

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

**THERON BAILEY,**

)

**Plaintiff,**

)

)

**v.**

)

**CAUSE NO. 1:09-cv-219**

)

)

**JASON DAVIS and CODY HARLAN,**

)

)

**Defendants.**

)

**OPINION AND ORDER**

On January 21, 2010, *pro se* Plaintiff Theron Bailey filed a Motion to Exempt (Docket #20), asking the Court to “exempt this cause from the scheduling and planning requirements of Fed. R. Civ. P. 26(f), Fed. R. Civ. P. 16 and N.D. Ind. L.R. 16.1 and cancel the scheduled telephonic pretrial conference. . .” (Mot. 1.) The Plaintiff has made no showing of why he should be exempt from these requirements, other than the fact that he is presently incarcerated and does not have a personal telephone number and access to the Court’s website.

The Plaintiff’s Motion is DENIED. The Court will contact him at his place of incarceration for all future conferences and the Clerk is DIRECTED to send him a copy of this order and the Report of the Parties’ Planning Meeting.

SO ORDERED.

Enter for January 26, 2010.

/S/ Roger B. Cosby

Roger B. Cosby,  
United States Magistrate Judge