

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

EDMOND SPENCER (#253212)

CIVIL ACTION

VERSUS

WILLIAM ROSSO, ET AL.

NO. 15-0078-JWD-RLB

ORDER

This matter is set for trial beginning on March 19, 2018; however, whether the plaintiff exhausted his administrative remedies with regards to his retaliation claim remains at issue. The judge may resolve disputed facts concerning exhaustion. *See Dillon v. Rogers*, 596 F.3d 260 (5th Cir. 2010). Accordingly,

IT IS ORDERED that the defendants shall, by March 9, 2018, file a Motion for Summary Judgment addressing their affirmative defense of failure to exhaust.

IT IS FURTHER ORDERED that the plaintiff shall, by March 13, 2018, file an Opposition to the defendants' Motion for Summary Judgment.

Signed in Baton Rouge, Louisiana, on March 7, 2018.



JUDGE JOHN W. deGRAVELLES
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA