

Plaintiffs served written discovery on the Takata Defendants. The Takata Defendants subsequently provided written responses and documents. On February 16, 2009, plaintiffs filed their Amended Motion to Compel Discovery as to the Takata Defendants. (D.E. [\*8] 167). On March 3, 2009, the Takata Defendants filed their response in opposition to the motion. A hearing was held on March 9, 2009, attended by counsel for plaintiffs and the Takata defendants. <sup>1</sup> With leave of court, on March 16 and 17, 2009, supplemental briefs were filed by the Takata Defendants and plaintiffs, respectively.

<sup>1</sup> At the beginning of the March 9, 2009 hearing, the court ruled that it would not limit discovery based on the Takata Defendants' argument that the component parts doctrine barred recovery, as a decision on the application of that doctrine has not yet been made in this case. Specifically, even assuming the doctrine is applicable in this type of case, the court has not yet determined whether the Takata Defendants "substantially participated" in the integration of the seat belt into the design of the 2005 GMC Yukon, and will not do so until the parties have had an opportunity to engage in discovery on this issue. *Davis v. Komatsu America Indus. Corp.*, 42 S.W.3d 34, 41-42 (Tenn. 2001); see also *Davis v. Komatsu American Industries Corp.*, 19 Fed. Appx. 253, 2001 WL 1042229, at \*3 (6th Cir. 2001) (reversing order granting summary judgment for parts manufacturer [\*9] because "Davis has produced sufficient evidence to create an issue of fact as to whether Komatsu substantially participated in the integration of its press into the press line, whether the integration caused the press line to be defective, and whether the defect in the press line caused Davis' injury."). Moreover, because the court is not inclined to stay discovery generally until a decision is made on the applicability of the component parts doctrine, the court permitted plaintiffs to obtain discovery on all relevant matters and did not limit discovery to the issue of whether or not the Takata Defendants substantially participated in the integration of the seat belt restraint system into the Yukon.

## II. ANALYSIS

Federal Rule of Civil Procedure 26(b)(1) allows for the discovery of "any matter, not privileged, that is relevant to the claim or defense of any party." Fed. R. Civ. P. 26(b)(1). Relevancy for discovery purposes is construed broadly. Information is discoverable if it is "reasonably calculated to lead to the discovery of admissible evidence." *Id.* "Nevertheless, discovery does have 'ultimate and necessary boundaries,'" *Miller v. Fed. Express Corp.*, 186 F.R.D. 376, 383 (W.D. Tenn. 1999) [\*10] (quoting *Oppenheimer Fund, Inc. v. Sanders*, 437 U.S. 340, 351, 98 S. Ct. 2380, 57 L. Ed. 2d 253 (1978)), "and 'it is well established that the scope of discovery is within the sound discretion of the trial court.'" *Miller*, 186 F.R.D. at 383 (quoting *Coleman v. Am. Red Cross*, 23 F.3d 1091, 1096 (6th Cir. 1994)). A court need not compel discovery if "the burden or expense of the proposed discovery outweighs its likely benefit." Fed. R. Civ. P. 26(b)(2)(iii).

**Interrogatory No. 2.05:** A verified supplemental interrogatory response shall be provided identifying the documents which have been produced which provide the information responsive to this interrogatory (or referencing the February 16, 2009 letter identifying those documents if the letter identifies the specific documents which contain all information responsive to this interrogatory) and stating that the response is complete.

**Interrogatory No. 2.06:** A verified supplemental interrogatory response shall be provided identifying the documents which have been produced which provide the information responsive to this interrogatory (or referencing the February 16, 2009 letter identifying those documents if the letter identifies the specific documents which contain all information [\*11] responsive to this interrogatory) and stating that the response is complete.

**Interrogatory No. 2.07:** The Motion is passed over, as Takata has agreed to provide a supplemental response stating that the information already provided is complete.

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