

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF CONNECTICUT

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CHARLOTINE DUVERGE	:	3:10 CV 1922 (JGM)
	:	
v.	:	
	:	
UNITED STATES OF AMERICA	:	DATE: FEBRUARY 28, 2016
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RULING ON DEFENDANT'S MOTION TO COMPEL

The factual and procedural history behind this litigation has been set forth in considerable detail in this Magistrate Judge's Ruling on Defendant's Motion for Summary Judgment, filed April 7, 2014 (Dkt. #68), Order Regarding Appearance for Plaintiff, filed March 25, 2015 (Dkt. #78), Ruling on Defendant's Pending Motions, filed January 19, 2016 (Dkt. #89), Order Regarding Status Reports, filed March 2, 2016 (Dkt. #90), Ruling on Defendant's Motions to Dismiss, filed April 29, 2016 (Dkt. #97), and Ruling on Defendant's Second Renewed Motion to Dismiss and on Motion to Withdraw as [Pro Bono] Counsel, filed August 2, 2016 (Dkt. #102)[“August 2016 Ruling”].

As set forth in these various rulings, this judicial officer has been abundantly patient and charitable to plaintiff, in extending the deadlines by which she is to serve “full and complete” responses to defendant’s discovery requests. The August 2016 Ruling directed the Clerk’s Office to find substitute pro bono counsel for plaintiff, at least for the purpose of completing discovery, and further ordered that “**for the very last and final time,**” the deadline for plaintiff to provide “**full and complete**” responses to the pending discovery requests was extended until September 16, 2016. (Id. at 2)(emphasis in original). The ruling further forewarned: “If defense counsel does not receive **full and complete** responses to the pending discovery requests by [this deadline], the Court will not hesitate, sua sponte, or

upon renewed motion by defendant, to dismiss this case with prejudice[,]" with the caveat that the deadline would be extended only if the Clerk's Office had difficulty in locating substitute pro bono counsel for plaintiff. (Id. at 2-3 & n.1)(emphasis in original).

Shortly thereafter, the Clerk's Office located an attorney willing to represent plaintiff for discovery purposes only (Dkts. ##103-04),<sup>1</sup> following which an in-person status conference was held. (Dkts. ##106-08). During this conference, counsel agreed, and the Court ordered, that all fact discovery (including depositions of all fact witnesses) be completed by January 31, 2017, and that all Motions to Compel with respect to fact discovery be filed by January 31, 2017. (Dkt. #109, ¶¶ 1-2).<sup>2</sup>

On January 30, 2017, defendant filed the pending Motion to Compel (Dkt. #110),<sup>3</sup> as to which plaintiff failed to file a timely brief in opposition under Local Rule 7(a)2. For the reasons stated in defendant's motion, the motion (Dkt. #110) is granted with respect to Interrogatories Nos. 1, 2, 3, 4, 6, 7, 9, 10, 11, 12, 15 and 17, and Requests for Production Nos. 1, 2 and 3. Plaintiff shall comply **on or before March 22, 2017**. As forewarned in the August 2016 Ruling, if defense counsel does not receive **full and complete** responses

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<sup>1</sup>Attorney Baldwin is the sixth attorney to represent plaintiff in this litigation in some capacity. See Dkts. ##22 (privately retained counsel); 23 (another privately retained counsel); 32-33, 35, 38 (withdrawal of appearance by one of these attorneys); 39, 41-42 (withdrawal of appearance by the other of these attorneys); 44-46, 51-53 (plaintiff's request for appointment of pro bono counsel for attorney, Court's granting of same, and appearances of pro bono counsel for settlement purposes only); 58-60 (withdrawal of appearances by pro bono counsel); 70, 78, 89-90 (regarding appointment of pro bono counsel for all purposes); 99, 102 (withdrawal of pro bono counsel).

See also Dkts. ##36, 69, 73 (regarding pro se appearance).

<sup>2</sup>In addition, deadlines were set for completing expert discovery and filing dispositive motions. (Id., ¶¶ 3-4).

<sup>3</sup>Attached was a copy of Plaintiff's Responses and Objections to Defendant's First Set of Interrogatories and Requests for Production to the Plaintiff, sworn to September 16, 2016.

to the pending discovery requests by **March 22, 2017**, the Court will not hesitate, sua sponte, or upon renewed motion by defendant, to dismiss this case with prejudice.

Dated this 28th day of February, 2017, at New Haven, Connecticut.

/s/ Joan G. Margolis, USMJ  
Joan Glazer Margolis  
United States Magistrate Judge