

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

JOSHUA J. SAYKALLY,

Plaintiff,

v.

ORDER

06-C-195-C

JOHN R. BRANDT, JUSTIN T. HARKINS,
LUCUS J. FICK, NATE L. ANDERSON,
BRADY E. LAWRENCE, TRICARE,
DEPARTMENT OF THE ARMY, and
STATE FARM INSURANCE COMPANIES,

Defendants.

On January 3, 2007, this court held a telephonic status conference. Plaintiff was represented by Attorney Paul R. Hoefle. Defendant John Brandt was represented by Attorney James R. Johnson. Defendant Justin T. Harkins was represented by Attorney Drew J. Cochrane. Defendant Lucus J. Fick was represented by Attorney Rick J. Mundt. Defendant Tricare was represented by Assistant United States Attorney Richard D. Humphrey. Defendant State Farm was represented by Attorney Thomas A. Gilligan, Jr. Defendant Great Northwest was represented by Attorney Thomas Goss. Defendants Nate L. Anderson and Brady E. Lawrence, who are not represented by counsel, did not participate in this telephonic conference.

Plaintiff, by counsel, explained that he has settled this lawsuit with every defendant who was appearing for the conference. The holdup in providing dismissal papers to the court

was that plaintiff was waiting for final payments to be made by some of the defendants. For instance, defendant Harkins has agreed to include his payments to plaintiff not later than January 31, 2007. To assuage the court's concerns, I directed plaintiff to file his dismissal papers for all of these defendants, including papers for Harkins, indicating that the settlement would vest by January 31, 2007. This should dispose of the case for all represented defendants.

This leaves the *pro se* defendants, Anderson and Lawrence. Lawrence has filed a motion for dismissal from the trial (dkt. 42) that doesn't raise any cognizable grounds to grant the requested relief. Plaintiff may have until January 12, 2007 within which to file a response if he wishes, with a reply due from Lawrence by January 22, 2007.

We have an April 30, 2007 trial date, preceded by an April 26, 2007 final pretrial conference set for 4:00 p.m. A party may appear telephonically for the final pretrial conference if he makes arrangements with the court not later than seven calendar days before the hearing. The defendants are required to participate in the final pretrial conference; failure to do so likely will result in a default judgment in favor of plaintiff against the nonparticipating defendant.

Entered this 4th day of January, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge