

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

BRIAN CROUCH,)	
)	
Plaintiff,)	
)	
v.)	Case No. 18-02682-DDC-KGG
)	
STATE FARM MUTUAL AUTOMOBILE)	
INSURANCE COMPANY,)	
)	
Defendant.)	
_____)	

**MEMORANDUM & ORDER GRANTING
DEFENDANT’S MOTION TO COMPEL DISCOVERY**

Now before the Court is Defendant’s Motion to Compel Discovery Responses. (Doc. 31.) The undersigned Magistrate Judge **GRANTS** the portions of Defendant’s motion that remain after additional communication between the parties.

As stated in Defendant’s reply brief (Doc. 44), the parties have resolved virtually all of the issues raised in the Motion to Compel. Plaintiff’s Response to the motion clarified several of his discovery responses and included a representation that he would withdraw his wage loss claim, which rendered irrelevant all but Requests Nos. 18 and 19. (*See id.*, at 1; *see also* Doc. 42.) Request No. 18 seeks “photographs, films or videotapes depicting Plaintiff, his

alleged injuries, the accident scene, or the objects involved in the accident at issue in this lawsuit.” (Doc. 31, at 4.) Request No. 19 asks for “all diagrams, reports, notes, specifications, records, written statements and photographs regarding the accident at issue in this lawsuit.” (*Id.*, at 5.)

Plaintiff agreed to provide Defendant with supplemental responses to Request Nos. 18 and 19 with materials from the Shawnee, Kansas Police Department. (*See* Doc. 42, at 2.) As for Defendant’s request for a privilege log, Plaintiff stated he is “willing to provide a privilege log under this Court’s practice so defendant can further delineate the nature of the privilege asserted.” (*Id.*, at 4.) As such, Defendant has withdrawn the majority of the motion and now merely asks the Court “to enter an Order requiring Plaintiff to provide within fourteen (14) days of its entry the privilege log and the supplementation to Request Nos. 18 and 19 as set forth in his Response to State Farm’s Motion to Compel.” (Doc. 44, at 1.)

There Court hereby **GRANTS** Defendant’s motion (Doc. 31). **Within fourteen (14) days of the date of this Order**, Plaintiff is instructed to supply supplemental responses to Requests Nos. 18 and 19 as discussed in his brief in opposition (see Doc. 42, at 2) as well as provide a privilege log that is compliant with the requirements of courts in this District. *See Rittgers v. Hale*, No. 17-4019-SAC-KGG, 2018 WL 338218, at *5 (D. Kan. Jan. 9, 2018) (citation omitted).

IT IS THEREFORE ORDERED that Defendant's Motion to Compel Discovery (Doc. 31.) be **GRANTED** as more fully set forth above.

IT IS SO ORDERED.

Dated this 20th day of August, 2019, at Wichita, Kansas.

S/ KENNETH G. GALE
HON. KENNETH G. GALE
U.S. MAGISTRATE JUDGE