

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

IRA GALLOWAY,

Plaintiff,

v.

**ISLANDS MECHANICAL CONTRACTORS,
INC.,**

Defendant.

1:08-cv-71

**TO: Lee J. Rohn, Esq.
Rachelle M. Shocklee, Esq.**

ORDER

THIS MATTER is before the Court upon Plaintiff's Motion to Compel Defendant to Supplement Rule 26 Disclosures (Docket No. 43). Defendant filed an opposition in response to said motion, and Plaintiff filed a reply thereto.

Having reviewed the submissions of the parties and upon due consideration thereof, the Court finds that said Defendant has provided the information sought by the motion. While Plaintiff may have desired the information to be provided in a slightly different format or with more detail, the rule demands only that the information be provided.

As Defendant explained in its response, it "disclosed the names, addresses[,] and telephone numbers of five individuals who [sic] it may call as witnesses For the

Galloway v. Islands Mechanical Contractors, Inc.

1:08-cv-71

Order

Page 2

subjects of information required by Rule 26(a)(1)(A)(i), IMC stated that each individual ‘has information relative to Defendant’s defenses.’” Opp’n at 2. Defendant then sets forth its three (3) affirmative defenses as asserted in its pleadings. *Id.* The three (3) defenses relate to Defendant’s position that Plaintiff was a temporary worker hired for a specific project and that he was terminated when such project was completed. Contrary to Plaintiff’s assertion, the defenses are limited in such a way that Plaintiff should be able to determine whether or not to depose these individuals. The Court finds that the description of the information sufficiently fulfills the rule’s broad requirement of “subjects of [discoverable] information.”

Accordingly, it is now hereby **ORDERED** that Plaintiff’s Motion to Compel Defendant to Supplement Rule 26 Disclosures (Docket No. 43) is **DENIED**.

ENTER:

Dated: December 7, 2010

/s/ George W. Cannon, Jr.
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE