

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

MICHAEL R. FOLSOM,)	
)	
Plaintiff,)	
)	
v.)	3:09-cv-94-RLY-WGH
)	
MENARD, INC., a Wisconsin Corporation;)	
CDI, INC., an Indiana Corporation; LAMAR)	
CONSTRUCTION COMPANY, a Michigan)	
Corporation; NORTH AMERICAN)	
ROOFING SERVICES, INC., a Delaware)	
Corporation; FABCON, INC., a Minnesota)	
Corporation, FABCON, LLC, a Limited Liability)	
Company of Delaware; CROWN CONSTRUCTION,)	
INC., an Indiana Corporation; and GARY'S)	
PLUMBING SERVICE, INC.,)	
)	
Defendants.)	

**ORDER GRANTING, IN PART, AND DENYING,
IN PART, THE MOTION FOR PROTECTIVE ORDER**

This matter is before the Honorable William G. Hussmann, Jr., United States Magistrate Judge, on the Motion for Protective Order filed by Defendant Menard, Inc., on May 13, 2011. (Docket No. 377). The Plaintiff filed a Response on May 18, 2011. (Docket No. 379). The Magistrate Judge conducted a telephonic hearing on May 18, 2011, which, at the parties' request, was not recorded.

The Magistrate Judge, being duly advised, **GRANTS, in part,** and **DENIES, in part,** the Motion for Protective Order, as follows:

1. Menard, Inc. ("Menard") shall answer Interrogatory Nos. 1 and 2 only and shall respond to Request for Production No. 1 only. No other interrogatories or requests for production need be responded to.

The responses to the interrogatories and production of documents shall be provided by Menard to its counsel, in paper form only, on or before June 18, 2011. Menard's counsel shall notify Plaintiff's counsel of the receipt of those items by not later than ten (10) days from the date of their receipt, and shall submit a notification to the court that Menard has complied with this order.

Menard's counsel shall maintain the information in a confidential manner, and it shall not be disclosed until the completion of the final pretrial conference set for September 12, 2011. At the completion of the final pretrial conference, the information shall be disclosed to the Plaintiff's counsel for their eyes only until further order of the court. Plaintiff's counsel shall use the information obtained from their review for the purposes of this litigation only, shall make no copies of the information, and shall return all information to Menard's counsel at the completion of the litigation.

2. The request for a 30(b)(6) deposition limited to issues surrounding answers to Interrogatory Nos. 1 and 2 and Request for Production No. 1 is **GRANTED, in part,** and **DENIED, in part.** No such deposition shall be taken until after the final pretrial conference, and any such deposition shall relate only to Interrogatory Nos. 1 and 2 and Request for Production No. 1. That deposition will be attended by the Plaintiff's attorneys only and shall be conducted in

Vanderburgh County, Indiana, prior to the date the trial commences, unless the parties jointly agree to a different location.

SO ORDERED.

Dated: May 23, 2011



William G. Hussmann, Jr.
United States Magistrate Judge
Southern District of Indiana

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