

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ALINA BOYDEN and SHANNON ANDREWS,

Plaintiffs,

ORDER

v.

17-cv-264-wmc

ROBERT J. CONLIN, STATE OF WISCONSIN
DEPARTMENT OF EMPLOYEE TRUST
FUNDS, STATE OF WISCONSIN GROUP
INSURANCE BOARD, MICHAEL S. FARRELL,
STACEY ROLSON, CHARLES GRAPENTINE,
WAYLON HURBURT, THEODORE NIETZKE,
J.P. WIESKE, BOB ZIEGELBAUER, JENNIFER
STEGALL, ROBERT WIMMER, HERSCHEL
DAY, and NANCY THOMPSON,

Defendants.

The court held a final pretrial conference today, during which the court made certain rulings and directed the parties to file supplemental briefing on certain issues. The purpose of this order is to memorialize those rulings.

Accordingly, IT IS ORDERED that:

- 1) The parties may have until Friday, September 28, 2018, to propose alternative language for case specific voir dire questions 8a and 8e.
- 2) Plaintiffs may have until Thursday, September 27, 2018, to propose alternative language describing the available categories of compensatory damages; defendants' response is due Monday, October 1, 2018. As part of these submissions, the parties may also brief whether the out-of-pocket category should be excluded as a category of compensatory damages and structured as an equitable remedy instead.
- 3) Defendants may have until Thursday, September 27, 2018, to propose additional language concerning entry of an injunction and the GIB recent vote to remove the exclusion; plaintiffs' response is due Monday, October 1, 2018.

- 4) Defendants may have until Thursday, September 27, 2018, to propose additional verdict questions; plaintiffs' response is due Monday, October 1, 2018.
- 5) On or before Friday, September 28, 2018, the parties should meet and confer to discuss appropriate language as to the scope of any damages award, including the timing of the two plaintiffs' respective employment with the State. If able to reach an agreement, the parties should submit their proposed joint language on or before Monday, October 1, 2018. Otherwise, the parties should submit their respective proposed language by that same date.
- 6) The parties are reminded to review the court's Jury Trial Procedures for Pretrial Submissions, available at https://www.wiwd.uscourts.gov/sites/default/files/Attachments_PPTC_WMC.pdf. Specifically, the parties are reminded that they should provide the court, preferably in electronic form, with all contested exhibits on or before Wednesday, October 3, 2018.
- 7) The court will hold a telephonic conference on Thursday, October 4, 2018, at 10:00 a.m. Plaintiffs to initiate the call to Chambers at 608-264-5087.

Entered this 25th day of September, 2018.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge