

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MARY RUSSO,

Plaintiff,

v.

BRONCOR, INC.,

Defendant.

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Case No. 3:13-cv-348-JPG-DGW

ORDER

WILKERSON, Magistrate Judge:

Now pending before the Court are the Motion to Amend/Correct Scheduling Order filed by Plaintiff, Mary Russo, on November 15, 2013 (Doc. 53), the Motion to Enforce filed by Plaintiff on November 26, 2013 (Doc. 58), the Motion to Quash filed by Defendant, Broncor, Inc., on December 5, 2013 (Doc. 61), and the Sealed Motion filed by Plaintiff on December 5, 2013 (Doc. 63). For the reasons stated at the December 9, 2013 hearing and below, the following is hereby

ORDERED:

1. The Motion to Amend/Correct Scheduling Order (Doc. 53) is **DENIED AS MOOT**. The parties represent that they have agreed as to expert disclosure deadlines. However, Plaintiff shall file a motion for leave to amend the complaint setting forth why the deadline to amend the complaint should be extended.
2. The Motion to Enforce (Doc. 58) is **GRANTED** by separate docket entry (Doc. 68).
3. Motions to Quash (Doc. 61 and 66) are **TAKEN UNDER ADVISEMENT**. Plaintiff to file a response by December 18, 2013. A reply brief shall not be filed unless requested by the Court.
4. The Sealed Motion (Doc. 63) is **DENIED**. Plaintiff seeks reconsideration of an Order entered on November 22, 2013 (Doc. 54) denying a Motion to Amend/Correct a Protective Order (Doc.

48). In the previous Motion, Plaintiff sought to amend a protective order so that certain discovery in this case could be disclosed to the United States Attorney's Office. This Court denied that Motion because good cause did not exist for the modification: the United States is not a party to this action and disclosure may run afoul of federal and state privacy laws. Plaintiff's original Motion contained *none* of the arguments outlined in the Motion to Reconsider. A Motion to Reconsider is not a proper vehicle to raise new legal theories or arguments that could have been made in the original motion. In any event, the Court remains convinced that good cause does not exist for a modification of the protective order. If the United States is interested in discovery in this case, it may petition this Court itself or, more appropriately, it may seek discovery in the related case, identified by Plaintiff, that it is pursuing. As noted at the conference, Plaintiff is free to appeal this decision to District Judge Gilbert.

IT IS SO ORDERED.

DATED: December 12, 2013



DONALD G. WILKERSON
United States Magistrate Judge