

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

TONY O. LaVINE and GAYLE M.
LaVINE,

Plaintiffs,

v.

CITY of HAYWARD, a fourth class
Wisconsin municipality, THOMAS J.
DUFFY, JR., individually and in his
official capacity as Mayor of the City
of Hayward, JOHN METCALF,
individually and in his official capacity
as Director of Public Works for the
City of Hayward, MICHAEL A.
KELSEY, individually and in his
official capacity as City Attorney for
the City of Hayward, LUCY
GUNTHER, individually and in her
capacity as City Clerk for the City of
Hayward, and CHESTER A.
BONCLER, JR.,

Defendants.

ORDER

04-C-0201-C

West Bend Mutual Insurance Company has moved for intervention, stay and bifurcation. Its motion for intervention is GRANTED. However, its motion for a stay is

DENIED on the grounds that it would unduly delay the resolution of the case and increase the costs of the primary parties. I will reserve a ruling on the motion for bifurcation until further along in the case.

A telephone scheduling hearing will be held before United States Magistrate Stephen L. Crocker on September 22, 2004, at 9:00 o'clock a.m. to set deadlines for the intervenor's motions regarding coverage. Plaintiffs' counsel is to initiate the call to (608) 264-5153.

Entered this 17th day of September, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge