

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA, INDIANAPOLIS DIVISION

Jamilah McCray v. Target Corporation

No. 1:25-cv-01063-JRS-TAB (S.D. Ind. Jan. 22, 2026) · No. 1:25-cv-01063-JRS-TAB · Decided January 22, 2026

SUMMARY

The United States District Court for the Southern District of Indiana rules on Plaintiff Jamilah McCray's motion for a protective order concerning discovery of her private social media content. The court denies the motion as to subject matter but grants it in part by limiting responsive production to content from January 1, 2024, through the present.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana, Indianapolis Division
WRITING FOR THE COURT	Tim A. Baker
JURISDICTION	United States District Court for the Southern District of Indiana
DECIDED	January 22, 2026
DOCKET	1:25-cv-01063-JRS-TAB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for a protective order limiting the subject matter and temporal scope of Defendant's requests for production and interrogatories concerning Plaintiff's private social media content.
STANDARD OF REVIEW	Discovery requests are evaluated under Federal Rule of Civil Procedure 26(b)(1), which permits discovery of nonprivileged matter relevant to a claim or defense and proportional to the needs of the case. Protective-order limits are assessed for relevance, proportionality, and undue burden.
PRECEDENTIAL VALUE	unpublished district-court discovery order; persuasive value only
PARTIES	Jamilah McCray v. Target Corporation

TOPICS

- discovery dispute
- civil procedure
- employment discrimination
- title vii
- hostile work environment

PRACTICE AREAS

civil procedure

employment law

employment discrimination

civil rights

QUESTIONS PRESENTED

1. Whether Defendant's requests for social-media content concerning Target, Plaintiff's religious or spiritual beliefs, and the claims or defenses in the case sought information relevant and proportional to the needs of the case.
2. Whether the social-media discovery requests were temporally overbroad and should be limited to content from January 1, 2024, through the present.

HOLDINGS

1. The requests were relevant and proportional to the needs of the case to the extent they sought content connecting Target with Plaintiff's religious or spiritual beliefs, her alleged workplace harassment, or the claims and defenses in the litigation. The motion for a protective order was denied as to the subject matter of Interrogatory No. 7 and Request No. 20.
2. The motion for a protective order was granted in part to clarify that Plaintiff need produce responsive social-media content only from January 1, 2024, through the present.

KEY QUOTATIONS

"Private social media content is not immune from discovery." (Discussion)

"For the foregoing reasons, Plaintiff's motion for a protective order [Filing No. 46] is granted in part and denied in part." (Conclusion)

FACTUAL BACKGROUND

Jamilah McCray sued her former employer, Target Corporation, alleging race and religious discrimination, retaliation, hostile work environment, and wrongful termination under Title VII, as well as wage-related misconduct. Target sought social-media information concerning Target, its employees, McCray's claims and damages, and her job-search efforts. McCray objected that the requests were overbroad because they reached spiritual or religious content and extended over four years, although her employment began in January 2024.

PROCEDURAL HISTORY

Plaintiff brought Title VII discrimination, retaliation, hostile-work-environment, and wrongful-termination claims, along with wage-related claims, against her former employer. After an earlier discovery motion was denied for failure to confer as required by Local Rule 37-1, the parties participated in a discovery status conference at which the Court addressed social-media discovery. Plaintiff then filed the present motion for a protective order concerning Interrogatory No. 7 and Request No. 20. The Court denied the motion as to subject matter but granted it in part to clarify the relevant temporal period.

DISPOSITION

CASES CITED

- In re Cook Medical, Inc., No. 1:14-ml-2570-RLY-TAB, 2017 WL 4099209, at *5 (S.D. Ind. Sept. 15, 2017)
- Johnson v. Advocate Health & Hospitals Corp., 892 F.3d 887, 900 (7th Cir. 2018)
- Appler v. Mead Johnson & Co., LLC, No. 3:14-CV-166-RLY-WGH, 2015 WL 5615038, at *3 (S.D. Ind. Sept. 24, 2015)
- Pearle Vision, Inc. v. Romm, 541 F.3d 751, 758 (7th Cir. 2008)
- Allen v. PPE, 543 F. Supp. 3d 91, 96 (D. Md. 2021)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION JAMILAH MCCRAY,)) Plaintiff,)) v.) No. 1:25-cv-01063-JRS-TAB) TARGET CORPORATION,)) Defendant.) ORDER ON PLAINTIFF'S MOTION FOR PROTECTIVE ORDER I. Introduction Plaintiff Jamilah McCray, proceeding pro se, brings claims against her former employer, Defendant Target Corporation, for race and religious discrimination, unlawful retaliation, hostile work environment, and wrongful termination under Title VII of the Civil Rights Act of 1964.

She also sues Defendant for "wage theft and improper garnishment." [Filing No. 1, at ECF p. 11–14.] Plaintiff seeks a protective order as to Defendant's discovery requests regarding her private social media posts, arguing the requests are overbroad in terms of subject matter and time.

For the reasons stated below, the Court denies Plaintiff's motion for a protective order [Filing No. 46] as it concerns the subject matter of Defendant's social media discovery requests but grants the motion to clarify that Plaintiff need only produce responsive social media content from January 1, 2024, to the present. II. Background On October 25, 2025, Plaintiff filed a series of objections to Defendant's requests for production and moved for a protective order.

[Filing No. 36.] The Court denied that motion, noting there was no indication Plaintiff had attempted to confer in good faith with Defendant's counsel regarding the discovery-related issues, as required by S.D. Ind. L.R. 37-1. [Filing No. 37.]

On December 8, 2025, the parties appeared for a telephonic status conference, during which the Court made the following discovery rulings: (1) Plaintiff must produce applications in her possession for jobs for which she has applied since her termination by Defendant; (2) Plaintiff must produce screen shots of her social media accounts over the past four years that specifically refer to Defendant or relate to any claim or defense at issue in this case; (3) the parties shall attempt to reach a stipulation as to the scope of Plaintiff's claim for emotional distress and any

related discovery; and (4) Defendant shall treat Plaintiff's statement filed on December 1, 2025, at Filing No. 43 as a discovery request.

[Filing No. 45, at ECF p. 1.] A week later, on December 14, 2025, Plaintiff filed another motion for a protective order. [Filing No. 46.] In the latest motion, Plaintiff asks the Court to limit the scope of Defendant's social media discovery requests. At issue are an interrogatory and request for production, reproduced below: INTERROGATORY NO. 7: Identify each and every social networking account and blog you maintain, including, but not limited to, accounts on Facebook, LinkedIn, Twitter, Instagram, TikTok, or any other page or account created and/or maintained by you on any internet-based social networking or communication site in the last four (4) years used to post any information related to: (1) Defendant; (2) communications with current and/or former employees of Defendant, including but not limited to text messages; (3) your claims in this lawsuit; (4) allegations and/or damages in this matter; and/or (5) your job search efforts.

For each such account, identify the email address associated with the login, the username utilized by you, and each message related to categories (1)-(5) of this Interrogatory. REQUEST NO. 20: All social media posts, messages, and photos you posted, commented, sent, or received on any social networking website (e.g., Facebook, Twitter, Instagram, LinkedIn) concerning Defendant or the claims you assert in your Complaint.

[Filing No. 47-1, at ECF p. 6; Filing No. 47-2, at ECF p. 9.] Plaintiff objects to these social media discovery requests as overbroad in terms of subject matter and time. She requests that the Court limit Defendant's requests to: (1) "posts directly referencing [Defendant], the workplace events, or emotional distress Plaintiff explicitly tied to [Defendant]," to exclude "spiritual, religious, symbolic, dream-based, or unrelated personal conduct"; and (2) "posts between January 1, 2024 and August 31, 2024."

[Filing No. 46, at ECF p. 8.] III. Discussion Parties may seek discovery regarding "any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case." Fed. R. Civ. P. 26(b)(1). Private social media content is not immune from discovery. See *In re Cook Medical, Inc.*, No. 1:14-ml-2570-RLY-TAB, 2017 WL 4099209, at *5 (S.D.

Ind. Sept. 15, 2017) ("The Court may compel private social media data when the seeking party shows it is relevant and proportional to the needs of the case."). a. Subject Matter Plaintiff argues the subject matter of Defendant's discovery requests is overbroad in two respects.

First, Plaintiff objects to Defendant's request for social media content showing "general emotional states." [Filing No. 46, at ECF p. 7.] Defendant, however, made clear in its response brief that the social media discovery requests do not seek any information related to Plaintiff's emotional distress damages. [Filing No. 47, at ECF p. 5–6.] Instead, Defendant represents it has made a separate request for information regarding Plaintiff's mental health treatment and records.

The Court reiterates its December 8, 2025, order: the parties shall attempt to reach a stipulation as to the scope of Plaintiff's claim for emotional distress and any related discovery. In the event of any further dispute, the parties shall follow Local Rule 37-1's requirements prior to seeking the Court's intervention.¹ Second, Plaintiff appears to object to Defendant's requests for social media posts involving "spiritual, religious, symbolic, dream-based, or unrelated personal content."

[Filing No. 46, at ECF p. 8.] As the Court understands it, Defendant's social media discovery requests do not generally seek any post Plaintiff has made of a spiritual or religious nature. Rather, to the extent they exist, Defendant seeks Plaintiff's "social media posts [that] link Target and [her] religious beliefs" because they would be "highly relevant to the basis for why she believes Defendant discriminated against her."

[Filing No. 47, at ECF p. 4–5.] Indeed, Plaintiff alleges in her complaint that she "endured discriminatory treatment based on... perceived religious or spiritual beliefs." [Filing No. 1, at ECF p. 9.] More specifically, she alleges that "[c]oworkers and supervisors... made unsolicited and inappropriate comments about [her] spiritual tattoos, implying negative judgments about her beliefs" and creating a "hostile and isolating work environment."

[Filing No. 1, at ECF p. 9.] These allegations support the relevance of Plaintiff's social media posts that connected Target and her religious or spiritual beliefs. By bringing a hostile work environment claim, Plaintiff put her subjective beliefs about the reason for and nature of her alleged harassment at play. See *Johnson v. Advocate Health & Hospitals, Corp.*, 892 F.3d 887, 900 (7th Cir.

2018) (explaining that, to sustain a hostile work environment claim, plaintiffs must show "(1) they were subject to unwelcome harassment; (2) the harassment was 1 "Prior to involving the court in any discovery dispute... the parties must confer in a good faith attempt to resolve the dispute....

In the event that the discovery dispute is not resolved at the conference, a party may file a motion to compel or other motion raising the dispute. Any motion raising a discovery dispute must contain a statement setting forth the efforts taken to resolve the dispute, including the date, time, and place of any discovery conference and the names of all participating parties.

The court may deny any motion raising a discovery dispute that does not contain such a statement." S.D. Ind. L.R. 37-1(a)–(b). based on their [religion]; (3) the harassment was so severe or pervasive as to alter the conditions of employment and create a hostile or abusive working environment; and (4) there is a basis for employer liability"). Defendant's content-limited social media requests are therefore relevant and proportional to the needs of this case.

See Fed. R. Civ. P. 26(b)(1). Plaintiff's motion for a protective order is denied as it concerns the subject matter of Interrogatory No. 7 and Request No. 20. b. Time Plaintiff also argues that Defendant's discovery requests are overbroad and unduly burdensome because they seek four

years of her social media content even though she began working for Defendant in early January 2024.

While Interrogatory No. 7 does ask Plaintiff to identify certain categories of social media posts made within the past four years, Request No. 20 contains no explicit time limitation. Regardless, both the interrogatory and request for production are worded such that they are "inherently limited by the time Plaintiff had contact with Defendant and its employees and by the time she was employed by them."

Appler v. Mead Johnson & Co., LLC, No. 3:14-CV-166-RLY-WGH, 2015 WL 5615038, at *3 (S.D. Ind. Sept. 24, 2015). Defendant admits as much. [Filing No. 47, at ECF p. 4.] As such, Plaintiff is likely only to find responsive social media content from the beginning of her employment with Defendant to the present and should focus her production efforts on that time frame.

Plaintiff's motion for a protective order is therefore granted in part to clarify that she need only produce responsive social media content from January 1, 2024, to the present. Finally, the Court recognizes that Plaintiff, as a pro se litigant, may lack the resources of a represented party to efficiently respond to discovery requests. While pro se litigants are not excused from compliance with procedural rules (including deadlines), see *Pearle Vision, Inc. v. Romm*, 541 F.3d 751, 758 (7th Cir.

2008), the parties are encouraged to collaborate and find ways to reduce any discovery-related burdens or expenses. See, e.g., *Allen v. PPE*, 543 F. Supp. 3d 91, 96 (D. Md. 2021) (discussing Facebook's built-in tool to download user's data). IV. Conclusion For the foregoing reasons, Plaintiff's motion for a protective order [Filing No. 46] is granted in part and denied in part.

Date: 1/22/2026 Le Tim A. Baker United States Magistrate Judge Southern District of Indiana
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