

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

CODY FLACK and
SARA ANN MAKENZIE,

Plaintiffs,

v.

WISCONSIN DEPARTMENT OF
HEALTH SERVICES and
LINDA SEEMEYER, in her official capacity
as Secretary of the Wisconsin Department of
Health Services,

Defendants.

Case No. 3:18-cv-00309-wmc
Judge William Conley

JOINT MOTION TO CONTINUE TELEPHONE PRETRIAL CONFERENCE

Plaintiffs Cody Flack and Sara Ann Makenzie, and Defendants Wisconsin Department of Health Services and Linda Seemeyer (collectively, the “Parties”), jointly move this Court for a 30-day continuance of the June 20, 2018 Telephone Pretrial Conference, set by this Court on May 30, 2018. In support of this motion, the Parties state the following:

1. On May 23, 2018, Plaintiffs filed a Motion for Preliminary Injunction [Dkt. No. 18] (“Plaintiffs’ Motion”).
2. On May 24, 2018, this Court ordered Defendants to respond to Plaintiffs’ Motion by June 14, 2018, and set the injunction hearing for June 27, 2018. Defendants moved to amend this schedule [Dkt. No. 35] (“Defendants’ Motion”), which Plaintiffs opposed [Dkt. No. 37].
3. Given the Parties’ preference to focus on briefing Plaintiffs’ Motion and preparing for hearing on the schedule set by the Court (or as modified following resolution of Defendants’ Motion), the Parties agree that it would be prudent to continue the Telephone Pretrial Conference for at least 30 days.

Based on the foregoing, the Parties respectfully request that this Court continue the Telephone Pretrial Conference and re-set the date of that conference to on or after July 20, 2018.

Dated: June 1, 2018

/s/ Joseph J. Wardenski
Joseph J. Wardenski
Jennifer I. Klar
Orly May
RELMAN, DANE & COLFAX PLLC
1223 19th Street, NW, Suite 600
Washington, DC 20036
Telephone: (202) 728-1888
Facsimile: (202) 728-0848
jwardenski@relmanlaw.com
jklar@relmanlaw.com
omay@relmanlaw.com

Robert Theine Pledl
Mark A. Peterson
Daniel A. Peterson
MCNALLY PETERSON, S.C.
1233 North Mayfair Road, Suite 200
Milwaukee, WI 53226-3255
Telephone: (414) 257-3399
Facsimile: (414) 257-3223
rpled@mcpetelaw.com
mpeterson@mcpetelaw.com
dpeterson@mcpetelaw.com

Abigail Coursolle
Catherine McKee
NATIONAL HEALTH LAW PROGRAM
200 N. Greensboro Street, Suite D-13
Carrboro, NC 27510
Telephone: (919) 968-6308
Facsimile: (919) 968-8855
coursolle@healthlaw.org
mckee@healthlaw.org

Attorneys for Plaintiffs

Respectfully submitted,

Brad D. Schimel
Attorney General of Wisconsin

/s/ Steven C. Kilpatrick
Steven C. Kilpatrick
Assistant Attorney General
State Bar #1025452

Jody J. Schmelzer
Assistant Attorney General
State Bar #1027796

Colin T. Roth
Assistant Attorney General
State Bar #1103985

Wisconsin Department of Justice
Post Office Box 7857
Madison, Wisconsin 53707-7857
(608) 266-1792 (SCK)
(608) 266-3094 (JJS)
(608) 264-6219 (CTR)
(608) 267-2223 (Fax)
kilpatricksc@doj.state.wi.us
schmelzerjj@doj.state.wi.us
rothct@doj.state.wi.us

Attorneys for Defendants