

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Luis Pena v. Bristol West Insurance Company

Pena · No. 2:25-cv-1204-JHR-KRS · Decided December 15, 2025

SUMMARY

This Initial Scheduling Order in Pena v. Bristol West Insurance Company establishes pretrial and case-management requirements in a civil action before the United States District Court for the District of New Mexico. It sets deadlines for the Rule 26(f) meet-and-confer, filing of the Joint Status Report and Provisional Discovery Plan, initial disclosures, and a telephonic Rule 16 scheduling conference.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Kevin R. Sweazea
DECIDED	December 15, 2025
DOCKET	2:25-cv-1204-JHR-KRS
DISPOSITION	other
PROCEDURAL POSTURE	Initial scheduling order addressing case management, discovery, pretrial scheduling, and related non-dispositive matters in a removed insurance-contract action.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- discovery dispute
- civil procedure
- insurance

PRACTICE AREAS

- civil procedure
- insurance

QUESTIONS PRESENTED

1. What scheduling, discovery, initial-disclosure, preservation, and pretrial-management requirements should govern the case before the Rule 16 scheduling conference?

HOLDINGS

1. The parties must meet and confer by January 12, 2026, formulate a provisional discovery plan, and file a Joint Status Report and Provisional Discovery Plan by January 21, 2026.

2. The parties must preserve discoverable electronically stored information and make initial disclosures under Federal Rule of Civil Procedure 26(a)(1) within fourteen days after the meet-and-confer session.

KEY QUOTATIONS

“The parties have an attendant duty to preserve all electronically stored information that may be discoverable in this case.”

FACTUAL BACKGROUND

The opinion provides no substantive facts concerning the underlying insurance dispute. It establishes procedures for the parties to exchange discovery views, preserve electronically stored information, make initial disclosures, identify expert-discovery needs, and address claims, defenses, settlement, and alternative dispute resolution.

PROCEDURAL HISTORY

Luis Pena brought an action against Bristol West Insurance Company. The District of New Mexico issued this initial scheduling order directing the parties to meet and confer, prepare a Joint Status Report and Provisional Discovery Plan, make initial disclosures, and participate in a Rule 16 scheduling conference.

DISPOSITION

other

CASES CITED

- Daubert v. Merrell Dow Pharmaceuticals, 509 U.S. 579 (1993)