

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

GREGORY CONWAY,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 17-cv-0110-MJR-SCW
)	
WEXFORD HEALTH SOURCES, INC.,)	
ALLEN BRUMMEL,)	
PAUL LEWIS SHICKER, and)	
CHRISTINE BROWN,)	
)	
Defendants.)	

MEMORANDUM AND ORDER
ADOPTING REPORT & RECOMMENDATION

REAGAN, Chief Judge:

On May 21, 2018, the parties appeared before the Honorable Stephen C. Williams, United States Magistrate Judge, for an evidentiary hearing on Defendants’ Motion for Summary Judgment on the Issue of Exhaustion of Administrative Remedies (Docs 43, 56) and Defendant Wexford’s Motion for Summary Judgment (Doc. 39). Following the hearing, Magistrate Judge Williams prepared a Report and Recommendation (Doc. 75). Judge Williams recommends that the undersigned District Judge deny the motions (*Id.*). Upon issuance of the Report and Recommendation, Magistrate Judge Williams informed the parties that they had 14 days to object to his recommendations. (*Id.* at 13). The 14-day deadline—June 11, 2018—came and went without any objections being filed.

Accordingly, the Court **ADOPTS** in its entirety the Report and Recommendation (Doc. 75). The Court finds that Magistrate Judge Williams’s recommendations are sound, particularly

in light of the detailed analysis of exhaustion as to the lack of documentation from the IDOC facilities. As Magistrate Judge Williams noted, the burden of proof to demonstrate a failure to exhaust administrative remedies was on the Defendants. Based on this deficiency, the Defendants' motions are hereby **DENIED**. Claims still remain against Wexford Health Sources, Inc., Allen Brummel, Paul Lewis Shicker, and Christine Brown.

IT IS SO ORDERED.

DATED: July 27, 2018

s/ Michael J. Reagan
Michael J. Reagan
United States District Judge