

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

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| -----X | : | |
| CHARLOTINE DUVERGE | : | 3:10 CV 1922 (JGM) |
| | : | |
| v. | : | |
| | : | |
| UNITED STATES OF AMERICA | : | DATE: FEBRUARY 1, 2018 |
| -----X | : | |

SUPPLEMENTAL ORDER REGARDING PLAINTIFF’S REQUEST FOR ISSUANCE OF
SUBPOENAS

Familiarity is presumed with the Ruling on Defendant’s Motion in Limine and Order Regarding Plaintiff’s Request for Issuance of Subpoenas, filed January 30, 2108 (Dkt. #150)[“January 30th Order”], which instructed defense counsel to “notify the Court (in a sealed document, if requested), the locations of Mr. Perkins, Dr. Collins, and Officer Ray, so that the Court can confirm that such individuals are beyond the subpoena powers of the Court” by February 5, 2018, and “if any of them are within the Court’s subpoena powers, then plaintiff shall submit her Touhy statement to defense counsel” by February 7, 2018. (At 11; see also January 30th Order at 6-10).

Pursuant to the January 30th Order, the next day, on January 31, 2018, defendant filed a report under seal (Dkt. #153; see also Dkts. ##152, 154), which indicates that two of the three proposed witnesses are no longer employed by the Bureau of Prisons and all three of them reside multiple states away from Connecticut, all significantly in excess of the Court’s subpoena powers. Thus, the Court will not issue subpoenas for these three proposed witnesses.

As a result, the only witness who remains at issue is the “orthopedic doctor[,]” for whom the January 30th Order requires plaintiff to “inform defense counsel and the Court of

the name of the 'orthopedic doctor[,]' by February 5, 2018, "and depending on which doctor is identified, plaintiff may be required to submit a Touhy statement to defense counsel on or before February 7, 2018." (At 11 (emphasis omitted); see also January 30th Order at 6-9).

In the interest of time, defense counsel shall send a copy of this order to the self-represented party's email address as it is listed in Dkt. #130, at 2. An additional copy will be mailed by the Court.

Dated this 1st day of February, 2018, at New Haven, Connecticut.

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