

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

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THOMAS W. REIMANN,

Plaintiff,

v.

DAVID ROCK, ELIZABETH TEGELS,  
CATHERINE FARREY, JOHN PAQUIN,  
and NANCY TIERNEY,

Defendants.  
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ORDER

05-C-501-C

In an order entered in this case on October 18, 2006, I granted plaintiff's request for issuance of a writ of habeas corpus ad testificandum for inmate William Grunwald on the condition that, no later than October 30, 2006, plaintiff would file an affidavit in which he avers when and where inmate Grunwald told plaintiff that he was willing to testify voluntarily at plaintiff's trial. Now plaintiff has submitted a supplemental affidavit in which he avers that while he was an inmate at the Stanley Correctional Institution, he worked out and ate with inmate Grunwald on a daily basis for nine months to a year and that during this time, inmate Grunwald told plaintiff numerous times that he would testify voluntarily about the August 3, 2005 incident at issue in this case. Although plaintiff cannot pinpoint a

specific date on which Grunwald agreed to be a witness for him, I accept plaintiff's representation of Grunwald's willingness to appear without a subpoena at the November 13, 2006 trial of this case. Therefore, the clerk of court will be directed to issue a writ of habeas corpus ad testificandum for William Grunwald's appearance as a witness at plaintiff's trial. Grunwald's current place of confinement is the Stanley Correctional Institution in Stanley, Wisconsin.

As the trial date approaches, one further matter warrants comment. The court's exhibit procedures require that the parties label all exhibits to be offered at trial and that on the day of trial, each party provide the court with an exhibit list *and a copy of each exhibit that may be offered for the judge's use*. It is too often the case that a pro se plaintiff is unprepared to provide a copy of his exhibits to the judge. Both parties are requested to insure that they are prepared to provide the judge with a copy of their intended exhibits. For the parties' convenience, I am enclosing a form on which to list their exhibits, along with exhibit stickers for their use. Plaintiff is reminded to use exhibit numbers beginning with the number 1 and defendant is to use exhibit numbers beginning with the number 501. In addition, it would be helpful to the court if, before the start of the final pretrial conference, plaintiff and defense counsel would exchange their exhibits and exhibit lists and stipulate to the admissibility of as many of the opposing party's exhibits as they can so as to speed the conduct of trial. Stipulations may be noted on the copy of the parties' lists that will be

provided to the judge.

ORDER

IT IS ORDERED that the clerk of court issue a writ of habeas corpus ad testificandum directed to the warden of the Stanley Correctional Institution in Stanley, Wisconsin, to allow William Grunwald's appearance as a witness at plaintiff's trial on November 13, 2006.

Entered this 1st day of November, 2006.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge