

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

KIVON D. REDD,

Plaintiff,

v.

THE CITY OF EVANSVILLE, INDIANA,  
MICHAEL R. WARD, JOHN PIESCHALSKI, and  
BRAD HILL, OR HIS SUCCESSOR IN OFFICE,  
AS THE CHIEF OF POLICE OF THE  
CITY OF EVANSVILLE, INDIANA,

Defendants.

3:12-cv-70-RLY-WGH

ORDER ON PLAINTIFF’S MOTION TO COMPEL  
AND DEFENDANTS’ MOTION FOR PROTECTIVE ORDER

**This matter is before the Honorable William G. Hussmann, Jr., United States Magistrate Judge, on the Plaintiff’s Motion to Compel (Docket No. 22) and Defendants’ Motion for Protective Order (Docket No. 29). A hearing was held on the record at 11:00 a.m., on March 28, 2013, at which the parties were represented by counsel.**

**The Magistrate Judge, being duly advised, GRANTS, in part, and DENIES, in part, the motions, as follows:**

- 1. Defendants will be required to provide supplemental answers to interrogatories and responses to requests for production of documents as requested by the Plaintiff, subject to the following constraints:**

- (a) Defendants shall answer interrogatories and respond to requests for production of documents with respect to citizens' complaints regarding the excessive use of force only for the period from May 1, 2007, through May 1, 2013.**
- (b) Defendants shall answer interrogatories and respond to requests for production of documents with respect to all disciplinary actions taken against Defendants Ward and Pieszchalski for the period of May 1, 2007, through May 1, 2013.**
- (c) Defendants shall provide all documentation with respect to any internal affairs reports for Defendants Ward and Pieszchalski, without regard to the time period involved.**
- (d) Defendants shall answer interrogatories and respond to requests for production of documents that require the discussion of "use of force" reports kept by the City from May 1, 2010, through May 1, 2013.**
- (e) The City shall provide to the Plaintiff the reports and supporting data for any accreditation body for the period of time of 2007 through 2013.**

**2. The information provided under subparagraphs (b) and (c) above shall be subject to the terms of a protective order under which all answers to interrogatories and responses to requests for production of documents shall be maintained by counsel for the Plaintiff in a confidential manner and will not be disclosed to any persons other than those who need to know for purposes of the litigation. Unless with further order of the court, the information shall be held confidential and no copies of the information shall be distributed. The materials provided shall be returned to the Defendants at the close of the litigation.**

**3. Responses to the discovery required by this order shall be served by not later than April 18, 2013.**

**4. The parameters described in this order shall apply equally to interrogatories and requests for production of documents that have been served upon Defendants Ward and Pieszchalski, as well as those served upon Defendant City of Evansville.**

**SO ORDERED the 2nd day of April, 2013.**



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

**Served electronically on all ECF-registered counsel of record.**