

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

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PROGRESSIVE NORTHERN  
INSURANCE CO.,

Plaintiff,

v.

FRED BACHMANN,

Defendant.

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ORDER

03-C-566-C

On February 18, 2004, this court entered an order allowing plaintiff the opportunity to respond to defendant's motion for summary judgment in response to new evidence that defendant had raised in his reply in support of his motion. Plaintiff has filed its response and defendant's motion is now ripe for determination by the court.

Meanwhile, on February 26, 2004, which was the deadline set forth in the pretrial conference order for filing dispositive motions, plaintiff filed its own motion for summary judgment. Having reviewed that motion, I find that it does not raise any new issues that have not been addressed by the parties in their papers relating to defendant's motion. The only new evidence submitted by plaintiff consists of evidence concerning the agency issue, which is the same evidence it has submitted in its court-authorized response to defendant's motion. Because the motion for summary judgment filed by plaintiff is simply a mirror-image of its response to defendant's motion, there is no need for further submissions by either side.

ORDER

IT IS ORDERED that plaintiff's motion for summary judgment filed February 26, 2004 shall be taken under the court's advisement with no further submissions by either side.

Entered this 3<sup>rd</sup> day of March, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge