

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

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**CYNTHIA ARCHER,**

**Plaintiff,**

**v.**

**Case No. 15-cv-0922**

**JOHN CHISHOLM et al.,**

**Defendants.**

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**ORDER**

On July 1, 2015, plaintiff filed the complaint in this action in Milwaukee County Circuit Court alleging various civil rights violations pursuant to 42 U.S.C. § 1983. On July 30, defendants, Milwaukee County prosecutors and investigators, removed the case to federal court. Defendants filed answers, and the prosecutor defendants filed numerous motions, including a motion for judgment on the pleadings and motions to stay. In response, plaintiff filed an amended complaint, and the prosecutor and investigator defendants filed renewed motions to dismiss and to stay. These renewed motions are fully briefed, and plaintiff has requested oral argument.

In November, defendants also filed a motion for order of preservation of evidence, but they were required to file a renewed motion for order of preservation of evidence in December following a Wisconsin Supreme Court order. That renewed motion is now fully briefed.

As noted above, numerous motions filed in this case have been mooted by the filing of amended motions. I will deny prosecutor defendants' original motion for judgment on the pleadings, motion to stay discovery, and motion to stay the 26(f) conference and initial disclosures because they have been mooted by the filing of an amended complaint and

defendants' renewed motions. I will also deny defendants' original motion for order of preservation because it has been mooted by the filing of defendants' renewed motion on that issue.

I will also schedule a telephonic status conference with the parties. The purpose of the conference will be to discuss the pending motions.

**THEREFORE, IT IS ORDERED** that defendants' motion for judgment on the pleadings (ECF No. 8), motion to stay discovery (ECF No. 10), motion to stay 26(f) conference and initial disclosures (ECF No. 12), and motion for order of preservation (ECF No. 38) are **DENIED** as **MOOT**.

**IT IS FURTHER ORDERED** that a telephonic status conference is scheduled for **March 3, 2016 at 11:45 a.m. CST**. The court will initiate the call. Counsel should call 414/297-1285 to provide contact information.

Dated at Milwaukee, Wisconsin, this 18th day of February, 2016.

s/ Lynn Adelman

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LYNN ADELMAN  
District Judge