

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

CHELSEA TORRES and JESSAMY
TORRES, individually and as next friends and
parents of A.T., a minor child, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

KITTY RHOADES, in her official capacity as
Secretary of the State of Wisconsin
Department of Health Services,

Defendant.

ORDER

15-cv-288-bbc

Plaintiffs are proceeding on a claim that defendant Kitty Rhodes is violating their constitutional rights to equal protection and due process by refusing to issue two-parent birth certificates to same-sex married couples who conceived their child using artificial insemination but did not comply with one or more of the requirements in Wis. Stat. § 891.40. The original deadline for filing dispositive motions was August 28, 2015, but this deadline was moved to June 6, 2016, because of problems with plaintiffs' motion for class certification. Dkt. ##46 and 65. Now the parties have moved to extend the deadline another six weeks and also to extend the briefing schedule so that there is additional time to file an opposition brief and a reply brief. Dkt. #69. In support of their motion, the parties say that the "extension will allow the parties to determine if they can resolve this

matter through settlement and to complete discovery prior to the submission of dispositive motions.” Id.

It is often the case that parties are attempting settlement and conducting discovery at the time of the dispositive motions deadline, so these facts without more are not sufficient to show that the parties are entitled to more time. The parties do not describe any special circumstances that would prevent them from meeting the current deadline. Particularly because the deadline has been moved once already, I decline to delay the proceedings more than a month. However, because the deadline is imminent, I will give the parties one extra week for a little breathing room.

ORDER

IT IS ORDERED that the parties’ joint motion to extend the deadline for dispositive motions, *dk.* #69, is GRANTED IN PART. The deadline is extended to June 13, 2016.

Entered this 24th day of May, 2016.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge