

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

TROY FROISETH,

Plaintiff,

ORDER

v.

COUNTY OF LACROSSE, WISCONSIN,
MIKE WEISSENBERGER, MARK WELANDER,
JAMES GEORGIEFF, TANYA DELAP and
HEALTH PROFESSIONALS, LTD.,

05-C-470-C

Defendants.

The parties have filed a stipulation to move the trial date from May 22, 2005 to some time in mid-August. This motion is DENIED and the current schedule remains in place.

In their August 31, 2005 report to the court, the parties, with the exception of defendant Health Care Professionals, Inc., requested an August 2006 trial date. I declined to set so long a date, hewing to this court's more aggressive scheduling policy. HCPI then filed a late answer, which the court accepted. Shortly thereafter HCPI's attorney was hospitalized; he anticipated missing at least three weeks of work from October 24 to November 14, 2005. As a result, the parties postponed October 27 depositions. This has caused the parties to claim that they will be prejudiced if they don't get a three month extension of their trial date.

This is a non sequitur. Only one attorney has been taken ill. No one else has been prevented from working on this case. The postponed depositions can be rescheduled promptly to make up for the 21 days of lost time.

The parties do not yet seem to appreciate the speed at which this court expects them to litigate this lawsuit. This court is setting brand new civil bench trials for March 2006, and jury trials for June and July, 2006. The instant case was filed 3½ months ago, on August 1, 2005, when the court's docket was tighter; this resulted in a trial date 9½ months distant (in May 2006), near the edge of the scheduling envelope.

So with all sympathy to counsel's illness, even after accounting for the three week delay, there still is sufficient time under the current schedule for all the parties to meet their deadlines. The only possible exceptions are the liability expert disclosure deadlines: therefore, I am moving plaintiff's deadline to December 9, 2005 and defendants' deadline to January 20, 2006. Although not necessary, I will move the summary judgment motion filing deadline one week to January 27, 2006. All other dates set in the preliminary pretrial conference order remain in effect.

Entered this 15th day of November, 2005.

BY THE COURT:
/s/
STEPHEN L. CROCKER
Magistrate Judge