

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

A.B.K., a minor, by and with his
parent, S.K.,

Plaintiffs,

v.

BOARD OF EDUCATION OF THE
MADISON METROPOLITAN SCHOOL
DISTRICT and MADISON
METROPOLITAN SCHOOL DISTRICT,

Defendants.

ORDER

03-C-742-C

A hearing was held by telephone in this case on July 21, 2004, before United States District Judge Barbara B. Crabb. Robert Pledl and Heather Curnutt represented plaintiffs. David Rohrer and Joanne Curry represented defendants. Plaintiffs have moved to amend their complaint to add the Wisconsin Department of Public Instruction and Elizabeth Burmaster in her official capacity as State Superintendent of Public Instruction as defendants in this case. The motion to amend was granted, although defendants have some objections to including the Department of Public Instruction. However, I am persuaded that adding the department may help to resolve the case more quickly. The amended complaint

is considered to be filed and served on the original defendants as of July 21, 2004. Plaintiffs are to obtain service on the new defendants as quickly as possible.

A pretrial conference will be held before Magistrate Judge Crocker by telephone on August 23, 2004, at 10:30 a.m. Plaintiffs' counsel are to place the conference call for the pretrial conference. At this time the magistrate judge will set revised deadlines for resolution of the case.

Defendants asked for permission to join the Waunakee School District. The request was granted on the condition that defendants would act promptly to join the school district so that the school district will be prepared to take part in the August 23, 2004 pretrial conference.

Entered this 21st day of July, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge