

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

JOHN T. MOSS,
ADC #79311

PLAINTIFF

v.

5:12CV00356-JTK

CORIZON, INC., et al.

DEFENDANTS

ORDER

In Response to Plaintiff's Motion for a Discovery Conference (Doc. No. 128), this Court held a telephone conference on the record, with counsel for the parties, on May 29, 2014. During that conference, the Court issued rulings concerning issues raised by the Plaintiff in the Motion and Supplemental Motion to Compel Discovery (Doc. Nos. 125, 127.) The following is a summary of those rulings. Accordingly,

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Motion for a Discovery Conference (Doc. No. 128) is GRANTED.
2. Plaintiff's Motion and Supplemental Motion to Compel (Doc. Nos 125, 127) are

GRANTED IN PART, as follows:

a. If Defendants have exclusive access to a list of cases filed by inmates against Defendants Anderson and Hubbard concerning treatment of Hepatitis C, those shall be provided to the Plaintiff.

b. Defendants shall provide to the Plaintiff a list of Anderson's and Hubbard's supervisors, and those they supervised, from 2008-2012.

c. Defendants shall respond, to the extent they can answer, to Plaintiff's interrogatories concerning the average amount of time spent in treating hepatitis C patients from

2008-2012.

d. Within the parameters of the Court's rulings, Defendants shall respond to any interrogatories previously objected to as in excess of the 25-interrogatory limit.

e. Defendants shall provide to Plaintiff the anticipated cost of treating Plaintiff with Interferon from 2008-2012. They shall also provide to the Court the number of inmates being treated with Interferon during that time frame.

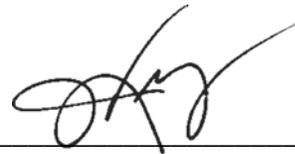
f. Defendants shall provide all of the above to the Plaintiff within fifteen days of the date of this Order.

g. The deadline for completing discovery relevant to these issues is extended to June 29, 2014; the dispositive motions deadline is extended to July 29, 2014. If Plaintiff discovers information leading to the need to take an additional deposition, he shall file a motion with the Court which includes the estimated cost, time for completion of the deposition, and relevancy of the evidence needed.

3. Plaintiff's Motion and Supplemental Motion to Compel are DENIED in all other respects.

4. Plaintiff's request for attorney's fees associated with the filing of the Motions to Compel is DENIED. The discovery conference was held prior to the due date for Defendants' responses to the Motions to Compel; based on defense counsel's responses at the conference, the Court finds Defendants' objections or non-disclosures to be substantially justified as set forth in FED.R.CIV.P. 37(a)(5)(A) and (C).

IT IS SO ORDERED this 29th day of May, 2014.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE