

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

LADERIAN McGHEE,

Plaintiff,

v.

DALIA SULIENE and KAREN ANDERSON,

Defendants.

ORDER

15-cv-258-bbc

Plaintiff Laderian McGhee is proceeding on a claim that defendants Dalia Suliene and Karen Anderson refused to change his seizure medication or refer him to a specialist, in violation of the Eighth Amendment and state negligence law. Plaintiff has filed a motion under Fed. R. Evid. 706(a) to appoint a “neutral” expert and require defendants Dalia Suliene and Karen Anderson to pay the expert’s fee. Dkt. #50. (Although plaintiff refers to the “State of Wisconsin” rather than defendants, the state is not a party to this case.) Now that the parties have initiated mediation proceedings (as shown on the unnumbered November 14, 2016 entry on the docket sheet), it would be premature to resolve this issue until it is clear that the mediation will not be successful. Accordingly, plaintiff’s motion to appoint an expert, dkt. #50, is DENIED WITHOUT PREJUDICE to plaintiff’s refiling it

in the event that mediation fails.

Entered this 16th day of November, 2016.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge