

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

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DR. SABINA BURTON,

Plaintiff,

v.

Case No. 14-CV-0274

BOARD OF REGENTS UNIVERSITY OF  
WISCONSIN, et al.,

Defendants.

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MOTION TO AMEND THE SCHEDULING ORDER AND REQUEST FOR A  
TELEPHONE SCHEDULING CONFERENCE

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The Defendants move the court to amend the scheduling order. Grounds for this motion are:

1. On September 3, 2015 plaintiff Sabina Burton moved to supplement her pleadings per Fed. R. Civ. P. 15(d).
2. The proposed supplemental complaint consists of one hundred seven additional paragraphs of allegations. The pleading adds numerous new facts, as well as three additional causes of action against defendant Elizabeth Throop and an additional defendant, Dr. Michael Dalecki.
3. Pursuant to the current Scheduling Order, summary judgment motions are due on or before September 16, 2015 and trial is scheduled to begin on April 4, 2016.

4. To preserve the court's and the parties' resources, Defendants intend to file one omnibus summary judgment motion addressing the claims contained in the original complaint and the proposed supplemental complaint. Defendants also reserve the right to file a motion to dismiss all or part of the supplemental pleading.

5. In light of the new factual allegations, the addition of another defendant, and the three additional causes of action, Defendants require additional time to prepare their summary judgment motion. The supplemental facts and claims Burton alleges will require Defendants to investigate the role of not only the newly named party, but also other individuals named as part of the supplemental pleading. Defendants will also need to depose Burton based upon the new allegations and complete more written discovery as part of their defense. These tasks cannot be completed in the two weeks remaining prior to the current dispositive motion deadline.

6. Defendants therefore request the court set a telephone scheduling conference to determine whether a new trial date is necessary and to re-set deadlines for dispositive motions and trial.

Dated this 3<sup>rd</sup> day of September, 2015.

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