

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DEREK WILLIAMS,

Plaintiff,

v.

WILLIAM POLLARD and RICK RAEMISCH,

Defendants.

ORDER

09-cv-641-bbc

Plaintiff Derek Williams is proceeding on his claims that defendant William Pollard and Rick Raemisch violated his equal protection rights by enforcing racially discriminatory visitation policies. Now before the court are plaintiff's motions to compel discovery, dkt. 25, and a motion for extension of time to respond to defendants motion for summary judgment, dkt. 24.

As an initial matter, plaintiff is moving to compel documents to which the defendant objected to providing on April 8, 2010. Based on the timing, it appears that this motion to compel may be for the purpose of obtaining extra time to file his brief in opposition to defendants' motion for summary judgment, which was to be filed on September 2, 2010. Plaintiff has had almost five months to file such a motion to compel and it is not timely. However, in the interests of fairness I will address the merits of his motion.

Requests 3, 4, 5 and 6 request information regarding white prisoners found to be involved in inappropriate relationships with female staff. As defendants point out these requests are not likely to lead to the discovery of admissible evidence. Further, defendants state that no statistical data compilation of this information exists. Plaintiff's motion to compel any further response to these requests will be denied.

Requests 7, 8, 9 and 10 request information regarding African-American prisoners found to be involved in inappropriate relationships with female staff. Defendants raise the same objections to these requests. Therefore, Plaintiff's motion to compel any further responses to these requests will also be denied.

Request 11 seeks statistical data regarding the total number of racial bias and racial harassment complaints filed as informal resolutions, formal grievances or security office investigations. Defendants object to this request as overly broad and burdensome and unlikely to lead to admissible evidence in this case. This request is overly broad and burdensome and not likely to lead to the discovery of admissible evidence. Plaintiff's motion to compel a response to this request will be denied.

Request 14 seeks statistical data concerning discipline of Green Bay Correctional Staff who had engaged in racial bias or racial harassment of inmates from 1990 to the present. Defendants object to this request as overly broad and burdensome and not likely to lead to the discovery of admissible evidence. This request is overly broad and does seek information not likely to be admissible in this case, which deals solely with visitation. Plaintiff's motion to compel a response to this request will be denied.

Turning to plaintiff's motion for an extension of time to file his motion for summary judgment, he is not entitled to an extension because his motion to compel will be denied. However, because his deadline for filing a response to the motion has passed, I will grant him a short extension until September 22, 2010 to file his opposition materials. Defendants may file their reply not later than October 4, 2010.

ORDER

IT IS ORDERED that

1. Plaintiff Derek Williams's motion to compel discovery, dkt. #25, is DENIED.
2. Plaintiff Derek William's motion for an extension of time to file his opposition to defendants' motion for summary judgment, dkt. #24, is PARTIALLY GRANTED. Plaintiff may file his opposition materials not later than September 22, 2010; defendants may reply not later than October 4, 2010.

Entered this 10th day of September, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge