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6 Attorneys for State Defendants

7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF ARIZONA**

9 JACK HUMMER,

Plaintiff,

11 v.

12 DORA B. SCHRIRO, DR. JAMES BAIRD,
F.H.A. DENNIS G. CHENAIL, et al.,

13 Defendants.

No. CV 07-211-TUC-DCB

**SUPPLEMENT TO DEFENDANTS'
CROSS-MOTION FOR PLAINTIFF
TO AUTHORIZE DEFENDANTS TO
OBTAIN A COPY OF HIS ADC
MEDICAL RECORDS**

16 Defendants Schriro, Baird, and Chenail supplement their Cross-Motion for
17 Plaintiff to Authorize Defendants to Obtain a Copy of His Medical Records. Dkt. 14.

18 Hummer claims that Defendants were deliberately indifferent because they only
19 authorized him to have cataract surgery on one of his eyes, but not both. Dkt. 1. In his
20 Witness List, Hummer confirmed that Dr. Jason Levine performed cataract surgery on
21 one of his eyes. Dkt. 23. Defendants anticipate that Hummer's medical records will at
22 least contain some of Dr. Levine's records, but they are concerned that they may not all
23 be included.

24 It would be a waste of judicial resources to require Defendants to file a separate
25 motion in order for them to obtain a copy of Dr. Levine's records for Hummer. Since the
26 same arguments that support Defendants' Cross-Motion relating to Hummer's ADC

1 medical records are equally applicable to their right to have access to Dr. Levine's
2 records, Defendants respectfully request that the Court consider this Supplement to
3 Defendants' Cross-Motion for Plaintiff to Authorize Defendants to Obtain a Copy of His
4 ADC Medical Records, and order Hummer to execute an authorization in the form of the
5 one annexed hereto as Exhibit A.

6 RESPECTFULLY SUBMITTED this 15th day of February, 2008.

7 TERRY GODDARD
8 ATTORNEY GENERAL

9 s/Wanda E. Hofmann
10 for PAUL E. CARTER
11 Assistant Attorney General
12 Attorneys for State Defendants

12 Copy of the foregoing
13 mailed this 15th day
14 of February, 2008, to:

14 Jack Hummer, #42501
15 ASPC-Tucson-Manzanita Unit
16 P.O. Box 24401
17 Tucson, AZ 85734

16 s/mm
17 IDS07-0053/ G2006-21347/ 147916