

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

JEFFREY D. LEISER,

Plaintiff,

v.

DR. JOAN HANNULA, TRACY BRUNNER,
PATTY HAZUGA, AND TRICIA THACKER,

Defendants.

ORDER

15-cv-328-slc

The court held the final pretrial conference in this matter on October 2, 2020.

Consistent with my rulings during the hearing:

- The clerk of court is directed to provide Leiser two additional copies of the court's September 30, 2020, order (dkt. 182), and this order, so that Leiser can forward both orders to potential witnesses Gorichs and LeGrave, so they can ask their probation officers to travel to the courthouse to testify on **October 14, 2020**. If Gorichs' and/or LeGrave's probation officers indicate that a subpoena will be necessary for them to grant their request to travel to the courthouse, Leiser should inform the court as soon as possible to give the court sufficient time to issue the subpoenas.
- The court GRANTS Leiser's request for subpoenas for witnesses Rebecca Bergman and Jeff Chmelik, to testify at trial on **October 14, 2020**.¹ The clerk of court is directed to prepare subpoenas for these two witnesses and forward this order and the subpoenas to the United States Marshals Service for service on Bergman and Chmelik. Leiser indicated during the hearing that he understands he will be

¹ Given the uncertainty surrounding the timing of the trial, this date may change.

responsible for paying the service fee.

- Leiser also mentioned Patrick Lynch as a potential witness. Lynch was not included in Leiser's witness list, but Leiser identifies Lynch as a unit manager at Stanley Correctional Institution in 2013, who directed Bergman to call HSU on Leiser's behalf. Leiser believes Lynch may be incarcerated. Publicly available records indicate that a "Patrick G. Lynch" is incarcerated at Kettle Moraine Correctional Institution. See <https://appsdoc.wi.gov/lop/detail.do>. However, that individual appears to have been incarcerated consistently since 2013, so I doubt this is the same Patrick Lynch as the one working at Stanley. If Leiser wants to pursue this witness's testimony, by **October 5, 2020**, Leiser must file a motion for a subpoena, providing more information about Patrick Lynch, including his age, possible address or location and any other identifying information he may have. If the state employee defendants have this information, they should promptly turn it over to Leiser.
- By **October 7, 2020**, counsel for the state employees are directed to provide: (1) a record of any *affirmed* inmate complaints involving any of the defendants, including defendant Thacker, for the four years prior to 2013, and (2) any argument in opposition to the admission of such affirmed inmate complaints.
- Also by **October 7, 2020**, counsel for all defendants are directed to confer with their clients about whether any of them have been found liable in a lawsuit on an Eighth Amendment deliberate indifference claim, and inform the court of defendants' responses.
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- If defendant Thacker wishes to have Nurse Milas testify via videoconference, she must file a motion seeking that permission by **October 7, 2020**.

SO ORDERED.

Entered this 2nd day of October, 2020.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge