

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JAMES TONEY,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:10-CV-2056-JAR
	)	
MICHAEL HAKALA, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff’s Motion in Opposition to Defendant’s Motion to Extend the Deadline to Reply to Plaintiff’s Response in Opposition to Defendant’s Motion for Summary Judgment and Request to Disclose Plaintiff’s Medical Expert. [ECF No. 222] Plaintiff advises the Court that he has located and made arrangements with a medical expert, Derrick Dytchkoskyj-Raider, an orthopedic physical therapist. The Court construes Plaintiff’s most recent filing as a request to disclose his medical expert out of time. Upon consideration, the Court will grant Plaintiff’s motion to designate an expert out of time.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff’s Motion in Opposition to Defendant’s Motion to Extend the Deadline to Reply to Plaintiff’s Response in Opposition to Defendant’s Motion for Summary Judgment and Request to Disclose Plaintiff’s Medical Expert [222], construed as a motion for leave to disclose expert out of time, is **GRANTED**.

Dated this 6th day of March, 2013.

A handwritten signature in cursive script that reads "John A. Ross". The signature is written in black ink and is positioned above a horizontal line.

JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE