

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

DAVID DAHLER,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

ORDER
05-C-463-S

Presently pending before this Court is defendant's motion to stay all proceedings in this matter pending a decision of the United States Supreme Court in Ali, Abdus-Shahid M.S. v. Fed Bureau of Prisons, et al., 2007 WL 278844 (U.S. May 29, 2007).

The above entitled matter is a Federal Tort Claims Act claim. It involves a property loss by plaintiff David Dahler in 2002 in the amount of \$156.00. This case can be resolved on its merits as soon as dispositive motions are filed on July 2, 2007 pursuant to this Court's May 15, 2007 scheduling order and briefed. In the alternative the case will be tried to the Court on August 15, 2007.

The Federal Rules of Civil Procedure, Rule 1, provides for the just, speedy and inexpensive determination of every action. These goals are better met by resolving this case on its merits no later than August 15, 2007 rather than delaying the resolution of plaintiff's claims until a decision by the United States Supreme

Court in another case. Accordingly, defendants' motion to stay will be denied.

ORDER

IT IS ORDERED that defendant's motion to stay all proceedings in the above entitled matter pending a decision of the United States Supreme Court is DENIED.

Entered this 19th day of June, 2007.

BY THE COURT:

/s/

JOHN C. SHABAZ
District Judge