

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

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MICHAEL D. WEGRZYN	:	3:14 CV 406 (JBA)
	:	
V.	:	
	:	
PETER MURPHY ET AL.	:	DATE: DECEMBER 1, 2015
-----X	:	

RULING ON PLAINTIFF'S MOTION TO COMPEL

On March 31, 2014, plaintiff filed his pro se lawsuit regarding an alleged assault, inadequate medical care, retaliation, and other unconstitutional activities in 2011 while he was an inmate at MacDougall-Walker Correctional Institute and Garner Correctional Institute. (Dkt. #2). Under the latest Scheduling Order, filed on October 6, 2015 by U.S. District Judge Janet Bond Arterton, all discovery is to be completed by December 18, 2015, and after a pre-filing conference is held, all dispositive motions are to be filed by January 11, 2016. (Dkt. #35). Judge Arterton has referred this file to this Magistrate Judge for pretrial motions. (See Dkts. ##5, 25, 28). A brief telephonic settlement conference held before this Magistrate Judge on November 30, 2015 was not productive. (Dkts. ##36, 39, 46).

Plaintiff has filed five motions (Dkts. ##37, 40-41, 43-44), only the first of which is ripe for adjudication.

On October 19, 2015, plaintiff filed the pending Motion to Compel Discovery (Dkt. #37), along with his declaration in support, brief in support, and seven exhibits.¹ On

¹These exhibits are copies of: Plaintiff's First Request for Production of Documents, dated June 1, 2015 (Exh. 1); Plaintiff's Interrogatories and Request for Production of Documents, also dated June 1, 2015 (Exh. 2); Defendants' Responses to Plaintiff's Interrogatories and Request for Production of Documents, dated September 24, 2015 (Exh. 3); Defendants' Responses to Plaintiff's Request for Production of Documents, also dated September 24, 2015 (Exh. 4); Rule 26(f) Report of Parties' Planning Meeting, dated August 28, 2015 [Exh. 5]; DOC Administrative Directive 4.1,

November 9, 2015, defendants filed their objection and brief in opposition.² (Dkt. #42).

After a careful review of the pending discovery requests (Dkt. #37, Exhs. 1-4), the Magistrate Judge rules as follows:

Regarding plaintiff's five Interrogatories and Request for Production of Documents (id., Exhs. 2-3), plaintiff's motion is granted in limited part with respect to Nos. 1-3 only to the extent that any medical staff member's name or mental health staff member's name appears in plaintiff's mental health records from 2011 to the present, and is granted in limited part with respect to Nos. 4-5 only to the extent that any staff member's name appears in DOC documents regarding plaintiff's prison assignments and transfers from 2011 to the present; for any such staff, defendants shall provide the names, titles and job duties, and if readily available, job description of such staff member.

Regarding plaintiff's eight Requests for Production of Documents (id., Exhs. 1, 4), plaintiff's motion is denied with respect to No. 1, as he can obtain the information through PACER, is denied without prejudice with respect to Nos. 2-4 in that plaintiff can obtain copies of his medical records through DOC Administrative Directive 4.4 (Exh. 7), is denied with respect to Nos. 5-6 in that apparently no responsive documents exist, and is denied with respect to Nos. 7-8 in that plaintiff has access to his disciplinary records and grievances.

Accordingly, plaintiff's Motion to Compel Discovery (Dkt. #37) is denied in large part; with respect to Interrogatories Nos. 1-5, defendants shall respond to the limited part granted above **on or before December 24, 2015.**

Plaintiff's four additional motions (Dkts. ##40-41, 43-44) will be ruled upon once all

effective June 15, 2010 [Exh. 6]; and DOC Administrative Directive 4.4, effective March 19, 2015 [Exh. 7].

²A copy of a court decision was attached.

the briefing has been completed.

This is not a Recommended Ruling, but a ruling on a non-dispositive motion, the standard of review of which is specified in 28 U.S.C. § 636; FED. R. CIV. P. 6(a), 6(e) & 72; and Rule 72.2 of the Local Rules for United States Magistrate Judges. As such, it is an order of the Court unless reversed or modified by the District Judge upon timely made objection.

See 28 U.S.C. § 636(b)(**written objections to ruling must be filed within fourteen calendar days after service of same**); FED. R. CIV. P. 6(a), 6(e) & 72; Rule 72.2 of the Local Rules for United States Magistrate Judges, United States District Court for the District of Connecticut; Small v. Secretary, H&HS, 892 F.2d. 15, 16 (2d Cir. 1989)(failure to file timely objection to Magistrate Judge's recommended ruling may preclude further appeal to Second Circuit).³

Dated at New Haven, Connecticut, this 1st day of December, 2015.

/s/ Joan G. Margolis, USMJ
Joan Glazer Margolis
United States Magistrate Judge

³If the pro se plaintiff and/or defense counsel believe that a continued settlement conference before this Magistrate Judge would be productive, he or she should contact this Magistrate Judge's Chambers accordingly at an appropriate time.