

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

ALPHONCY DANGERFIELD, CARLOS A.
AUSTIN, LAMONT E. MOORE,
TINGIA WHEELER, BARON L. WALKER, SR.,
JOEDDIE SMITH, PAUL RICE,
JOHN D. TIGGS, JR., RASHID TALIB, and
WALTER BROWN, SR.,

ORDER

99-C-480-C

Plaintiffs,

v.

JON E. LITSCHER, RICHARD SCHNEITER,
WILLIAM NOLAND, RICHARD VERHAGEN,
TIM DOUMA, and JEFFREY P. ENDICOTT,

Defendants.

On October 11, 2000, an order granting defendants' motion for summary judgment with respect to the issue of exhaustion of administrative remedies was granted in part and denied in part. A new schedule was set for briefing of the parties' cross motions for summary judgment on the substantive issue raised in this case. This schedule later was rescinded in an order dated October 16, 2000, because there are pending discovery disputes that prevent the parties from proceeding further on the motions for summary judgment. As the case has progressed and the parties have argued their positions on the discovery disputes, it has become clear that plaintiffs require appointed counsel. It is the court's view that the discovery disputes may be resolved readily once counsel is appointed because defendants are not likely to have the same objections

to the in camera disclosure of discovery matter to counsel as they have to disclosure of such matter to the prisoner plaintiffs.

David Geier, a member of the Wisconsin Bar, has agreed to represent plaintiffs, 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 Mr. Geier to represent plaintiffs extend to proceedings in this court only.¹

Plaintiffs should be aware that because I am appointing counsel to represent them, the court will no longer communicate with them directly about matters pertaining to his case. I expect plaintiffs to work directly with their lawyer and permit their lawyer to exercise his professional judgment to determine which matters are appropriate to bring to the court's attention and what motions and other documents are appropriate to file.

Mr. Geier requires some time to familiarize himself with the case, to meet with plaintiffs and to work informally with opposing counsel to resolve the discovery disputes. A status conference is scheduled to be held by telephone in this case before United States Magistrate Judge Stephen Crocker on 10:00 a.m. on Wednesday, December 13, 2000. Defense counsel is requested to place the call. At the conference, the parties will be requested to advise the court whether they have been able to resolve or significantly narrow the discovery disputes and a schedule will be set for moving this case to final resolution.

¹"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.

ORDER

IT IS ORDERED that David Geier is appointed to represent plaintiffs in this case.

IT IS FURTHER ORDERED that a status conference is scheduled to be held by telephone in this case before United States Magistrate Judge Stephen Crocker on 10:00 a.m. on Wednesday, December 13, 2000.

Entered this 15th day of November, 2000.

BY THE COURT:

BARBARA B. CRABB
District Judge