

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

BEATRICE BOYER, *et al.*,

Plaintiffs,

v.

BNSF RAILWAY COMPANY,

Defendant.

PRELIMINARY
SCHEDULING ORDER

14-cv-260-slc

At the May 21, 2014 telephonic preliminary pretrial conference, defendant reported that it had not and would not consent to the magistrate judge presiding over this lawsuit, which was transferred here from the Eastern District of Arkansas. Defendant contends that this case should be assigned to District Judge Barbara B. Crabb because she was the presiding judge in *Irish v. Burlington Northern Santa Fe Railway*, 08-cv-469-bbc, which defendant contends not only is related to this case, but *is* this case, repackaged. Plaintiffs disagree.

Defendant must file its motion to assign this case to Judge Crabb (along with all support) as soon as possible, but not later than May 30, 2014. Plaintiffs must file their response not later than June 13, 2014, with defendant's reply due by June 27, 2014. The court will decide this motion separately from the other pending motions. Once the court has determined which district judge will preside over this case, the clerk is to set another telephonic scheduling conference so that we can set a trial date as a placeholder.

As for the pending motions, not later than June 13, 2014 plaintiffs must file their complete response(s) to defendant's pending motion to dismiss (dkt. 34) and motion to impose Rule 11 sanctions (dkt. 36), with defendant's replies due not by June 27, 2014.

Entered this 21st day of May, 2014.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge