

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HILTON KARRIEM MINCY,	:	CIVIL ACTION NO. 1:07-CV-0790
	:	
Plaintiff,	:	(Judge Conner)
	:	
v.	:	
	:	
EDWARD KLEM, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 29th day of July, 2011, upon consideration of defendants' motion for summary judgment pursuant to Federal Rule of Civil Procedure 56 (Doc. 57), and it appearing that pursuant to Federal Rule of Civil Procedure 56(d)¹, plaintiff moves to stay disposition of defendants' summary judgment motion (Doc. 114) pending further discovery, and it further appearing that plaintiff has not yet received responses to certain discovery requests (Docs. 117, 129, 130), it is hereby ORDERED that:

1. Defendants' motion for summary judgment (Doc. 57) is DENIED without prejudice to re-file the motion on or before September 16, 2011.
2. Plaintiff's motion to stay disposition of defendants' motion for summary judgment (Doc. 114) is DENIED as moot.

¹Plaintiff cites to Federal Rule of Civil Procedure 56(f). However, the Federal Rules have been amended and subdivision (f) now appears as subdivision (d).

3. Defendants' motion for an extension of time (Doc. 129) to comply with this court's order regarding discovery responses is GRANTED. Defendants shall serve plaintiff with the requested signatures and amended discovery responses for defendant Chmielewski within thirty days of the date of this order.
4. Plaintiff's motion to compel production of documents or for sanctions (Doc. 130) is GRANTED in part and DENIED in part.
 - (a) The motion is GRANTED to the extent that within thirty days of the date of this order, defendants shall again make available to plaintiff for examination and review, and for a reasonable period of time, the documents produced in response to plaintiff's request for production of documents and originally made available to plaintiff on April 7, 2011. Plaintiff shall be prepared to examine and review the documents at any time during the next thirty days because he may not be given notice of when the documents will be made available to him.
 - (b) Plaintiff's demand that defendants provide him copies without any cost to him and his request for sanctions are DENIED.
5. Plaintiff's motion to reopen the discovery period (Doc. 117) is GRANTED in part and DENIED in part.
 - (a) The motion is GRANTED inasmuch as the discovery period is reopened for a period of thirty days from the date of this Order for the sole and limited purposes of defendants providing to plaintiff the requested signatures and amended discovery responses for defendant Chmielewski, and again making available to plaintiff the documents produced in response to plaintiff's request for production of documents originally made available to him on April 7, 2011.
 - (b) The motion is DENIED in all other respects.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge