

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
Urbana Division**

**ROY FLUKER and** )  
**DEBRA FLUKER,** )  
 )  
 **Plaintiffs,** )  
 **v.** )  
 )  
**COUNTY OF KANKAKEE and** )  
**KANKAKEE COUNTY SHERIFF’S** )  
**OFFICE,** )  
 )  
 **Defendants.** )

**Case No. 11-2254**

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**ORDER**

In October 2012, Plaintiffs filed a Motion for Entry of an Order for the Bureau of Prisons Devens Federal Medical Center to Permit Physician’s Examination of Plaintiff Roy Fluker (#55). Plaintiffs state that their medical expert, Dr. Stuart Glassman, must examine Plaintiff Roy Fluker. Plaintiffs request that the Court order that the BOP Devens Federal Medical Center permit Dr. Glassman to conduct a medical examination of Roy Fluker at the Devens facility. Defendants oppose, arguing that, because Plaintiffs waited until the eleventh hour of the expert disclosure deadline to disclose Dr. Glassman, Defendants have insufficient time to depose Dr. Glassman or to make their own expert disclosures in response. **The Court GRANTS Plaintiffs’ request and orders that the BOP Devens Federal Medical Center, consistent with its protocols and schedule, permit that Dr. Stuart Glassman examine Roy Fluker at the Devens facility.** In order to avoid prejudice to the Defendants, the Court will accommodate requests to modify the scheduling order and extend deadlines in this case.

Plaintiffs also report that the medical records provided by the Devens facility are unreadable and requests that the Court order the Devens facility “to produce to Plaintiffs’ attorneys a copy of Plaintiff Roy Fluker’s medical records in an adequate size of print and print quality.” (#55, p. 2.) Plaintiffs’ attorneys fail to indicate what efforts they have made, on their

own, to request a more readable copy from the Devens Facility. Without such information, the Court does not find it appropriate to order such relief and **DENIES** this request without prejudice.

Therefore, Plaintiffs' Motion (#55) is **GRANTED** as to the medical exam and **DENIED** as to the request for medical records.

ENTERED this 1<sup>st</sup> day of November, 2012.

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s/DAVID G. BERNTHAL  
UNITED STATES MAGISTRATE JUDGE