

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

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KERR CORPORATION,

Plaintiff,

v.

WESTSIDE RESOURCES, INC.,

Defendant.  
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ORDER

07-C-0177-C

A telephone conference was held in this case on June 5, 2007, before United States District Judge Barbara B. Crabb. David Cross participated on behalf of plaintiff. Eugenia Carter represented defendant.

The default hearing that was to take place on Wednesday, June 6, 2007, has been postponed to allow the parties to brief defendant's motion to set aside the default. Plaintiff may have until June 29, 2007 in which to file and serve its brief in opposition. Defendant may have until July 10, 2007, in which to file and serve a reply brief.

Plaintiff's counsel is to advise the court if it decides to agree to defendant's offer to accept service of process. I reminded plaintiff that it is a rare occurrence for a court to dismiss a case in which a defendant did not answer promptly but has indicated its intention

to defend the case. However, plaintiff believes that this may be one of those rare situations.

If it decides to pursue this point, it may do so in briefing.

Entered this 6th day of June, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge