

**U.S. District Court  
Western District of Wisconsin (Madison)  
CIVIL DOCKET FOR CASE #: 3:17-cv-00396-jdp**

Smith, Tyrone v. Hepp, Randall et al  
Assigned to: District Judge James D. Peterson  
Referred to: Magistrate Judge Stephen L. Crocker  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 05/24/2017  
Date Terminated: 03/31/2022  
Jury Demand: Both  
Nature of Suit: 555 Prisoner (Prison Condition)  
Jurisdiction: Federal Question

**Plaintiff**

**Tyrone Davis Smith**

represented by **Tyrone Davis Smith**  
3383 N. 26th Street, lower unit  
Milwaukee, WI 53206  
(262) 772-6143  
PRO SE

**Paul A. Kinne**  
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*TERMINATED: 10/25/2019*

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Email: [edwards@tdemadison.com](mailto:edwards@tdemadison.com)  
*TERMINATED: 10/25/2019*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Wisconsin Department of Natural Resources, ex rel.**  
*TERMINATED: 10/25/2019*

represented by **Timothy D. Edwards**  
(See above for address)  
*TERMINATED: 10/25/2019*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Paul A. Kinne**  
(See above for address)  
*TERMINATED: 10/25/2019*

V.

**Defendant**

**Fox Lake Correctional Institution**  
*TERMINATED: 09/14/2017*

represented by **Brandon Flugaur**  
Wisconsin Department of Justice  
17 W. Main Street  
P.O. Box 7857  
Madison, WI 53707-7857  
608-266-1780  
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Email: [flugaurbt@doj.state.wi.us](mailto:flugaurbt@doj.state.wi.us)  
*LEAD ATTORNEY*

ATTORNEY TO BE NOTICED

**Defendant**

**Warden Randall R. Hepp**  
*TERMINATED: 05/07/2020*

represented by **Wisconsin Department of Justice\_1983 actions**  
Email: [federalorderscl@doj.state.wi.us](mailto:federalorderscl@doj.state.wi.us)  
*TERMINATED: 10/20/2017*  
*LEAD ATTORNEY*

**Brandon Flugaur**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Laure C. Rakvic-Farr**  
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*TERMINATED: 02/28/2022*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Health Service Unit of Fox Lake Correctional Institution**  
*TERMINATED: 09/14/2017*

represented by **Brandon Flugaur**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Candance Whitman**

represented by **Wisconsin Department of Justice\_1983 actions**  
(See above for address)  
*TERMINATED: 10/20/2017*  
*LEAD ATTORNEY*

**Brandon Flugaur**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Laure C. Rakvic-Farr**  
(See above for address)  
*TERMINATED: 02/28/2022*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Wisconsin Department of Corrections**  
*TERMINATED: 09/14/2017*

represented by **Brandon Flugaur**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jon E. Litscher**  
*TERMINATED: 05/07/2020*

represented by **Wisconsin Department of Justice\_1983 actions**  
(See above for address)  
*TERMINATED: 10/20/2017*  
*LEAD ATTORNEY*

**Brandon Flugaur**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Laure C. Rakvic-Farr**  
(See above for address)  
TERMINATED: 02/28/2022  
ATTORNEY TO BE NOTICED

**Defendant**

**Kevin Carr**  
TERMINATED: 10/04/2021

represented by **Brandon Flugaur**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/01/1970		(Court only) ***Case Notes: This case seems related to 15-cv-134-jdp, Rozak v. Hepp (FLCI dirty water case.) Plaintiff is a three-striker: WIED cases 09-cv-603 and 09-cv-432 (both dismissed for failure to state a claim); and 7th Cir Appeal Nos. 10-1907 and 10-1683 (both deemed frivolous appeals). Plaintiff has closed 2241 habeas action 17-cv-49-bbc (petition dismissed). Plaintiff has filed 11 prior cases in WIED, which includes 4 habeas actions and most recently 16-cv-1654 (open 2241 habeas). (nl) (Entered: 05/24/2017)
05/24/2017	<u>1</u>	COMPLAINT against All Defendants, filed by Tyrone Davis Smith. (Case non-randomly assigned to District Judge Barbara B. Crabb.) (Attachments: # <u>1</u> Exhibits 1-23 - Documents related to drinking water at FLCI; information on lead in drinking water; medical records; and documents related to Complaint Number FLCI-2017-10119, FLCI-2017-12141, FLCI-2017-10567, FLCI-2017-10982, # <u>2</u> Cover Letter and Envelope) (nl) (Entered: 05/24/2017)
05/24/2017		(Court only) ***Law Clerk: JBC flag added. (nl),(ps) (Entered: 05/24/2017)
05/24/2017	<u>2</u>	Motion for Leave to Proceed in forma pauperis by Plaintiff Tyrone Davis Smith. (nl),(ps) (Entered: 05/24/2017)
05/24/2017	<u>3</u>	Motion Requesting Access to Release Account by Plaintiff Tyrone Davis Smith. Motions referred to Stephen L. Crocker. (nl),(ps) (Entered: 05/24/2017)
05/24/2017	<u>4</u>	April 2017 Prisoner Trust Fund Account Statement filed by Plaintiff Tyrone Davis Smith. (nl),(ps) (Entered: 05/24/2017)
05/24/2017	<u>5</u>	Motion for Assistance in Recruiting Counsel by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Disbursement Requests, attorney rejection letter, letter from plaintiff to law firms requesting representation) (nl),(ps) (Entered: 05/24/2017)
05/24/2017		(Court only) ***Set/Clear Flags: 3_STRIKES flag added. (nl),(ps) (Entered: 05/24/2017)
05/24/2017		(Court only) Motions Taken Under Advisement: <u>2</u> Motion for Leave to Proceed in forma pauperis / screening pursuant to 28 U.S.C. § 1915(g) - Imminent Danger/Three-Strikes, <u>5</u> Motion for Assistance in Recruiting Counsel, <u>3</u> Motion for Use of Release Account Funds. (nl),(ps) (Entered: 05/24/2017)
06/07/2017	<u>6</u>	Motion to Supplement Record with Inmate Complaint documents by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> CCE Report/Office of Secretary Decision for FLCI-2017-10982, # <u>2</u> Envelope) (elc),(ps) (Entered: 06/07/2017)
06/07/2017		(Court only) Motions Taken Under Advisement: <u>6</u> Motion to Supplement Record. (elc),(ps) (Entered: 06/07/2017)
06/21/2017	<u>7</u>	Motion to Supplement Record by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Exhibit A - Medical Discharge Summary, # <u>2</u> Exhibit B - Health Service Request, # <u>3</u> Exhibit C - 5/17/2017 USA Today Article about Flint, MI Water, # <u>4</u> Cover Letter and Request for Docket Sheet,

		# <u>5</u> Envelope) (elc),(ps) (Entered: 06/21/2017)
06/21/2017		(Court only) ***Staff Notes entered 6/21/2017: Docket Sheet mailed to plaintiff per his cover letter request. (elc),(ps) (Entered: 06/21/2017)
06/21/2017		(Court only) Motions Taken Under Advisement: <u>7</u> Motion to Supplement. (elc),(ps) (Entered: 06/21/2017)
08/10/2017	<u>8</u>	Prisoner Trust Fund Account Statement by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Cover Letter and Envelope and Request for Docket Sheets) (elc),(ps) (Additional attachment(s) added on 8/16/2017: # <u>2</u> IPP Calculation) (elc). (Entered: 08/10/2017)
08/10/2017	<u>9</u>	Motion to Amend and Supplement Complaint and Record by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Exhibits 1-4 Inmate Complaint Documents FLCI-2017-15651, # <u>2</u> Exhibits 5-7 and 11-13 Inmate Complaint Documents FLCI-2017-12141, # <u>3</u> Exhibit 8 - Milwaukee Magazine Article re: Lead Levels, # <u>4</u> Exhibit 9 - Medicine Plan, # <u>5</u> Exhibit 10 - 2016 Consumer Confidence Report Date for FLCI) (elc),(ps) (Entered: 08/10/2017)
08/10/2017		(Court only) Motions Taken Under Advisement: <u>9</u> Motion to Amend and Supplement Complaint and Record. (elc),(ps) (Entered: 08/10/2017)
08/10/2017		(Court only) ***Staff Notes entered 8/10/2017: Docket Sheet mailed to plaintiff per his cover letter request with dkt. <u>8</u> . (elc),(ps) (Entered: 08/10/2017)
08/11/2017	<u>10</u>	Supplemental Exhibits to <u>9</u> Motion to Amend/Correct, filed by Tyrone Davis Smith (Attachments: # <u>1</u> Exhibit A - CCE Report for Inmate Complaint FLCI-2017-15651, # <u>2</u> Exhibit B - Office of Secretary Decision for Inmate Complaint FLCI-2017-15651, # <u>3</u> Envelope) (elc),(ps) (Entered: 08/11/2017)
09/14/2017	<u>11</u>	ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendants Candi Whitman, Randall R. Hepp, Jon E. Litscher. Leave to proceed denied and case dismissed against Wisconsin Department of Corrections, Fox Lake Correctional Institution and Health Service Unit of Fox Lake Correctional Institution. Materials delivered to DOJ for acceptance of service.  Following service, this case is STAYED pending resolution of <u>Rozak v. Hepp</u> , Case No. 15-cv-134 (W.D. Wis. filed Mar. 2, 2015).  Plaintiff's motion for assistance in recruiting counsel, dkt. # <u>5</u> , and his motion for leave to amend his complaint, dkt. # <u>9</u> , are both DENIED without prejudice to his refiling them after the stay has been lifted in this case.  Signed by District Judge Barbara B. Crabb on 9/14/2017. (jef),(ps) (Entered: 09/14/2017)
09/14/2017		(Court only) ***Set/Clear Flags: STAYED flag added. (jef),(ps) (Entered: 09/14/2017)
09/14/2017		(Court only) *** Set Tickler: Has case 15-cv-134 resolved? If so, need order lifting stay. Activity by 10/25/2017. (jef),(ps) (Entered: 09/14/2017)
09/15/2017	<u>12</u>	Warden PLRA Letter. (jef),(ps) (Entered: 09/15/2017)
09/15/2017	13	** TEXT ONLY ORDER ** ORDER denying as moot <u>3</u> Motion Requesting Access to Release Account to send his six-month trust fund account statement to the court because the court received plaintiff's six-month trust fund account statement on August 10, 2017. Signed by Magistrate Judge Peter A. Oppeneer on 9/15/2017. (jef),(ps) (Entered: 09/15/2017)
09/28/2017	<u>14</u>	Motion to Mandatory Injunction by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Notice, # <u>2</u> Envelope) (jef),(ps) (Entered: 09/28/2017)

09/28/2017	<u>15</u>	Motion for Use of Release Account Funds by Plaintiff Tyrone Davis Smith. (jef),(ps) (Entered: 09/28/2017)
09/28/2017		(Court only) Motions Taken Under Advisement: <u>15</u> Motion for Use of Release Account Funds, <u>14</u> Motion to Move to Another Institution. (jef),(ps) (Entered: 09/28/2017)
10/18/2017	<u>16</u>	ORDER denying <u>14</u> Motion for preliminary injunction and <u>15</u> Motion for Use of Release Account Funds. This case is stayed pending resolution of <u>Stapleton v. Hepp</u> , 16-cv-406. Signed by District Judge Barbara B. Crabb on 10/18/2017. (elc),(ps) (Entered: 10/18/2017)
10/20/2017	<u>17</u>	Notice of Appearance filed by Laure C Rakvic-Farr for Defendants Randall R. Hepp, Jon E. Litscher, Candi Whitman, (Attachments: # <u>1</u> Certificate of Service) (Rakvic-Farr, Laure),(ps) (Entered: 10/20/2017)
10/20/2017	<u>18</u>	Acceptance of Service by DOJ on behalf of Defendants Randall R. Hepp, Jon E. Litscher, Candi Whitman. (Rakvic-Farr, Laure),(ps) (Entered: 10/20/2017)
10/20/2017	<u>19</u>	ANSWER by Defendants Randall R. Hepp, Jon E. Litscher, Candi Whitman. (Rakvic-Farr, Laure),(ps) (Entered: 10/20/2017)
10/20/2017	<u>20</u>	Notice of Appearance filed by Brandon Flugaur for Defendants Randall R. Hepp, Jon E. Litscher, Candi Whitman. (Flugaur, Brandon),(ps) (Entered: 10/20/2017)
10/20/2017		(Court only) *** Attorney Corey Francis Finkelmeyer terminated. (nlm),(ps) (Entered: 10/20/2017)
10/27/2017	<u>21</u>	Motion for Assistance in Recruiting Counsel by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jef),(ps) (Entered: 10/27/2017)
10/27/2017	<u>22</u>	Motion to hold motion for appointment of counsel in abeyance by Plaintiff Tyrone Davis Smith. (jef),(ps) (Entered: 10/27/2017)
10/27/2017	<u>23</u>	Declaration of Tyrone Davis Smith re: <u>21</u> Motion for Assistance in Recruiting Counsel, <u>22</u> Motion to hold in abeyance. (Attachments: # <u>1</u> Exhibit 1 - Letter to attorney(s), # <u>2</u> Exhibits 2, 3 - Attorney rejection letters, # <u>3</u> Exhibit 4 - Disbursement request) (jef),(ps) (Entered: 10/27/2017)
10/27/2017		(Court only) Motions Taken Under Advisement: <u>22</u> Motion to hold motion for appointment of counsel in abeyance, <u>21</u> Motion for Assistance in Recruiting Counsel. (jef),(ps) (Entered: 10/27/2017)
12/04/2017	<u>24</u>	ORDER denying without prejudice <u>21</u> Motion for Assistance in Recruiting Counsel; denying <u>22</u> Motion to hold motion for appointment of counsel in abeyance. Signed by District Judge Barbara B. Crabb on 12/4/2017. (jef),(ps) (Entered: 12/04/2017)
01/23/2018		(Court only) ***Set/Clear Flags: JDP flag added. (elc),(ps) (Entered: 01/23/2018)
07/18/2018	<u>25</u>	ORDER Reassigning Case. Case reassigned to District Judge James D. Peterson for all further proceedings. District Judge Barbara B. Crabb no longer assigned to case. Signed by District Judge James D. Peterson on 7/18/2018. (elc),(ps) (Entered: 07/18/2018)
07/18/2018		(Court only) ***Law Clerk: JF flag added. LS and SP flags removed. (elc),(ps) (Entered: 07/18/2018)
07/18/2018		Create association to 3:16-cv-406-jdp. All further docketing to be done in the lead case. (jef),(ps) (Entered: 07/18/2018)
07/18/2018	<u>26</u>	ORDER that Alfred Franzblau and David W. Hand are appointed as experts in this case under Federal Rule of Evidence 706.  This case and the eight cases listed in the opinion above are consolidated under Federal Rule of Civil Procedure 42(a).

		<p>Counsel for plaintiff Norman Stapleton may have until August 20, 2018, to file notices of appearance in behalf of each plaintiff.</p> <p>Plaintiff's motion for a status conference, Dkt. 64, is GRANTED.</p> <p>Signed by District Judge James D. Peterson on 7/18/2018. (jef),(ps),(ps) (Entered: 07/18/2018)</p>
07/19/2018		<p>(Court only) ***Motions terminated: (26 in 3:16-cv-00826-jdp) Motion for Assistance in Recruiting Counsel filed by Sean Tate, (9 in 3:17-cv-00513-jdp) Motion for Assistance in Recruiting Counsel filed by Cameron Canady, (2 in 3:17-cv-00843-jdp) Motion for Assistance in Recruiting Counsel filed by Timothy Eric Gibson, (63 in 3:16-cv-00406-jdp) Response to Order filed by Norman Stapleton, (64 in 3:16-cv-00406-jdp) Motion for Hearing filed by Norman Stapleton, (3 in 3:17-cv-00843-jdp) Motion for Leave to Proceed in forma pauperis filed by Timothy Eric Gibson, (2 in 3:17-cv-00957-jdp) Motion for Leave to Proceed in forma pauperis filed by Duane R. Bull, (24 in 3:16-cv-00826-jdp) Motion to Consolidate Cases filed by Sean Tate, (2 in 3:17-cv-00946-jdp) Motion for Leave to Proceed in forma pauperis filed by Thomas J. Kuruc, (59 in 3:16-cv-00406-jdp) Response to Order filed by Randall R. Hepp, (2 in 3:17-cv-00611-jdp) Motion for Leave to Proceed in forma pauperis filed by Allan Dean Owens.</p> <p>***Deadlines/Hearings terminated. Associated Cases: 3:16-cv-00406-jdp et al. (jef/jcf),(ps) (Entered: 07/19/2018)</p>
07/19/2018		<p>(Court only) ***Staff Notes entered 7/19/2018: Associated Cases: 3:16-cv-00406-jdp et al. Mailed copies of the 7/18 consolidation order to plaintiffs Craig Bates, Sean Tate, Tyrone Smith, Cameron Canady, Allan Owens, Timothy Gibson, Thomas Kuruc and Duane Bull. Note that Cameron Canady is now out of custody per DOC website (his address is 3732 N. 10th St. Milwaukee, WI 53206 per his probation officer Scott Guthry; 414-552-2085). (jef),(ps) Modified on 7/19/2018 (jef). (Entered: 07/19/2018)</p>
07/19/2018		<p>Clerk's Office Remark: Updated plaintiff from case no. 17-cv-513-jdp, Cameron Canady's address to 3732 N. 10th St. Milwaukee, WI 53206, as he has been released from custody. Associated Cases: 3:17-cv-00513-jdp et al. (jef),(ps) (Entered: 07/19/2018)</p>
07/27/2018	<u>27</u>	<p>Notice of Change of Address by Timothy D. Edwards. Associated Cases: 3:16-cv-00406-jdp et al. (Edwards, Timothy),(ps) Modified on 7/30/2018: Certificate of Service? (lak) (Entered: 07/27/2018)</p>
08/19/2018	<u>28</u>	<p>Notice of Appearance filed by Timothy D. Edwards for Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Norman Stapleton, Duane R. Bull. Associated Cases: 3:16-cv-00406-jdp et al. (Edwards, Timothy),(ps) Modified on 8/20/2018. (lak) (Entered: 08/19/2018)</p>
09/04/2018	<u>29</u>	<p>Notice of Appearance filed by Paul A. Kinne for Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Norman Stapleton, Duane R. Bull. Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) Modified on 9/5/2018: Date. (lak) (Entered: 09/04/2018)</p>
10/03/2018	<u>30</u>	<p>Joint Report of Rule 26(f) Planning Meeting. Associated Cases: 3:16-cv-00406-jdp et al. (Rakvic-Farr, Laure),(ps) (Entered: 10/03/2018)</p>
10/09/2018	<u>31</u>	<p>Pretrial Conference Order – <u>Preliminary Pretrial Packet in cases assigned to District Judge James D. Peterson</u> attached. Amendments to Pleadings due 12/14/2018. Dispositive Motions due 6/28/2019. Rule 26(a)(3) Disclosures and all motions in limine due 1/31/2020. Responses due 2/14/2020. Final Pretrial Conference set for 2/26/2020 at 04:00 PM. Jury Selection and Trial set for 3/9/2020 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 10/9/2018. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) Modified on 10/10/2018. (lak) (Entered: 10/09/2018)</p>
10/09/2018		<p>Settlement Letters due 12/13/2019. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 10/09/2018)</p>

10/09/2018		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference – Pro Se held on 10/4/2018 [:20] Associated Cases: 3:16-cv-00406-jdp et al. (nlm),(ps) (Entered: 10/09/2018)
10/11/2018	<u>32</u>	Notice of change of address and request for a status update filed by Plaintiff Norman Stapleton. (Attachments: # <u>1</u> Envelope) Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 10/11/2018)
10/11/2018	<u>33</u>	Clerk's office response to plaintiff Norman Stapleton's request for a status update. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 10/11/2018)
12/11/2018	<u>34</u>	Notice of Appearance filed by Megan Quinn Peccarelli for Defendant Edward Wall, (Attachments: # <u>1</u> Certificate of Service) Associated Cases: 3:16-cv-00406-jdp et al. (Peccarelli, Megan),(ps) (Entered: 12/11/2018)
12/12/2018	<u>35</u>	Amended Certificate of Service by Defendant Edward F. Wall as to (81 in 3:16-cv-00406-jdp) Notice of Appearance. Associated Cases: 3:16-cv-00406-jdp et al. (Peccarelli, Megan),(ps) (Entered: 12/12/2018)
12/13/2018	<u>36</u>	Motion for Extension of Time <i>to Amend Pleadings</i> by Plaintiff Norman Stapleton. Motions referred to Magistrate Judge Stephen L. Crocker. Associated Cases: 3:16-cv-00406-jdp et al. (Edwards, Timothy),(ps) (Entered: 12/13/2018)
12/14/2018	37	** TEXT ONLY ORDER ** ORDER granting Motion for Extension of Time, dkt. <u>83</u> , case 16-cv-406, et al. Amendments to Pleadings due 12/21/2018. Signed by Magistrate Judge Stephen L. Crocker on 12/14/2018. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) Modified on 12/14/2018 (jef). (Entered: 12/14/2018)
12/27/2018		(Court only) ***Deadlines/Hearings terminated. Terminated 12/21/2018 amendment to pleadings deadline. Amended Complaint filed on 12/21/18 in lead case 16-cv-406-jdp. (nlm),(ps) (Entered: 12/27/2018)
02/01/2019	<u>38</u>	SECOND AMENDED COMPLAINT against All Defendants, filed by All Plaintiffs. Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) Modified on 2/4/2019. (lak) (Entered: 02/01/2019)
02/14/2019	<u>39</u>	Acceptance of Service by DOJ on behalf of Defendants Kevin Carr, Randall R. Hepp. Service not accepted on behalf of Edward Wall. Associated Cases: 3:16-cv-00406-jdp et al. (Flugaur, Brandon),(ps) (Entered: 02/14/2019)
03/01/2019	<u>40</u>	Unopposed Motion to Amend Briefing Schedule <i>for Expert Disclosure and Dispositive Motions</i> by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Norman Stapleton, Duane R. Bull. Motions referred to Magistrate Judge Stephen L. Crocker. Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) (Entered: 03/01/2019)
03/01/2019	41	** TEXT ONLY ORDER ** ORDER granting (91) Unopposed Motion for Extension of Expert Disclosure and Dispositive Motions Deadlines. Signed by Magistrate Judge Peter A. Oppeneer on 3/1/2019. Associated Cases: 3:16-cv-00406-jdp et al. (nlm),(ps) (Entered: 03/01/2019)
04/11/2019	<u>42</u>	Joint Motion for Extension of Time <i>to file Expert Report</i> by Plaintiff Norman Stapleton. Motions referred to Magistrate Judge Stephen L. Crocker. Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) (Entered: 04/11/2019)
04/11/2019	43	** TEXT ONLY ORDER ** ORDER granting (93) Motion for Extension of Time to file Expert Report(s). Signed by Magistrate Judge Stephen L. Crocker on 4/11/2019. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 04/11/2019)
04/19/2019	<u>44</u>	Expert Report of David W. Hand, Ph.D. by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Norman Stapleton, Duane R. Bull Associated Cases: 3:16-cv-00406-jdp et al. (Kinne,

		Paul),(ps) Modified on 4/22/2019: References and Biographical Sketch are not attached separately and described. (lak) (Entered: 04/19/2019)
05/24/2019		(Court only) ***Motions terminated: related motions that are the same as lead motions in 16-cv-406, dtks. <u>91</u> and <u>93</u> . Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 05/24/2019)
07/12/2019	<u>45</u>	Deposition of William Weisensel taken on December 12, 2018. (Attachments: # <u>1</u> Exhibit 1 – Packet of Bates-stamped DNR and FLCI correspondence reviewed by Mr. Weisensel, # <u>2</u> Exhibit 2 – Packet of unnumbered documents reviewed by Mr. Weisensel, # <u>3</u> Exhibit 3 – 2013 Abigail Cantor Recommendations, # <u>4</u> Exhibit 4 – 2017 Abigail Cantor Recommendations) Associated Cases: 3:16-cv-00406-jdp et al. (Flugaur, Brandon),(ps) (Entered: 07/12/2019)
07/12/2019	<u>46</u>	Deposition of Abigail Cantor taken on June 9, 2017. (Attachments: # <u>1</u> Exhibit 1 – Curriculum vitae, # <u>2</u> Exhibit 2 – E-mail dated May 11, 2016, # <u>3</u> Exhibit 3 – Newspaper article dated November 16, 2016, # <u>4</u> Exhibit 4 – Letter dated January 18, 2013, # <u>5</u> Exhibit 5 – Fox Lake chronology spreadsheet, # <u>6</u> Exhibit 6 – E-mail dated December 27, 2016, # <u>7</u> Exhibit 7 – Status of distribution system monitoring for Fox Lake Correctional Institution report, # <u>8</u> Exhibit 8 – E-mail dated November 30, 2015, # <u>9</u> Exhibit 9 – E-mail dated April 21, 2015, # <u>10</u> Exhibit 10 – Wisconsin Administrative Code Chapter NR 810, # <u>11</u> Exhibit 11 – E-mail dated March 11, 2010, # <u>12</u> Exhibit 12 – Report dated June 28, 2013) Associated Cases: 3:16-cv-00406-jdp et al. (Flugaur, Brandon),(ps) (Entered: 07/12/2019)
07/19/2019	<u>47</u>	<b>MOTION FOR SUMMARY JUDGMENT ( Brief in Opposition due 8/9/2019., Brief in Reply due 8/19/2019.)</b> by Defendant Edward F. Wall. Associated Cases: 3:16-cv-00406-jdp et al. (Peccarelli, Megan),(ps) (Entered: 07/19/2019)
07/19/2019	<u>48</u>	Brief in Support of (99 in 3:16-cv-00406-jdp) Motion for Summary Judgment by Defendant Edward F. Wall Associated Cases: 3:16-cv-00406-jdp et al. (Peccarelli, Megan),(ps) (Entered: 07/19/2019)
07/19/2019	<u>49</u>	Proposed Findings of Fact filed by Defendant Edward F. Wall re: (99 in 3:16-cv-00406-jdp) Motion for Summary Judgment Associated Cases: 3:16-cv-00406-jdp et al. (Peccarelli, Megan),(ps) (Entered: 07/19/2019)
07/19/2019	<u>50</u>	Declaration of Edward Wall filed by Defendant Edward F. Wall re: (99 in 3:16-cv-00406-jdp) Motion for Summary Judgment Associated Cases: 3:16-cv-00406-jdp et al. (Peccarelli, Megan),(ps) (Entered: 07/19/2019)
07/22/2019	<u>51</u>	Declaration of Technical Failure Associated Cases: 3:16-cv-00406-jdp et al. (Flugaur, Brandon),(ps) (Entered: 07/22/2019)
07/22/2019	<u>52</u>	<b>MOTION FOR SUMMARY JUDGMENT ( Brief in Opposition due 8/12/2019., Brief in Reply due 8/22/2019.)</b> by State Defendants Kevin Carr, et al. Associated Cases: 3:16-cv-00406-jdp et al. (Flugaur, Brandon),(ps) Modified docket text on 7/22/2019 (jef). (Entered: 07/22/2019)
07/22/2019	<u>53</u>	Brief in Support of (38 in 3:17-cv-00957-jdp) Motion for Summary Judgment by State Defendants. Associated Cases: 3:16-cv-00406-jdp et al. (Flugaur, Brandon),(ps) Modified on 7/22/2019 (jef). (Entered: 07/22/2019)
07/22/2019	<u>54</u>	Proposed Findings of Fact filed by Defendants Kevin Carr, Randall Hepp, John Doe 1-10, Cris Krueger, Larsen, John Litscher, John Maggioncalda, Greg Phal, Candice Whitman, Kevin Carr, Randall R. Hepp, Jon E. Litscher, Edward F. Wall, Candace Whitman, Kevin Carr, Randall Hepp, Cathy Jess, Jon E. Litscher, David Barkhahn, Steve Bethke, Kevin Carr, John and Jane Does 1-10, Robert Franks, Pete Gallum, Randall Hepp, T. Kiser, Chris Krueger, J. Labelle, Jon Litscher, John Maggioncalda, Randy Mattison, Steven L. Sisbach, W. Weisenel, C. Whitman, Stan Bethke, W. Blenshaw, Ana Boatwright, Kevin Carr, George Cooper, Randall Hepp, John & Jane

		Does 1–10, Terry Kiser, Chris Krueger, James L. LaBelle, Jon Litscher, John Maggioncalda, Kevin Carr, Randall Hepp, Cathy Jess, Jon Litscher, Kevin Carr, Fox Lake Correctional Institution, Health Service Unit of Fox Lake Correctional Institution, Randall R. Hepp, Jon E. Litscher, Candi Whitman, Wisconsin Department of Corrections, Steve Bethke, Kevin Carr, George Cooper, Randall R. Hepp, John Maggioncalda, Edward F. Wall, Steve Bethke, Kevin Carr, E. Davidson, Randall Hepp, John Maggioncalda, Edward Wall re: (38 in 3:17–cv–00957–jdp) Motion for Summary Judgment,,,,, Associated Cases: 3:16–cv–00406–jdp et al. (Flugaur, Brandon),(ps) (Entered: 07/22/2019)
07/22/2019	<u>55</u>	Declaration of William Weisenel filed by Defendants Kevin Carr, Randall Hepp, John Doe 1–10, Cris Krueger, Larsen, John Litscher, John Maggioncalda, Greg Phal, Candice Whitman, Kevin Carr, Randall R. Hepp, Jon E. Litscher, Edward F. Wall, Candace Whitman, Kevin Carr, Randall Hepp, Cathy Jess, Jon E. Litscher, David Barkhahn, Steve Bethke, Kevin Carr, John and Jane Does 1–10, Robert Franks, Pete Galloway, Randall Hepp, T. Kiser, Chris Krueger, J. Labelle, Jon Litscher, John Maggioncalda, Randy Mattison, Steven L. Sisbach, W. Weisenel, C. Whitman, Stan Bethke, W. Blenshaw, Ana Boatwright, Kevin Carr, George Cooper, Randall Hepp, John & Jane Does 1–10, Terry Kiser, Chris Krueger, James L. LaBelle, Jon Litscher, John Maggioncalda, Kevin Carr, Randall Hepp, Cathy Jess, Jon Litscher, Kevin Carr, Fox Lake Correctional Institution, Health Service Unit of Fox Lake Correctional Institution, Randall R. Hepp, Jon E. Litscher, Candi Whitman, Wisconsin Department of Corrections, Steve Bethke, Kevin Carr, George Cooper, Randall R. Hepp, John Maggioncalda, Edward F. Wall, Steve Bethke, Kevin Carr, E. Davidson, Randall Hepp, John Maggioncalda, Edward Wall re: (38 in 3:17–cv–00957–jdp) Motion for Summary Judgment, (Attachments: # <u>1</u> Exhibit 1000 – 2014 Consumer Confidence Report, # <u>2</u> Exhibit 1001 – 2015 Consumer Confidence Report, # <u>3</u> Exhibit 1002 – 2016 Consumer Confidence Report, # <u>4</u> Exhibit 1003 – June 30, 2016 Memo to Inmates, # <u>5</u> Exhibit 1004 – October 10, 2016 Notice of Violation, # <u>6</u> Exhibit 1005 – December 13, 2016 Close out of Consent Order, # <u>7</u> Exhibit 1006 – December 22, 2016 Memo to Inmates, # <u>8</u> Exhibit 1007 – May 28, 2014 Consent Order, # <u>9</u> Exhibit 1008 – June 7, 2016 Test Results, # <u>10</u> Exhibit 1009 – April 26, 2017 Test Results, # <u>11</u> Exhibit 1010 – May 2017 Statys Report) Associated Cases: 3:16–cv–00406–jdp et al. (Flugaur, Brandon),(ps) (Entered: 07/22/2019)
07/22/2019	<u>56</u>	Supplement to (50 in 3:16–cv–00826–jdp, 28 in 3:17–cv–00513–jdp, 95 in 3:16–cv–00406–jdp, 27 in 3:17–cv–00946–jdp, 44 in 3:17–cv–00396–jdp, 28 in 3:17–cv–00611–jdp, 32 in 3:17–cv–00843–jdp, 44 in 3:16–cv–00745–jdp, 30 in 3:17–cv–00957–jdp) Expert Report, filed by Sean Tate, Cameron Canady, Tyrone Davis Smith, Norman Stapleton, Craig Thomas Bates, Allan Dean Owens, Duane R. Bull, Timothy Eric Gibson, Thomas J. Kuruc, Wisconsin Department of Natural Resources, ex rel. Associated Cases: 3:16–cv–00406–jdp et al. (Flugaur, Brandon),(ps) (Entered: 07/22/2019)
07/22/2019	57	** TEXT ONLY ORDER ** Order granting request for a one–day extension to file, dkt. <u>104</u> case 16–cv–406–jdp. Signed by Magistrate Judge Stephen L. Crocker on 7/22/2019. Associated Cases: 3:16–cv–00406–jdp et al. (jef),(ps) (Entered: 07/22/2019)
08/02/2019	<u>58</u>	Unopposed Motion to Amend Briefing Schedule <i>as to Dispositive Motions Deadlines</i> by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Kenneth Gray, Stephen Kozlowski, James Smith, Norman Stapleton, Michael Van Caster, Duane R. Bull. Motions referred to Magistrate Judge Stephen L. Crocker. Associated Cases: 3:16–cv–00406–jdp et al. (Kinne, Paul),(ps) (Entered: 08/02/2019)
08/02/2019	59	** TEXT ONLY ORDER ** ORDER granting <u>111</u> Unopposed Motion to Amend Briefing Schedule <i>as to Dispositive Motions Deadlines</i> . Plaintiffs' Brief in Opposition due 9/12/2019. Defendants' Brief in Reply due 9/24/2019. Signed by Magistrate Judge Stephen L. Crocker on 8/2/2019. Associated Cases: 3:16–cv–00406–jdp et al. (nln),(ps) (Entered: 08/02/2019)

		08/02/2019)
08/14/2019	<u>60</u>	Letter from Plaintiffs Tyrone Davis Smith and Michael Van Caster re: Defendants' <u>99</u> , 105 Motions for Summary Judgment. (Attachments: # <u>1</u> Envelope) Associated Cases: 3:16-cv-00406-jdp et al. (nln),(ps) (Entered: 08/14/2019)
08/19/2019	<u>61</u>	Motion to Sever filed pro se by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Envelope) Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 08/20/2019)
08/19/2019	<u>62</u>	Declaration of Tyrone Davis Smith filed pro se by Plaintiff Tyrone Davis Smith re: (47 in 3:17-cv-00957-jdp) Motion to Sever. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 08/20/2019)
08/19/2019	<u>63</u>	Declaration of Allan Owens filed pro se by Plaintiff Tyrone Davis Smith re: (47 in 3:17-cv-00957-jdp) Motion to Sever. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 08/20/2019)
08/19/2019	<u>64</u>	Motion to be provided record by the attorneys representing him filed pro se by Plaintiff Tyrone Davis Smith. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 08/20/2019)
08/19/2019	<u>65</u>	Motion to strike defendants' dispositive motions for summary judgment and dismissal as a defendant in plaintiff Tyrone Davis Smith's case individually filed pro se by Plaintiff Tyrone Davis Smith. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) Modified filed date on 8/20/2019 (jef). (Entered: 08/20/2019)
08/23/2019	<u>66</u>	Notice of Appearance filed by Charles Edward Polk, III for Defendant Edward Wall. Associated Cases: 3:16-cv-00406-jdp et al. (Polk, Charles),(ps) (Entered: 08/23/2019)
08/28/2019	<u>67</u>	Letter/Judicial Notice from Plaintiff Norman Stapleton. (Attachments: # <u>1</u> Letter from Plaintiff Norman Stapleton to Attorney Timothy Edwards dated 8/20/19, # <u>2</u> Envelope) AssociatedCases: 3:16-cv-00406-jdp et al. (nln),(ps) (Entered: 08/28/2019)
09/05/2019	<u>68</u>	Notice of Withdrawal of Counsel by Megan Quinn Peccarelli re: Defendant Edward F. Wall Associated Cases: 3:16-cv-00406-jdp et al. (Peccarelli, Megan),(ps) (Entered: 09/05/2019)
09/06/2019		(Court only) *** Attorney Megan Quinn Peccarelli terminated. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 09/06/2019)
09/11/2019	<u>69</u>	Second Motion to Amend Briefing Schedule <i>as to Dispositive Motions Deadlines</i> by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Kenneth Gray, Stephen Kozlowski, James Smith, Norman Stapleton, Michael Van Caster, Duane R. Bull. Motions referred to Magistrate Judge Stephen L. Crocker. Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) (Entered: 09/11/2019)
09/11/2019		(Court only) Motions Taken Under Advisement: (118 in 3:16-cv-00406-jdp,) Motion to strike defendants' dispositive motions for summary judgment and dismissal as a defendant in plaintiff Tyrone Davis Smith's case individually, (117 in 3:16-cv-00406-jdp) Motion to be provided record by the attorneys representing him, (114 in 3:16-cv-00406-jdp) Motion to Sever. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 09/11/2019)
09/12/2019	70	** TEXT ONLY ORDER ** ORDER granting <u>122</u> Second Motion to Amend Briefing Schedule as to Dispositive Motions. Plaintiffs' Brief in Opposition due 9/24/2019. Defendants' Brief in Reply due 10/1/2019. Signed by Magistrate Judge Stephen L. Crocker on 9/12/2019. Associated Cases: 3:16-cv-00406-jdp et al. (nln),(ps) (Entered: 09/12/2019)
09/19/2019	<u>71</u>	Brief in Opposition by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith,

		Wisconsin Department of Natural Resources, ex rel., Kenneth Gray, Stephen Kozlowski, James Smith, Norman Stapleton, Michael Van Caster, Duane R. Bull re: (99 in 3:16-cv-00406-jdp, 53 in 3:16-cv-00826-jdp, 47 in 3:17-cv-00396-jdp, 47 in 3:16-cv-00745-jdp, 31 in 3:17-cv-00513-jdp, 33 in 3:17-cv-00611-jdp, 35 in 3:17-cv-00843-jdp, 30 in 3:17-cv-00946-jdp, 33 in 3:17-cv-00957-jdp) Motion for Summary Judgment filed by Edward F. Wall, (105 in 3:16-cv-00406-jdp, 58 in 3:16-cv-00826-jdp, 52 in 3:17-cv-00396-jdp, 52 in 3:16-cv-00745-jdp, 36 in 3:17-cv-00513-jdp, 38 in 3:17-cv-00611-jdp, 40 in 3:17-cv-00843-jdp, 35 in 3:17-cv-00946-jdp, 38 in 3:17-cv-00957-jdp) Motion for Summary Judgment, filed by Candi Whitman, Cris Krueger, Cathy Jess, Randall R. Hepp, Pete Gillum, J. Labelle, Health Service Unit of Fox Lake Correctional Institution, Stan Bethke, Greg Phal, Edward Wall, Candice Whitman, E. Davidson, Ana Boatwright, George Cooper, John Doe 1-10, Randall Hepp, John & Jane Does 1-10, T. Kiser, Fox Lake Correctional Institution, Candace Whitman, Robert Franks, Steven L. Sisbach, Jon Litscher, W. Weisenel, Edward F. Wall, John Maggioncalda, James L. LaBelle, David Barkhahn, C. Whitman, Wisconsin Department of Corrections, John Litscher, Steve Bethke, John and Jane Does 1-10, Larsen, Randy Mattison, Kevin Carr, Jon E. Litscher, W. Blenshaw, Chris Krueger, Terry Kiser Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) (Entered: 09/19/2019)
09/19/2019	<u>72</u>	Proposed Findings of Fact filed by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Kenneth Gray, Stephen Kozlowski, James Smith, Norman Stapleton, Michael Van Caster, Duane R. Bull re: (35 in 3:17-cv-00843-jdp, 30 in 3:17-cv-00946-jdp, 47 in 3:16-cv-00745-jdp, 99 in 3:16-cv-00406-jdp, 47 in 3:17-cv-00396-jdp, 33 in 3:17-cv-00957-jdp, 33 in 3:17-cv-00611-jdp, 53 in 3:16-cv-00826-jdp, 31 in 3:17-cv-00513-jdp) Motion for Summary Judgment, (52 in 3:16-cv-00745-jdp, 105 in 3:16-cv-00406-jdp, 58 in 3:16-cv-00826-jdp, 38 in 3:17-cv-00611-jdp, 40 in 3:17-cv-00843-jdp, 38 in 3:17-cv-00957-jdp, 35 in 3:17-cv-00946-jdp, 52 in 3:17-cv-00396-jdp, 36 in 3:17-cv-00513-jdp) Motion for Summary Judgment, Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) (Entered: 09/19/2019)
09/19/2019	<u>73</u>	Response to Proposed Findings of Fact filed by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Kenneth Gray, Stephen Kozlowski, James Smith, Norman Stapleton, Michael Van Caster, Duane R. Bull re: (35 in 3:17-cv-00843-jdp, 30 in 3:17-cv-00946-jdp, 47 in 3:16-cv-00745-jdp, 33 in 3:17-cv-00611-jdp, 99 in 3:16-cv-00406-jdp, 47 in 3:17-cv-00396-jdp, 33 in 3:17-cv-00957-jdp, 53 in 3:16-cv-00826-jdp, 31 in 3:17-cv-00513-jdp) Motion for Summary Judgment Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) (Entered: 09/19/2019)
09/19/2019	<u>74</u>	Response to Proposed Findings of Fact filed by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Kenneth Gray, Stephen Kozlowski, James Smith, Norman Stapleton, Michael Van Caster, Duane R. Bull re: (52 in 3:16-cv-00745-jdp, 40 in 3:17-cv-00843-jdp, 105 in 3:16-cv-00406-jdp, 38 in 3:17-cv-00957-jdp, 35 in 3:17-cv-00946-jdp, 58 in 3:16-cv-00826-jdp, 52 in 3:17-cv-00396-jdp, 36 in 3:17-cv-00513-jdp, 38 in 3:17-cv-00611-jdp) Motion for Summary Judgment, Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) (Entered: 09/19/2019)
09/19/2019	<u>75</u>	Declaration of Paul A. Kinne filed by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Kenneth Gray, Stephen Kozlowski, James Smith, Norman Stapleton, Michael Van Caster, Duane R. Bull re: (33 in 3:17-cv-00957-jdp) Motion for Summary Judgment, (38 in 3:17-cv-00957-jdp) Motion for Summary Judgment, (Attachments: # <u>1</u> Exhibit A – Proposed Findings of Fact, Conclusions of Law and Consent Order in DNR Case No. 2013-SCEE-031) Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) Modified on 9/20/2019. (lak) (Entered: 09/19/2019)
09/20/2019	<u>76</u>	Amended Brief in Opposition by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Kenneth Gray, Stephen

		Kozlowski, James Smith, Norman Stapleton, Michael Van Caster, Duane R. Bull re: (99 in 3:16-cv-00406-jdp, 53 in 3:16-cv-00826-jdp, 47 in 3:17-cv-00396-jdp, 47 in 3:16-cv-00745-jdp, 31 in 3:17-cv-00513-jdp, 33 in 3:17-cv-00611-jdp, 35 in 3:17-cv-00843-jdp, 30 in 3:17-cv-00946-jdp, 33 in 3:17-cv-00957-jdp) Motion for Summary Judgment filed by Edward F. Wall, (105 in 3:16-cv-00406-jdp, 58 in 3:16-cv-00826-jdp, 52 in 3:17-cv-00396-jdp, 52 in 3:16-cv-00745-jdp, 36 in 3:17-cv-00513-jdp, 38 in 3:17-cv-00611-jdp, 40 in 3:17-cv-00843-jdp, 35 in 3:17-cv-00946-jdp, 38 in 3:17-cv-00957-jdp) Motion for Summary Judgment, filed by Candi Whitman, Cris Krueger, Cathy Jess, Randall R. Hepp, Pete Gallow, J. Labelle, Health Service Unit of Fox Lake Correctional Institution, Stan Bethke, Greg Phal, Edward Wall, Candice Whitman, E. Davidson, Ana Boatwright, George Cooper, John Doe 1-10, Randall Hepp, John & Jane Does 1-10, T. Kiser, Fox Lake Correctional Institution, Candace Whitman, Robert Franks, Steven L. Sisbach, Jon Litscher, W. Weisenel, Edward F. Wall, John Maggioncalda, James L. LaBelle, David Barkhahn, C. Whitman, Wisconsin Department of Corrections, John Litscher, Steve Bethke, John and Jane Does 1-10, Larsen, Randy Mattison, Kevin Carr, Jon E. Litscher, W. Blenshaw, Chris Krueger, Terry Kiser Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) (Entered: 09/20/2019)
09/23/2019	<u>77</u>	<b>MOTION FOR PRELIMINARY INJUNCTION <i>and Accompanying Memorandum of Law</i></b> by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Kenneth Gray, Stephen Kozlowski, James Smith, Norman Stapleton, Michael Van Caster, Duane R. Bull. Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) (Entered: 09/23/2019)
09/24/2019		Set Briefing Deadlines as to (130 in 3:16-cv-00406-jdp, 83 in 3:16-cv-00826-jdp, 77 in 3:17-cv-00396-jdp, 77 in 3:16-cv-00745-jdp, 61 in 3:17-cv-00513-jdp, 63 in 3:17-cv-00611-jdp, 65 in 3:17-cv-00843-jdp, 60 in 3:17-cv-00946-jdp, 63 in 3:17-cv-00957-jdp) MOTION FOR PRELIMINARY INJUNCTION <i>and Accompanying Memorandum of Law</i> . Defendants' Brief in Opposition due 10/8/2019. Associated Cases: 3:16-cv-00406-jdp et al. (nln),(ps) (Entered: 09/24/2019)
09/30/2019	<u>78</u>	Motion to Amend Briefing Schedule by Defendants Kevin Carr, Randall Hepp, John Doe 1-10, Cris Krueger, Larsen, John Litscher, John Maggioncalda, Greg Phal, Candice Whitman, Kevin Carr, Randall R. Hepp, Jon E. Litscher, Edward F. Wall, Candace Whitman, Kevin Carr, Randall Hepp, Cathy Jess, Jon E. Litscher, David Barkhahn, Steve Bethke, Kevin Carr, John and Jane Does 1-10, Robert Franks, Pete Gallow, Randall Hepp, T. Kiser, Chris Krueger, J. Labelle, Jon Litscher, John Maggioncalda, Randy Mattison, Steven L. Sisbach, W. Weisenel, C. Whitman, Stan Bethke, W. Blenshaw, Ana Boatwright, Kevin Carr, George Cooper, Randall Hepp, John & Jane Does 1-10, Terry Kiser, Chris Krueger, James L. LaBelle, Jon Litscher, John Maggioncalda, Kevin Carr, Randall Hepp, Cathy Jess, Jon Litscher, Kevin Carr, Fox Lake Correctional Institution, Health Service Unit of Fox Lake Correctional Institution, Randall R. Hepp, Jon E. Litscher, Candi Whitman, Wisconsin Department of Corrections, Steve Bethke, Kevin Carr, George Cooper, Randall R. Hepp, John Maggioncalda, Edward F. Wall, Steve Bethke, Kevin Carr, E. Davidson, Randall Hepp, John Maggioncalda, Edward Wall. Motions referred to Magistrate Judge Stephen L. Crocker. Associated Cases: 3:16-cv-00406-jdp et al. (Flugaur, Brandon),(ps) (Entered: 09/30/2019)
09/30/2019	79	<b>** TEXT ONLY ORDER **</b> ORDER granting <u>131</u> Motion to Amend Briefing Schedule in case 3:16-cv-00406-jdp. Signed by Magistrate Judge Stephen L. Crocker on 9/30/2019. Associated Cases: 3:16-cv-00406-jdp et al. (nln),(ps) (Entered: 09/30/2019)
10/02/2019	<u>80</u>	Motion in Abeyance filed pro se, by Plaintiff Norman Stapleton. (Attachments: # <u>1</u> Cover Letter and Envelope) Associated Cases: 3:16-cv-00406-jdp et al. (nln),(ps) Modified on 10/2/2019 (nln). (Entered: 10/02/2019)
10/02/2019		(Court only) Motions Taken Under Advisement: (133 in 16-cv-406-jdp) Motion to Stay. Associated Cases: 3:16-cv-00406-jdp et al. (nln),(ps) (Entered: 10/02/2019)
10/08/2019	<u>81</u>	Brief in Reply by Defendant Edward Wall in Support of (99 in 3:16-cv-00406-jdp, 53 in 3:16-cv-00826-jdp, 47 in 3:17-cv-00396-jdp, 47 in 3:16-cv-00745-jdp, 31 in 3:17-cv-00513-jdp, 33 in 3:17-cv-00611-jdp, 35 in 3:17-cv-00843-jdp, 30 in

		3:17-cv-00946-jdp, 33 in 3:17-cv-00957-jdp) Motion for Summary Judgment Associated Cases: 3:16-cv-00406-jdp et al. (Polk, Charles),(ps) (Entered: 10/08/2019)
10/08/2019	<u>82</u>	Brief in Opposition by Defendant Edward Wall re: (130 in 3:16-cv-00406-jdp, 83 in 3:16-cv-00826-jdp, 77 in 3:17-cv-00396-jdp, 77 in 3:16-cv-00745-jdp, 61 in 3:17-cv-00513-jdp, 63 in 3:17-cv-00611-jdp, 65 in 3:17-cv-00843-jdp, 60 in 3:17-cv-00946-jdp, 63 in 3:17-cv-00957-jdp) Motion for Preliminary Injunction, filed by Sean Tate, Cameron Canady, Tyrone Davis Smith, Michael Van Caster, Norman Stapleton, Craig Thomas Bates, Allan Dean Owens, Kenneth Gray, James Smith, Stephen Kozlowski, Duane R. Bull, Timothy Eric Gibson, Thomas J. Kuruc, Wisconsin Department of Natural Resources, ex rel. Associated Cases: 3:16-cv-00406-jdp et al. (Polk, Charles),(ps) (Entered: 10/08/2019)
10/08/2019	<u>83</u>	Reply in Support of Proposed Findings of Fact filed by Defendants Kevin Carr, Randall Hepp, John Doe 1-10, Cris Krueger, Larsen, John Litscher, John Maggioncalda, Greg Phal, Candice Whitman, Kevin Carr, Randall R. Hepp, Jon E. Litscher, Candace Whitman, Kevin Carr, Randall Hepp, Cathy Jess, Jon E. Litscher, David Barkhahn, Steve Bethke, Kevin Carr, John and Jane Does 1-10, Robert Franks, Pete Gillum, Randall Hepp, T. Kiser, Chris Krueger, J. Labelle, Jon Litscher, John Maggioncalda, Randy Mattison, Steven L. Sisbach, W. Weisenel, C. Whitman, Stan Bethke, W. Blenshaw, Ana Boatwright, Kevin Carr, George Cooper, Randall Hepp, Terry Kiser, Chris Krueger, James L. LaBelle, Jon Litscher, John Maggioncalda, Kevin Carr, Randall Hepp, Cathy Jess, Jon Litscher, Kevin Carr, Health Service Unit of Fox Lake Correctional Institution, Randall R. Hepp, Jon E. Litscher, Candi Whitman, Wisconsin Department of Corrections, Kevin Carr, Randall R. Hepp, John Maggioncalda, Edward F. Wall, Steve Bethke, Kevin Carr, E. Davidson, Randall Hepp, John Maggioncalda re: (52 in 3:16-cv-00745-jdp, 40 in 3:17-cv-00843-jdp, 105 in 3:16-cv-00406-jdp, 38 in 3:17-cv-00957-jdp, 35 in 3:17-cv-00946-jdp, 58 in 3:16-cv-00826-jdp, 52 in 3:17-cv-00396-jdp, 36 in 3:17-cv-00513-jdp, 38 in 3:17-cv-00611-jdp) Motion for Summary Judgment, Associated Cases: 3:16-cv-00406-jdp et al. (Flugaur, Brandon),(ps) (Entered: 10/08/2019)
10/08/2019	<u>84</u>	Response to Proposed Findings of Fact filed by Defendants Kevin Carr, Randall Hepp, John Doe 1-10, Cris Krueger, Larsen, John Litscher, John Maggioncalda, Greg Phal, Candice Whitman, Kevin Carr, Randall R. Hepp, Jon E. Litscher, Candace Whitman, Kevin Carr, Randall Hepp, Cathy Jess, Jon E. Litscher, David Barkhahn, Steve Bethke, Kevin Carr, John and Jane Does 1-10, Robert Franks, Pete Gillum, Randall Hepp, T. Kiser, Chris Krueger, J. Labelle, Jon Litscher, John Maggioncalda, Randy Mattison, Steven L. Sisbach, W. Weisenel, C. Whitman, Stan Bethke, W. Blenshaw, Ana Boatwright, Kevin Carr, George Cooper, Randall Hepp, Terry Kiser, Chris Krueger, James L. LaBelle, Jon Litscher, John Maggioncalda, Kevin Carr, Randall Hepp, Cathy Jess, Jon Litscher, Kevin Carr, Randall R. Hepp, Jon E. Litscher, Candi Whitman, Kevin Carr, Randall R. Hepp, Steve Bethke, Kevin Carr, E. Davidson, Randall Hepp, John Maggioncalda, Edward Wall re: (40 in 3:17-cv-00843-jdp, 105 in 3:16-cv-00406-jdp, 38 in 3:17-cv-00957-jdp, 35 in 3:17-cv-00946-jdp, 58 in 3:16-cv-00826-jdp, 52 in 3:17-cv-00396-jdp, 36 in 3:17-cv-00513-jdp, 38 in 3:17-cv-00611-jdp) Motion for Summary Judgment, Associated Cases: 3:16-cv-00406-jdp et al. (Flugaur, Brandon),(ps) (Entered: 10/08/2019)
10/08/2019	<u>85</u>	Brief in Reply by Defendants Kevin Carr, Randall Hepp, John Doe 1-10, Cris Krueger, Larsen, John Litscher, John Maggioncalda, Greg Phal, Candice Whitman, Kevin Carr, Randall R. Hepp, Jon E. Litscher, Candace Whitman, Kevin Carr, Randall Hepp, Cathy Jess, Jon E. Litscher, David Barkhahn, Steve Bethke, Kevin Carr, John and Jane Does 1-10, Robert Franks, Pete Gillum, Randall Hepp, T. Kiser, Chris Krueger, J. Labelle, Jon Litscher, John Maggioncalda, Randy Mattison, Steven L. Sisbach, W. Weisenel, C. Whitman, Stan Bethke, W. Blenshaw, Ana Boatwright, Kevin Carr, George Cooper, Randall Hepp, Terry Kiser, Chris Krueger, James L. LaBelle, Jon Litscher, John Maggioncalda, Kevin Carr, Randall Hepp, Cathy Jess, Jon Litscher, Kevin Carr, Randall R. Hepp, Jon E. Litscher, Candi Whitman, Wisconsin Department of Corrections, Kevin Carr, Randall R. Hepp, Steve Bethke, Kevin Carr, E. Davidson, Randall Hepp, John Maggioncalda in Support of (105 in 3:16-cv-00406-jdp, 58 in 3:16-cv-00826-jdp, 52 in 3:17-cv-00396-jdp, 52 in 3:16-cv-00745-jdp, 36 in 3:17-cv-00513-jdp, 38 in 3:17-cv-00611-jdp, 40 in 3:17-cv-00843-jdp, 35 in 3:17-cv-00946-jdp, 38 in 3:17-cv-00957-jdp) Motion

		for Summary Judgment, <i>Defendants' Reply Brief in Support of Motion for Summary Judgment</i> Associated Cases: 3:16-cv-00406-jdp et al. (Flugaur, Brandon),(ps) (Entered: 10/08/2019)
10/08/2019	<u>86</u>	Brief in Opposition by Defendants Kevin Carr, Randall Hepp, John Doe 1-10, Cris Krueger, Larsen, John Litscher, John Maggioncalda, Greg Phal, Candice Whitman, Kevin Carr, Randall R. Hepp, Jon E. Litscher, Candace Whitman, Kevin Carr, Randall Hepp, Cathy Jess, Jon E. Litscher, David Barkhahn, Steve Bethke, Kevin Carr, John and Jane Does 1-10, Robert Franks, Pete Gillum, Randall Hepp, T. Kiser, Chris Krueger, J. Labelle, Jon Litscher, John Maggioncalda, Randy Mattison, Steven L. Sisbach, W. Weisenel, C. Whitman, Stan Bethke, W. Blenshaw, Ana Boatwright, Kevin Carr, George Cooper, Randall Hepp, Terry Kiser, Chris Krueger, James L. LaBelle, Jon Litscher, John Maggioncalda, Kevin Carr, Randall Hepp, Cathy Jess, Jon Litscher, Kevin Carr, Randall R. Hepp, Jon E. Litscher, Candi Whitman, Kevin Carr, Randall R. Hepp, Steve Bethke, Kevin Carr, E. Davidson, Randall Hepp, John Maggioncalda re: (130 in 3:16-cv-00406-jdp, 83 in 3:16-cv-00826-jdp, 77 in 3:17-cv-00396-jdp, 77 in 3:16-cv-00745-jdp, 61 in 3:17-cv-00513-jdp, 63 in 3:17-cv-00611-jdp, 65 in 3:17-cv-00843-jdp, 60 in 3:17-cv-00946-jdp, 63 in 3:17-cv-00957-jdp) Motion for Preliminary Injunction, filed by Sean Tate, Cameron Canady, Tyrone Davis Smith, Michael Van Caster, Norman Stapleton, Craig Thomas Bates, Allan Dean Owens, Kenneth Gray, James Smith, Stephen Kozlowski, Duane R. Bull, Timothy Eric Gibson, Thomas J. Kuruc, Wisconsin Department of Natural Resources, ex rel. <i>Defendants' Brief in Opposition to Plaintiffs' Motion for Preliminary Injunction</i> Associated Cases: 3:16-cv-00406-jdp et al. (Flugaur, Brandon),(ps) (Entered: 10/08/2019)
10/08/2019		(Court only) Motions Taken Under Advisement: (63 in 3:17-cv-00946-jdp, 80 in 3:17-cv-00396-jdp, 66 in 3:17-cv-00611-jdp, 133 in 3:16-cv-00406-jdp, 66 in 3:17-cv-00957-jdp, 80 in 3:16-cv-00745-jdp, 68 in 3:17-cv-00843-jdp, 64 in 3:17-cv-00513-jdp, 86 in 3:16-cv-00826-jdp) Motion to Stay, (130 in 3:16-cv-00406-jdp, 63 in 3:17-cv-00957-jdp, 63 in 3:17-cv-00611-jdp, 77 in 3:17-cv-00396-jdp, 60 in 3:17-cv-00946-jdp, 77 in 3:16-cv-00745-jdp, 61 in 3:17-cv-00513-jdp, 65 in 3:17-cv-00843-jdp, 83 in 3:16-cv-00826-jdp) MOTION FOR PRELIMINARY INJUNCTION <i>and Accompanying Memorandum of Law.</i> Associated Cases: 3:16-cv-00406-jdp et al. (nln),(ps) (Entered: 10/08/2019)
10/13/2019	<u>87</u>	Unopposed Motion to Substitute Attorney by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Kenneth Gray, Stephen Kozlowski, James Smith, Norman Stapleton, Michael Van Caster, Duane R. Bull. Motions referred to Magistrate Judge Stephen L. Crocker. Associated Cases: 3:16-cv-00406-jdp et al. (Edwards, Timothy),(ps) (Entered: 10/13/2019)
10/15/2019	88	** TEXT ONLY ORDER ** ORDER granting <u>140</u> Unopposed Motion to Substitute Attorney. in case 3:16-cv-00406-jdp Signed by Magistrate Judge Stephen L. Crocker on 10/15/2019. Associated Cases: 3:16-cv-00406-jdp et al. (nln),(ps) (Entered: 10/15/2019)
10/16/2019	<u>89</u>	Brief in Reply by Plaintiffs Thomas J. Kuruc, Timothy Eric Gibson, Cameron Canady, Allan Dean Owens, Sean Tate, Craig Thomas Bates, Tyrone Davis Smith, Wisconsin Department of Natural Resources, ex rel., Kenneth Gray, Stephen Kozlowski, James Smith, Norman Stapleton, Michael Van Caster, Duane R. Bull in Support of (130 in 3:16-cv-00406-jdp, 83 in 3:16-cv-00826-jdp, 77 in 3:17-cv-00396-jdp, 77 in 3:16-cv-00745-jdp, 61 in 3:17-cv-00513-jdp, 63 in 3:17-cv-00611-jdp, 65 in 3:17-cv-00843-jdp, 60 in 3:17-cv-00946-jdp, 63 in 3:17-cv-00957-jdp) Motion for Preliminary Injunction, Associated Cases: 3:16-cv-00406-jdp et al. (Kinne, Paul),(ps) (Entered: 10/16/2019)
10/25/2019	<u>90</u>	ORDER, entered in lead case 16-cv-406-jdp, granting plaintiffs Tyrone Davis Smith's and Michael Van Caster's motions to sever their cases, Dkt. 113 and Dkt. 114.  Smith's claims will proceed in Case No. 17-cv-396-jdp.  Van Caster's claims will proceed in case no. 18-cv-1009-jdp. The judgment in that case is VACATED and the case is reopened.

		<p>Smith's motion for the court's assistance in recruiting him new counsel, Dkt. 114, is DENIED.</p> <p>Smith's motion to strike the state defendants' motion for summary judgment, Dkt. 118, is DENIED.</p> <p>Smith's motion for plaintiffs' counsel to provide him with a copy of their file, Dkt. 117, is GRANTED.</p> <p>Plaintiff Norman Stapleton's motion regarding legal materials, Dkt. 133, is GRANTED in part; plaintiffs' counsel should promptly provide Stapleton with a copy of plaintiffs' summary judgment opposition materials.</p> <p>Stapleton may have until November 8, 2019, to inform the court whether he wishes to remain represented by counsel.</p> <p>Signed by District Judge James D. Peterson on 10/25/2019. (jef),(ps) (Entered: 10/25/2019)</p>
10/25/2019		(Court only) ***Motions terminated: same as lead motions in 16-cv-406 in dkt. <u>143</u> order; dkts. 113 , <u>114</u> , <u>117</u> , 118 , <u>133</u> . Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 10/25/2019)
10/25/2019		(Court only) *** Set Tickler: Plaintiff Norman Stapleton to inform the court whether he wishes to remain represented by counsel. Stapleton's Response to Order due 11/8/2019. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 10/25/2019)
10/25/2019		(Court only) ***Case association terminated: between 3:16-cv-00406-jdp and 3:17-cv-00396-jdp. Consolidated case flag removed. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 10/25/2019)
10/25/2019		(Court only) *** Plaintiff's Attorneys Timothy D. Edwards and Paul A. Kinne terminated. PRO_SE flag added. PRISCON flag removed. (jef),(ps) (Entered: 10/25/2019)
10/25/2019		(Court only) ***Motions terminated: same as lead motions in 16-cv-406 in dkt. 143 order; dkts. 122, 131 and 140. Associated Cases: 3:16-cv-00406-jdp et al. (jef),(ps) (Entered: 10/25/2019)
10/25/2019		(Court only) ***Staff Notes entered 10/25/2019: Mailed a copy of the dkt. <u>90</u> order to plaintiff Tyrone Smith. (jef),(ps) (Entered: 10/25/2019)
11/18/2019	<u>91</u>	Motion for Reconsideration under Rule 59(e), Fed. R. Civ. P. re <u>90</u> Order, by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter, # <u>3</u> Envelope) (jef),(ps) (Entered: 11/18/2019)
11/18/2019	<u>92</u>	Declaration of Tyrone Davis Smith re: <u>91</u> Motion for Reconsideration. (Attachments: # <u>1</u> Exhibit 1 – Letter to Attorney Edwards, 7/28/19, # <u>2</u> Exhibit 2 – Letter from Attorney Edwards, 8/16/19, # <u>3</u> Exhibit 3 – Letter from Attorney Edwards, 8/9/19, # <u>4</u> Exhibit 4 – Account statement, 10/18/19) (jef),(ps) (Entered: 11/18/2019)
11/18/2019		(Court only) Motions Taken Under Advisement: <u>91</u> Motion for Reconsideration re <u>90</u> Order. (jef),(ps) (Entered: 11/18/2019)
11/19/2019	<u>93</u>	Letter from clerk's office in response to <u>91</u> cover letter requesting copies from plaintiff. (jef),(ps) (Entered: 11/19/2019)
12/09/2019	<u>94</u>	Motion To Direct Court's Attention To His Individual Proposed Findings Of Facts And His Individual Amended Response To "All" Defendants Motion for Summary Judgment Incorporated Herein From Case No. 16-cv-406-JDP, filed by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Cover Letter and Envelope) (nlm),(ps) (Entered: 12/09/2019)

12/09/2019	<u>95</u>	Settlement Letter in Regards to Case No. 17-cv-396-jdp and Request for Mediation by Plaintiff Tyrone Davis Smith. Clerk's Office Note: Plaintiff's proposed settlement dollar amount referenced in this submission has been redacted. (nl), (ps) (Entered: 12/09/2019)
12/09/2019		Clerk's Office Note: Plaintiff's address updated to New Lisbon Correctional Institution per <u>94</u> and <u>95</u> submissions. (nl), (ps) (Entered: 12/09/2019)
12/09/2019		(Court only) Motions Taken Under Advisement: <u>94</u> Motion to Direct Court's Attention To His Individual Proposed Findings Of Facts And His Individual Amended Response To "All" Defendants Motion for Summary Judgment Incorporated Herein From Case No. 16-cv-406-JDP, <u>95</u> Settlement Letter in Regards to Case No. 17-cv-396-jdp and Request for Mediation. (nl), (ps) (Entered: 12/09/2019)
01/21/2020	<u>96</u>	Motion in Limine by Plaintiff Tyrone Davis Smith. See dkt. <u>101</u> for signed copy. (Attachments: # <u>1</u> Envelope) (nl), (ps) (Entered: 01/21/2020)
01/21/2020	<u>97</u>	Proposed Jury Instructions, by Plaintiff Tyrone Davis Smith. (nl), (ps) (Entered: 01/21/2020)
01/21/2020	<u>98</u>	Proposed Voir Dire (unsigned) by Plaintiff Tyrone Davis Smith. See dkt. <u>102</u> for signed copy. (nl), (ps) (Entered: 01/21/2020)
01/21/2020	<u>99</u>	Proposed Jury Verdict Form (unsigned) by Plaintiff Tyrone Davis Smith. See dkt. <u>103</u> for signed copy. (nl), (ps) (Entered: 01/21/2020)
01/21/2020	<u>100</u>	Clerk's office letter to plaintiff returning <u>96</u> , <u>98</u> , <u>99</u> submissions to plaintiff for his signature. (nl), (ps) (Entered: 01/21/2020)
01/30/2020	<u>101</u>	Signed copy of <u>96</u> Motion in Limine filed by Tyrone Davis Smith. (Attachments: # <u>1</u> Envelope) (nl), (ps) (Entered: 01/30/2020)
01/30/2020	<u>102</u>	Signed copy of <u>98</u> Proposed Voir Dire filed by Tyrone Davis Smith. (nl), (ps) (Entered: 01/30/2020)
01/30/2020	<u>103</u>	Signed copy of <u>99</u> Proposed Special Verdict filed by Tyrone Davis Smith. (nl), (ps) (Entered: 01/30/2020)
02/10/2020	<u>104</u>	ORDER entered in case 16-cv-406-jdp. Signed by District Judge James D. Peterson on 2/7/2020. (jef), (ps) (Entered: 02/10/2020)
02/10/2020		(Court only) ***Motions terminated: <u>47</u> , <u>52</u> motions for summary judgment. (jef/jf), (ps) (Entered: 02/10/2020)
02/11/2020		(Court only) ***Trial date and related deadlines terminated. (jef/jf), (ps) (Entered: 02/11/2020)
02/11/2020		Set Telephone Pretrial or Status Conference: Telephone Pretrial Conference set for 2/27/2020 at 02:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Defendants responsible for setting up the call to chambers at (608) 264-5153. (jef/jf: scheduled at the same time as case 16-cv-406-jdp et al), (ps) (Entered: 02/11/2020)
02/11/2020		(Court only) Motions Taken Under Advisement: <u>96</u> Motion in Limine. (jef), (ps) (Entered: 02/11/2020)
02/26/2020	105	** TEXT ONLY ORDER ** Because Tyrone Smith's water quality lawsuit has been severed from the multi-plaintiff lawsuit raising the same claims ( <i>Stapleton v. Hepp</i> , 17-cv-396), there is no reason to hold the scheduling conferences at the same time. Therefore, Smith's telephonic preliminary pretrial conference is moved to March 5, 2020 at 2:30 p.m. Signed by Magistrate Judge Stephen L. Crocker on 2/26/2020. (jef), (ps) (Entered: 02/26/2020)
03/04/2020		Re-Set Telephone Pretrial Conference : Telephone Pretrial Conference re-set from 3/5/2020 to 3/12/2020 at 02:30 PM to accommodate the court's calendar. Counsel for Defendants remain responsible for setting up the call to chambers at (608) 264-5153. (jef), (ps) (Entered: 03/04/2020)

03/04/2020		(Court only) ***Motions terminated: <u>77</u> MOTION FOR PRELIMINARY INJUNCTION. (jef/jcf),(ps) (Entered: 03/04/2020)
03/11/2020		Re-Set Telephone Pretrial Conference: Telephone Pretrial Conference re-set from 3/12/2020 to 3/20/2020 at 02:30 PM at the request of defense counsel due to a time conflict. Counsel for Defendants responsible for setting up the call to chambers at (608) 264-5153. (jef),(ps) (Entered: 03/11/2020)
03/20/2020	<u>106</u>	** TEXT ONLY ORDER ** On March 20, 2020, the court held a telephonic status conference. Plaintiff was available to participate, but the court could not reach any of defendants' attorneys, most likely because of teleworking miscommunications arising from the coronavirus pandemic. Plaintiff reported his position: first, he wants the court to reconsider its decision not to provide him with another volunteer attorney after he severed his relation with the volunteer attorneys who had been representing him (and who continue to represent other plaintiffs in the Stapleton lawsuit, 16-cv-406). Toward this end, plaintiff might be updating his November 18, 2019 motion for reconsideration, dkt. <u>91</u> . Second, in response to the court's February 6, 2020 order (dkt. <u>104</u> ), plaintiff intends to prove that he has suffered physical injuries as a result of drinking the water at FLCI. Toward this end, plaintiff will be filing a motion seeking leave to work with the court's medical expert. After the court has ruled on this request, we will be in a position to hold a telephonic scheduling conference to set a dispositive motion deadline and a trial date. Plaintiff had no other matters to bring to the court's attention. Signed by Magistrate Judge Stephen L. Crocker on 3/20/2020. (jef),(ps) (Entered: 03/20/2020)
03/27/2020	<u>107</u>	Motion for Access to Medical Expert by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (nln),(ps) (Entered: 03/27/2020)
03/27/2020		(Court only) Motions Taken Under Advisement: <u>107</u> Motion for Access to Medical Expert. (nln),(ps) (Entered: 03/27/2020)
05/07/2020	<u>108</u>	ORDER that Plaintiff Tyrone Davis Smith's motion for reconsideration, Dkt. <u>91</u> , is DENIED.  Plaintiff's motion to consider proposed findings of fact, Dkt. <u>94</u> , is DENIED.  Plaintiff's conditions-of-confinement claims are DISMISSED. Defendants Hepp and Litscher are DISMISSED from the case.  Plaintiff's motion for mediation, Dkt. <u>95</u> , is DENIED.  Plaintiff's motion in limine, Dkt. <u>96</u> , is DENIED.  Plaintiff's motion for access to a medical expert, Dkt. <u>107</u> , is GRANTED in part.  Signed by District Judge James D. Peterson on 5/7/2020. (rks),(ps) (Entered: 05/07/2020)
05/07/2020		(Court only) *** Party Randall R. Hepp and Jon E. Litscher terminated. *** Set Tickler: New Deadlines set? Activity by 8/27/2020. (rks),(ps) (Entered: 05/07/2020)
05/15/2020	<u>109</u>	Copy of letter from plaintiff to Attorney Paul Kinne. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 05/15/2020)
05/22/2020	<u>110</u>	Certificate of Mailing of Authorization and Informed Consent for use and disclosure of Medical Information by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (aom),(ps) (Entered: 05/22/2020)
06/19/2020	<u>111</u>	ORDER granting the parties' joint motion to amend the schedule, Dkt. 176 . The schedule is amended as discussed within this order. The clerk of court is directed to send plaintiffs' counsel the materials discussed in this order. Signed by District Judge James D. Peterson on 6/18/2020. (Attachments: # <u>1</u> 17-cv-396 - Tyrone Smith,

		# <u>2</u> 18-cv-774 – Christopher Smith, # <u>3</u> 18-cv-901 – Damien Vanatta, # <u>4</u> 18-cv-907 – Anthony Jones, # <u>5</u> 18-cv-994 – Christian Aguirre–Hodge, # <u>6</u> 18-cv-1037– Michael Shepard, # <u>7</u> 18-cv-1072 – Morgen Decker–Maloney, # <u>8</u> 19-cv-235 – Demetrius Borland, # <u>9</u> 19-cv-431 – Anthony Turner, # <u>10</u> 19-cv-509 – Delante Higgenbottom, # <u>11</u> 19-cv-662 – Joshua McKinney) (jef/unconsolidated complaints and orders attached),(ps) (Entered: 06/19/2020)
11/30/2020	<u>112</u>	Motion for Access to Medical Expert's Report to Analyzation of Smith's Medical Records by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Envelope) (nl), (ps) (Entered: 11/30/2020)
11/30/2020		(Court only) Motions Taken Under Advisement: <u>112</u> Motion for Access to Medical Expert's Report to Analyzation of Smith's Medical Records. (nl), (ps) (Entered: 11/30/2020)
12/01/2020	113	** TEXT ONLY ORDER ** Plaintiff's motion for access to court-appointed expert Franzblau's report, dkt. <u>112</u> , is DENIED because that report is not yet available. The court has given Franzblau until February 5, 2021, to complete his report. See Dkt. 196 in case no. 16-cv-406-jdp. Signed by Magistrate Judge Stephen L. Crocker on 12/01/2020. (nl), (ps) (Entered: 12/01/2020)
12/23/2020	<u>114</u>	Motion for Order Commanding Release of Medical Records, by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Envelope) (nl), (ps) (Entered: 12/23/2020)
12/28/2020		Set Briefing Deadlines as to <u>114</u> Motion for Order Commanding Release of Medical Records. Defendants' response due 1/11/2021. Plaintiff's reply due 1/19/2021. (nl), (ps) (Entered: 12/28/2020)
01/11/2021	<u>115</u>	Brief in Opposition by Defendants Kevin Carr, Candi Whitman re: <u>114</u> Motion to Compel filed by Tyrone Davis Smith (Attachments: # <u>1</u> Certificate of Service) (Flugaur, Brandon), (ps) (Entered: 01/11/2021)
01/29/2021		(Court only) Motions Taken Under Advisement: <u>114</u> Motion to Compel. No reply filed. (jef), (ps) (Entered: 01/29/2021)
02/01/2021	116	** TEXT ONLY ORDER ** Plaintiff's motion for defendants to provide him with a copy of his medical records, Dkt. <u>114</u> , is DENIED as moot. Defendants responded to plaintiff's motion by stating that his former counsel has sent him a copy of his records, and plaintiff did not submit a reply disputing that. Signed by District Judge James D. Peterson on 2/1/2021. (lam), (ps) (Entered: 02/01/2021)
02/18/2021	<u>117</u>	Motion requesting medical expert to provide expert report by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Envelope) (jef), (ps) (Entered: 02/18/2021)
02/18/2021		(Court only) Motions Taken Under Advisement: <u>117</u> Motion to requesting medical expert to provide expert report. (jef), (ps) (Entered: 02/18/2021)
02/18/2021	118	** TEXT ONLY ORDER ** Plaintiffs Bull's and Owens's motions for a copy of expert Franzblau's report, Dkt. 202 and Dkt. 203 in case no. 16-cv-406-jdp, are GRANTED. Counsel for plaintiffs is directed to send a copy of the report to each of the plaintiffs in the '406 case and each of the plaintiffs bringing related FLCI water cases, as listed in the court's June 19, 2020 order. Signed by District Judge James D. Peterson on 2/17/2021. (jef), (ps) (Entered: 02/18/2021)
02/18/2021		(Court only) *** Set Tickler: New schedule entered or set PPTC?. Activity by 4/5/2021. (jef), (ps) (Entered: 02/18/2021)

02/18/2021		(Court only) ***Motions terminated: <u>117</u> Motion to requesting medical expert to provide expert report filed by Tyrone Davis Smith. (jef/jf),(ps) (Entered: 02/18/2021)
03/04/2021	<u>119</u>	Rebuttal of Medical Report of Alfred Franzblau, M.D. by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 03/04/2021)
03/04/2021		(Court only) Motions Taken Under Advisement: <u>119</u> Rebuttal of Medical Report of Alfred Franzblau, M.D. (jef),(ps) (Entered: 03/04/2021)
04/20/2021	<u>120</u>	ORDER entered in consolidated cases 16-cv-406-jdp denying plaintiff's <u>119</u> Motion for Rebuttal of Medical Report of Alfred Franzblau, M.D. Signed by District Judge James D. Peterson on 4/20/2021. (jef),(ps) (Entered: 04/20/2021)
04/20/2021		(Court only) Re-Set Tickler: New schedule entered or set PPTC? (Activity by 6/1/2021) (jef),(ps) (Entered: 04/20/2021)
04/26/2021	<u>121</u>	Motion to Clarify by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Letter from Gingras, Thomsen, and Wachs, # <u>2</u> Envelope) (aom),(ps) (Entered: 04/26/2021)
04/26/2021		(Court only) Motions Taken Under Advisement: <u>121</u> Motion for Clarify. (aom),(ps) (Entered: 04/26/2021)
06/14/2021		(Court only) *** Reset Tickler: New schedule entered or set PPTC? (Activity by 7/6/2021). (kmd),(ps) (Entered: 06/14/2021)
06/21/2021	<u>122</u>	ORDER that plaintiffs' counsel's motion to withdraw, Dkt. 226 , is GRANTED. Counsel's motion for a status conference, Dkt. 224 , is DENIED as moot. The stay is lifted in each of the above-listed cases, and each case will proceed individually, unconsolidated from the others. Each plaintiff may have until July 21, 2021, to submit an amended complaint. Plaintiffs' motion for clarification, Dkt. 211 in this case and Dkt. 121 in case no. 17-cv-396, are GRANTED. Plaintiff Stapleton's motion for the court's assistance in recruiting him counsel, Dkt. 228 , is DENIED without prejudice. Signed by District Judge James D. Peterson on 6/21/2021. (lam),(ps) (Entered: 06/21/2021)
06/24/2021		(Court only) *** Set Tickler: Amended complaint / Response to Order due 7/21/2021. (jef),(ps) (Entered: 06/24/2021)
06/24/2021		(Court only) ***Activity tickler re: 16-406, et al. cases terminated. (jef),(ps) (Entered: 06/24/2021)
07/06/2021	<u>123</u>	Second Amended Complaint by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Envelope) (aom),(ps) (Entered: 07/06/2021)
07/06/2021		(Court only) Motions Taken Under Advisement: <u>123</u> Second Amended Complaint. (aom),(ps) (Entered: 07/06/2021)
08/04/2021		(Court only) ***Motions terminated: <u>121</u> Motion to Clarify filed by Tyrone Davis Smith. (lam/jf),(ps) (Entered: 08/04/2021)
08/30/2021	<u>124</u>	Letter from plaintiff providing \$405 check for the filing fee for case 21-cv-51, request for courtesy copies of the amended complaint in case 17-cv-396, request for docket sheets and notice of change of address. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 08/30/2021)
08/30/2021		(Court only) ***Staff Notes entered 8/30/2021: Changed plaintiff Tyrone Davis Smith's address to 10183 Kempf Road, Siren, WI 54872 per his notice of change of address received on Aug. 30, 2021. (jef),(ps) (Entered: 08/30/2021)
08/31/2021	<u>125</u>	Clerk's office response to plaintiff Tyrone Smith's request for copies on August 30, 2021. (jef),(ps) (Entered: 08/31/2021)
09/03/2021	<u>126</u>	ORDER that plaintiff Tyrone Davis Smith may have until September 17, 2021, to submit an amended complaint. Signed by District Judge James D. Peterson on 9/3/2021. (kmd),(ps) (Entered: 09/03/2021)
09/07/2021		(Court only) ***Motions terminated: <u>123</u> Second Amended Complaint filed by Tyrone Davis Smith. (lam),(ps) (Entered: 09/07/2021)

09/13/2021	<u>127</u>	Proposed Amended Complaint by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Envelope) (aom),(ps) (Entered: 09/13/2021)
09/13/2021		(Court only) Motions Taken Under Advisement: <u>127</u> Proposed Amended Complaint. (aom),(ps) (Entered: 09/13/2021)
10/04/2021	<u>128</u>	ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendant Candance Whitman. The remaining defendants are DISMISSED from the case. The clerk of court is directed to set a conference before Magistrate Judge Stephen Crocker to set a schedule for the remainder of the case. Signed by District Judge James D. Peterson on 10/4/2021. (lam),(ps) (Entered: 10/04/2021)
10/04/2021		Set Hearings: Telephone Scheduling Conference set for 10/26/2021 at 2:30 p.m. before Magistrate Judge Stephen L. Crocker. Plaintiff 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. (lam),(ps) (Entered: 10/04/2021)
10/06/2021		(Court only) ***Set/Clear Flags: UNSERVED flag removed. (lam),(ps) (Entered: 10/06/2021)
10/07/2021		(Court only) ***Staff Notes entered 10/7/2021: WI DOJ assistant Krystal Edwards called to provide AAG Brandon Flugaur's phone number for the 10/26/21 pretrial conference; his phone no. is 608-266-1780. (jef),(ps) (Entered: 10/07/2021)
10/08/2021	<u>129</u>	Notice of Change of Address by Plaintiffs Tyrone Davis Smith (Attachments: # <u>1</u> Envelope) (aom),(ps) (Entered: 10/08/2021)
10/08/2021		(Court only) ***Staff Notes entered 10/8/2021: Plaintiff address changed from 10183 Kempf Road, P.O. Box 267, Siren, WI 54872 to 2644 North 49th Center Street, Milwaukee, WI 53210.(aom),(ps) Corrected zip code. (jef). (Entered: 10/08/2021)
10/08/2021		(Court only) ***Staff Notes entered 10/8/2021: Plaintiff re-mailed dkt. 128 order and 10-04-21 docket entry regarding hearing schedule. (aom),(ps) (Entered: 10/08/2021)
10/26/2021		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference – Pro Se held on 10/26/2021 [:10] (cak),(ps) (Entered: 10/26/2021)
10/29/2021	<u>130</u>	Pretrial Conference Order – <u>Preliminary Pretrial Packet in cases assigned to District Judge James D. Peterson</u> attached. Dispositive Motions for Failure to Exhaust Administrative Remedies due 12/10/2021. Dispositive Motions due 7/15/2022. Final Pretrial Submissions and Disclosures due 12/9/2022. Responses due 12/23/2022. Telephone Final Pretrial Conference set for 1/20/2023 at 10:00 a.m. Counsel for Defendant responsible for setting up the call to chambers at (608) 264-5504. Jury Selection and Trial set for 1/30/2023 at 08:30 AM. Signed by Magistrate Judge Stephen L. Crocker on 10/27/2021. (lam),(ps) (Entered: 10/29/2021)
12/07/2021	<u>131</u>	(Ex Parte) Confidential Address Notification captioned to Circuit Court of Milwaukee County, case 21cv1987, filed by Plaintiff Tyrone Davis Smith (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 12/07/2021)
12/07/2021		(Court only) ***Staff Notes entered 12/7/2021: Plaintiff's address is 521 Tedesco Street, Saint Paul, MN 55130 per his Confidential Address Notification docketed on 12/7/2021. (jef),(ps) (Entered: 12/07/2021)
12/10/2021	<u>132</u>	<b>MOTION FOR SUMMARY JUDGMENT on Exhaustion Grounds</b> by Defendant Candance Whitman. (Attachments: # <u>1</u> Certificate of Service) (Rakvic-Farr, Laure),(ps) (Entered: 12/10/2021)
12/10/2021	<u>133</u>	Brief in Support of <u>132</u> Motion for Summary Judgment on Exhaustion Grounds by Defendant Candance Whitman (Rakvic-Farr, Laure),(ps) (Entered: 12/10/2021)
12/10/2021	<u>134</u>	Declaration of Matthew Greenwood filed by Defendant Candance Whitman re: <u>132</u> Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit 1000 – ICRS History Report, # <u>2</u> Exhibit 1001 – FLCI-2017-10982) (Rakvic-Farr, Laure),(ps) (Entered: 12/10/2021)

12/10/2021		Set Deadlines as to <u>132</u> MOTION FOR SUMMARY JUDGMENT <i>on Exhaustion Grounds</i> . Brief in Opposition due 1/3/2022. Brief in Reply due 1/10/2022. (lam),(ps) (Entered: 12/10/2021)
12/13/2021	<u>135</u>	(Ex Parte) Confidential Address Notification captioned to Circuit Court of Milwaukee County, case 21cv1987, by Plaintiff Tyrone Davis Smith (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 12/13/2021)
12/13/2021		(Court only) ***Staff Notes entered 12/13/2021: Plaintiff's address is now 5555 N. Teutonia Ave. Milwaukee, WI 53209 and his phone number is (262) 772-6987 per his notice of change of address received on 12/13/21. (jef),(ps) (Entered: 12/13/2021)
12/14/2021	<u>136</u>	Letter from clerk's office regarding submissions from plaintiff on December 7 and December 13, 2021. (Attachments: # <u>1</u> Electronic Filing Procedure VI. Documents Filed With Redaction, Under Seal or Ex Parte, # <u>2</u> Administrative Order 337) (jef),(ps) (Entered: 12/14/2021)
01/05/2022		(Court only) ***Staff Notes entered 1/5/2022: Plaintiff called to update his address: <b>5555 N. Teutonia Ave. #4, Milwaukee, WI 53209</b> . Plaintiff confirmed that he did not receive defendants' motion for summary judgment/exhaustion or the briefing schedule on that motion (both were sent to a previous address).  Plaintiff will file a motion for extension of time to respond defendants' motion promptly, since it is now past due. As a one-time courtesy, the court will mail plaintiff defendants summary judgment/exhaustion materials. Plaintiff will also contact the DOJ attorneys to provide them with a mailing address for serving future filings. (lam),(ps) (Entered: 01/05/2022)
01/10/2022	<u>137</u>	Motion for Extension of Time to File Response to Defendant's Summary Judgement Motion by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Envelope) (aom),(ps) (Entered: 01/10/2022)
01/11/2022	138	** TEXT ONLY ORDER ** Plaintiff's motion for an extension of time to file his summary judgment response, dkt. <u>137</u> , is GRANTED. Plaintiff's new deadline is January 26, 2022. Defendant's new reply deadline is February 2, 2022. Signed by Magistrate Judge Stephen L. Crocker on 1/11/2022. (lam),(ps) (Entered: 01/11/2022)
01/26/2022	<u>139</u>	Brief in Support of Plaintiff's Motion in Opposition of <u>132</u> Motion for Summary Judgment by Plaintiff Tyrone Davis Smith (Attachments: # <u>1</u> Certificate of Mailing, # <u>2</u> Envelope) (aom),(ps) (Entered: 01/26/2022)
01/26/2022	<u>140</u>	Declaration of Tyrone Davis Smith filed by Plaintiff Tyrone Davis Smith re: <u>132</u> Motion for Summary Judgment (aom),(ps) (Entered: 01/26/2022)
01/26/2022		(Court only) Disregard. (jef). (Entered: 01/26/2022)
02/01/2022	<u>141</u>	Brief in Reply by Defendant Candance Whitman in Support of <u>132</u> Motion for Summary Judgment (Attachments: # <u>1</u> Certificate of Service) (Rakvic-Farr, Laure),(ps) (Entered: 02/01/2022)
02/25/2022	<u>142</u>	Notice of Withdrawal of Counsel by Laure C. Rakvic-Farr re: Defendant Candance Whitman (Attachments: # <u>1</u> Certificate of Service) (Rakvic-Farr, Laure),(ps) (Entered: 02/25/2022)
02/28/2022		(Court only) *** Attorney Laure C. Rakvic-Farr terminated. (lam),(ps) (Entered: 02/28/2022)
03/31/2022	<u>143</u>	Notice of Change of Address by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 03/31/2022)
03/31/2022		(Court only) ***Staff Notes entered 3/31/2022: Changed plaintiff's address to Milwaukee Secure Program Facility per his notice of change of address. (jef),(ps) (Entered: 03/31/2022)
03/31/2022	<u>144</u>	ORDER that defendant Candace Whitman's motion for summary judgment on exhaustion grounds, Dkt. <u>132</u> , is GRANTED, and this case is DISMISSED without

		prejudice. The clerk of court is directed to enter judgment in defendant's favor and close this case. Signed by District Judge James D. Peterson on 3/31/2022. (lam),(ps) (Entered: 03/31/2022)
03/31/2022	<u>145</u>	JUDGMENT is entered in favor of defendant dismissing this case without prejudice. (lam),(ps) (Entered: 03/31/2022)
04/01/2022	<u>146</u>	Letter from plaintiff notifying the court of release from custody on April 14, 2022. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 04/01/2022)
04/08/2022	<u>147</u>	Motion to Alter or Amend Judgment by Plaintiff Tyrone Davis Smith. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (aom),(ps) (Entered: 04/08/2022)
04/08/2022		(Court only) Motions Taken Under Advisement: <u>147</u> Motion to Alter or Amend Judgment. (aom),(ps) (Entered: 04/08/2022)
04/08/2022		(Court only) *** Set Tickler: Plaintiff released from custody? Verify on DOC website and update per <u>146</u> . Activity by 4/14/2022 (lam),(ps) (Entered: 04/08/2022)
04/11/2022	148	** TEXT ONLY ORDER ** Plaintiff's motion to alter or amend the judgment, Dkt. <u>147</u> , is DENIED because plaintiff does not present newly discovered evidence, nor does he establish a manifest error of law or fact in the court's summary judgment opinion. In particular, nothing in plaintiff's motion persuades me that I was incorrect in concluding that he failed to exhaust his administrative remedies before filing this lawsuit. Signed by District Judge James D. Peterson on 4/11/2022. (jef),(ps) (Entered: 04/11/2022)
04/11/2022		(Court only) ***Staff Notes entered 4/11/2022: Changed plaintiff's address to 5555 N. Teutonia Ave. #4, Milwaukee, WI 53209 per his dkt. 27 letter in case no. 21-cv-656-jdp and sent the dkt. 148 text order to that address as well as to the Milwaukee Secure Program Facility address. (jef),(ps) Modified on 4/12/2022 (lam). (Entered: 04/11/2022)
04/20/2022		(Court only) ***Staff Notes entered 4/20/2022: Updated plaintiff's address to 3383 N. 26th Street, lower unit Milwaukee, WI 53206 per his phone call request. (lam/jef),(ps) (Entered: 05/04/2022)
05/06/2022	<u>149</u>	NOTICE OF APPEAL by Plaintiff Tyrone Davis Smith as to <u>144</u> Order, 148 Order, <u>145</u> Judgment. \$505 fee or motion for ifp due. No Docketing Statement filed. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Envelope) (jef),(ps) (Entered: 05/06/2022)
05/06/2022	<u>150</u>	Appeal Information Packet. (jef),(ps) (Entered: 05/06/2022)