

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Bryce Corp. v. XL Insurance America, Inc.

Bryce Corp. · No. 1:23-cv-01814-KPF · Decided December 5, 2025

SUMMARY

This document consists of XL Insurance America, Inc.’s December 3, 2025 letter opposing Bryce Corporation’s request for sanctions and to withdraw a declaration submitted in support of XL’s partial summary judgment motion, together with a December 5, 2025 order from the U.S. District Court for the Southern District of New York. The letter argues that sanctions under Federal Rules of Civil Procedure 56(h) and 11 are unwarranted. The order grants requests to file redacted and sealed documents, grants Bryce’s request for a pre-motion conference concerning anticipated sanctions, and schedules a telephonic conference for December 22, 2025.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Katherine Polk Failla
DECIDED	December 5, 2025
DOCKET	1:23-cv-01814-KPF
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff Bryce Corporation sought a pre-motion conference concerning an anticipated motion for sanctions and to compel Defendant XL Insurance America, Inc. to withdraw a declaration submitted in support of XL’s cross-motion for partial summary judgment. XL opposed the request and sought leave to file redacted and sealed response papers.
PRECEDENTIAL VALUE	Unknown

TOPICS

- sanctions
- summary judgment
- civil procedure
- insurance
- commercial litigation

PRACTICE AREAS

- civil procedure
- insurance
- commercial litigation
- sanctions

QUESTIONS PRESENTED

1. Whether the parties should be permitted to file specified response and motion papers in redacted and sealed form.
2. Whether Bryce should receive a pre-motion conference concerning an anticipated motion for sanctions.

HOLDINGS

1. The court granted the parties' requests to file the specified documents in redacted and sealed form and directed that the identified docket entries remain under seal.
2. The court granted Bryce's request for a pre-motion conference and scheduled a telephonic conference for December 22, 2025.

FACTUAL BACKGROUND

XL submitted the declaration of Raymond F. Walton in support of its cross-motion for partial summary judgment. Bryce contended that the declaration contradicted Walton's deposition testimony and sought sanctions and withdrawal of the declaration; XL responded that the declaration was based on Walton's personal knowledge and the discovery record.

PROCEDURAL HISTORY

Both parties moved for partial summary judgment. Bryce later sought leave to pursue sanctions based on the declaration of XL claims specialist Raymond F. Walton. The court granted the parties' requests to file redacted and sealed documents, granted Bryce's request for a pre-motion conference, scheduled a telephonic conference, directed that specified docket entries remain under seal, and terminated the identified pending motions.

DISPOSITION

other

CASES CITED

- Jaisan, Inc. v. Sullivan, 178 F.R.D. 412 (S.D.N.Y. 1998)
- Lusier v. Risinger Bros. Transfer, Inc., 2015 WL 5638063 (S.D.N.Y. Sept. 17, 2015)
- Safe-Strap Co., Inc. v. Koala Corp., 270 F. Supp. 2d 407 (S.D.N.Y. 2003)
- Stern v. Regency Towers, LLC, 886 F. Supp. 2d 317 (S.D.N.Y. 2012)
- E. Gluck Corp. v. Rothenhaus, 252 F.R.D. 175 (S.D.N.Y. 2008)
- Louis Vuitton Malletier v. Dooney & Bourke, Inc., 2006 WL 2807213 (S.D.N.Y. Sept. 28, 2006)
- Corley v. Vance, 2018 WL 11250295 (S.D.N.Y. Aug. 30, 2018)
- Kiobel v. Millson, 592 F.3d 78 (2d Cir. 2010)