

# Section 1983 in Action: Upholding the Right for Care

## News

October 23, 2025

A Jenner team represented a client in a Section 1983 action against Wexford Health Sources, the former medical provider for the Illinois Department of Corrections, and several Wexford employees. Section 1983 of the Civil Rights Act allows individuals to sue state actors, including private companies contracted to perform state functions, such as prison healthcare providers, for violations of their constitutional rights. Here, the client alleged that Wexford's deliberate indifference to his serious medical needs violated his Eighth Amendment right to be free from cruel and unusual punishment.

The client began experiencing severe thumb pain in February 2020, which Danville Correctional Center physicians ignored for nearly a year. By the time he was finally diagnosed, he had developed an aggressive form of cancer requiring partial amputation of the thumb. The disease has since metastasized to his lungs. The delay in diagnosis and treatment, despite repeated complaints, forms the core of his constitutional claim against Wexford and its employees.

As the case progressed into discovery, the Jenner team sought financial documents critical to establishing the scope of Wexford's operations in Illinois and at Danville Correctional Center. Wexford refused to produce these materials, prompting the team to file a motion to compel. The Court granted that motion in September 2024, ordering Wexford to comply. Wexford nonetheless continued to obstruct the process, producing only two three-line charts and a handful of other documents that failed to provide the requested information.

In response, the Jenner team filed a motion for sanctions. The Court granted the motion. The sanctions ruling orders Wexford to produce the responsive documents and awards attorneys' fees, a significant development that reflects the Court's recognition of Wexford's bad-faith conduct and marks meaningful progress toward a favorable outcome for the client.

The team is led by Partner **Lindsey Lusk** and Of Counsel **Joel Pelz**, and includes Associates **Vaughn Olson**, **Rachel Magaziner**, **Amanda Holme**, **Ben Love**, and **Ethan Levy**, and Paralegal **Kenyon North**, with support from Partner **Andrew Merrick**, former Associates **Adam Abdel-Mageed**, **Emma Costello**, and **Courtney Shier**, and former Paralegal **Sophia Goebel**.

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before taking any action with respect to matters mentioned in this publication or at this event. The attorney responsible for this communication is Brent E. Kidwell, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456. Prior results do not guarantee a similar outcome. Jenner & Block London LLP, an affiliate of Jenner & Block LLP, is a limited liability partnership established under the laws of the State of Delaware, USA and is authorised and regulated by the Solicitors Regulation Authority with SRA number 615729. Information regarding the data we collect and the rights you have over your data can be found in our Privacy Notice. For further inquiries, please contact [dataprotection@jenner.com](mailto:dataprotection@jenner.com).

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