

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

ESTATE OF A.K.W.N. and
TINA MARIE ARZT,

Plaintiffs,

ORDER

12-cv-871-bbc

v.

WOOD COUNTY DEPARTMENT OF HUMAN SERVICES,
JENNY DELO, KELLY BRAGG, CRAIG RASMUSSEN and
WISCONSIN COUNTY MUTUAL INSURANCE CORP.,

Defendants.

Plaintiffs Estate of A.K.W.N. and Tina Marie Arzt are suing a municipality, its insurer and three municipal employees under 42 U.S.C. § 1983 and state law for failing to prevent A.K.W.N., a juvenile, from committing suicide. Defendants have filed a motion for summary judgment in which they argue that they are entitled to absolute immunity and discretionary immunity on plaintiffs' claims. In response, plaintiffs raised a number of arguments about the scope of their claims that defendants did not anticipate in their opening brief. Although defendants discussed these issues in their reply brief, plaintiff has not had an opportunity to respond. Accordingly, I will allow plaintiff to file a surreply brief to address any arguments that defendants raised for the first time in their reply brief.

On another matter, the parties were notified of a status conference in this case to take place on December 18, 2013. That letter was sent in error and should be disregarded. There

will be no status conference on the 18th.

ORDER

IT IS ORDERED that plaintiffs Estate of A.K.W.N. and Tina Marie Arzt may have until December 20, 2013, to file a surreply brief in opposition to defendants' motion for summary judgment.

Entered this 9th day of December, 2013.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge