

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN

Berryman v. Stephenson, et al.

Berryman · No. 2:21-cv-10925 · Decided March 12, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan denied without prejudice Plaintiff Philip Berryman’s motion to compel more thorough interrogatory responses and for sanctions. The court held that the motion did not include a verbatim copy of the responses as required by Eastern District of Michigan Local Rule 37.2 and did not identify specific inadequacies or their legal basis.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan
WRITING FOR THE COURT	Patricia T. Morris
JURISDICTION	United States District Court for the Eastern District of Michigan
DECIDED	March 12, 2026
DOCKET	2:21-cv-10925
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel more thorough interrogatory answers from the MDOC Defendants and requested sanctions against their counsel.
STANDARD OF REVIEW	The court applied the requirements of Eastern District of Michigan Local Rule 37.2 to the motion to compel; no deferential merits standard of review was stated.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated.
PARTIES	Philip Berryman v. George Stephenson, et al.

TOPICS

- discovery dispute
- sanctions
- prisoners rights
- civil rights
- civil procedure

PRACTICE AREAS

- civil procedure
- prisoner civil rights
- discovery

QUESTIONS PRESENTED

1. Whether Plaintiff's motion to compel complied with Eastern District of Michigan Local Rule 37.2 when it failed to include a verbatim copy of the interrogatory responses.
2. Whether sanctions should be imposed in connection with the allegedly inadequate interrogatory responses.

HOLDINGS

1. A motion to compel that does not include a true copy of the challenged interrogatory responses, as required by Eastern District of Michigan Local Rule 37.2, is insufficient for the court to determine whether the responses are inadequate.
2. Any renewed motion to compel must identify the specific inadequacies in the discovery responses and the legal basis for the requested relief; the court will not search through the responses on its own to identify possible deficiencies.
3. The request for sanctions was denied without prejudice along with the deficient motion to compel.

KEY QUOTATIONS

“The Court will not comb through MDOC Defendants’ response for inadequacies.”

“For these reasons, Plaintiff’s motion to compel and for sanctions (ECF No. 212) is DENIED WITHOUT PREJUDICE.”

FACTUAL BACKGROUND

Plaintiff alleges that Defendants failed to provide requested medical accommodations, provided inadequate treatment for ear-related issues, and retaliated against him through threats of transfer, false misconduct tickets, and deprivation of prison employment. Plaintiff served his first set of interrogatories on the MDOC Defendants on December 5, 2025, and the defendants responded by January 16, 2026, pursuant to a stipulation. Plaintiff claimed the responses were inadequate but did not attach a verbatim copy of those responses to his motion.

PROCEDURAL HISTORY

In this prisoner civil rights action, Plaintiff served interrogatories on the MDOC Defendants. After receiving responses, Plaintiff moved to compel and for sanctions, but attached only the interrogatories and not a verbatim copy of the responses. The court denied the motion without prejudice and provided requirements for any renewed motion.

DISPOSITION

other

CASES CITED

- Charmed Ent., LLC v. PrimeOne Ins. Co., No. 22-cv-10893, 2023 WL 3901487, at *2 (E.D. Mich. June 8, 2023)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION PHILIP BERRYMAN, Case No. 2:21-cv-10925 Plaintiff, Laurie J. Michelson v. United States District Judge GEORGE STEPHENSON, et al., Patricia T. Morris United States Magistrate Judge Defendants. _____/ ORDER DENYING PLAINTIFF’S MOTION TO COMPEL AND FOR SANCTIONS WITHOUT PREJUDICE (ECF No. 212) This is a prisoner civil rights action.

Plaintiff alleges that the named Defendants failed to provide him with requested medical accommodations and also provided him with inadequate medical treatment for ear related issues. (ECF No. 94). He further alleges retaliatory threats of transfer, filing of false misconduct tickets, and deprivation of prison employment. (See *id.* at PageID.1310).

Although there are several Defendants in this action, each falls into one of two groups. The first of which is comprised of employees of the Michigan Department of Corrections (MDOC Defendants) represented by William J. Predhomme, II.

The second group consists of former Corizon Health employees (Corizon Defendants), represented by Thomas G. Hackney. Before the Court is Plaintiff’s motion to compel more thorough interrogatory answers from MDOC Defendants and for sanctions against Predhomme. (ECF No. 212).

For the following reasons, this motion will be denied without prejudice. Plaintiff served his first set of interrogatories on MDOC Defendants on December 5, 2025. (ECF No. 212, PageID.2829). Upon stipulation, MDOC Defendants were given until January 16, 2026, to respond, which they did. (ECF No. 209). Plaintiff’s motion asserts MDOC Defendants’ responses are inadequate.

(ECF No. 212). However, while Plaintiff attached a verbatim copy of his interrogatories to his motion, he did not attach a verbatim copy of the answers as required by Eastern District of Michigan Local Rule 37.2. Instead, his motion provides several examples of the general inadequacies allegedly found throughout MDOC Defendants’ response. This is insufficient.

The Court requires a true copy of MDOC Defendants’ response to determine whether any interrogatory answers were insufficient. See E.D. LR 37.2. Additionally, Plaintiff requests the Court to review the interrogatories and responses and, on its own, find any inadequacies and order appropriate responses. Any renewed motion to compel by Plaintiff must identify the specific inadequacies in MDOC Defendants’ response and the legal basis for the motion.

The Court will not comb through MDOC Defendants’ response for inadequacies. *Charmed Ent., LLC v. PrimeOne Ins. Co.*, No. 22-cv-10893, 2023 WL 3901487, at *2 (E.D. Mich. June 8, 2023) (“Judges are not like pigs, hunting for truffles that might be buried in the record.” (citation modified)).

For these reasons, Plaintiff's motion to compel and for sanctions (ECF No. 212) is DENIED WITHOUT PREJUDICE. Finally, the Court acknowledges that there are two other pending motions in this case (ECF Nos. 213, 214) for which briefing is not yet complete.

The parties should continue briefing the pending motions pursuant to the standard briefing schedule found in Local Rule 7.1(e)(1), which provides parties with 14 days to file responses and 7 to file replies. IT IS SO ORDERED. Dated: March 12, 2026 s/PATRICIA T. MORRIS
PATRICIA T. MORRIS United States Magistrate Judge