

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRACEY SMITH,

Plaintiff,

v.

Case No. 2:14-cv-13795
District Judge David M. Lawson
Magistrate Judge Anthony P. Patti

THE FOOD BANK OF EASTERN
MICHIGAN,

Defendant.

ORDER COMPELLING PLAINTIFF TO SIGN AUTHORIZATION

On May 9, 2016, Plaintiff filed a request for a telephonic conference. (DE 74.) In her request, Plaintiff explained that Defendant's counsel continued to request discovery information from her, despite the discovery cut-off date having passed. As support, she attached an email dated May 4, 2016 from Pam Orr at Axiom Requisition Copy Service, asking Plaintiff to sign and return authorizations to release records from the Medical Associates of Clio, M. Haitham Al-Midani, Flint Cardiovascular Consultants, and Soda Stream. (Id. at 4.)

I granted Plaintiff's request and held a telephonic conference on this matter on May 20, 2016. During the call, Defendant's counsel informed the Court that it

was willing to forego obtaining authorizations on Plaintiff's outstanding medical records, and only required the authorization related to Plaintiff's former employer, Soda Stream. Defendant posited that it did not learn about Plaintiff's employment with Soda Stream until she was deposed, and Plaintiff was unsure whether she provided the information about Soda Stream in her response to Defendant's interrogatories.

Consistent with my ruling on October 16, 2015, in which I ordered Plaintiff to provide signed authorizations for the release of her employment records (DE 32), Plaintiff is hereby **ORDERED** to provide Defendant's counsel with a signed authorization for the release of the Soda Stream records **ON OR BEFORE MAY 30, 2016**.

In addition, the parties are reminded that, regardless of the discovery deadline, they have a continuing duty to supplement disclosures and responses pursuant to Federal Rule of Civil Procedure 26(e), which provides as follows:

(e) Supplementing Disclosures and Responses.

(1) *In General.* A party who has made a disclosure under Rule 26(a)—or who has responded to an interrogatory, request for production, or request for admission—must supplement or correct its disclosure or response:

(A) in a timely manner if the party learns that in some material respect the disclosure or response is incomplete or incorrect, and if the additional or corrective information has not otherwise been made known to the

other parties during the discovery process or in writing;
or
(B) as ordered by the court.

IT IS SO ORDERED.

Dated: May 20, 2016

s/Anthony P. Patti
Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on May 20, 2016, electronically and/or by U.S. Mail.

s/Michael Williams
Case Manager for the
Honorable Anthony P. Patti