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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

IVAN KILGORE,

Plaintiff,

No. 2:07-cv-2485 GEB KJN P

vs.

RICHARD MANDEVILLE, et al.,

Defendants.

ORDER

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Counsel for all parties have identified the scope of anticipated further discovery in this action. Defendants have not opposed the additional discovery sought by plaintiff. For good cause shown, IT IS HEREBY ORDERED that:

1. Plaintiff’s motion for further discovery (Dkt. No. 106) is granted.
2. Defendants’ counsel shall inquire of each defendant whether he or she has produced copies of all medical records, notes, memos and other correspondence within each defendant’s custody or control, that is relevant to plaintiff’s medical care for his sinuses, during the period December 1, 2005, through the present date.<sup>1</sup> Pertinent information includes the

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<sup>1</sup> Plaintiff informed the court in March 2010, that his sinus lesion had recurred, as discovered on examination in October 2009, and confirmed by CT scan in January 2010, and that further surgery would be necessary. (Dkt. No. 70.)

1 names and contact information of any other medical provider or medical support staff with whom  
2 each defendant communicated concerning plaintiff's relevant medical care, and the dates and  
3 purpose of each such communication.

4 3. Defendants' counsel shall produce to plaintiff's counsel, within thirty-five days  
5 (five weeks) after the filing date of this order, all documents identified in Item No. 1, together  
6 with a declaration from each defendant that he or she has produced all information relevant to  
7 this action.

8 4. Defendants' counsel shall produce to plaintiff's counsel, within fourteen days  
9 (two weeks) after the filing date of this order, a transcript of plaintiff's deposition, or the  
10 information necessary to obtain such transcript; plaintiff's counsel may seek reimbursement from  
11 the court for the cost of the transcript.

12 5. Defendants' counsel shall file, within forty-two days (six weeks) after the  
13 filing date of this order, a declaration demonstrating compliance with Item Nos. 2 through 4.

14 6. Plaintiff's counsel shall, within fifty-six days (eight weeks) after the filing date  
15 of this order, notice all intended depositions of defendants.

16 7. Each counsel shall, on or before March 30, 2012, file a further status report,  
17 that states whether: (1) any further discovery is required in this case; (2) any party intends to file  
18 a nondispositive pretrial motion;<sup>2</sup> (3) suggested date for discovery cut-off; and (4) suggested  
19 deadline for filing dispositive motions.

20 SO ORDERED.

21 DATED: January 5, 2012

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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25 <sup>2</sup> The court notes plaintiff's request that the court consider, after completion of further  
26 discovery, whether to reinstate previously dismissed defendants. The court will consider such  
request only upon proper motion, demonstrating that "justice so requires" the requested  
amendment of the operative complaint. Fed. R. Civ. P. 15(a)(2). This threshold is high in the  
present case, which is more than four years old, and already proceeds against eight defendants.