

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

DENNIS J. SHESKEY,

Plaintiff,

v.

MADISON METROPOLITAN SCHOOL
DISTRICT (MMSD),

Defendant.

ORDER

06-C-0764-C

The parties are currently briefing cross motions for summary judgment. Although plaintiff was the first to file his summary judgment motion, he now says he needs more time to respond to defendant's motion in a document called "Motion for an expedited Stay of Proceedings or an extension for filing his brief in opposition to MMSD's motion for Summary Judgement." Plaintiff does not say how much time he needs, so I presume he seeks an indefinite stay of the case until he determines that he is ready to proceed. Currently, plaintiff's reply brief in support of his own motion is due July 23; his response to defendant's motion is due August 13.

As grounds for his motion, plaintiff points out that he is proceeding without counsel.

This does not get plaintiff very far because extra time is already built into the summary judgment briefing schedules when one of the parties does not have a lawyer. In addition, plaintiff devotes much of the motion to arguing that defendant's motion for summary judgment is a weak one, but if that is true, it should make it easier, not harder, for plaintiff to respond.

Finally, plaintiff says that when defendant filed its opposition to his summary judgment motion, it combined that filing with its own motion for summary judgment. As a result plaintiff says he must now work on his reply and his response simultaneously. Of course, that is a risk that plaintiff took when he filed his own motion for summary judgment. And presumably, plaintiff already had gathered all the evidence he believed he needed to prevail at that time, which should have simplified the process of preparing a response.

Nevertheless, there is some wiggle room in the schedule for a short extension. To prevent any perceived unfairness, I will push back plaintiff's due date for his brief in opposition to defendant's motion for summary judgment so that he has a full 30 days to prepare it after his reply to his motion is due. Accordingly, IT IS ORDERED that plaintiff may have until August 23, 2007, in which to file a response to defendant's motion for summary judgment. Defendant may have until September 3, 2007, in which to file a reply.

All other deadlines remain unchanged.

Entered this 19th day of July, 2007.

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