

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:16-cv-00830-bbc**

Williams, Patricia v. Wisconsin Department of Workforce
Development
Assigned to: District Judge Barbara B. Crabb
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 29:0794 Job Discrimination (Disability)

Date Filed: 12/13/2016
Jury Demand: None
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

Patricia Ann Williams
also known as
Patricia Williams

represented by **Patricia Ann Williams**
P.O. Box 259583
Madison, WI 53725
608-841-1369
PRO SE

V.

Defendant

**Wisconsin Department of Workforce
Development**

represented by **Katherine D. Spitz**
Wisconsin Department of Justice
17 W. Main Street
P.O. Box 7857
Madison, WI 53707-7857
608-266-1001
Fax: 608-267-8906
Email: spitzkd@doj.state.wi.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Raymond Allen
TERMINATED: 02/02/2017

Defendant

Delora Newton
TERMINATED: 02/02/2017

Defendant

Enid Glenn
TERMINATED: 02/02/2017

Defendant

Nicholas Lampone
TERMINATED: 02/02/2017

Defendant

Brian Hayes
TERMINATED: 02/02/2017

Date Filed	#	Docket Text
12/13/2016	<u>1</u>	COMPLAINT against defendants, filed by Patricia Ann Williams. (Case non-randomly assigned to District Judge Barbara B. Crabb.) (Attachments: # <u>1</u> Email exchange with Administrative Law Judge Peter McCombs,

		<p># <u>2</u> Individualized Plan for Employment (IPE), # <u>3</u> Email and letter from WI DWD Patrick Schultz, # <u>4</u> Email and letter from Tammy Baldwin's office, # <u>5</u> Email from U.S. Dept. of Labor Special Agent Abramson, # <u>6</u> IPE and DWD Informed Choice webpages, # <u>7</u> Letters from Cathy Steffke, Disability Rights Wisc., # <u>8</u> Patricia Williams resume, # <u>9</u> U.S. Dept. of Education policy directive re: implementation of Informed Choice, # <u>10</u> Client Assistance Program (CAP) webpage, # <u>11</u> Email, letter, webpage re: Marquette Law School, # <u>12</u> Email, letter, webpage re: UW Madison Law School, # <u>13</u> Law School Admission Counsel application webpages, # <u>14</u> Workforce Innovation and Opportunity Act final rules overview, # <u>15</u> 361.48 Scope of vocational rehabilitation services, # <u>16</u> Division of Vocational Rehabilitation (DVR) brochure, # <u>17</u> Pg. 5 of DVR Policy Manual, # <u>18</u> 361.5 Applicable definitions, # <u>19</u> Unmarked page excerpt re: DVR) (jef) (Attachment 3 replaced on 1/23/2017) (jef). (Entered: 12/14/2016)</p>
12/13/2016	<u>2</u>	Supplement to <u>1</u> Complaint, filed by Patricia Ann Williams (jef),(ps) (Entered: 12/14/2016)
12/13/2016	<u>3</u>	Motion for Leave to Proceed in forma pauperis by Plaintiff Patricia Ann Williams. (jef),(ps) (Entered: 12/14/2016)
12/15/2016	<u>4</u>	ORDER on ifp request: Complaint taken under advisement for screening. Signed by Magistrate Judge Peter A. Oppeneer on 12/15/2016. (jef),(ps) (Entered: 12/15/2016)
12/16/2016	<u>5</u>	Motion to Add Judge Peter McCombs Decision to this Case, by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> email exchange between ALJ McCombs and plaintiff Patricia Williams, # <u>2</u> Decision in Case No. DVR-16-0021 dated 12/14/16, # <u>3</u> Envelope) (nlm),(ps) (Entered: 12/16/2016)
12/30/2016	<u>6</u>	Motion to Add the Memorandum of Agreement Between the Department of Workforce Development Division of Vocational Rehabilitation and the DOA Division of Hearings and Appeals by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> Memorandum of Agreement Between the Division of Hearings and Appeals the Department of Workforce Development, # <u>2</u> Envelope) (elc),(ps) (Entered: 12/30/2016)
01/19/2017	<u>7</u>	Motion to Consolidate Cases by Plaintiff Patricia Williams. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 01/19/2017)
02/02/2017	<u>8</u>	<p>ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendant Department of Workforce Development. Leave to proceed denied and case dismissed against Brian Hayes, Nicholas Lampone, Delora Newton, Raymond Allen and Enid Glenn. Service to be made by USMS.</p> <p>Williams may have until February 17, 2017, to file an amended complaint that corrects the defects identified in this order as to the claims being dismissed. If Williams does not file an amended complaint by that date, she will have to satisfy the requirements of Federal Rule of Civil Procedure 15 if she wishes to file an amended complaint at a later date.</p> <p>Williams's motion for leave to amend her complaint to add Peter McCombs as a defendant, Dkt. <u>5</u> , and "motion to add agreement," Dkt. <u>6</u> , are DENIED.</p> <p>Signed by District Judge James D. Peterson on 2/2/2017. (jef),(ps) (Entered: 02/02/2017)</p>
02/02/2017	<u>9</u>	ORDER denying plaintiff Patricia Williams's motion to consolidate, Dkt. <u>17</u> (in case no. 16-cv-475-bbc), and Dkt. <u>7</u> (in case no. 16-cv-830-bbc), without prejudice to Williams's refileing it after the defendants in case no. 16-cv-830-bbc have filed an answer to the complaint. Signed by District Judge James D. Peterson on 2/2/2017. (jef),(ps) (Entered: 02/02/2017)

02/02/2017	<u>10</u>	Summons Issued as to Wisconsin Department of Workforce Development. Forwarded to U.S. Marshals for service. (jef),(ps) (Entered: 02/02/2017)
02/02/2017		Set Deadlines: Amendments to Pleadings due 2/17/2017 per 2/2/2017 order. (elc),(ps) (Entered: 02/02/2017)
02/03/2017	<u>11</u>	Proposed Amended Complaint titled as Motion to Amend/Correct <u>1</u> Complaint, by Plaintiff Patricia Ann Williams. (jef),(ps) Modified text on 2/3/2017 (jef). (Entered: 02/03/2017)
02/08/2017	<u>12</u>	Motion to Amend and Add to Complaint, by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> 11/20/15 email from Joe Ledger re Employment and Training Specialist Interview, # <u>2</u> 2/1/17 email to AAG Spitz from plaintiff forwarding 11/20/15 email from Joe Ledger re Employment and Training Specialist Interview, # <u>3</u> 2/1/17 email to AAG Spitz from plaintiff forwarding 11/23/15 email from Joe Ledger re Employment and Training Specialist scheduled interview, # <u>4</u> 2/1/17 email to AAG Spitz from plaintiff forwarding 1/6/16 email from Joe Ledger re Employment and Training Specialist Position, # <u>5</u> Envelope) (nlm),(ps) (Entered: 02/08/2017)
02/15/2017	<u>13</u>	Motion to Add DWD, The Division of Employment & Training, Bruce Palzkill and Joseph Ledger as Defendants by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> Documents – e-mails, Invoices, checks, # <u>2</u> Envelope) (elc),(ps) (Entered: 02/15/2017)
02/21/2017	<u>14</u>	Motion to add defendants and witnesses to amended complaint, by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 02/21/2017)
02/21/2017	<u>15</u>	Motion to add DVR questionnaire and emails to complaint by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> Emails regarding DVR investigation questions, # <u>2</u> Questions) (jef),(ps) (Entered: 02/21/2017)
02/27/2017	<u>16</u>	ORDER denying plaintiff Patricia Williams's <u>11</u> , <u>12</u> motions for leave to amend her complaint. Signed by District Judge James D. Peterson on 2/27/2017. (jef),(ps) (Entered: 02/27/2017)
02/27/2017	<u>17</u>	ORDER denying plaintiff Patricia Ann Williams's motion for leave to amend her complaint, Dkt. 32 (in case no. 16-cv-475-bbc), and Dkt. 13 (in case no. 16-cv-830-bbc). Defendant Department of Workforce Development's motion to "strike" Williams's motion, Dkt. 33 (in case no. 16-cv-475-bbc), is DENIED as moot. Williams's "Motion to Add Defendants & Witnesses to Plaintiff[s] Amended Complaint," Dkt. 34 (in case no. 16-cv-475-bbc), and Dkt. 14 (in case no. 16-cv-830-bbc) and "Motion to Add DVR Investigation Questionnaire and Email to Plaintiff[s] Complaint," Dkt. 35 (in case no. 16-cv-475-bbc), and Dkt. 15 (in case no. 16-cv-830-bbc), are DENIED. Signed by District Judge James D. Peterson on 2/27/2017. (jef),(ps) (Entered: 02/27/2017)
03/17/2017	<u>18</u>	Motion for Leave to Amend Complaint dated March 17, 2017 by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> DVR/DWD Release of Confidential Information and Records Notice) (elc),(ps) (Entered: 03/20/2017)
03/20/2017	<u>19</u>	Motion for Leave to Amend Complaint dated March 15, 2017 by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 03/20/2017)
03/20/2017	<u>20</u>	Proposed Amended Complaint by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> Continued Statement of Claim) (elc),(ps) (Entered: 03/20/2017)

03/20/2017	<u>21</u>	Request to Proceed in District Court without Prepaying the Filing Fee by Plaintiff Patricia Ann Williams. (elc),(ps) (Entered: 03/20/2017)
03/20/2017	<u>22</u>	Motion for Leave to Amend Complaint dated March 16, 2017 by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 03/20/2017)
03/20/2017	<u>23</u>	Proposed Amended Complaint by Plaintiff Patricia Ann Williams. (elc),(ps) (Entered: 03/20/2017)
03/20/2017	<u>24</u>	Motion for Leave to Amend Complaint dated March 20, 2017, by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> DWD Employment and Training Specialist Project) (nlm),(ps) (Entered: 03/20/2017)
03/22/2017	<u>25</u>	Motion for Assistance in Recruiting Counsel by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> Attorney email responses) (jef),(ps) (Entered: 03/22/2017)
03/27/2017	<u>26</u>	Motion for Leave to Amend dated March 27, 2017 by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 03/27/2017)
03/28/2017	<u>27</u>	Notice of Appearance filed by Katherine D. Spitz for Defendant Wisconsin Department of Workforce Development, (Attachments: # <u>1</u> Certificate of Service) (Spitz, Katherine),(ps) (Entered: 03/28/2017)
03/28/2017	<u>28</u>	Marshal Service Return Executed. Wisconsin Department of Workforce Development served on 3/23/2017, answer due 4/13/2017. (jef),(ps) (Entered: 03/28/2017)
03/29/2017	<u>29</u>	ORDER denying plaintiff's <u>18</u> <u>19</u> <u>22</u> <u>24</u> <u>26</u> motions for leave to amend her complaint; denying plaintiff's <u>25</u> motion for assistance in recruiting counsel. Signed by District Judge Barbara B. Crabb on 3/29/2017. (jef),(ps) (Entered: 03/29/2017)
04/12/2017	<u>30</u>	ANSWER by Defendant Wisconsin Department of Workforce Development, (Attachments: # <u>1</u> Exhibit 1 – Renumbered Complaint, # <u>2</u> Certificate of Service) (Spitz, Katherine),(ps) (Entered: 04/12/2017)
04/12/2017		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 4/27/2017 at 02:30 PM before Magistrate Judge Stephen L. Crocker. Plaintiff is responsible for contacting the court at (608) 264-5153. Once plaintiff's call has been received, the court will then include counsel for defendant in the conference call. [Notice Regarding the Telephone Preliminary Pretrial Conference attached] (elc),(ps) (Entered: 04/12/2017)
04/19/2017	<u>31</u>	Motion and Memorandum to Consolidate Cases and Add Defendants by Plaintiff Patricia Ann Williams. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 04/19/2017)
04/19/2017		Set Deadlines as to (46 in 3:16-cv-00475-bbc, 31 in 3:16-cv-00830-bbc) Motion to Consolidate Cases and Add Defendants. Defendants' Brief in Opposition due 5/3/2017. Plaintiff's Brief in Reply due 5/10/2017. (elc),(ps) (Entered: 04/19/2017)
04/27/2017		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference – Pro Se held on 4/27/2017 [:20] (cak),(ps) (Entered: 04/27/2017)
04/28/2017	<u>32</u>	Pretrial Conference Order – Dispositive Motions due 8/11/2017. Final Pretrial Submissions and Disclosures due 12/8/2017. Responses due 12/22/2017. Final Pretrial Conference set for 1/11/2018 at 04:00 PM. Jury Selection and Trial set for 1/16/2018 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 4/28/2017. (jef),(ps) (Entered: 04/28/2017)
05/03/2017	<u>33</u>	Brief in Opposition by Defendant Wisconsin Department of Workforce Development re: <u>31</u> Motion to Consolidate Cases filed by Patricia Ann Williams, (Attachments: # <u>1</u> Certificate of Service) (Spitz, Katherine),(ps) (Entered: 05/03/2017)

05/08/2017	<u>34</u>	Motion and Memorandum to Consolidate Cases & Add Defendants by Plaintiff Patricia Williams. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Entered: 05/08/2017)
05/12/2017	<u>35</u>	<p>ORDER granting plaintiff Patricia Williams leave to proceed on her claim in case no. 17-cv-254-bbc that defendant Department of Workforce Development refused to give her a permanent position because of her disability, in violation of the Rehabilitation Act. All other claims in case no. 17-cv-254 and case no. 17-cv-253-bbc and case no. 17-cv-255-bbc are DISMISSED WITHOUT PREJUDICE for plaintiff's failure to provide fair notice of those claims. Plaintiff may have until May 31, 2017, to file amended complaints in case nos. 17-cv-253-bbc and 17-cv-255-bbc.</p> <p>Plaintiff's motion to consolidate, dkt. ## 31 and 34 (in case no. 16-cv-830-bbc) and dkt. #4 (in case nos. 17-cv-253-bbc, 17-cv-254-bbc and 17-cv-255-bbc), is DENIED.</p> <p>The clerk of court is directed to forward copies of plaintiff's complaint in case no. 17-cv-254-bbc, completed summons forms and this order to the U.S. Marshal for service on defendant Department of Workforce Development.</p> <p>Signed by District Judge Barbara B. Crabb on 5/12/2017. (jef),(ps) (Entered: 05/12/2017)</p>
06/27/2017	<u>36</u>	Motion to Change Venue Reconsideration re (12 in 3:17-cv-00253-bbc, 17 in 3:17-cv-00254-bbc, 12 in 3:17-cv-00255-bbc) Order on plaintiff Patricia Williams's "motion to change venue. (jef),(ps) (Entered: 06/27/2017)
07/11/2017	37	<p>** TEXT ONLY ORDER **</p> <p>Pro se plaintiff Patricia Williams has filed a motion for reconsideration of the order denying her motion to transfer case no. 17-cv-254-bbc to the Eastern District of Wisconsin. For reasons she does not explain, her motion for reconsideration includes her other pending cases as well (case nos. 16-cv-830-bbc, 17-cv-253-bbc and 17-cv-255-bbc). In any event, nothing in plaintiff's motion for reconsideration shows that transfer is required or even appropriate in any of her cases. Accordingly, IT IS ORDERED that plaintiff's motion for reconsideration is DENIED. Signed by District Judge Barbara B. Crabb on 7/11/2017. (jef),(ps) (Entered: 07/11/2017)</p>
07/19/2017	<u>38</u>	Unopposed Motion for Extension of Time <i>To File Dispositive Motions</i> by Defendant Wisconsin Department of Workforce Development. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <u>1</u> Certificate of Service) (Spitz, Katherine),(ps) (Entered: 07/19/2017)
07/19/2017	<u>39</u>	Declaration of Katherine D. Spitz filed by Defendant Wisconsin Department of Workforce Development re: <u>38</u> MOTION for Extension of Time, (Attachments: # <u>1</u> Exhibit 1- Notice of Deposition, # <u>2</u> Exhibit 2- 7.18.17 dated email) (Spitz, Katherine),(ps) (Entered: 07/19/2017)
07/19/2017	40	<p>** TEXT ONLY ORDER **</p> <p>ORDER granting <u>38</u> Unopposed Motion for Extension of Time. Dispositive Motions due 8/25/2017. Signed by Magistrate Judge Stephen L. Crocker on 7/19/2017. (jef),(ps) (Entered: 07/19/2017)</p>
07/28/2017	<u>41</u>	NOTICE OF APPEAL by Plaintiff Patricia Ann Williams as to 37 Text Only Order. In forma pauperis pending. No Docketing Statement filed. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 07/28/2017)
07/28/2017	<u>42</u>	Appeal Information Packet. (jef),(ps) (Entered: 07/28/2017)