

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Denise Guerrero v. Albany Med Health System

No. 1:24-CV-1344 (N.D.N.Y. Apr. 27, 2026) · No. 1:24-CV-1344 (MAD/DJS) · Decided April 27, 2026

SUMMARY

The United States District Court for the Northern District of New York denied pro se Plaintiff Denise Guerrero’s motion to compel discovery in her remaining ADA retaliation claim against Albany Med Health System. The court found that most challenged discovery requests concerned dismissed claims, declined to order production of documents that Defendant represented did not exist, and directed Defendant to provide information about its search for documents responsive to one request. The court also extended the discovery deadline to October 30, 2026, and the dispositive-motion deadline to December 30, 2026.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Daniel J. Stewart, United States Magistrate Judge
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	April 27, 2026
DOCKET	1:24-CV-1344 (MAD/DJS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel discovery concerning four discovery demands in her employment-discrimination action. After a discovery hearing, the court denied the motion, directed the defendant to provide additional information about its search for documents responsive to one request, and extended the discovery and dispositive-motion deadlines.
STANDARD OF REVIEW	Discovery relevance and sufficiency of responses under Federal Rules of Civil Procedure 26 and 37; the court also evaluated whether the defendant had shown that responsive documents did not exist or that further searches were unwarranted.
PRECEDENTIAL VALUE	unpublished and nonprecedential
PARTIES	Denise Guerrero v. Albany Med Health System

TOPICS

discovery dispute civil procedure ada / disability disability discrimination retaliation

PRACTICE AREAS

civil procedure employment law disability discrimination ada / disability retaliation

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to compel responses to interrogatory and document requests seeking comparator information, complaints about a former supervisor, and ADA training materials when those requests related primarily to claims previously dismissed from the action.
2. Whether Defendant should be ordered to produce additional documents concerning the handling of Plaintiff's accommodation request when Defendant represented that it had searched for and produced responsive documents.
3. Whether Defendant should provide further information about the custodians and locations searched for documents responsive to Request for Production No. 3.
4. Whether the discovery and dispositive-motion deadlines should be extended.

HOLDINGS

1. Discovery seeking comparator information, complaints concerning Warner, and ADA training materials was not relevant to the surviving ADA retaliation claim based on Plaintiff's request for an accommodation because it related, if at all, to claims that had already been dismissed.
2. The court would not order Defendant to produce documents that do not exist absent evidence that Defendant was withholding relevant documents in its possession.
3. Although the motion to compel was denied, Defendant was directed to provide Plaintiff with further information concerning the steps taken to search for documents responsive to Request for Production No. 3, including the custodians and locations searched.
4. The parties remain obligated under Federal Rule of Civil Procedure 26(e)(1)(A) to supplement their productions if responsive documents are later located.

KEY QUOTATIONS

"Instead, these demands seek the production of information that would only be relevant, if at all, to Plaintiff's prior claims for failure to accommodate and for retaliation based on the human resources complaint that Plaintiff made against Warner, both of which the District Court "already dismissed as a matter of law." (at 3)

"The Court will not order "a party to produce that which does not exist," particularly where, as here, Plaintiff has not provided any "evidence of [D]efendant withholding . . . relevant documents it possesses" in response to Request for Production No. 3." (at 4)

“The Court also reminds the parties of their continuing obligation, pursuant to Federal Rule of Civil Procedure 26(e)(1)(A), to supplement their productions should responsive documents be located at a later time.” (at 4)

FACTUAL BACKGROUND

Plaintiff, a former employee of Defendant, asserts that Defendant retaliated against her for requesting a disability accommodation. She sought comparator information, documents concerning the handling of her accommodation request, complaints about a former supervisor, and ADA training materials. Defendant produced its accommodation-request policy and represented that it had conducted additional searches for responsive documents, but Plaintiff argued that its responses were inconsistent and incomplete.

PROCEDURAL HISTORY

Plaintiff commenced the action on November 5, 2024, alleging, among other claims, violations of the Americans with Disabilities Act. She filed an amended complaint and a second amended complaint with leave of court. The district court dismissed all claims except an ADA retaliation claim based on Plaintiff's request for an accommodation, and later denied leave to file a third amended complaint. Plaintiff then sought discovery regarding comparators, her accommodation request, complaints concerning a former supervisor, and ADA training materials.

DISPOSITION

other

CASES CITED

- Deng v. New York State Off. of Mental Health, 2015 WL 9450845, at *2 (S.D.N.Y. Dec. 23, 2015)
- Jackson v. Bank of Am., N.A., 2018 WL 3386336, at *3 (W.D.N.Y. July 12, 2018)
- OnActuate Consulting, Inc. v. Aeon Nexus Corp., 2023 WL 5097912, at *8 (N.D.N.Y. Aug. 9, 2023)
- Tromblee v. New York, 2022 WL 2818222, at *16 (N.D.N.Y. July 19, 2022)
- Robert F. Kennedy Hum. Rts. v. U.S. Immigr. & Customs Enf't, 2023 WL 3075955, at *2 (W.D.N.Y. Apr. 25, 2023)

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