

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

-----  
FIRST BUSINESS CAPITAL CORP.,

Plaintiff,

v.

JOHN H. SCHLEGEL,

Defendant.

ORDER

12-cv-727-bbc

-----  
In an order dated May 23, 2014, I granted defendant John Schlegel’s request to file an amended summary judgment brief and proposed findings of fact. Dkt. #37. When I drafted the order, plaintiff First Business Capital Corp. had not filed a response to defendant’s motion, so I treated the motion as unopposed. However, around the same time that the order was docketed, plaintiff filed an opposition brief. Now plaintiff has filed a motion for reconsideration of the May 23 order for the same reasons stated in its opposition brief. Dkt. #38.

I am denying plaintiff’s motion because I see no unfair prejudice to plaintiff in allowing defendant to supplement his filings. Further, plaintiff still does not deny defendant’s allegations that plaintiff failed to provide documents that were responsive to defendant’s discovery requests, which is part of defendant’s reason for asking to amend his filings. To the extent that plaintiff has objections to the content of defendant’s proposed

findings of fact, plaintiff is free to raise those in its amended reply materials.

ORDER

IT IS ORDERED that plaintiff First Business Capital Corp.'s motion for reconsideration, dkt. #38, is DENIED.

Entered this 28th day of May, 2014.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge