

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JOVAN WILLIAMS,

Plaintiff,

v.

Case No. 19-cv-1699-bhl

KRISTIN J. JENSEN, et al.,

Defendants.

DECISION AND ORDER

On January 4, 2021, Defendant Susan Peters moved for summary judgment on exhaustion grounds. Plaintiff Jovan Williams responded about a week later, and, on January 25, 2021, Peters filed a reply. Shortly thereafter, on February 1, 2021, Williams moved to file a sur-reply. Sur-replies are disfavored as they are not contemplated by the Federal Rules of Civil Procedure or this district's Local Rules. Williams does not state why he wants to file a sur-reply, and the Court sees no reason why one is necessary. Peters does not appear to raise new arguments in her reply; she merely repeats the arguments in her opening brief and responds to the arguments Williams raises in his response. Further, Williams did not comply with Civil L.R. 7(i), which requires that a party seeking leave to file a document not contemplated by the rules include the proposed document as an attachment to its motion seeking leave to file the document. Williams did not file a proposed sur-reply along with his motion. For these reasons, the Court will deny Williams' motion for leave to file a sur-reply.

Finally, discovery closed on February 1, 2021. The next day, State Defendants moved to stay the deadline for filing dispositive motions on the merits, which is currently set for March

3, 2021. State Defendants, who have also moved for partial summary judgment on exhaustion grounds, request that, to conserve litigation resources, the Court stay the deadline to file dispositive motions on the merits pending resolution of the motions for summary judgment on exhaustion grounds. The Court will grant the motion.

IT IS THEREFORE ORDERED that Williams' motion to file a sur-reply (Dkt. No. 56) is **DENIED**.

IT IS FURTHER ORDERED that State Defendants' motion to stay the deadline for filing summary judgment on the merits (Dkt. No. 58) is **GRANTED**. The Court **ORDERS** that the deadline for filing summary judgment on the merits is **STAYED**. The Court will set a new deadline after Defendants' motions for summary judgment on exhaustion grounds are resolved.

Dated at Milwaukee, Wisconsin this 3rd day of February, 2021.

BY THE COURT:

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge