

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

CHARLES COLLINS, TRACY ADAMS, *on
behalf of her minor child, D.A.*, CALEB
ROBERTS, STEPHEN JANSEN,
GREGORY CHAMBERS ALICIA
SILVESTRE, JERIMIAH OLIVAR, DAVID
CROWLEY, and JEREMY BROWN,

Plaintiffs,

v.

CITY OF MILWAUKEE, MILWAUKEE
FIRE AND POLICE COMMISSION, and
CHIEF EDWARD FLYNN, *in his official
capacity as the Chief of the Milwaukee Police
Department,*

Defendants.

Case No. 17-CV-234-JPS

ORDER

On July 18, 2017, Defendants filed an expedited motion for a protective order. (Docket #24). Defendants seek the Court's permission to destroy some of the Milwaukee Police Department's ("MPD") Mobile Digital Video/Audio Recordings of traffic stops, known colloquially as "dash-cam video," which they have been retaining since the start of this litigation. Normally, dash-cam video is maintained for 120 days per MPD policy. However, Defendants have been preserving the video beyond that period in light of the present suit.

Defendants request that the Court relieve them of their duty to preserve the video beyond the standard 120-day period. They contend that the video is of limited relevance and that they will imminently run out of

virtual storage space for the video, necessitating the purchase of additional storage space. Plaintiffs oppose the motion, arguing that the dash-cam video is highly relevant to their claims and that Defendants have sufficient resources to absorb the cost of additional storage space. The parties have been unsuccessful in negotiating production of a sample of the video for Plaintiffs' review.

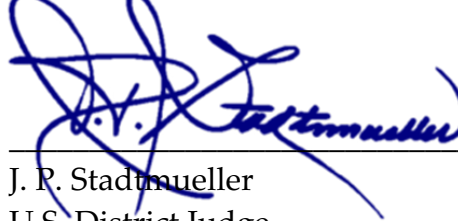
In light of the parties' competing views as to the relevance of the video, the burden of maintaining it, and the stalled progress of negotiations on the matter, the Court finds that the wiser exercise of discretion is to refer this motion to Magistrate Judge David E. Jones, the assigned magistrate, for disposition. *See* 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); Gen. L. R. 72(b)(2)(S) (E.D. Wis.). Magistrate Jones may conduct conferences or request further submissions from counsel as may be necessary to address the parties' positions. Until such time as Magistrate Jones issues his ruling, Defendants shall continue to preserve all dash-cam video as they have been prior to the filing of their motion.

Accordingly,

IT IS ORDERED that Defendants' motion for protective order (Docket #24) be and the same is hereby **REFERRED** to Magistrate Judge David E. Jones for disposition.

Dated at Milwaukee, Wisconsin, this 24th day of July, 2017.

BY THE COURT:



J. P. Stadmueller
U.S. District Judge