

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

JEAN McCARTER and
MARJORIE CZECHHOWICZ, individually
and on behalf of all persons similarly situated,

Plaintiffs,

v.

RETIREMENT PLAN FOR THE DISTRICT MANAGERS
OF THE AMERICAN FAMILY INSURANCE GROUP,
RETIREMENT PLAN FOR EMPLOYEES OF AMERICAN
FAMILY INSURANCE GROUP and
AMERICAN FAMILY MUTUAL INSURANCE
COMPANY,

Defendants.

ORDER

07-C-206-C

Defendants have moved to strike plaintiffs' jury demand in this ERISA case. *See* dkt. 16-17. Plaintiffs acknowledge that circuit law does not permit a jury in this case but oppose defendants motion in order to preserve the issue for appeal. *See* dkt. 19. Duly noted. Defendants motion is granted. This case will be tried to the court.

Entered this 31st day of May, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge