

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

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JEREMIAH J. LAMBERT,

Plaintiff,

v.

DR. KENNETH ADLER,

Defendant.

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ORDER

11-cv-418-bbc

In this civil action for monetary relief, plaintiff Jeremiah Lambert is proceeding on a claim that defendant Dr. Kenneth Adler violated his rights under the Eighth Amendment by failing to provide him adequate medical treatment for his ear. In a July 23, 2012 order, I denied defendant's motion for summary judgment, granted plaintiff's motion for appointment of counsel and stayed the case in order to locate counsel willing to represent plaintiff.

I previously granted plaintiff's motion for appointment of counsel and stayed proceedings in order to locate counsel for plaintiff. Now Gordon Davenport III, a member of the Wisconsin Bar, has agreed to represent plaintiff, with the understanding that he will serve with no guarantee of compensation for his services. It is this court's intention that the

appointment of this attorney to represent plaintiff extends to proceedings in this court only.<sup>1</sup>

Plaintiff should understand that because I am appointing counsel to represent him, he may not communicate directly with the court from this point forward. He must work directly with his lawyer and must permit him to exercise his professional judgment to determine which matters are appropriate to bring to the court's attention and in what form. Plaintiff does not have the right to require counsel to raise frivolous arguments or to follow every directive he makes. He should be prepared to accept the strategic decisions made by her lawyer even if he disagrees with some of them. In addition, plaintiff should understand that it is highly unlikely that this court would appoint another lawyer to represent him if he chooses not to work with this lawyer. The court will schedule a status conference to reset the schedule in this lawsuit.

#### ORDER

IT IS ORDERED that Gordon Davenport III is appointed to represent plaintiff in this case. Proceedings in this case remain STAYED pending a status conference, at which

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<sup>1</sup> "Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a Notice of Appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.

time a new schedule will be set for moving this case to resolution.

Entered this 7th day of August, 2012,

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge