

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAVID BLIHOVDE, TRAVIS
BRECHER and RENEE HOUSER
(formerly known as RENEE JENSEN),
Individually, and on behalf of all others
similarly situated,

Plaintiffs,

v.

ST. CROIX COUNTY, WISCONSIN,
DENNIS D. HILLSTEAD, individually and
in his capacity as the St. Croix County
Sheriff, KAREN HUMPHREY, individually,
and in her capacity as "Jail Captain" of the
St. Croix County Jail, KRISTEN ANDERSON,
individually and in her capacity as a St. Croix County
Deputy Sheriff, TERRY LARSON, individually and
in his capacity as St. Croix County Deputy
Sheriff, LISA OPEL, individually and in her
capacity as a St. Croix County Deputy Sheriff,
SHELBY LANE, individually and in her capacity
as a St. Croix County Deputy Sheriff and
Deputy Sheriffs JOHN and JANE DOES 1
through 30, individually and in their capacities
St. Croix County Deputy Sheriffs,

Defendants.

ORDER

02-C-450-C

A status conference was held by telephone in this case on August 28, 2003, before

United States District Judge Barbara B. Crabb. Plaintiffs were represented by Vincent Moccio and Philip Sieff. Defendants were represented by Michelle Ford.

Shortly before the status conference, defendants filed a motion for a protective order and a motion to stay discovery pending the completion of court-ordered mediation. Although plaintiffs' counsel has reservations about the efforts that defendants are making to settle the case, he agreed that the trial of the case could be continued from October 27, 2003, to February 2, 2004, and that mediation could take place in the interim. Plaintiffs' counsel would like Brian Short, former United States Magistrate Judge to oversee the mediation. Defendants' counsel agreed to use Mr. Short rather than United States Magistrate Judge Joseph W. Skupniewitz, provided defendants did not have to bear the cost of the mediation. Mr. Moccio offered to pay the costs in order to have Mr. Short's help. Counsel are to work out dates for mediation to take place early in October, 2003.

The motion for a protective order is GRANTED. There will be no discovery activity until November 15, 2003. All depositions previously scheduled are cancelled. Discovery can resume as of November 15, 2003, and is to be completed no later than January 15, 2004.

A final pretrial conference will be held on January 15, 2004, at 4:00 p.m. before United States District Judge Barbara B. Crabb. Final pretrial submissions are due January 11, 2004.

Mr. Moccio advised the court that he will be filing an entirely new lawsuit on behalf of David Blihovde, whose case is now severed from those of the other class members.

Counsel agreed that plaintiffs would advise defendants' counsel of the names of the persons in the class no later than November 15, 2003. Also, counsel agreed that Mr. Moccio could have until September 15, 2003, in which to try to give notice to the remaining class members who have not yet been located. Those newly-notified persons will have two weeks in which to advise counsel whether they will opt out of the class.

Entered this 28th day of August, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge