

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Candrice Boyd v. Protestant Memorial Medical Center, Inc., d/b/a
Memorial Hospital Belleville

Boyd · No. 3:23-CV-3961-NJR · Decided January 22, 2026

SUMMARY

The United States District Court for the Southern District of Illinois partially grants Defendant’s motion to extend the time for Plaintiff’s deposition, allowing six hours and 27 minutes of additional deposition time through March 2, 2026. The Court denies Plaintiff’s motions to supplement her Second Amended Complaint and her motion for leave to file a limited clarification because supplementation would prejudice Defendant and sur-replies are prohibited under the applicable local rule.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Nancy J. Rosenstengel
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	January 22, 2026
DOCKET	3:23-CV-3961-NJR
DISPOSITION	other
PROCEDURAL POSTURE	The district court ruled on the defendant's second motion to extend the time to complete the plaintiff's deposition and mediation, the plaintiff's motions to supplement the second amended complaint, and the plaintiff's motion for leave to file a limited clarification of a sur-reply.
STANDARD OF REVIEW	Discretionary review of requests for additional deposition time and leave to supplement a pleading; the court applied Federal Rules of Civil Procedure 30(d)(1) and 15(d) and Southern District of Illinois Local Rule 7.1(a)(4).
PRECEDENTIAL VALUE	district court memorandum and order; precedential status not stated
PARTIES	Candrice Boyd v. Protestant Memorial Medical Center, Inc., d/b/a Memorial Hospital Belleville

TOPICS

discovery dispute

motion to amend

civil procedure

mediation

sanctions

PRACTICE AREAS

civil procedure

discovery

pleading practice

health law

QUESTIONS PRESENTED

1. Whether good cause existed under Federal Rule of Civil Procedure 30(d)(1) to extend the time for completing and conducting the plaintiff's deposition.
2. Whether the plaintiff should be permitted under Federal Rule of Civil Procedure 15(d) to supplement her second amended complaint with later-occurring medical-care allegations, records, and related materials.
3. Whether the plaintiff could obtain leave to file a limited clarification of a sur-reply when Southern District of Illinois Local Rule 7.1(a)(4) prohibits sur-replies under any circumstances.

HOLDINGS

1. The court granted the defendant an extension sufficient to complete the remaining two hours and 27 minutes of the deposition and four additional hours, for a total of six hours and 27 minutes, but denied the request for seven additional hours.
2. The plaintiff's motions to supplement the second amended complaint were denied because allowing continual supplementation with medical records, provider messages, and related allegations would unduly prejudice the defendant and would not serve judicial efficiency.
3. The motion for leave to file a limited clarification was denied because Southern District of Illinois Local Rule 7.1(a)(4) prohibits sur-reply briefs under any circumstances.

FACTUAL BACKGROUND

The plaintiff's deposition lasted four hours and 33 minutes after delays, disputes, and the need for guidance from a magistrate judge. The defendant sought the remaining two hours and 27 minutes allowed under the default seven-hour limit plus seven additional hours, citing the length of the plaintiff's second amended complaint, the multiple-year span of events, extensive medical treatment, and numerous medical records. The plaintiff sought to supplement her complaint repeatedly with later medical records, communications with providers, alleged retaliation, and surveillance-related declarations. She also sought leave to file a sur-reply clarification despite the local rule prohibiting sur-replies.

PROCEDURAL HISTORY

The court had previously ordered the parties to conduct the plaintiff's deposition. After only four hours and 33 minutes of deposition time were completed, the defendant sought additional time. The plaintiff separately moved to supplement her second amended complaint with later-occurring facts and exhibits and sought leave to file a clarification after her sur-reply had been stricken under the local rules. The court granted the deposition-extension motion in part, denied it in part, and denied all of the plaintiff's motions.

DISPOSITION

other

CASES CITED

- Chicago Reg'l Council of Carpenters v. Vill. of Schaumburg, 644 F.3d 353, 356 (7th Cir. 2011)
- United States v. Indiana, No. 296-CV-095, 2009 WL 3067087, at *4 (N.D. Ind. Sept. 18, 2009)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS CANDRICE BOYD, Plaintiff, v. Case No. 3:23-CV-3961-NJR PROTESTANT MEMORIAL MEDICAL CENTER, INC., d/b/a MEMORIAL HOSPITAL BELLEVILLE, Defendant. MEMORANDUM AND ORDER ROSENSTENGEL, District Judge: Pending before the Court is the Second Motion for Extension of Time to Complete Plaintiff's Deposition and Mediation filed by Defendant Protestant Memorial Medical Center, Inc., d/b/a Memorial Hospital Belleville ("Defendant") (Doc.

271), as well as various other motions filed by Plaintiff Candrice Boyd ("Plaintiff"). On January 6, 2026, after months of delays and avoidance tactics by Plaintiff, and upon order of the Court, the Parties met at the East St. Louis Courthouse to conduct Plaintiff's deposition.

As the deposition began, Defendant notes, Plaintiff was unable to recall or provide meaningful answers to basic questions, including what medications she had taken that morning, and the Parties ultimately had to seek guidance from Magistrate Judge Gilbert C. Sison regarding their disputes. (Id.). Additionally, because the Parties had to conduct the deposition at the Courthouse due to Plaintiff's refusal to travel to defense counsel's office, the deposition concluded at 4:30 p.m.

(Id.). As a result of these circumstances, the time on the record totaled only four hours and 33 minutes. (Id.). Defendant now seeks an extension of the deadline to complete the remaining two hours and 27 minutes of Plaintiff's deposition,¹ as well as an additional seven hours of deposition time. (Id.). Defendant asserts that the time it has left is insufficient to fairly examine Plaintiff about the claims and allegations in her 142-page Second Amended Complaint.

(Doc. 125). Plaintiff opposes the motion, arguing that defense counsel could have refreshed her memory with her medication records and should not be allowed additional time simply because they regret their chosen lines of questioning. (Doc. 272). She further argues that she should not have to explain or give examples of the claims in her Second Amended Complaint, and that the additional time requested by Defendant is not proportional to the burden imposed on her.

(Id.). Under Rule 30(d)(1), unless otherwise stipulated or ordered by the court, a deposition is limited to one day of seven hours. FED. R. CIV. P. 30(d)(1). However, the court must allow

additional time if needed to fairly examine the deponent or if the deponent, another person, or any other circumstance impedes or delays the examination. *Id.* The Advisory Committee Notes provide several factors that a court might consider when determining whether good cause exists for an extension of the seven-hour limit.

FED. R. CIV. P. 30, Advisory Committee Note. These factors include, but are not limited to: whether an interpreter is required; whether the examination will cover events occurring over a long period of time; whether the witness will be questioned about 1 The Federal Rules of Civil Procedure set a default seven-hour time limit for depositions. FED. R. CIV. P. 30(d). numerous or lengthy documents and whether the witness was provided with copies in advance; and whether multiple parties are examining the witness.

Id. The purpose of the rule allowing additional time is to ensure a fair examination of the deponent. *Id.* Having considered the parties' arguments and the relevant factors, the Court finds that a four-hour extension is appropriate to fairly examine Plaintiff. Plaintiff acknowledges that the events of this case span multiple years and involve extensive medical treatment and numerous medical records.

Additionally, although not mentioned in the Advisory Committee Note to Rule 30, the Court finds it relevant that Plaintiff is proceeding pro se and may require additional time to consider potential objections and to answer questions.

For these reasons, Defendant's motion is GRANTED in part and DENIED in part. Defendant is granted an extension of time, until March 2, 2026, to complete the remaining two hours and 27 minutes of Plaintiff's deposition, plus an additional four hours, for a total of six hours and 27 minutes.

The mediation session shall occur within 30 days of the completion of Plaintiff's deposition. Motions for Leave to Supplement Plaintiff has filed various motions for leave to supplement the Second Amended Complaint with new facts that arose after its filing. (Docs. 155, 157, 174, 179, 234, 242, 251).

The proposed supplements mostly relate to Plaintiff's medical care, including correspondence with her medical providers, but they also include additional acts of retaliation that she attributes to Defendant's interference with her care, and supplemental declarations regarding surveillance.

To her motions, Plaintiff has attached numerous exhibits that are allegedly relevant to her claims. Under Rule 15(d), a court may permit a party to serve a supplemental pleading setting out any transaction, occurrence, or event that happened after the date of the pleading to be supplemented. FED. R. CIV. P. 15(d). "[T]here is no absolute right to expand the case in this way; the district court has substantial discretion either to permit or to deny such a motion." *Chicago Reg'l Council of Carpenters v. Vill. of Schaumburg*, 644 F.3d 353, 356 (7th Cir.

2011). In determining a motion to supplement under Rule 15(d), a court may look to several factors including, but not limited to: the extent to which the original and supplemental complaints are related; whether there is evidence of delay, bad faith or dilatory motive on the part of the movant; whether the supplement would impose undue prejudice upon an opposing party; and whether allowing supplementation would serve the interests of judicial economy.

United States v. Indiana, No. 296-CV-095, 2009 WL 3067087, at *4 (N.D. Ind. Sept. 18, 2009). Having considered these factors, the Court denies Plaintiff's motions. While the supplemental exhibits might support Plaintiff's claims, to allow Plaintiff to continually supplement her Second Amended Complaint with every medical record or message from her doctors that she believes is the result of Defendant's interference with her medical care would unduly prejudice Defendant and would not be in the interest of judicial efficiency.

Plaintiff may introduce the exhibits as evidence at trial, to the extent they are relevant and admissible under the Federal Rules of Evidence. For these reasons, Plaintiff's motions (Docs. 155, 157, 174, 179, 234, 242, 251) are DENIED. Motion for Leave to File Limited Clarification On October 22, 2025, Defendant filed a Motion to Dismiss for Lack of Prosecution, or, in the Alternative, for Sanctions.

(Doc. 224). Plaintiff filed a response the following day (Docs. 226, 227), and Defendant filed a reply on October 30, 2025 (Doc. 232). Plaintiff then filed a sur-reply to Defendant's reply, which was stricken pursuant to Local Rule 7.1(a)(4), which expressly prohibits the filing of sur-replies. Plaintiff then filed the instant Motion for Leave to File Limited Clarification.

(Doc. 243). In her motion, Plaintiff cites Local Rule 7.1(c)(4), which she says requires advance permission for any additional response to a reply. She then explains why good cause exists for her to file a sur-reply.

The problem is that there is no Local Rule 7.1(c)(4) in the Southern District of Illinois. To the extent Plaintiff is referring to Local Rule 7.1(a)(4), it states: Reply briefs are not favored, shall not exceed five pages, and should be filed only in exceptional circumstances.

Under no circumstances will sur-reply briefs be accepted. The parties are directed to review the individual case management procedures of each presiding judge as they may relate to the filing of replies. SDIL-LR 7.1(a)(4).

Because sur-replies are not accepted under any circumstance, Plaintiff's Motion for Leave to File Limited Clarification (Doc. 243) is DENIED. IT IS SO ORDERED. DATED: January 22, 2026
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