

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

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MARIA EDELSTEIN, Individually  
and as Trustee for the Heirs and Next  
of Kin of MATTHEW P. MANCL,  
deceased,

Plaintiff,

v.

WISCONSIN COUNTIES MUTUAL  
INSURANCE CORPORATION, JOHN  
ANDREWS, KIM SEIPEL, KENNETH  
A. NIMMO, BRAD W. WURTZEL and  
JOEL D. WENER,

Defendants.

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ORDER

00-C-319-C

Defendants have moved to change the location of this trial from Madison to Eau Claire, Wisconsin. Although the question is a close one and both sides have arguments in support of their position, I intend to grant the motion.

It appears that a great majority of the lay witnesses to be called by both sides live in or near Eau Claire. Reducing the cost of travel to these people has benefits to them and to the judicial system.

Although plaintiff alleges that there has been extensive inaccurate pretrial publicity

about this case in the Eau Claire area, I do not believe this is an adequate reason to deny the motion to hold the trial there. First, plaintiff has not supported her allegation with any evidence. Second, the jurors who will be hearing the case in Eau Claire come from throughout the Western District of Wisconsin, with the exception of the area around Madison. It is unlikely that many of those jurors would have been exposed to any publicity in the Eau Claire area, even if there were such publicity.

ORDER

IT IS ORDERED that defendants' motion for trial in Eau Claire, Wisconsin is GRANTED.

Entered this 13th day of October, 2000.

BY THE COURT:

BARBARA B. CRABB  
District Judge