

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

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ROSE M. BYRD,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF  
VETERANS AFFAIRS,

Defendant.

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ORDER

13-cv-714-jdp

Plaintiff Rose Byrd brings this Title VII action for sexual harassment against defendant Wisconsin Department of Veterans Affairs. Currently before the court is defendant's motion to compel discovery and extend the dispositive motion deadline. Defendant has attached communications between the parties showing the inadequacy of plaintiff's discovery responses and her apparent refusal to be deposed. The dispositive motions deadline passed on October 3, 2014, not only because of the current problems with discovery but because significant time has been eaten up by litigating issues related to withdrawal of plaintiff's counsel and plaintiff's request to stay the case until July 2015 following an assault in which plaintiff says she was badly injured. The request for a stay was denied after plaintiff did not respond to the court's order to corroborate her request with medical documentation. Dkt. 29. Similarly, plaintiff did not respond to defendant's most recent motion.

I will grant defendant's motion to amend the schedule to provide more time for dispositive motions. However, I am reluctant to set a new schedule or rule on the motion to compel because, at this point, it is unclear whether plaintiff is physically able to complete the

tasks this lawsuit requires or is even interested in doing so. Instead, I will set this case for a telephonic status conference to get a more complete picture of plaintiff's capabilities and willingness to litigate this action. Plaintiff's failure to appear at the hearing will likely result in the dismissal of the case.

ORDER

IT IS ORDERED that:

- 1) Defendant's motion to amend the dispositive motions deadline, dkt. 30, is GRANTED.
- 2) A telephonic status conference with the parties will be scheduled to discuss the resolution of defendant's motion to compel discovery and to set a new dispositive motions deadline.

Entered this 16th day of October, 2014.

BY THE COURT:

/s/  
JAMES D. PETERSON  
District Judge