

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

Anthony Oliphant,
Plaintiff,

v.

Robert Villano, et al.,
Defendants.

Civil No. 3:09cv862 (JBA)

December 3, 2010

RULING AND ORDER

Plaintiff moves [Doc. # 93] to compel compliance with a subpoena for medical records. For the reasons set forth below, the motion is granted.

On July 13, 2010, a Connecticut Marshal served a subpoena directed to Yale–New Haven Hospital on Teresa Clark, an employee in the hospital’s legal department. Plaintiff filed a copy of the subpoena and the return of service. (*See* Doc. # 87–6.) The documents described in the subpoena are relevant to his lawsuit and are as follows: September 25, 2006 emergency room medical records and photographs of Rhonda Marie Dixon. Plaintiff’s complaint reflects that Hamden Police Officers arrested him on October 6, 2006 for allegedly assaulting Ms. Dixon on September 25, 2006.

Pursuant to the subpoena, Yale–New Haven Hospital was required to serve these documents on the plaintiff at Northern Correctional Institution, 287 Bilton Road, Somers, Connecticut 06071, on or before August 16, 2010. Plaintiff asserts that he has not received copies of these documents. Yale–New Haven Hospital has not responded to the motion to compel compliance nor has it moved to quash the subpoena.

Accordingly, the Motion for Enforcement of Subpoena [Doc. # 93] is GRANTED. Yale–New Haven Hospital is directed to comply with the plaintiff’s Subpoena which was

served on July 13, 2010 by December 20, 2010. The Clerk shall mail a copy of this Ruling and Order and a copy of the subpoena to Teresa Clark at Yale–New Haven Hospital, 20 York Street, Pavilion 218, New Haven, Connecticut 06510.

IT IS SO ORDERED.

/s/

Janet Bond Arterton, U.S.D.J.

Dated at New Haven, Connecticut this 3rd day of December, 2010.