

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

JOSEPH M. RIEGER,  
Plaintiff,

Case No.: 3:13-cv-402

vs.

GENERAL DYNAMICS INFORMATION  
TECHNOLOGY, INC.,  
Defendant.

Judge Walter H. Rice  
Magistrate Judge Michael J. Newman

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**ORDER**

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*Pro se* Plaintiff has contacted the Court's staff numerous times in the past few days to request informal discovery conferences. To date, the Court has held three informal discovery conferences with the parties (on January 9, February 25, and March 7), in addition to the preliminary pretrial conference on January 29, 2014.

During the call on March 7, the Court exhaustively reviewed Plaintiff's objections to Defendant's interrogatories and requests for production. The Court overruled the majority of Plaintiff's objections and ordered Plaintiff to comply with the requests. Counsel for Defendant, Mr. Seidler, voluntarily narrowed the scope of several requests, which Plaintiff was then directed to answer.

Plaintiff now requests an informal discovery conference to review the conference held on March 7 and raise several new issues. Plaintiff's telephone calls and voicemails to the Court make clear that he is aware that the Court issued two Orders on March 10 stemming from the March 7 call (docs. 28-29), neither of which he has received or reviewed. Nonetheless, Plaintiff has now made several requests for an additional discovery conference.

Plaintiff appears to raise a new objection to Defendant's request for production number 14, which seeks documents from other lawsuits in which Plaintiff has participated as a party or witness. Plaintiff seems to object on the basis that this request is unduly burdensome. During

the call on March 7, Defendant agreed to narrow the scope of this request to encompass only lawsuits and proceedings after January 1, 2005. The Court then directed Plaintiff to comply with this request as modified. Plaintiff also wishes to discuss with the Court the procedure for sealing the contents of one or more depositions, the impact of evidentiary rules, and the potential to enter into a stipulation regarding the production of other documents. A number of these issues were discussed during the March 7 call. Additionally, the Court discussed the need for a Protective Order during the March 7 call.

The Court has afforded *pro se* Plaintiff considerable leeway in his conduct thus far in the litigation. The Court has held three informal discovery conferences and provided Plaintiff the opportunity to raise any and all concerns, of which Plaintiff has amply availed himself.

The Court is troubled by the potential for abuse of the informal discovery conference process by requests not made in good faith, and the resulting misuse of the Court's time and resources. Local Rule 37.1 provides that parties may request an informal discovery conference in lieu of filing a discovery motion only "[a]fter extrajudicial means for the resolution of differences about discovery have been exhausted." That has not occurred here.

Plaintiff is **ORDERED** to review the Court's March 10th Orders and attempt to resolve all matters extrajudicially with Defendant's counsel. If the parties are unable to reach a resolution, they may contact the Court to request a conference after **March 24, 2014**.

The Clerk shall promptly mail a copy of this Order to *pro se* Plaintiff.

**IT IS SO ORDERED.**

March 13, 2014

s/ **Michael J. Newman**  
United States Magistrate Judge