

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY	)	
COMMISSION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CAUSE NO.: 2:03-CV-237-PRC
	)	
U.S. BELL CORPORATION, LINK	)	
TECHNOLOGIES, CORP., d/b/a U.S. BELL,	)	
and BUZZ TELECOM, CORP.,	)	
	)	
Defendants.	)	

**ORDER**

This matter is before the Court on Plaintiff Equal Employment Opportunity Commission’s Notice of Partial Compliance with Discovery and Renewed Motion to Compel [DE 32], filed by the Plaintiff Equal Employment Opportunity Commission (“EEOC”) on March 23, 2004. The Plaintiff has also filed a Memorandum in Support. The Defendants have not filed a Response to the Motion.

On December 16, 2003, the EEOC served upon the Defendants its First Set of Interrogatories and First Request for Production of Documents. On January 20, 2004, the EEOC received a letter from Defendants’ counsel, dated January 14, 2004, requesting an extension of time to respond to the discovery requests to and including February 28, 2004. On January 20, 2004, counsel for the EEOC sent a letter to Defendants’ counsel objecting to the length of the requested extension of time. On January 26, 2004, during a telephone call initiated by the EEOC’s counsel, Defendants’ counsel agreed to submit the discovery responses by February 9, 2004. On February 18, 2004, counsel for the EEOC sent a letter requesting the discovery responses, not having received the responses by that date.

On February 25, 2004, the EEOC filed a Motion to Compel and a Memorandum in Support. The Defendants never filed a response to the motion. On March 8, 2004, the EEOC received the Defendants' Answers to Plaintiff's First Set of Interrogatories and Defendants' Response to Plaintiff's First Request for Production of Documents. Having found the responses inadequate, the EEOC faxed a letter to the Defendants' counsel on March 10, 2004, but received no response. On March 17, 2004, the EEOC again faxed a letter to Defendants' counsel and requested a response by March 19, 2004. On March 17, 2004, after faxing the letter, the EEOC received notice that the Court had granted the February 25, 2004 Motion to Compel.

In its renewed motion to compel and supporting memorandum, the EEOC argues that the First Set of Interrogatories and First Request for Production of Documents were propounded in good faith, that the information sought is essential to the issues in this action, and that Defendants' failure to fully and completely respond is unnecessarily prolonging the discovery process. The EEOC specifically sets forth the inadequacies with each objection or insufficient answer or response both in its March 10, 2004 letter to Defendants' counsel and in its memorandum in support. Defendants have filed no response to this motion.

Having reviewed the motion and its supporting documents and noting that the Defendant has not filed a response, the Court now **GRANTS** the Plaintiff Equal Employment Opportunity Commission's Notice of Partial Compliance with Discovery and Renewed Motion to Compel [DE 32]. The Court **ORDERS** the Defendants (1) to provide complete responses to Interrogatories 2, 4, 6, 7, 10, 11, 13, and 14 of the First Set of Interrogatories; and (2) to provide complete responses to Requests for Production 2, 3, 6-9, 11-45 of the First Request for Production of Documents including (3) an adequate privilege log as required by Rule Fed. R. Civ. P. 26(b)(5) for Requests for

Production 6-9, 31, 32, and 40-45 on or before April 30, 2004. The Court again **ADVISES** the Defendants that a failure to abide by the discovery rules in the future may result in sanctions or attorney fees being assessed against the offending party.

SO ORDERED this 14th day of April, 2004.

s/ Paul R. Cherry  
MAGISTRATE JUDGE PAUL R. CHERRY  
UNITED STATES DISTRICT COURT

cc: All counsel of record