

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

JAMES R. SCHULTZ,

Plaintiff,

v.

ERIC JOHNSON, *et al.*,

Defendants.

MEMORANDUM

10-cv-581-bbc

In an October 4, 2011 order, I denied plaintiff James Schultz's motion for reconsideration of the portion of the court's September 14, 2011 order denying his motions to supplement discovery and extend the briefing deadlines on defendants' motion for summary judgment. In addition, I set new deadlines for briefing defendants' summary judgment motion. Now defendants have filed a letter observing that plaintiff already had filed his materials in opposition to their motion for summary judgment by the time he filed his motion for reconsideration of the September 14, 2011 order, and stating their intent to file their reply by the previously-set October 11, 2011 deadline set by the court, unless it was the court's intention to extend the briefing schedule in order to give plaintiff a chance to submit further opposition materials.

Because plaintiff's opposition materials crossed in the mail with the September 14, 2011 order, and plaintiff was continuing to fight discovery battles up to the entry of the October 4, 2011 order, it is appropriate to use the extended deadlines so that plaintiff at least has a chance to present all of his evidence now that he has received the court's ruling on his discovery motions. If plaintiff wishes to supplement his brief or proposed findings of fact in response to defendants' proposed findings or file his own proposed findings, he must do so by October 18, 2011, with any reply due by November 1, 2011.

Entered this 6th day of October, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge