

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:18-cv-01061-bbc**

Maher, Scott v. Bellile, Doug
Assigned to: District Judge Barbara B. Crabb
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 28:1983 Civil Rights

Date Filed: 12/21/2018
Date Terminated: 11/10/2020
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Scott Maher
et al.,

represented by **Scott Maher**
197981
P.O. Box 800
Mauston, WI 53948-0800
PRO SE

V.

Defendant

Doug Bellile

represented by **Catherine Rita Malchow**
Department of Justice
17 W. Main Street
Madison, WI 53707-7862
608-267-1311
Email: MalchowCR@doj.state.wi.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rebecca Ann Paulson
Department of Justice
17 West Main Street
Madison, WI 53702
608-266-0278
Email: paulsonra@doj.state.wi.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/21/2018	<u>1</u>	COMPLAINT against All Defendants, filed by Scott Maher. (Case randomly assigned to District Judge Barbara B. Crabb.) (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope) (rks) (Entered: 12/21/2018)
12/21/2018	<u>2</u>	Motion for Leave to Proceed in forma pauperis by Plaintiff Scott Maher. (rks),(ps) (Entered: 12/21/2018)
12/21/2018	<u>3</u>	Resident Statement by Plaintiff Scott Maher (rks),(ps) (Additional attachment(s) added on 12/21/2018: # <u>1</u> IPP Calculation) (rks). (Entered: 12/21/2018)
12/21/2018	<u>4</u>	Motion for Appointment of Counsel/Declaration in Support of Plaintiff's Motion for Appointment of Counsel by Plaintiff Scott Maher. (rks),(ps) (Entered: 12/21/2018)
12/21/2018	<u>5</u>	ORDER on ifp request: Initial partial filing fee of \$ 85.12 assessed due 1/14/2019. Signed by Magistrate Judge Peter A. Oppeneer on 12/21/2018. (rks),(ps) (Entered: 12/21/2018)
01/14/2019		Partial Filing fee received : \$ 85.12, receipt number 34690033657. (rks),(ps) (Entered: 01/14/2019)

01/14/2019	<u>6</u>	Letter from Scott Maher correcting <u>5</u> ORDER on ifp request which referred to plaintiff as an inmate when it should have stated plaintiff is a patient. (Attachments: # <u>1</u> Envelope) (rks),(ps) (Entered: 01/14/2019)
04/02/2019	<u>7</u>	ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendant Doug Bellile. Materials delivered to DOJ for acceptance of service. Leave to proceed denied and case dismissed against Sand Ridge Secure Treatment Center and Wisconsin Dept. Health & Human Services. Plaintiff's motion for court assistance in recruiting counsel, dkt. # <u>4</u> , is DENIED without prejudice. Signed by District Judge Barbara B. Crabb on 4/2/2019. (rks),(ps) (Entered: 04/02/2019)
06/27/2019	<u>8</u>	** TEXT ONLY ORDER ** It has come to the court's attention that the Wisconsin Department of Justice has not received notice of the April 2, 2019 leave to proceed order entered in this case. Accordingly, I am directing the clerk's office to add the Wisconsin DOJ email address to the docket sheet and re-generate all of the Notice of Electronic Filings to the Wisconsin DOJ that have been entered in this case. The Wisconsin DOJ may have 60 days from the date of the Notice of Electronic Filing of this order to answer or otherwise plead to plaintiff's complaint if it accepts service for defendant. Signed by Magistrate Judge Stephen L. Crocker on 6/27/2019. (nlm),(ps) (Entered: 06/27/2019)
07/09/2019	<u>9</u>	Notice of Appearance filed by Rebecca Ann Paulson for Defendant Doug Bellile. (Attachments: # <u>1</u> Certificate of Service) (Paulson, Rebecca),(ps) (Entered: 07/09/2019)
07/09/2019	<u>10</u>	Acceptance of Service by DOJ on behalf of Defendant Doug Bellile. (Paulson, Rebecca),(ps) (Entered: 07/09/2019)
07/09/2019	<u>11</u>	Notice that for the remainder of this lawsuit plaintiff need only send a copy of his filings in this case to the court pursuant to an informal service agreement with the Wisconsin Department of Justice. (nlm),(ps) (Entered: 07/09/2019)
08/23/2019	<u>12</u>	ANSWER with Jury Demand by Defendant Doug Bellile. (Attachments: # <u>1</u> Certificate of Service) (Paulson, Rebecca),(ps) (Entered: 08/23/2019)
08/23/2019		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 9/20/2019 at 02:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Defendant responsible for setting up the call to chambers at (608) 264-5153. [<u>Notice Regarding the Telephone Preliminary Pretrial Conference</u> attached] (nlm),(ps) (Entered: 08/23/2019)
09/05/2019	<u>13</u>	Letter Requesting Copies by Plaintiff Scott Maher. (Attachments: # <u>1</u> Envelope) (rks),(ps) (Entered: 09/06/2019)
09/06/2019	<u>14</u>	Letter from Clerk's Office <u>13</u> Letter Requesting Copies. (rks),(ps) (Entered: 09/06/2019)
09/24/2019		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference – Pro Se held on 9/20/2019 [:20] (cak),(ps) (Entered: 09/24/2019)
09/24/2019	<u>15</u>	Pretrial Conference Order – <u>Preliminary Pretrial Packet in Pro-Se Cases</u> attached. Dispositive Motions due 6/26/2020. Rule 26(a)(3) Disclosures and all motions in limine due 12/4/2020. Objections due 12/18/2020. Telephone Final Pretrial Conference set for 1/8/2021 at 10:00 AM. Counsel for Defendant responsible for setting up the call to chambers at (608) 264-5447. Jury Selection and Trial set for 1/19/2021 at 08:30 AM. Signed by Magistrate Judge Stephen L. Crocker on 9/24/2019. (jef),(ps) (Entered: 09/24/2019)
05/21/2020	<u>16</u>	Proposed Amended Complaint by Plaintiff Scott Maher. (Attachments: # <u>1</u> Envelope) (aom),(ps) (Entered: 05/21/2020)
06/10/2020	<u>17</u>	Motion for Extension of Time of <i>Dispositive Motions Deadline</i> by Defendant Doug Bellile. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <u>1</u> Certificate of Service) (Paulson, Rebecca),(ps) (Entered: 06/10/2020)
06/10/2020	<u>18</u>	Declaration of Rebecca A. Paulson filed by Defendant Doug Bellile re: <u>17</u> MOTION for Extension of Time (Paulson, Rebecca),(ps) (Entered: 06/10/2020)

06/10/2020	<u>19</u>	** TEXT ONLY ORDER ** ORDER granting <u>17</u> Motion to Extend Dispositive Motions Deadline. Dispositive Motions now due 7/24/2020. Signed by Magistrate Judge Stephen L. Crocker on 6/10/2020. (nlm),(ps) (Entered: 06/10/2020)
06/18/2020	<u>20</u>	ORDER that plaintiff Scott Maher's motion for leave to amend his complaint, dkt. <u>16</u> , is DENIED. Signed by District Judge Barbara B. Crabb on 6/18/2020. (rks),(ps) (Entered: 06/18/2020)
07/16/2020	<u>21</u>	Notice of Appearance filed by Catherine Rita Malchow for Defendant Doug Bellile. (Attachments: # <u>1</u> Certificate of Service) (Malchow, Catherine),(ps) (Entered: 07/16/2020)
07/21/2020	<u>22</u>	Motion to Compel by Defendant Doug Bellile. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <u>1</u> Certificate of Service) (Malchow, Catherine),(ps) (Entered: 07/21/2020)
07/21/2020	<u>23</u>	Declaration of Catherine Malchow filed by Defendant Doug Bellile re: <u>22</u> Motion to Compel (Attachments: # <u>1</u> Exhibit 1000 – June 17, 2020 Letter, # <u>2</u> Exhibit 1001 – July 10, 2020 Letter, # <u>3</u> Exhibit 1002 – Plaintiff's July 20 Letter) (Malchow, Catherine),(ps) (Entered: 07/21/2020)
07/22/2020	<u>24</u>	ORDER that defendant Doug Bellile's motion to compel and to stay summary judgment, dkt. <u>22</u> , is DENIED. The dispositive motions deadline is extended to July 31, 2020. Signed by District Judge Barbara B. Crabb on 7/22/2020. (rks),(ps) (Entered: 07/22/2020)
07/31/2020	<u>25</u>	MOTION FOR SUMMARY JUDGMENT by Defendant Doug Bellile. (Attachments: # <u>1</u> Certificate of Service) (Malchow, Catherine),(ps) (Entered: 07/31/2020)
07/31/2020	<u>26</u>	Brief in Support of <u>25</u> Motion for Summary Judgment by Defendant Doug Bellile (Malchow, Catherine),(ps) (Entered: 07/31/2020)
07/31/2020	<u>27</u>	Proposed Findings of Fact filed by Defendant Doug Bellile re: <u>25</u> Motion for Summary Judgment (Malchow, Catherine),(ps) (Entered: 07/31/2020)
07/31/2020	<u>28</u>	Declaration of Doug Bellile filed by Defendant Doug Bellile re: <u>25</u> Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit 1003 – SR #483 Video Use – Patients, eff 7.10.18, # <u>2</u> Exhibit 1004 – SR #483 Video Use – Patients, eff 9.3.19, # <u>3</u> Exhibit 1005 – SR #115 Property and Limits–Patient and Appendix A, # <u>4</u> Exhibit 1006 SR #479 Review of Patient Reading Materials and Pictures) (Malchow, Catherine),(ps) (Entered: 07/31/2020)
07/31/2020	<u>29</u>	Declaration of Dr. Jason Smith filed by Defendant Doug Bellile re: <u>25</u> Motion for Summary Judgment (Malchow, Catherine),(ps) (Entered: 07/31/2020)
07/31/2020	<u>30</u>	Declaration of Steven Prudhomme filed by Defendant Doug Bellile re: <u>25</u> Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit 1007 – Approved Video List, # <u>2</u> Exhibit 1008 – Denied Video List) (Malchow, Catherine),(ps) (Entered: 07/31/2020)
07/31/2020	<u>31</u>	Amended Expert Witness Disclosures by Defendant Doug Bellile (Malchow, Catherine),(ps) (Entered: 07/31/2020)
07/31/2020		Set/Reset Briefing Deadlines as to <u>25</u> MOTION FOR SUMMARY JUDGMENT . [Pro Se Summary Judgment Procedure for Cases Assigned to Judge Crabb attached.] Plaintiff's Brief in Opposition due 8/31/2020. Defendant's Brief in Reply due 9/10/2020. (nlm),(ps) (Entered: 07/31/2020)
08/17/2020	<u>32</u>	Motion for extension of time to respond to <u>25</u> Motion for Summary Judgment, by Plaintiff Scott Maher. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 08/17/2020)

08/17/2020	<u>33</u>	** TEXT ONLY ORDER ** ORDER granting <u>32</u> Motion for Extension of Time. Plaintiff's Brief in Opposition due 9/10/2020. Defendants' Brief in Reply due 9/21/2020. Signed by Magistrate Judge Stephen L. Crocker on 8/17/2020. (jef),(ps) (Entered: 08/17/2020)
09/08/2020	<u>34</u>	Response to Proposed Findings of Fact filed by Plaintiff Scott Maher re: <u>25</u> Motion for Summary Judgment. (jef),(ps) (Entered: 09/08/2020)
09/08/2020	<u>35</u>	Declaration of Scott Maher filed by Plaintiff Scott Maher re: <u>25</u> Motion for Summary Judgment. (jef),(ps) (Entered: 09/08/2020)
09/08/2020	<u>36</u>	Motion Opposing Defendants' Amended Expert Witness Disclosure by Plaintiff Scott Maher. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 09/08/2020)
09/08/2020		Set Briefing Deadlines as to plaintiff's <u>36</u> Motion for Opposing Defendants' Amended Expert Witness Disclosure. Defendants' Brief in Opposition due 9/21/2020. (jef),(ps) (Entered: 09/08/2020)
09/21/2020	<u>37</u>	Brief in Opposition by Defendant Doug Bellile re: <u>36</u> Motion for Miscellaneous Relief filed by Scott Maher (Attachments: # <u>1</u> Certificate of Service) (Malchow, Catherine),(ps) (Entered: 09/21/2020)
09/21/2020	<u>38</u>	Brief in Reply by Defendant Doug Bellile in Support of <u>25</u> Motion for Summary Judgment (Malchow, Catherine),(ps) (Entered: 09/21/2020)
09/21/2020	<u>39</u>	Reply in Support of Proposed Findings of Fact filed by Defendant Doug Bellile re: <u>25</u> Motion for Summary Judgment (Malchow, Catherine),(ps) (Entered: 09/21/2020)
09/21/2020	<u>40</u>	Supplemental Proposed Findings of Fact filed by Defendant Doug Bellile re: <u>25</u> Motion for Summary Judgment (Malchow, Catherine),(ps) (Entered: 09/21/2020)
09/21/2020	<u>41</u>	Declaration of Amy Jenkins filed by Defendant Doug Bellile re: <u>25</u> Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit 1009 – 16SR00044, # <u>2</u> Exhibit 1010–17SR00082, # <u>3</u> Exhibit 1011–17SR000161, # <u>4</u> Exhibit 1012–Review of Reading Material 10–16–18, # <u>5</u> Exhibit 1013–Review of Reading Material 7–22–19, # <u>6</u> Exhibit 1014 – Review of Reading Material 9–2–20, # <u>7</u> Exhibit 1015 – 17SR000242) (Malchow, Catherine),(ps) (Entered: 09/21/2020)
09/21/2020	<u>42</u>	Supplemental Declaration of Steven Prudhomme filed by Defendant Doug Bellile re: <u>25</u> Motion for Summary Judgment (Malchow, Catherine),(ps) (Entered: 09/21/2020)
10/13/2020	<u>43</u>	Motion for Assistance in Recruiting Counsel by Plaintiff Scott Maher. (Attachments: # <u>1</u> Envelope) (aom),(ps) (Entered: 10/13/2020)
11/10/2020	<u>44</u>	ORDER denying Plaintiff's <u>36</u> Motion for Opposing Defendants' Amended Expert Witness Disclosure; denying Plaintiff's <u>43</u> Motion for Assistance in Recruiting Counsel; granting Defendant Doug Bellile's <u>25</u> Motion for Summary Judgment. Signed by District Judge Barbara B. Crabb on 11/9/2020. (lam),(ps) (Entered: 11/10/2020)
11/10/2020	<u>45</u>	JUDGMENT entered in favor of defendants dismissing this case. (lam),(ps) (Entered: 11/10/2020)
01/07/2021	<u>46</u>	NOTICE OF APPEAL (unsigned) by Plaintiff Scott Maher as to <u>44</u> Order, <u>45</u> Judgment. \$505 fee or motion for ifp due. No Docketing Statement filed. Note: Submission forwarded from Seventh Circuit Court of Appeals on 1/07/21. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 01/07/2021)
01/07/2021	<u>47</u>	Appeal Information Packet. (nlm),(ps) (Entered: 01/07/2021)