

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

JOEL FLAKES,

Plaintiff,

v.

MATTHEW J. FRANK,
CORRECTIONS CORPORATION
OF AMERICA, JANE SONDALE
and DANIEL BENIK,

Defendants.

ORDER

04-C-189-C

Although the proceedings in this case have been stayed pending appointment of counsel to represent plaintiff, the parties have written to the court to advise that former defendant Sgt. Lawrence Daken, who was dismissed because he could not be located to be served with plaintiff's complaint, has been rehired by the Department of Corrections. He is currently working at the Stanley Correctional Institution in Stanley, Wisconsin. I presume neither party would object to reinstating Sgt. Daken as a defendant. Therefore, IT IS ORDERED that Lawrence Daken is reinstated as a defendant in this case. Pursuant to an informal service agreement between the Attorney General and this court, a copy of

plaintiff's complaint, the order granting plaintiff leave to proceed against defendant Daken and this order is being sent today to the Attorney General for service on defendant Daken. The stay is LIFTED only for the purpose of allowing defendant Daken to file a response to plaintiff's complaint. In all other respects, the stay pending appointment of counsel remains in effect.

Entered this 2nd day of August, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge