

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

GARY ALLEN BORZYCH,

Plaintiff,

v.

MATTHEW J. FRANK, STEVE
CASPERSON, ANA M. BOATWRIGHT,
GERALD BERGE, GARY BOUGHTON,
PETER HUIBREGTSE, RICHARD
RAEMISCH, SGT. JUDITH HUIBREGTSE,
CPT. LEBBEUS BROWN, ELLEN RAY and
TODD OVERBO,

Defendants.

MEMORANDUM

04-C-632-C

Counsel for defendant has written to ask whether plaintiff filed with the court four documents that plaintiff served on defendants on May 4, 2005. Counsel describes the documents as follows: 1) "Plaintiff's Response to Affidavit of Todd Overbo"; 2) "Plaintiff's Response to Affidavit of Timothy R. Tangherlini"; 3) "Notice of Motion and Motion to Not Allow Defendants to Submit 'The Saga' in Camera"; and 4) "Response to Affidavit of Catherine J. Farrey." None of these documents has been filed with the court.

In his letter, defense counsel notes that because defendants referred in their proposed

findings of fact to plaintiff's responses to the affidavits of Todd Overbo and Timothy Tangherlini, he is attaching copies of these documents in the event that plaintiff did not file the documents directly with the court. However, only the document titled "Response to Affidavit of Todd Overbo" is attached to counsel's letter. I trust that the parties will correct the record to insure that all documents they intend the court to consider in connection with the motion for summary judgment filed in this case have been properly filed with the court.

Entered this 18th day of May, 2005.

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