

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

DENISE SZANY, )  
Plaintiff, )  
 )  
v. ) CAUSE NO.: 2:17-CV-74-JTM-PRC  
 )  
CITY OF HAMMOND, et al., )  
Defendants. )

**OPINION AND ORDER**

This matter is before the Court on Plaintiff's Motion for a Bifurcated Discovery Order [DE 53], filed by Plaintiff Denise Szany on March 2, 2018. Defendants City of Hammond and Jaime Garcia filed a response on March 16, 2018. No reply was filed.

In her Motion, Szany asks the Court to bifurcate discovery and to allow discovery on the claims against the City of Hammond while the claims against Garcia, brought in an amended complaint filed on March 2, 2018, undergo preliminary matters.

The Court has broad discretion in overseeing discovery, including discretion in deciding whether to bifurcate discovery. *Reid v. Unilever U.S., Inc.*, 964 F. Supp. 2d 893, 932 (N.D. Ill. 2013) (citing *James v. Hyatt Regency Chi.*, 707 F.3d 775, 784 (7th Cir. 2013); *Ocean Atl. Woodland Corp. V. DRH Cambridge Homes, Inc.*, No. 02 C 2523, 2004 WL 609326 (N.D. Ill. Mar. 23, 2004)).

Though Szany argues that she should not be delayed an opportunity to start discovery, it is her filing of new claims against Garcia that triggered the potential delay. If she had brought the new claims against Garcia in the original complaint or either of the first or second amended complaints, then Szany would not be subject to any of the delay that she argues will now ensue if discovery is not bifurcated. Further, the City of Hammond and Garcia, in response, argue that discovery should proceed as to both Defendants at this time. That is, based on the representations of the parties in the

motion and response, all of the parties to this litigation wish for discovery to proceed against the City of Hammond, and no party has presented an argument for postponing discovery as to Garcia. Therefore, an order bifurcating discovery is not warranted at this time.

Based on the foregoing, the Court hereby **DENIES** Plaintiff's Motion for a Bifurcated Discovery Order [DE 53].

So ORDERED this 28th day of March, 2018.

s/ Paul R. Cherry

MAGISTRATE JUDGE PAUL R. CHERRY  
UNITED STATES DISTRICT COURT