

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION**

DAVID FUENTES)	
)	
Plaintiff,)	
)	
v.)	11-CV-3073
)	
DR. VIPIN SHAH et al.,)	
)	
Defendants.)	
)	

OPINION

SUE E. MYERSCOUGH, U.S. District Judge:

Plaintiff pursues claims for deliberate indifference to his serious medical needs. In particular, he alleges deliberate indifference to his spina bifida, spinal cord injuries, and his alleged need for a soy-free diet. The case is in the process of discovery.

Plaintiff has filed a “motion for clarification of claims.” The relief he seeks is unclear. He seems to assert that he would like to file an amended complaint to clarify his claims. However, he also seems to assert that the claims in this case should be severed into one case about

his spinal problems and a separate case about his soy problems. He also seeks an extension to respond to discovery requests.

Severing the claims would likely make Plaintiff's job more difficult, not less difficult. Both claims involve Plaintiff's medical treatment and both claims share at least two of the same defendants. Discovery will proceed more efficiently simultaneously, and keeping track of one case is easier than keeping track of two cases. If Plaintiff wishes to file an amended complaint, he may file a motion attaching the proposed amended complaint. The amended complaint, if allowed, will replace the current complaint in its entirety.

IT IS THEREFORE ORDERED:

1. Plaintiff's "Motion for Clarification of the Claims" is granted in part and denied in part (d/e 60). The motion is granted to the extent Plaintiff seeks an extension to respond to outstanding discovery requests. Plaintiff shall have until November 30, 2011, to respond to those discovery requests. The motion is otherwise denied.
2. Plaintiff's motion for an extension to respond to discovery

requests is denied as moot (d/e 64).

3. The motion filed by Defendants Shah and Williams seeking to extend their response deadline to Plaintiff's discovery requests is granted (d/e 63). Their response to Plaintiff's discovery requests is due November 7, 2011.

ENTERED: November 2, 2011

FOR THE COURT:

s/Sue E. Myerscough
SUE E. MYERSCOUGH
UNITED STATES DISTRICT JUDGE