

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

LEE KENWORTHY,

Plaintiff,

v.

HOUSING AUTHORITY OF BERGEN
COUNTY, et al.,

Defendants.

Civil Action No: 2:17-cv-01350-(JLL-JAD)

DISCOVERY ORDER

THIS MATTER having come before the Court for a status conference pursuant to the Federal Rules of Civil Procedure and the Court's text order via ECF Entry No. 31; and the parties having met and conferred prior to said conference to discuss pending discovery issues and potential resolutions thereto; and a status conference having been held before the Court on July 24, 2018 at 3:00 p.m. at which both counsel for plaintiff and counsel for the defendants appeared; and the Court having reviewed, considered and discussed with counsel the parties' written submissions regarding the pending discovery issues and having heard the parties' respective positions on each such issue on the record during said conference; and good cause having been shown;

IT IS on this th 9th day of Aug., 2018;

ORDERED THAT:

1. On or before August 31, 2018, plaintiff shall, for each person previously identified by plaintiff in response to defendants' Interrogatory No. 1 (requesting identification of persons with knowledge and a description of the substance thereof) and identified in plaintiff's amended Rule 26a Initial Disclosures (in accordance with plaintiff's continuing obligation under Rule 26(a)(1)(A)(i) to identify those likely to have discoverable information along with the

subject matter thereof), produce a fully responsive answer to defendants' Interrogatory No. 1 and in compliance with Rule 26(a). This shall mean that for all such individuals identified by plaintiff as potentially having knowledge of the subject matter of this litigation, plaintiff shall provide defendants with "the name, last known address, telephone number and employment position of all persons who may have knowledge of any facts relevant to the allegations in the Complaint and/or the facts from which the subject litigation arises (including but not limited to all persons whom you expect to call as witnesses at trial);" for each such person, plaintiff shall "set forth in detail a description of the substance of that person's knowledge and/or the subject matter upon which the person is expected to testify" beyond merely stating that said individuals "may have knowledge of any facts mentioned in the complaint" and/or "were witnesses to the verbal and physical harassment plaintiff was subjected to;" and "identify any documents reflecting the substance of each such person's knowledge."

2. On or before August 31, 2018, defendants shall submit a brief to the Court setting forth their position as to any alleged deficiencies with respect to plaintiff's production of documents in response to Request No. 63 (calling for documents regarding the terms of the working relationship between plaintiff and/or his wife and all aides or caretakers employed by them or who resided in his apartment during the time he worked for and lived at HABC), which plaintiff shall produce on or before August 15, 2018 and on which the parties shall thereafter "meet and confer" prior to defendants submitting any brief addressing the issue.

3. On or before August 31, 2018, defendants shall submit a brief to the Court setting forth their position as to the relief defendants seek regarding plaintiff's failure to date to produce documents and/or information in response to Document Requests Nos. 8-20 and Interrogatories Nos. 2 and 14, which collectively seek data from plaintiff's personal cell phone evidencing

communications among plaintiff and either his late wife and/or the individual defendants, during the limited time period of December 1, 2014 to March 1, 2016 (encompassing the time period of plaintiff's employment with HABC and relevant post-employment communications with defendants).

4. The parties shall "meet and confer" regarding plaintiff's request for an in camera meeting with the Court, prior to any such meeting being requested and prior to which plaintiff shall put defendants on notice as to the subject matter of, and/or reason for, plaintiff's request for such a meeting.

5. The Court shall hold a settlement conference on 10/23/18, 2018, at 2:00 p.m. following which the parties may commence depositions.

6. The discovery end date in this matter is hereby extended to October 31, 2018.

SO ORDERED:



JOSEPH A. DICKSON
United States Magistrate Judge

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