credit file.
2. The court sustained the privilege designations for specified redactions on pages TU 00003 and TU 00005 because the materials may relate to attorney-client communications, but overruled the designation for page TU 00004 because Trans Union provided no rationale for redacting the summary report or audit trail.
3. Reason codes explaining why Trans Union printed documents from Aliev's credit file were not protected work product.
4. Trans Union failed to establish privilege or work-product protection for the remaining documents and was required to produce unredacted versions.

KEY QUOTATIONS

"This choice and arrangement constitutes opinion work product because Allen's selection and compilation of these particular documents reveals her thought process and theories regarding this litigation." (at 2)

"We emphasize that this conclusion does not protect [the employee's] personnel records from disclosure, just Allen's selection and arrangement of them." (at 2)

"Instead, the Summary Report reflects that counsel asked support personnel to print Plaintiff's entire credit file." (at 4)

FACTUAL BACKGROUND

In this Fair Credit Reporting Act case, Trans Union redacted portions of documents concerning activity on Aliev's credit file and asserted attorney-client privilege and work-product protection. The redacted materials

included a summary report, comments, reason codes explaining why documents were printed, and other documents reflecting actions taken concerning the credit file. Trans Union argued that counsel had directed personnel to collect or print the materials in anticipation of litigation, while the court found that much of the activity involved printing the entire credit file or reflected nonprivileged external events such as service of a subpoena or filing of a lawsuit.

PROCEDURAL HISTORY

Aliev served requests for production, and Trans Union produced redacted documents and a privilege log containing 201 entries. After the court resolved most of the motion to compel, it conducted an in camera review of unredacted documents and heard Trans Union's proffer concerning the remaining privilege designations. The court granted the motion in part and denied it in part, overruling most designations, sustaining designations for specified redactions, and ordering production of unredacted pages by January 30, 2026.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. Trans Union was ordered to produce unredacted versions of pages TU 00001–00002, TU 00004, and TU 00007–TU 00236 by 5:00 p.m. on January 30, 2026; the privilege designations for the specified redactions on pages TU 00003 and TU 00005 were sustained.

CASES CITED

- *In re Allen*, 106 F.3d 582 (4th Cir. 1997)
- *Shelton v. American Motors Corp.*, 805 F.2d 1323, 1329 (8th Cir. 1986)
- *Sporck v. Peil*, 759 F.2d 312, 316 (3d Cir. 1985), cert. denied, 474 U.S. 903 (1985)
- *James Julian, Inc. v. Raytheon Co.*, 93 F.R.D. 138, 144 (D. Del. 1982)