

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID BIENFANG and
HAL D. MULFORD,

Defendants.

PRETRIAL MOTION
HEARING ORDER

10-cr-130-wmc

On September 16, 2010, this court held a pretrial motion and evidentiary hearing. Defendant David A. Bienfang was present with his attorney, Patrick Stangl. Defendant Hal D. Mulford was present with his attorney, Mark Maciolek. The government was represented by Assistant United States Attorney Robert Anderson.

Prior to the hearing, Bienfang filed discovery demands and motions, along with motions to dismiss the indictment and to suppress evidence. After taking a discovery proffer from the government and holding an evidentiary hearing, I granted the motions docketed as 44 and 47, denied 39-43, 46, 48 and 52, took no action on the demands docketed as 36-38, and set for briefing the dismissal and suppression motions (dks. 49-50). Bienfang must file his brief in support of the remaining motions not later than October 4, 2010, with the government response due October 12, 2010, and any reply due by October 18, 2010.

Defendant Mulford filed no pretrial motions. Attorney Maciolek confirmed that this was a tactical decision he made in consultation with his client after adequate review of the government's disclosures and adequate investigation of the case.

The parties had no other matters to bring to the court's attention. Because it is not yet clear whether this case will be resolved short of trial, I will wait to provide draft voir dire and jury instructions closer to the submission deadline for the final pretrial conference.

Entered this 24th day of September, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge