

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

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UNITED STATES OF AMERICA,

Plaintiff,

SCHEDULING ORDER

v.

08-po-1008-slc

BRIAN D. TERRELL,  
MERVIN E. STOLTZFUS,  
CEYLON B. MOONEY,  
JEFFREY A. LEYS,  
KATHLEEN F. KELLY,  
EILEEN C. HANSON,  
ALICE E. GERARD,  
JOY A. FIRST,  
RENEE L. ESPELAND,  
KRYSTAL D. CHUPP,  
LAUREN C. CANNON,  
JOSHUA D. BROLLIER and  
JOHN C. BACHMAN,

Defendants.

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At the November 18, 2008 telephonic scheduling conference, this court set the following schedule:

1) The government must provide its required disclosures not later than November 25, 2008.

2) Defendants must file and serve any pretrial motions and discovery requests not later than December 16, 2008. Briefs and any other supporting documents must accompany the motions. If a defendant wants an evidentiary hearing on a motion, then he or she must ask for it in the caption of each such motion and must provide a nonconjectural factual basis establishing a prima facie entitlement to the relief requested. *See United States v. Toro*, 359 F.3d 879, 885 (7<sup>th</sup> Cir. 2004).

3) Trial to the court shall begin January 12, 2009 at 1:00 p.m. All of the defendants requested that they be tried jointly. I anticipate that we will use procedures similar to those employed at previous trials involving trespassing by ideologically motivated defendants. Specifically, notwithstanding the fact that trespass is a general intent crime, each defendant may have up to five minutes, if he or she wishes, to explain his/her motivation for engaging in the charged conduct.

Entered this 18<sup>th</sup> day of November, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge