

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

DEANNA MYERS-LEDESMA,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 1:16-cv-00298-TLS-SLC
)	
ADAMS CENTRAL COMMUNITY SCHOOLS BOARD OF TRUSTEES, et al.,)	
)	
Defendants.)	

OPINION AND ORDER

Before the Court is a motion to compel filed on August 23, 2017, by Defendants Adams Central Community Schools Board of Trustees (“ACCS”), Dr. Lori Stiglitz, and Jason Witzigreuter (together, “Defendants”), seeking to compel Plaintiff Deanna Myers-Ledesma to respond to: (1) Defendants’ First Set of Interrogatories to Plaintiff (DE 16-1 at 2-11); Stiglitz’s First Set of Interrogatories to Plaintiff (DE 16-1 at 12-24); and ACCS’s First Set of Interrogatories to Plaintiff (DE 16-1 at 25-38). Myers-Ledesma has not filed a response to the motion, and the time to do so has now passed. N.D. Ind. L.R. 7-1(d)(2)(A). For the following reasons, Defendants’ motion to compel will be GRANTED.

A. Procedural Background

On July 11, 2016, Myers-Ledesma filed this suit in Adams County Superior Court against ACCS, her former employer; Stiglitz, ACCS’s superintendent; and Witzigreuter, a principal at one of ACCS’s schools, advancing claims of retaliatory discharge, age discrimination, disability discrimination, deprivation of due process, conversion, unpaid wages, and breach of contract. (DE 4). Defendants timely removed the case to this Court. (DE 1).

This Court conducted a scheduling conference on November 8, 2016, setting a discovery

deadline of November 1, 2017, which was later extended to December 1, 2017, for discovery pertaining to liability, and February 1, 2018, for discovery pertaining to experts and damages. (DE 12; DE 15). On February 27, 2017, Defendants served their First Request for Production to Plaintiff, and Stiglitz and ACCS each served their respective First Set of Interrogatories to Plaintiff. (DE 16 ¶ 1; DE 16-1). After Myers-Ledesma failed to timely respond, Defendants' counsel emailed Myers-Ledesma's counsel on May 8, June 1, July 7, and July 14, each time inquiring about the status of the discovery responses. (DE 16 ¶¶ 2, 3, 6, 7). Although Myers-Ledesma's counsel repeatedly indicated that the discovery responses were forthcoming, the responses were never produced. (DE 16 ¶ 8). Consequently, on August 23, 2017, Defendants filed the instant motion to compel. (DE 16). As stated earlier, Myers-Ledesma has not responded to the motion, and her time to do so has now passed.

B. Applicable Law

Under Federal Rule of Civil Procedure 37, a party is permitted to file a motion to compel discovery where another party fails to respond to interrogatories or requests for production of documents. *See Redmond v. Leatherwood*, No. 06-C-1242, 2009 WL 212974, at *1 (E.D. Wis. Jan. 29, 2009). Together with the motion to compel, a party must file “a separate certification that the party has conferred in good faith or attempted to confer with the other affected parties in an effort to resolve the matter raised in the motion without court action.” N.D. Ind. L.R. 37-1(a); *see* Fed. R. Civ. P. 37(a)(1). “A motion to compel discovery pursuant to Rule 37(a) is addressed to the sound discretion of the trial court.” *Redmond*, 2009 WL 212974, at *1 (citation omitted).

C. Discussion

Defendants' counsel has adequately attempted to confer in good faith with Myers-

Ledesma's counsel in an effort to resolve this matter without Court action. *See* Fed. R. Civ. P. 37(a)(1); N.D. Ind. L.R. 37-1(a). Although Myers-Ledesma's counsel repeatedly indicated that the discovery responses were forthcoming, ultimately Myers-Ledesma seems to have simply ignored Defendants' discovery requests and the instant motion to compel. Consequently, the Court will GRANT the motion to compel and order Myers-Ledesma to respond to Defendants' First Request for Production of Documents to Plaintiff (DE 16-1 at 2-11) and to answer Stiglitz's and ACCS's respective First Set of Interrogatories to Plaintiff (DE 12-38), on or before September 28, 2017. *See, e.g., Redmond*, 2009 WL 212974, at *1, 3 (granting plaintiff's motion to compel where defendants appeared to have "entirely ignored the plaintiff's discovery requests").

D. Conclusion

For the foregoing reasons, Defendants' motion to compel (DE 16) is GRANTED. Myers-Ledesma is ORDERED to produce all documents responsive to Defendants' First Request for Production of Documents to Plaintiff (DE 16-1 at 2-11) and to answer Stiglitz's and ACCS's respective First Request for Interrogatories to Plaintiff (DE 16-1 at 12-38), on or before September 28, 2017.

SO ORDERED.

Enter for this 14th day of September 2017.

/s/ Susan Collins
Susan Collins
United States Magistrate Judge