

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

AMY J. WALTERS,

Plaintiff,

OPINION AND ORDER

v.

12-cv-804-wmc

MAYO CLINIC HEALTH SYSTEM-
EAU CLAIRE HOSPITAL, INC.,

Defendant.

Before the court is defendant Mayo Clinic Health System - Eau Claire Hospital, Inc.'s motion to change trial venue from Madison to Eau Claire, Wisconsin, which will be denied. (Dkt. #11.)

Where there is a reasonable locus of witnesses and/or counsel in Northern Wisconsin, this court's general practice is to grant joint requests for trial in Eau Claire. In this case, however, the parties are not in agreement. Indeed, plaintiff maintains that it would be psychologically difficult for her to participate in a trial in her home town of Eau Claire, Wisconsin. (Aff. of Amy Walters (dkt. ##18, 23) ¶ 10.) This opinion is supported by her former psychological treatment provider, Dr. Jay Collier. (Aff. of Dr. Collier (dkt. ##17, 22) ¶ 8.) The court has no basis to discount Dr. Collier's, or for that matter plaintiff's, assertion of the heightened psychological impact of a trial proceeding in Eau Claire. On the contrary, Dr. Collier's and plaintiff's opinions are supported by specific examples of past episodes of trauma and medical diagnoses, which defendant could have easily disputed if untrue.

The court is sympathetic to defendant's desire to avoid the necessity of several witnesses having to travel from Eau Claire to Madison, but this is off-set by the expenses defendant will no doubt have to incur for travel and accommodations of their attorneys, who are after all based here in Madison. (Not to mention the travel and accommodation expenses the court would have to incur if the trial were to take place in Eau Claire.) In addition, the court is skeptical that all witnesses listed by defendant will be required to testify live at trial, particularly given this court's practice of allowing and accommodating live video testimony, video deposition excerpts and narrative summaries.

Accordingly,

ORDER

IT IS ORDERED that defendant Mayo Clinic Health System - Eau Claire Hospital, Inc.'s motion to change trial venue from Madison, Wisconsin to Eau Claire, Wisconsin (dkt. #11), is DENIED.

Entered this 6th day of March, 2013.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge