

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

RICHARD SOLDAN,

Plaintiff,

CIVIL ACTION NO. 08-CV-14401-AA

VS.

DISTRICT JUDGE JOHN CORBETT O'MEARA

**MICHAEL J. BOUCHARD,
et al.,**

MAGISTRATE JUDGE MONA K. MAJZOUB

Defendants.

OPINION AND ORDER GRANTING DEFENDANTS' MOTION TO COMPEL

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This matter comes before the Court on the Motion to Compel pursuant to Fed. R. Civ. P. 37 filed by Defendants Bouchard, Huyck, Mathes, Gullett, Lopez, Stetz, Seling, Jansen, Bugsby, Zeeman, Sharma, Rupe, Steele, and Hanselman. (Docket no. 38). Plaintiff has not responded, and the time for responding has now expired. All pretrial matters have been referred to the undersigned for decision. (Docket no. 7). The Court dispenses with oral argument pursuant to E.D. Mich. LR 7.1(e). This matter is now ready for ruling.

Plaintiff claims in his Complaint that he contracted Tuberculosis (TB) at the Oakland County Jail and was denied treatment for it. (Docket no. 9). Defendants show that they served their Interrogatories to Plaintiff on March 17, 2009. (Docket no. 38-3). Plaintiff answered the Interrogatories, and the answers were received by Defendants' counsel on April 3, 2009. (Docket no. 38-4). Defendants contend that Plaintiff's answers are inadequate and seek an order compelling Plaintiff to provide full and complete answers.

The Court has reviewed Plaintiff's answers. Many of Plaintiff's responses are not adequate. The following answers must be supplemented by Plaintiff:

Interrogatory 3 – Plaintiff must provide details on work history or state that the information is unknown.

Interrogatory 5 – Plaintiff must answer this question concerning his criminal history with as much detail and accuracy as possible; Plaintiff’s answer of “not accessible” is not acceptable.

Interrogatory 6 – No expert opinion is needed to state whether Plaintiff experienced sickness or infirmities before the incident of which he is complaining.

Interrogatory 7 – The names and addresses of Plaintiff’s physicians, and reasons why he was treated, are not shielded from discovery.

Interrogatory 8 – The information about hospitals Plaintiff visited is not shielded from discovery.

Interrogatory 9 – The names, address, and dates of last visits to a family physician are not shielded from discovery.

Interrogatory 11 – Plaintiff must reveal the names and addresses of hospitals or clinics in which he was treated for the incident of which he complains.

Interrogatory 13 – Plaintiff must reveal details about when he was first tested for TB.

Interrogatory 14 – There is no need for an expert to describe any symptoms of TB that Plaintiff believes he experienced.

Interrogatory 17 – Plaintiff must reveal any non-expert witnesses he intends to call at trial.

Interrogatory 18 – Plaintiff must reveal any expert witnesses he intends to call at trial.

Interrogatory 19 – No expert is needed to describe the nature and extent of Plaintiff’s injury as a result of the incident.

Interrogatory 20 – No expert is needed to describe each disability resulting from the incident.

Interrogatory 21 – Plaintiff must describe all activities from which he has been restricted as a result of the incident.

Interrogatory 22 – No expert or counsel is needed to state whether anyone has informed Plaintiff that he may need future medical treatment as a result of the incident.

Interrogatory 23 – No expert or counsel is needed to describe the damages resulting from the incident.

Failure to comply with this Order may result in sanctions including dismissal of this action.

IT IS THEREFORE ORDERED that Defendants’ Motion to Compel (docket no. 38) is **GRANTED**, and that on or before July 20, 2009 Plaintiff provide to Defendants’ counsel full and complete answers to Defendants’ Interrogatories 3, 5, 6, 7, 8, 9, 11, 13, 14, 17, 18, 19, 20, 21, 22, and 23, as set out above.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten 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: June 24, 2009

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 Richard Soldan and Counsel of Record on this date.

Dated: June 24, 2009

s/ Lisa C. Bartlett
Courtroom Deputy