

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**In re Archdiocese of Milwaukee,**

Debtor.

**Bankruptcy Case No. 11-20059-SVK**

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**ARCHDIOCESE OF MILWAUKEE,**

Plaintiff,

**Adv. Proc. No. 14-02031-SVK**

**-vs-**

**Case No. 14-C-264**

**ONEBEACON INSURANCE COMPANY,**

Defendant.

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**DECISION AND ORDER**

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This matter comes before the Court on the Archdiocese of Milwaukee’s motion to compel the defendant, OneBeacon Insurance Company, to engage in mediation. As a general rule, parties cannot and should not be forced to engage in non-binding mediation. *In re African-Am. Slave Descendants’ Litigation*, 272 F. Supp. 2d 755 (N.D. Ill. 2003). If OneBeacon is unwilling to participate in mediation, there is good reason to believe that such an effort would be a waste of time and money. *Id.* at 760 (“When mediation is forced upon unwilling litigants, it stands to reason that the likelihood of settlement is diminished. Requiring parties to invest substantial amounts of time and money in mediation under such circumstances may well be inefficient”) (quoting *In re Atlantic Pipe Corp.*, 304 F.3d 135, 144 (1st Cir. 2002)).

The Archdiocese's motion to compel alternative dispute resolution [ECF No. 9] is **DENIED**.

Dated at Milwaukee, Wisconsin, this 7th day of August, 2014.

**BY THE COURT:**

  
**HON. RUDOLPH T. RANDA**  
**U.S. District Judge**