

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

ELIZABETH MICHAELS, Individually and
as Special Administrator of the Estate of
Travis J. Michaels, Deceased,

Plaintiff,

v.

MR. HEATER, INC., ADMIRAL INDEMNITY
CO., WESTCHESTER FIRE INSURANCE
COMPANY, COPRECI, S. COOP, ABC
INSURANCE CO. and RURAL MUTUAL
INSURANCE CO,

Defendants,

ORDER

and

05-C-0369-C

MR. HEATER, INC. and ADMIRAL
INDEMNITY CO.,

Third-Party Plaintiffs,

v.

DANIEL JEROD MICHAELS and RURAL
MUTUAL INSURANCE CO.,

Third-Party Defendants.

Counsel for all parties except S. Coop Copreci and Daniel Jerod Michaels have moved for approval of a stipulation regarding a Pierringer release settlement, distribution of settlement proceeds and an attorney lien. According to counsel, plaintiff Elizabeth Michaels, individually and as Special Administrator for the Estate of Travis J. Michaels, has reached a settlement with defendant Rural Mutual Insurance Company on a Pierringer release basis. Counsel have advised the court that subject to the court's approval, the parties would like to have any disputes over the distribution of the settlement funds made by defendant Rural Mutual and the attorney lien filed by plaintiff's former legal counsel decided by the Honorable Scott Needham, judge of the Circuit Court for St. Croix County.

Although it seems a little odd for a federal court to delegate its work in this way, I see no reason other than apparent oddity why the parties to a civil case cannot agree among themselves to have a dispute resolved by any person willing to do it. Apparently, Judge Needham is willing to perform the dispute resolution function in regard to the Rural Mutual distribution dispute. (Of course, if he is not, he is free to decline the request and the parties may come back to this court for a resolution.) If Judge Needham resolves the dispute and if the parties agree to the manner in which he does so, this court has no reason not to

approve the process.

Entered this 9th day of August, 2005.

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