

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

NR DOE, MR DOE,
AR DOE,

Plaintiffs,

v.

Case No. 09-C-0545

ST. FRANCIS SCHOOL DISTRICT,
and KELLY SWEET,

Defendants.

v.

COMMUNITY INSURANCE CORPORATION,

Intervenor Defendant.

DECISION AND ORDER
GRANTING DEFENDANT ST. FRANCIS SCHOOL DISTRICT'S AND INTERVENOR-
DEFENDANT COMMUNITY INSURANCE CORPORATION'S MOTIONS FOR
SUMMARY JUDGMENT (DOCS. 63, 68), AND SETTING STATUS CONFERENCE

This case arises out of a civil suit related to the sexual assault of plaintiff, a minor student, by defendant Kelly Sweet, a teacher formerly employed by defendant St. Francis School District. After Community Insurance Corporation ("CIC") intervened, Sweet cross-claimed CIC for indemnification. The court previously dismissed claims two and four against all defendants pursuant to a stipulation, and claim seven against CIC only. Currently pending are two motions for summary judgment filed by St. Francis School District and CIC for (1) the plaintiffs' remaining claims against St. Francis and CIC, and (2) the Sweet indemnification cross-claim against CIC. For the reasons set forth in an memorandum of law to be issued forthwith, the motions for summary judgment will be granted and the court will set a status conference. Now, therefore,

IT IS ORDERED that St. Francis School District's motion for summary judgment against plaintiffs' claims three (Title IX) and five (negligent infliction of emotional distress) is granted. (Doc. 68.)

IT IS FURTHER ORDERED that Community Insurance Corporation's motion for summary judgment against Kelly Sweet's cross-claim is granted. (Doc. 63.)

IT IS FURTHER ORDERED that a status conference is set for November 10, 2011, at 3:30 p.m. in Courtroom 222.

Dated at Milwaukee, Wisconsin, this 30th day of September, 2011.

BY THE COURT

/s/ C. N. Clevert, Jr.

C. N. CLEVERT, JR.

CHIEF U. S. DISTRICT JUDGE