

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**YOUSSEF SALEH,
Plaintiff,**

CIVIL ACTION NO. 09-14562

vs.

DISTRICT JUDGE PAUL D. BORMAN

**AMERICAN STEAMSHIP
COMPANY,
Defendant.**

MAGISTRATE JUDGE MONA K. MAJZOUB

**OPINION AND ORDER GRANTING DEFENDANT'S MOTION TO COMPEL
DISCOVERY (DOCKET NO. 14)**

This matter comes before the Court on Defendant's Motion To Compel Discovery filed on May 27, 2010. (Docket no. 14). Plaintiff did not file a Response. The motion was referred to the undersigned for decision pursuant to 28 U.S.C. § 636(b)(1)(A). (Docket no. 15). The Court dispenses with oral argument on this matter pursuant to E.D. Mich. Local Rule 7.1(f). (Docket no. 16).

Defendant moves the Court to compel Plaintiff to produce an executed authorization to allow Defendant to obtain Plaintiff's medical records from Henry Ford Health Systems. (Docket no. 14). Defendant alleges that it received an executed authorization from Plaintiff in approximately March 2010, which authorization was rejected as being outdated due to an execution date of December 2009. (Docket no. 14). Defendant alleges that it submitted another authorization to Plaintiff's counsel for execution by Plaintiff, but as of May 24, 2010, Defendant had not yet received the new signed authorization from Plaintiff's counsel. Defendant argues that for this reason it has not been able to obtain Plaintiff's Henry Ford Health System medical records. (Docket no. 14).

Plaintiff's witness list includes a health care provider at the Henry Ford Health System and the medical records are relevant to Plaintiff's claim that he suffered injuries to his face, nose and eyes as a result of Defendant's negligence. (Docket nos. 1, 13). Fed. R. Civ. P. 26(b)(1). The discovery deadline is September 3, 2010 and Defendant's Motion to Compel is timely. (Docket no. 7). Plaintiff did not file a response to Defendant's motion as required to oppose the motion. E.D. Mich. LR 7.1(c).

The Court will order Plaintiff to produce a newly executed authorization for the Henry Ford Health System medical records.

IT IS THEREFORE ORDERED that Defendant's Motion to Compel Discovery (docket no. 14) is **GRANTED** and Plaintiff will produce within fourteen (14) days of entry of this order the executed authorization for Defendant to obtain Plaintiff's medical records from the Henry Ford Health System.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of fourteen days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: July 14, 2010

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Opinion and Order was served upon Counsel of Record on this date.

Dated: July 14, 2010

s/ Lisa C. Bartlett
Case Manager