

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
NORTHERN DIVISION

DWIGHT WHEELER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 2:09CV00009
	)	
JILL PERKINS, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter comes before the Court on Defendants’ Motion to Reconsider the Court’s January 25, 2010 Order on Plaintiff’s Request for the Production of Documents Nos. 7 and 9 [doc. #36].

Defendants filed the Pending Motion to Reconsider, seeking to have this Court modify its Order requiring Defendants to provide Plaintiff with the “identification of all persons known by personnel of CMS to have requested, through grievance procedures or otherwise, treatment for Hepatitis C, and to have been denied any form of treatment for that disease.” (Order, doc. #33, p.2). Defendants argue that this Order is unduly burdensome and that “the time, effort, energy and expense of manually searching through thousands of unrelated inmate grievance filings housed within 21 Missouri correctional facilities outweighs its possible benefit.” (Defs.’ Mtn, doc. #36, p.2). This Court disagrees.

However, the Court finds some merit in Defendants’ argument that the information Plaintiff seeks includes protected medical information that cannot be disclosed to Plaintiff. The Court believes that it is necessary to conduct an *in camera* review of all potentially relevant

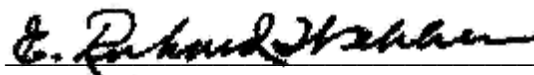
documents, to determine if Defendants' concerns are justified. Thus, the Court will order Defendants to submit to the Court all documents and materials that they would have to give to Plaintiff if the Court's January 25, 2010 Order is not modified. These documents and materials shall be submitted to the Court no later than **March 25, 2010**.

Accordingly,

**IT IS HEREBY ORDERED** that Defendants' Motion to Reconsider the Court's January 25, 2010 Order on Plaintiff's Request for the Production of Documents Nos. 7 and 9 [doc. #36] is **HELD IN ABEYANCE**, pending the Court's *in camera* review.

**IT IS FURTHER ORDERED** that the current scheduling deadlines are **HELD IN ABEYANCE**, pending the Court's *in camera* review. Plaintiff's Motion to Modify Amended Case Management Order of November 19, 2009 [doc. #35] will be addressed after the Court has determined if any further discovery is necessary.

Dated this 3rd Day of March, 2010.

  
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E. RICHARD WEBBER  
UNITED STATES DISTRICT COURT