

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI'I

DONNA LYNCH,

Plaintiff,

vs.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION, *et al.*,

Defendants.

CIVIL NO. 16-00213 DKW-KSC

**ORDER REGARDING LIMITED
DISCOVERY RELATED TO
PLAINTIFF'S MOTION FOR
ENLARGEMENT OF TIME TO
OPPOSE DEFENDANTS' MOTION
TO DISMISS SECOND AMENDED
COMPLAINT**

On February 2, 2018, Plaintiff Donna Lynch, proceeding pro se, filed a Third Motion For Enlargement of Time for Opposing Motion to Dismiss for Failure to State A Claim ("Motion for Extension"). Lynch seeks an extension until April 20, 2018 in which to file her Opposition to Defendants' Motion to Dismiss, which was due on February 9, 2018. Dkt. No. 90. Defendants Bank of America, N.A., Countrywide Home Loans, Inc., and Federal National Mortgage Association filed an opposition to the Motion for Extension on February 6, 2018, Dkt. No. 92, and the Court held a status conference on February 8, 2018. Dkt. No. 94 (2/8/18 Court Minutes). The parties thereafter submitted letter briefs addressing limited discovery concerning the bases for Plaintiff's numerous extension requests, including her physical and cognitive impairments. Dkt. Nos. 96 (Defs.' 2/15/18

Letter Br.) and 97 (Pl.'s 2/22/18 Letter Br.). The Court held a further status conference on March 2, 2018 regarding the scope of Defendants' proposed discovery.

For the reasons stated on the record at the March 2, 2018 hearing and upon careful consideration of the parties' letter briefs, arguments at the March 2, 2018 hearing, and the entirety of the record in this matter, the Court hereby orders as follows:

1. Within seven days of the date of this order, Plaintiff shall provide Defendants with a list of any and all medical providers whom she was treated by or consulted with for any and all physical or cognitive issues, conditions, injuries, and ailments from the date Plaintiff initiated this litigation, April 4, 2016; with respect to each listed medical provider, Plaintiff shall identify the issues, conditions, injuries and ailments for which Plaintiff was treated by or consulted with that medical provider and also the time periods during which she was treated by or consulted with the medical provider;

2. Within seven days of receipt of Plaintiffs' list, described in Paragraph 1, Defendants shall provide Plaintiff with releases for her execution authorizing each of those providers: (1) to release Plaintiff's medical records from April 4, 2016 to present directly to Defendants, and (2) to respond to a short questionnaire asking

pertinent questions relating to Plaintiff's physical and mental ability to participate in this litigation;

3. Within seven days of receiving the medical releases, Plaintiff shall execute and return the releases to Defendants;

4. Defendants shall then provide the executed releases and short questionnaire to Plaintiff's medical providers and request copies of Plaintiff's medical records;

5. Within six weeks of obtaining the fully executed medical release authorizations from Plaintiff, Defendants will submit further briefing to the Court regarding Plaintiff's Motion for Extension and her physical and mental ability to participate in this litigation. Depending on the nature of Defendants' submission, the Court may permit Plaintiff to reply;

6. Any pertinent medical records or completed questionnaires to accompany said briefing will be filed under seal so as to preserve Plaintiff's privacy;

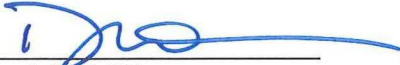
7. Should Defendants require additional time to complete the briefing due to the potentially voluminous nature of the records or to the potential delay of Plaintiff's medical providers in producing the records or responding to the short

questionnaire, Defendants may petition the Court for an appropriate extension of time.

IT IS SO ORDERED.

DATED: March 2, 2018 at Honolulu, Hawai‘i.




Derrick K. Watson
United States District Judge

Lynch v. Fed. Nat'l Mortg. Ass'n et al.; CV 16-00213 DKW-KSC; **ORDER REGARDING LIMITED DISCOVERY RELATED TO PLAINTIFF'S MOTION FOR ENLARGEMENT OF TIME TO OPPOSE DEFENDANTS' MOTION TO DISMISS SECOND AMENDED COMPLAINT**