

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

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TITUS HENDERSON,

Plaintiff,

v.

DAVID BELFUEL and JUDY CHOJNASKI,

Defendants.

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ORDER

03-C-729-C

A scheduling hearing was held by telephone in this case on March 7, 2005. Plaintiff represented himself. Defendant Belfuel was represented by Rick J. Mundt and defendant Chojnaski was represented by Douglas C. Knott. Also participating in the telephone hearing was David Hoel, Assistant Attorney General for the State of Wisconsin.

After discussing a new trial date with plaintiff and counsel, I set this case for trial during the week of August 22, 2005, with the jury to be selected on Monday, August 22, 2005, and trial to take place on Wednesday, August 24, 2005.

Mr. Knott advised the court that he has learned that the nurse who took a blood draw from plaintiff was not defendant Chojnaski but a different nurse. Mr. Knott asked for the opportunity to file amended pleadings no later than March 17, 2005. That request was

GRANTED. Also, he may have until March 21, 2005, in which to serve and file a new motion for summary judgment on behalf of the newly-substituted defendant. Plaintiff may have until April 11, 2005, in which to serve and file his response to the new motion for summary judgment. Defendants may have April 21, 2005, in which to serve and file a reply. All submissions shall comply with this court's procedures to be followed on motions for summary judgment.

Mr. Henderson asked the court to provide him another copy of his complaint because it was taken in a cell search conducted the day before the scheduling hearing and he has no way of knowing whether it will be returned to him. The request was GRANTED.

With the change in the trial date, the parties may have until August 1, 2005, in which to conduct discovery. They are to disclose their trial witnesses no later than July 25, 2005. The final pretrial conference will be rescheduled to the morning of August 22, 2005, at 8:30 a.m., prior to the start of trial. All pretrial submissions are to be filed with the court and served on opposing counsel or the plaintiff no later than August 16, 2005.

Entered this 8th day of March, 2005.

BY THE COURT:

BARBARA B. CRABB  
District Judge