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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 DAVID TROUPE,

10 Plaintiff,

No. C14-5529 RBL-KLS

11 v.

**ORDER DIRECTING DEFENDANTS  
TO FILE SURREPLY TO PLAINTIFF'S  
MOTIONS (Dkts. 43 and 44)**

12 ADAM KAPA, DANIEL WISTIE,  
13 RICHARD HAYWARD, C/O SORSBY,  
ANDREW WILLIAMS, EDWIN  
HOSKINS,

14 Defendants.

15 Plaintiff David Troupe now files his second motion to extend discovery and third motion  
16 to compel the production of discovery. Dkts. 43 and 44, respectively. The Court requires further  
17 information before ruling on the motions.  
18

19 **DISCUSSION**

20 On September 22, 2014, the Court set the deadlines for discovery on March 20, 2015 and  
21 for the filing of dispositive motions on May 15, 2015. Dkt. 17. On January 5, 2015, the Court  
22 struck Defendants' motion for summary judgment pending completion of discovery. Dkt. 27.  
23 On April 1, 2015, the Court granted Mr. Troupe's request for a sixty day extension and reset the  
24 deadlines for discovery to May 15, 2015 and the filing of dispositive motions to July 17, 2015.  
25 Dkt. 38.  
26

ORDER - 1

1 Mr. Troupe now requests an additional 180 day extension of the discovery deadline “due  
2 to depression, ADD, PTSD, and BPD.” Dkt. 43. He claims that he suffers from multiple mental  
3 health issues, cannot write for long periods of time, and has limited access to legal research and  
4 his legal materials. *Id.* He also contends that an extension is warranted because he cannot pay  
5 for discovery. Dkt. 43. The Court previously allowed Mr. Troupe an additional sixty days to  
6 organize his litigation and conduct discovery. Within this time, however, the parties have failed  
7 to resolve a dispute over the production of documents responsive to Mr. Troupe’s discovery  
8 requests.  
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10 The Court is aware that Mr. Troupe has sought the production of documents and that  
11 counsel for defendant has withheld the documents because Mr. Troupe is unable to pay for  
12 copying costs. The Court previously denied two of Mr. Troupe’s motions based on his indigent  
13 status. Dkts. 38 and 42. Defendants informed the Court that they have identified each set of  
14 responsive records along with a brief description of what the records contain, have offered to  
15 provide a disk with the discovery documents that could be mailed to a third party to review and  
16 make copies, and have offered to print the responses double-sided to save fifty percent of the  
17 cost. Dkt. 46, p. 4. In response, Mr. Troupe raises various objections to these proposed options  
18 but notably states that he “has made \$58.33 available to Ms. Beach to cover the copy and postage  
19 costs, but so far she’s refused.” Dkt. 47, p. 4. Mr. Troupe also mentions litigation costs of  
20 \$50.00, but it is unclear whether this is the amount of copying and mailing the discovery to Mr.  
21 Troupe. *Id.*  
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23  
24 Accordingly, it is **ORDERED:**

25 (1) Defendants shall file a surreply to Plaintiff’s response (Dkt. 47) on or before **June**  
26 **19, 2015**. Defendants shall include a description of the responsive records at issue, the amount

1 of pages, and a breakdown of the costs associated with production. Defendants shall also  
2 respond to Plaintiff's statement that counsel has refused \$58.33 to cover copy and postage costs.

3 (2) Plaintiff's second motion for an extension of the Court's pretrial deadlines (Dkt.  
4 43) and third motion to compel discovery (Dkt. 44) are **re-noted for June 19, 2015**.

5 (3) The Clerk shall send copies of this Order to Plaintiff and counsel for Defendants.  
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7 **DATED** this 8<sup>th</sup> day of June, 2015.

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10 Karen L. Strombom  
11 United States Magistrate Judge  
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