

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

SHAUN MATZ,

FINAL PRETRIAL CONFERENCE
ORDER

Plaintiff,

10-cv-668-bbc

v.

MICHAEL VANDENBROOK, TRAVIS BITTLEMAN,
STEVEN VASOS and BENJAMIN NEUMAIER,

Defendant.

A final pretrial conference was held in this case on October 17, 2013 before United States District Judge Barbara B. Crabb. Plaintiff appeared by Gabriel Galloway. Defendants appeared by Frank Sullivan.

Counsel predicted that the case would take 1-2 days to try. They understand that trial days will begin at 9:00 and will run until 5:30, with at least an hour for lunch, a short break in the morning and another in the afternoon.

Counsel agreed to the voir dire questions in the form distributed to them at the conference. The jury will consist of seven jurors to be selected from a qualified panel of

thirteen. Each side will exercise three peremptory challenges against the panel. After the jury is selected, the court will read the introductory instructions to the jury.

Plaintiff asked for the sequestration of witnesses. The request was granted.

Counsel are either familiar with the court's visual presentation system or will make arrangements with the clerk for instruction on the system.

No later than noon on Friday, October 18, 2013, plaintiff's counsel will advise defendants' counsel of the witnesses plaintiff will be calling on Monday and the order in which they will be called. Counsel are to give similar advice at the end of each trial day; defendants' counsel shall have the same responsibility in advance of defendants' case. Also, no later than noon on October 18, counsel shall meet to agree on any exhibits that either side wishes to use in opening statements. Any disputes over the use of exhibits are to be raised with the court before the start of opening statements.

Counsel should use the microphones at all times and address the bench with all objections. If counsel need to consult with one another, they should ask for permission to do so. Only the lawyer questioning a particular witness may raise objections to questions put to the witness by the opposing party and argue the objection at any bench conference.

Counsel are to provide copies of documentary evidence to the court before the start of the first day of trial.

Plaintiff's counsel is to consult with defendant's counsel and the Department of

Corrections about the provision of street clothes for plaintiff to wear at trial.

Counsel discussed the form of the verdict and the instructions. Final decisions on the instructions and form of verdict will be made at the instruction conference at the close of evidence.

The parties' motions in limine were resolved in an order entered on October 15, 2013.

Entered this 17th day of October, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge