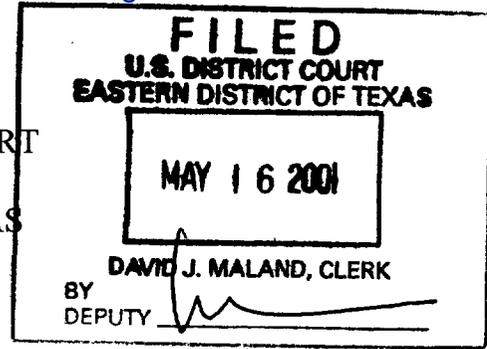


EOD MAY 18 '01

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION



EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

TCIM SERVICES, INC.,

Defendant.

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ORDER ON MOTION TO COMPEL

Came on this day to be considered the *Defendant TCIM's Motion to Compel Production of Documents* (Docket No. 16). After careful consideration, the Court is of the opinion that the following order should issue.

BACKGROUND

The Defendant in this case recently requested an authorization to obtain Boyd's medical records. The Plaintiff in this case, the Equal Employment Opportunity Commission, (hereinafter "EEOC") did not provide the authorization, choosing instead to produce a portion of the medical records it obtained from Boyd's medical provider. Upon examination, the Defendant learned that the Plaintiff has failed to produce many of the previously mentioned medical records. The Defendant has now filed this motion to compel requesting that the Court order the Plaintiff to disclose all of the medical records.

ANALYSIS

With regard to relevant discoverable material, the Fifth Circuit has stated “information is relevant if it encompasses any matter that bears on, or that reasonably could lead to other matter that could bear on, any issue that is or may be in the case.” *Coughlin v. Lee*, 946 F.2d 1152, 1159 (5th Cir. 1991). Further, Federal Rule of Civil Procedure 26(b)(1) provides in part:

Parties may obtain discovery regarding any matter, not privileged, that is relevant to the claim or defense of any party. . . [r]elevant information need not be admissible at the trial if the discovery appears reasonably calculated to lead to the discovery of admissible evidence.

Fed. R. Civ. P. 26(b)(1).

This Court has previously ordered the Plaintiff to “disclose all medical records and bills that are reasonably related to the injuries or damages asserted or, in lieu thereof, an authorization permitting the disclosure of such medical records and bills.” *See Discovery and Docket Control Order* (1)(g). Given the light burden placed on a party to seek discoverable information, the Court finds that the Plaintiff’s motion to compel should be granted. The Court finds that Boyd’s medical condition is certainly at issue in this case. Also, it is clear to the Court that these medical records may reasonably lead to additional admissible evidence relevant to Mrs. Boyd’s damages or even alternative defenses. Accordingly, the Court orders that all of the documents requested by the Defendant be produced by May 21, 2001.

It is therefore

ORDERED that the *Defendant TCIM's Motion to Compel Production of Documents* (Docket No. 16) is hereby **GRANTED**.

It is further

ORDERED all of the requested medical records be disclosed to the Defendant by **MONDAY, MAY 21, 2001**.

It is further

ORDERED that all relief requested not specifically granted herein is **DENIED**.

SIGNED this 15 day of May, 2001.


UNITED STATES DISTRICT JUDGE