

Appellate Practice Pointer
Life Care Centers of Am. v. Reese

In Life Care Centers of Am. v. Reese, Case No. 5D06-2358 (5th DCA Jan. 19, 2007), the court held: (1) the trial court's order requiring production of documents was overly burdensome; and (2) it is improper to require production of privilege logs without first ruling on a party's overbreadth objections.

In Reese, the trial court compelled defendants to produce an expansive amount of documents that were unlimited by time frame, did not adequately explain relevancy, and encompassed confidential information. In addition, the trial court required production of privilege logs while deferring on defendants' overbreadth objections.

The Fifth DCA held the order compelling documents to be "patently overbroad" and the order deferring objections to be "erroneous." As to the latter, the court explained the commonsensical rule that where the scope of discovery is at issue, it makes little sense for the objecting party to go through all the requested documents when such documents may ultimately be unnecessary to produce.

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