

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

DAVID C. GEVAS,)
)
 Plaintiff,)
)
 v.)
)
 DR. ROBERT SHEARING, WEXFORD))
 HEALTH SOURCES INC., JEREMY))
 BUTLER, RONALD SKIDMORE, NICKI))
 MALLEY, ASSISTANT WARDEN))
 KIMBERLY BUTLER, and WARDEN))
 RICHARD HARRINGTON,)
)
 Defendants.)

Case No. 3:14-cv-134-NJR-DGW

ORDER

WILKERSON, Magistrate Judge:

Now pending before the Court are various motions:

1. **“Motion for Court to Appoint Neutral Expert Witness”** filed by Plaintiff on November 9, 2015 (Doc. 289). This Motion is **DENIED**. Currently pending before the Court are Motions for Summary Judgment (one of which was pending at the time that Plaintiff filed this motion). At no point in this Motion does Plaintiff indicate that he requires such evidence to respond to a Motion for Summary Judgment. Plaintiff has not provided an affidavit to support such a claim as required by Federal Rule of Civil Procedure 56(d). In any event, this Court has denied such requests in the past and Plaintiff has offered no convincing reason why those decisions should be reconsidered (Docs. 174, 226).
2. **Motion for Order Compelling Discovery** filed by Plaintiff on November 9, 2015 (Doc. 290) and **Motion to Compel** filed by Plaintiff on December 1, 2015 (Doc. 306). These Motions are **DENIED**. Defendants correctly note that the “Sick Call Referral Log Books” are not subject to the Order requiring initial disclosures (Doc. 43). Plaintiff also has not attached the discovery

request that sought this information. Defendants further have indicated that they will forward the responsive document to Plaintiff after reviewing the same (Doc. 307).

3. **Amended Motion for Order Compelling Discovery** filed by Plaintiff on November 9, 2015 (Doc. 292) and **Motion for Leave to File** filed by Plaintiff on December 21, 2015 (Doc. 309). These Motions are **DENIED**. Plaintiff seeks movement logs that have been the subject of various motions to compel as outlined in this Court's August 27, 2015 Order (Doc. 258). Defendants have responded that no such documents exist or have been found, but that they will supplement if they exist or can be found. At this point, the logs either exist or they do not and Defendants state that no relevant logs exist. The Court will accept counsel's representations, as an officer of the Court, that they have searched for the documents and they cannot be found.

4. **Motion for Extension of Time to File Response** filed by Plaintiff on November 16, 2015 (Doc. 294). This Motion is **MOOT**. Plaintiff has filed a response to the Motion for Summary Judgment (Doc. 213) on November 30, 2015 (Doc. 301).

5. **Motion for Extension of Time to File Response** filed by Plaintiff on December 21, 2015 (Doc. 308). This Motion is **GRANTED**. Plaintiff has indicated that he requires more time to respond to the Motion for Summary Judgment (Doc. 303). He notes that he has not received discovery (which has been resolved by this Order) and that he has been ill (Docs. 310, 311, and 312). Plaintiff's response to the Motion for Summary Judgment (Doc. 303) is due by **March 18, 2016**. It is unlikely that future extensions will be granted.

IT IS SO ORDERED.

DATED: February 26, 2016



DONALD G. WILKERSON
United States Magistrate Judge