

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA, and THE STATE OF WISCONSIN,  
ex rel. DR. TOBY TYLER WATSON,

Plaintiffs,

v.

Case No. 11-CV-236-JPS

JENNIFER KING VASSEL,

Defendant.

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**CIVIL L.R. 7(h) EXPEDITED NON-DISPOSITIVE**  
**MOTION BY RELATOR WATSON TO RESET TWO**  
**DISCOVERY DEADLINES**

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*Relator* Dr. Toby Tyler Watson hereby submits a Civil L.R. 7(h) expedited non-dispositive motion for an order to reset two discovery deadlines set forth in this Court's original Scheduling Order, Docket No. 24. The Scheduling Order (1) set August 13, 2012, as the deadline for defendants to name their expert witnesses and (2) set November 9, 2012, which was 39 days before the December 18, 2012, trial date as the date discovery shall be completed. Defendant, King-Vassel moved at Docket No. 32 to extend the deadline for naming her expert witnesses until 30 days after this Court issued its decision on her motion for summary judgment.

At Docket No. 59, this Court granted Defendant King-Vassel's motion for summary judgment, which effectively terminated discovery early, and at footnote 2 denied for mootness King-Vassel's motion to extend the deadline for her to name her experts. On August 28, 2013, the United States Court of Appeals for the Seventh Circuit remanded this case. On September 11, 2013, this Court set December 9, 2013, as the new trial date.

In light of this, Dr. Watson respectfully requests that (a) Dr. King-Vassel's deadline for naming her experts be extended to September 27, 2013, which is 30 days after the Seventh Circuit remand, and (b) the date discovery shall be completed be reset to October 31, 2013, which is 39 days before the reset trial date, the same as in the original Scheduling Order, Docket No. 24.<sup>1</sup>

Dated this 12th day of September, 2013.

LAW PROJECT FOR PSYCHIATRIC  
RIGHTS, INC.

s/ James B. Gottstein  
James B. Gottstein (Alaska Bar # 7811100)  
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<sup>1</sup> While a Civil L.R. 37 Certification is not required for this motion because it is not to compel disclosure or discovery, the undersigned did confer with counsel for Dr. King-Vassel about this motion. In light of the quick deadlines in yesterday's Trial Scheduling Order, Docket No. 100, it was agreed that Dr. Watson would file this motion and Dr. King-Vassel would respond. It is believed Dr. King-Vassel agrees there should be an extension of the discovery deadlines, but may suggest something different than requested here.

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Case No. 11-CV-236-JPS

**ORDER**

This Court's Scheduling Order, Docket # 24 (1) set August 13, 2012, as the deadline for defendants to name their expert witnesses and (2) set November 9, 2012, as the date discovery shall be completed. Defendant, King-Vassel moved at Docket # 32 to extend the deadline for naming her expert witnesses until 30 days after this Court issued its decision on her motion for summary judgment.

At Docket # 59, this Court granted Defendant King-Vassel's motion for summary judgment, which effectively terminated discovery early, and at footnote 2 denied for mootness King-Vassel's motion to extend the deadline for her to name her experts. On August 28, 2013, the United States Court of Appeals for the Seventh Circuit remanded this case. On September 11, 2013, at Docket # 100, this Court set December 9, 2013, as the new trial date.

In light of the foregoing, at Docket # \_\_\_\_\_, *relator*, Dr. Toby Watson, moved to (a) reset the deadline for defendant to name her expert(s), if any to September 27, 2013, which is 30 days after the Seventh Circuit remand, and (b) to reset the date discovery shall be completed to October 31, 2012, which is the same amount of time (39 days) before the original trial date

as the current trial date.

Accordingly,

**IT IS ORDERED** that *relator's* motion to reset discovery at Docket # \_\_\_\_\_ is hereby  
**GRANTED.**

**IT IS FURTHER ORDERED**, that:

- (a) Dr. King-Vassel's deadline for naming her experts is extended to September 27,  
2013, and
- (b) the date discovery shall be completed is reset to October 31, 2013.

Dated at Milwaukee, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_.

BY THE COURT:

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J.P. Stadtmueller  
U.S. District Judge