

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM AUGUSTUS WELCH (#199544),

Plaintiff,

CASE NO. 2:12-CV-13172
JUDGE PAUL D. BORMAN
MAGISTRATE JUDGE PAUL J. KOMIVES

v.

GLENN KUSEY,
BRAD PURVES and
DON SPAULDING,

Defendants,

ORDER DISCHARGING THE COURT'S MAY 13, 2013 SHOW CAUSE ORDER (Doc. Ent. 17) and GRANTING DEFENDANTS' MAY 22, 2013 REQUEST (Doc. Ent. 18)

On May 13, 2013, I entered an order (Doc. Ent. 17) order granting plaintiff's October 5, 2012 motion for continuance to permit relevant interrogatories and documents to be obtained in order to respond to defendants' motion for summary judgment (Doc. Ent. 13) and granting plaintiff's December 7, 2012 motion for an order compelling discovery (Doc. Ent. 16). With respect to plaintiff's motion to compel discovery (Doc. Ent. 16), my order provided that, no later than Monday, May 27, 2013, defendants were to produce copies of (a) the 2009 and 2010 Ramadan menus that were actually served at SRF, (b) a copy of the current itemized caloric chart used by the MDOC that lists the approximate amount of calories that are in the food and beverage items actually served in the SRF Food Service, and (c) a copy of the "dietary reference intakes approved by the National Research Council" which is referred to in MDOC PD 04.07.100 ¶ G, or show cause why such production was not possible.

On May 22, 2013, defendants filed a response to the show cause order. Therein, they stated they have provided plaintiff with the first two items; explain their objection to producing

the third item (the DRI); and request that “they not be required to produce—for free—a copy of the Dietary Reference Intakes.” Doc. Ent. 18 at 3.

Upon consideration, my May 13, 2013 order (Doc. Ent. 17) is DISCHARGED to the extent it required defendants to show cause. Furthermore, defendants’ May 22, 2013 request that they not be required to produce a copy of the DRI for free (Doc. Ent. 18) is GRANTED.

IT IS SO ORDERED.

The attention of the parties is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of service of a copy of this order within which to file an appeal for consideration by the district judge under 28 U.S.C. § 636(b)(1).

s/ Paul J. Komives
PAUL J. KOMIVES
UNITED STATES MAGISTRATE JUDGE

Dated: June 4, 2013

PROOF OF SERVICE

I hereby certify that a copy of this order was served upon William Welch and Counsel of Record on this date.

Date: June 4, 2013

s/ Lisa C. Bartlett
Case Manager