

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

GREGORY E. SMITH SR.,

Plaintiff,

v.

CAPITAL CARTAGE, INC.,

Defendant.

ORDER

09-cv-684-bbc

Plaintiff Gregory E. Smith is proceeding *pro se* on his claims that defendant Capital Cartage, Inc., discriminated against him in the terms and conditions of employment on the basis of his age and race. Now before the court is plaintiff's motion to compel defendant to provide plaintiff with copies of company policies. *See* Dkt. 69.

Defendant responds that it has not received any request from plaintiff to provide these policies. As explained in the March 2, 2010 preliminary pretrial conference order, plaintiff first has to send a discovery request to defendant's attorney asking for these documents; if the attorney says no, then plaintiff would have to try to work it out with the attorney; if she still said no, *then* plaintiff could file a motion for discovery. *See* dkt. 15 at 7.

So, plaintiff needs to prepare and mail to defendant's attorney a clear and specific request for production of the company policies he wants to see. It wouldn't hurt for plaintiff to explain why he wants to see the policies he is requesting. Until plaintiff does this, and until the defendant's attorney refuses to produce the relevant documents, there is nothing for the court to order defendant to do. Therefore, it is ORDERED that plaintiff's motion to compel is DENIED.

Entered this 30th day of December, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge