

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY

Plaintiff,

v.

Case No. 17-cv-633-pp

UNITED STATES OF AMERICA
and BRADLEY STROHBUSCH,

Defendants.

ORDER GRANTING MOTION TO SUBSTITUTE PARTY (DKT. NO. 9)

On July 7, 2017, defendant United States of America moved, under 28 U.S.C. §2679, to substitute the United States of America for individual defendant Bradley Strohmusch, leaving the United States as the lone defendant. Dkt. No. 9. In support of the motion, the United States Attorney, acting under the authority delegated by the Attorney General under 28 C.F.R. §15.4, certified that at all relevant times, Bradley Strohmusch was an employee of the United States Postal Service acting within the scope of his employment with respect to the incidents referred to in the complaint. Id.

Title 28 United States Code Section 2679(d)(1) provides:

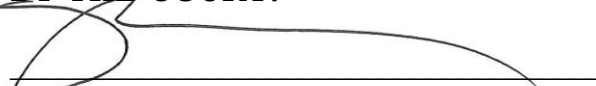
Upon certification by the Attorney General that the defendant employee was acting within the scope of his office or employment at the time of the incident out of which the claim arose, any civil action or proceeding commenced upon such claim in a United States district court shall be deemed an action against the United States under the provisions of

this title and all references thereto, and the United States shall be substituted as the party defendant.

Because the United States Attorney has certified that Bradley Strohbusch was an employee of the United States during the period relevant to the complaint, the court **GRANTS** the motion to substitute party under 28 U.S.C. §2679(d)(1). Dkt. No. 9. The court **ORDERS** that the United States of America is substituted for defendant Bradley Strohbusch, making the United States the sole defendant in the case.

Dated in Milwaukee, Wisconsin this 11th day of July, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', is written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge