

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

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DION MATHEWS and MUSTAFA-EL K.A. AJALA,

Plaintiffs,

v.

ORDER

10-cv-742-bbc

PETER HUIBREGTSE, DAVID BURNETT,  
WISCONSIN DEPARTMENT OF CORRECTIONS,  
CYNTHIA THORPE, GARY BOUGHTON,  
RICK RAEMISCH, NARY MILLER, KAMMY JONES,  
JANET GREER and LT. HANFELD,

Defendants.

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Plaintiffs have been granted leave to proceed on their claim that defendants refused to provide them shoes with adequate support. Now before the court is plaintiffs' motion for a preliminary injunction requiring defendants to permit them to receive the shoes medically ordered for them. The Court cannot consider plaintiffs' motion for preliminary injunctive relief at this time because their submissions do not comply with this court's procedures for such motions. Plaintiffs are free to renew their motion in compliance with the court's procedures.

The standard for preliminary injunctive relief is well established:

A party seeking a preliminary injunction must demonstrate that he is reasonably likely to succeed on the merits, that he is experiencing irreparable harm that exceeds any harm his opponent will suffer if the injunction issues, that he lacks an adequate remedy at law, and that the injunction would not harm the public interest. If the moving party meets this threshold burden, then the district court weighs the factors against one another in a sliding scale analysis, which is to say that the district court must exercise its discretion to determine whether the balance of harms weighs in favor of the moving party or whether the nonmoving party or public interest will be harmed sufficiently that the injunction should be denied.

*Coronado v. Valleview Public School Dist.*, 537 F.3d 791, 794-75 (7<sup>th</sup> Cir. 2008).

This court requires that a party seeking emergency injunctive relief follow specific procedures for obtaining such relief. Those procedures are spelled out in a document titled Procedure To Be Followed On Motions For Injunctive Relief, a copy of which is included with this order. Plaintiffs should pay particular attention to those parts of the procedure that require him to submit proposed findings of fact in support of his motion and point to admissible evidence in the record to support each factual proposition.

The main problem with plaintiffs' submissions is that they have not included a statement of proposed findings of fact. The court's procedures require that plaintiffs submit individually numbered proposed findings of fact, each of which is followed by a citation to the location of admissible evidence in the record that supports the factual proposition. Plaintiffs may have until February 28, 2011 to re-file their motion for preliminary injunction in compliance with this court's procedures.

#### ORDER

IT IS ORDERED that plaintiffs may have until February 28, 2011, in which to file a motion for preliminary injunctive relief against defendants that complies with the court's procedures. Defendants may have until March 15, 2011, in which to file a response.

Entered this 26<sup>th</sup> day of January, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge