

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

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JUAN M. MENDEZ,

Plaintiff,

v.

WISCONSIN GRAIN PRODUCERS LLC,

Defendant.

ORDER

08-cv-371-slc

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On March 18, 2009, this court held a recorded telephonic hearing on plaintiff's motion to quash the Rule 45 subpoena. *See* Dkt. 10. Both sides were represented by counsel.

For reasons stated in more detail at the hearing, I denied the motion. First, based on the information presented to the court, it appears that the requested personnel file may contain discoverable information. Second, to the extent that sensitive information is contained in the personnel file, its confidentiality can be protected, and plaintiff has the right to file an *in limine* motion limiting or forbidding its admission at trial. Finally, defendant reported that it will not be seeking plaintiff's personnel files from any other previous or present employer.

In closing, I repeat my direction to the attorneys: step back, calm down, re-approach discovery and trial preparation in this case, in a professional, courteous and efficient manner. Failure so to proceed is a disservice to the clients and will have ramifications with the court.

Entered this 25<sup>th</sup> day of March, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge