

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**

**HENRY HICKSON (# 369635)**

**CIVIL ACTION**

**VERSUS**

**NO. 17-218-SDD-EWD**

**GROOM, MASTER SGT., ET AL.**

**ORDER**

Before the Court is Plaintiff's Motion for Clarification and/or Reconsideration,<sup>1</sup> which requests that this Court clarify and/or reconsider its Order regarding Defendant's Motion to Reset Summary Judgment Deadline.<sup>2</sup> Plaintiff asks that this Court limit any motion for summary judgment filed by Defendant by disallowing any motion for summary judgment regarding individual capacity claims asserted against Defendant Tim Delaney.<sup>3</sup> This Court declines Plaintiff's request to reconsider or clarify the Order rendered in R. Doc. 74. Defendants asked that the summary judgment deadline be extended while Defendants' Motion to Dismiss was pending as the Motion to Dismiss asserted that Defendants were entitled to sovereign immunity and that the court lacked subject matter jurisdiction. As the Motion to Dismiss was denied in part, the Court found good cause to extend the deadline to file substantive cross-motions for summary judgment. Summary judgment is favored in the federal courts under proper circumstances as it reinforces the purpose of Federal Rule of Civil Procedure 1, which is to secure the speedy, just and inexpensive determination of actions.<sup>4</sup> Further, the summary judgment deadline was again

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<sup>1</sup> R. Doc. 78.

<sup>2</sup> R. Doc. 74.

<sup>3</sup> R. Doc. 78.

<sup>4</sup> *U.S. v. Summers*, 96-0852, 1997 WL 9985, at \*1 (N.D. Tex. Jan. 6, 1997).

extended on March 25, 2019, as a result of this Court extending the time for discovery and amendment of pleadings, as requested by Plaintiff.<sup>5</sup> Accordingly,

**IT IS ORDERED** that Plaintiff's Motion for Clarification and/or Reconsideration<sup>6</sup> is **DENIED**.

Signed in Baton Rouge, Louisiana, on May 20, 2019.

  
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**ERIN WILDER-DOOMES**  
**UNITED STATES MAGISTRATE JUDGE**

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<sup>5</sup> R. Doc. 77.

<sup>6</sup> R. Doc. 78.