

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

RONALD ROMANELLI,

Plaintiff,

ORDER

v.

07-C-019-C

DALIA SULIENE, DEPUTY KUHL,
CPT. KUHL and STEVEN ROWE,

Defendants.

This is a civil rights lawsuit in which plaintiff claims that defendants denied him adequate medical care while he was incarcerated at the Columbia County Jail in 2006. *See* March 12, 2007 Order, Dkt. 8. On May 17, 2007, this court held the preliminary pretrial conference, setting the plaintiff's expert witness disclosure deadline for September 7, 2007, defendants' expert witness disclosure for October 5, 2007, the summary judgment motion deadline for October 19, 2007, the discovery cutoff for February 15, 2008, and trial for March 17, 2008. As always, discovery began upon completion of the pretrial conference.

Less than 30 days later, defendants Kuhl, Kuhl and Rowe have moved for a "protective order" allowing non-party Columbia County Jail to provide plaintiff's medical records for the operative time period to defendants' attorneys and expert witnesses to use in preparation of a summary judgment motion. These defendants wish to proceed in this fashion because they "have requested that Romanelli execute authorizations for disclosure

of medical records, including his jail medical files, but to date he has not done so.” Motion for Protective Order, Dkt. 24 at 2.

This court never allows disclosure of a party’s confidential medical records without his permission, and it is not going to change this practice in this lawsuit. Instead, I am setting a deadline for plaintiff: he has until June 28, 2007 within which to provide defendants with a signed medical release form that allows their attorneys and experts to review—in confidence—plaintiff’s medical records relevant to his claims in this lawsuit. Plaintiff is not required to provide such a release, but if he declines to do so, or if he misses his June 28 deadline, then defendants may move to dismiss some or all of plaintiff’s lawsuit because he has failed to provide them with timely access to material evidence.

Whatever constructive relief this order provides to defendants, their actual motion is denied as misdirected.

Entered this 14th day of June, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge