

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

RUSSELL THOMAS,	)	
Plaintiff,	)	
	)	
v.	)	Cause No.: 2:12-cv-532-WCL-PRC
	)	
CITY OF GARY, <i>et al.</i> ,	)	
Defendants.	)	

**OPINION AND ORDER**

This matter is before the Court on Plaintiff's Motion to Compel [DE 25], filed on April 29, 2014. Defendants have not filed a response, and the time to do so has passed.

Plaintiff represents that he served Interrogatories and Requests for Production of Documents on Defendants on September 16, 2013. Despite repeated requests, Plaintiff represents that Defendants have not served him with any responses. Plaintiff also represents that his attorney deposed Defendant Officer Lindal Hairston on March 27, 2014, and that Hairston's attorney advised Hairston's not to answer a number of questions relating to his employment. (The Court notes that none of the objections made by Hairston's counsel at the deposition stated anything about attorney-client privilege.) Plaintiff asks the Court to compel Defendants to serve him with responses to his written discovery requests and to answer the objected-to deposition questions.

Noting the lack of response, the Court hereby **GRANTS** Plaintiff's Motion to Compel [DE 25] and **ORDERS** Defendants to serve Plaintiff with written discovery responses by June 9, 2014. The Court also **OVERULES** Defendant Hairston's objections at his deposition and **ORDERS** Defendant Officer Hairston to answer these questions (insofar as the information sought is not protected by privilege) in a supplemental deposition or in an affidavit by June 9, 2014.

Finally, the Court **GRANTS** Plaintiff's request for attorney fees and costs. Plaintiff's attorney shall file an affidavit with the Court by June 12, 2014, detailing the costs and attorney fees incurred in the litigation of this motion.

SO ORDERED this 29th day of May, 2014.

s/ Paul R. Cherry  
MAGISTRATE JUDGE PAUL R. CHERRY  
UNITED STATES DISTRICT COURT

cc: All counsel of record