

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

MICHAEL B. KINGSLEY,

Plaintiff,

v.

LISA JOSVAI, PATRICIA FISH,
ROBERT CONROY, STAN HENDRICKSON,
FRITZ DEGNER and KARL BLANTON,

Defendants.

ORDER

10-cv-832-bbc

In this civil action plaintiff Michael B. Kingsley is proceeding on claims that he was subjected to the use of excessive force and was denied his procedural due process rights as a pretrial detainee. Plaintiff has disclosed Dr. Aaron Butler as an expert witness in this case. Defendants Lisa Josvai, Patricia Fish, Robert Conroy, Stan Hendrickson, Fritz Degner and Karl Blanton have filed a motion to strike plaintiff's expert witness disclosure or, in the alternative, grant defendants an extension of time in which to disclose their own expert witness. Dkt. ##59, 60. Defendants explain that they have had several delays in obtaining Dr. Butler's treatment records regarding plaintiff and that plaintiff has failed to provide any specific information about Butler's opinions. Plaintiff has responded with his own motion

to “strike defendants from disclosing an expert witness.” Dkt. #65.

I will deny the motions to strike filed by defendants and plaintiff and grant defendants’ motion for an extension of time in which to disclose their own expert witness and obtain information regarding Dr. Butler’s opinions and treatment of plaintiff. Because the trial in this case is not scheduled until April 2012, plaintiff will suffer no prejudice from the extension.

ORDER

IT IS ORDERED that

1. The motions to strike plaintiff’s expert witness or in the alternative, to grant a motion for extension of time, dkt. #59 and #60, filed by defendants Lisa Josvai, Patricia Fish, Robert Conroy, Stan Hendrickson, Fritz Degner and Karl Blanton are GRANTED IN PART AND DENIED IN PART. The motions to strike are DENIED and the motions for an extension of time are GRANTED. Defendants may have until December 16, 2011 to file their expert witness disclosures.

2. Plaintiff Michael Kingsley’s motion to STRIKE, dkt. #65, is DENIED.

Entered this 24th day of October, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge