

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

Court Minutes and Order

DATE: November 6, 2017  
JUDGE: Pamela Pepper  
CASE NO: 2016-cv-943  
CASE NAME: Ashton Whitaker v. Kenosha Unified School District No. 1 Board of  
Education  
NATURE OF HEARING: Scheduling Conference  
APPEARANCES: Joseph Wardenski – Attorney for the plaintiff  
Sasha Samberg-Champion – Attorney for the plaintiff  
Shawn Meerkamper – Attorney for the plaintiff  
Roboert Pledl – Attorney for the plaintiff  
Ronald Stadler – Attorney for the defendant  
COURTROOM DEPUTY: Kristine Wrobel  
TIME: 11:43 a.m. – 11:53 a.m.

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The court observed that the parties were in the mediation process, with another mediation session scheduled for November 21, 2017. The court noted that there were two other motions pending—a fully-briefed motion to compel and the defendant’s motion for judgment on the pleadings, that was not fully briefed. The court asked whether the parties wanted a ruling on the motion to compel before the mediation concluded.

Counsel for the plaintiff indicated that the parties had slowed down discovery, with postponed deposition and document production dates, because of the mediation. Counsel stated that if the mediation was not successful, he hoped that the court would issue a ruling on the motion to compel after the mediator filed the report, to give the parties guidance on how to proceed. Counsel for the defendant agreed with counsel for the plaintiff.

The court told the parties that if the mediator’s report indicated that the mediation had not been successful, it either would contact the parties to set up a date for an oral decision on the motion to compel, or would issue a written decision.

The court explained that if the parties resolved the case through mediation, the court would administratively close the case, give the parties a date certain by which to file their settlement documents, then convert the administrative closure to the resolution required by the settlement documents.

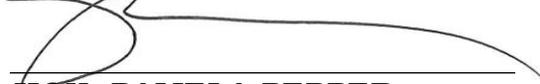
With regard to the defendant’s motion for judgment on the pleadings, the plaintiff asked the court to resume the briefing schedule on that motion immediately if mediation was not successful, rather than setting the briefing schedule to run concurrently with the summary judgment schedule.

The court **ORDERS** that the deadlines for completing briefing on the defendants’ motion for judgment on the pleadings (Dkt. 84) are **SUSPENDED**

pending the filing of the mediation report. If the mediation is not successful, the court will set a new briefing schedule.

Dated in Milwaukee, Wisconsin this 6th day of November, 2017.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read 'P. Pepper', is written over a horizontal line.

**HON. PAMELA PEPPER**  
**United States District Judge**