

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF INDIANA
 INDIANAPOLIS DIVISION

PRESTON HARDY,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:09-cv-00986-SEB-TAB
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER ON JULY 1, 2010, DISCOVERY HEARING

Parties appeared by counsel July 1, 2010, for a discovery hearing. Plaintiff's motion for leave to file more than 25 interrogatories [Docket No. 28] is granted. Plaintiff's motion to compel [Docket No. 29] is granted in part and denied in part. Plaintiff withdrew the motion with respect to Interrogatory Nos. 4, 5, 7, and 11. Accordingly, the motion is denied with respect to those interrogatories.

With respect to the remaining interrogatories, Defendant asserted that the information the Plaintiff seeks is only available, if at all, by deposing a representative of GW Commercial Services, Inc. While this position is not without some merit, such a blanket statement is not entirely accurate. As Plaintiff correctly pointed out at the hearing, Defendant's responses to Interrogatory Nos. 8-10, 12-19, and 24 fall short. Therefore, Plaintiff's motion is granted to the extent that Defendant shall supplement the foregoing interrogatory responses in good faith within 20 days. Plaintiff may then determine whether deposition testimony is needed to further flesh out these responses.

Also at the hearing the Court addressed contested medical releases. Plaintiff's objection

to the Defendant's request that the Plaintiff release his Social Security disability file is sustained. Given the nature of the Plaintiff's allegations and the nature of the Social Security claim, these documents are beyond the scope of Rule 26. However, Plaintiff's objections to Defendant's request for medical records is overruled. Plaintiff is ordered to sign medical releases provided by the Defendant within 14 days. The parties may, by agreement, modify the scope of these releases.

Dated: 07/07/2010

A handwritten signature in black ink, appearing to read 'T. Baker', written above a horizontal line.

Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

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