UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MIDWEST EMPLOYERS CASUALTY COMPANY,	)))	
Plaintiff,	))	
vs.	))	Case No. 4:07CV870 CDP CDP
LEGION INSURANCE COMPANY (in liquidation),	))))	
Defendant.	)	

ORDER

Plaintiff Midwest Employers Casualty Company moves to compel

production of documents from defendant Legion Insurance Company related to

whether the reinsurance contracts that are the subject of this suit were written on a

"risk attaching" basis, as Legion asserts, or on a "loss occurring" basis, as MECC

asserts. After fully reviewing the parties' filings, I conclude that the documents

sought are relevant to both plaintiff's claims and defendants' defenses, and that

production of the documents is not unduly burdensome.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to compel [#47] is

denied as moot as to requests #22 and 31, and is otherwise granted. Legion shall,

no later than June 18, 2008, produce the following categories of documents, unless

protected by attorney-client privilege, and for the time period of 1994 to 2002:

1.   All contracts evidencing reinsurance purchased for program business by Legion written during the years 1994 to 2002 on a "losses occurring" basis.

2.   All documents evidencing the attachment basis of the reinsurance that Legion purchased from MECC.

3.   Documents sufficient to show Legion's booking of or accounting for reinsurance purchased from MECC.

4.   Documents sufficient to show the actuarial support for Legion's last Schedule F statutory filing related to Legion's projection of MECC's ultimate liability and any subsequent projection of MECC's ultimate liability.

5.   Documents sufficient to show case reserves and reinsurance receivables by claim, program and/or year relating to Legion policies or Accounts reinsured by MECC or that otherwise show the reinsurance payments that Legion estimated or expected to receive from MECC.

_____
CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this _4th_ day of June, 2008.