

#WDCSpring2023



April 13-14, 2023

The American Club 419 Highland Dr. Kohler, WI 53044

Program Chair:
Grace Kulkoski
Wisconsin Mutual Insurance Company

Program Agenda & More Information inside!

Approved for 6.0 CLE Credits.





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Schedule of Events

Thursday, April 13

12:30 PM Registration

12:55 – 1:00 PM Opening Remarks

1:00 - 1:50 PM

Managing Risk in Concrete Construction

Dr. David Corr, CTL Group

1:50 - 2:00 PM

Break

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2:00 - 2:50 PM

Decision Making for Litigators and Claim Professionals

Judge Frederick Strampe, Waukesha County Circuit Court

2:50 - 3:00 PM

Break

Sponsored by S-E-A, Ltd. and Simpson & Deardorff, S.C.





3:00 - 3:50 PM

What Keeps Civil Defense Lawyers Up at Night: An Interactive Discussion About the Issues Impacting the Defense Bar

Toyja Kelley, Locke Lord, LLP, President, DRI's Center for Law and Public Policy

4:00 – 5:30 PM Cocktail Reception / Panel Counsel Meetings Sponsored by Crivello Carlson, S.C.



Friday, April 14

8:15 - 9:00 AM

Registration & Continental Breakfast

9:00 - 9:50 AM

Spy Balloons Over Montana: The Ins and Outs of Personal Injury Surveillance

Nicole Marklein, Cross, Jenks, Mercer & Maffei, LLP, Doug Proulx, Proulx Professional Research, Inc. and Kristen Scheuerman, Weiss Law Offices, S.C.

9:50 - 10:00 AM

Break

Sponsored by Weiss Law Office, S.C.



10:00 - 10:50 AM

OLR: Inside the Black Box

Francis X. Sullivan, Deputy Director (Litigation), Office of Lawyer Regulation, Wisconsin Circuit Courts

10:50 - 11:00 AM

Break

11:00 - 11:50 AM

Off the Record: Practice Perspectives from The Bench - Sponsored by the Women in the Law Committee!

Moderator: Heather Nelson, Everson, Whitney, Everson & Brehm, S.C. Panelists: Judge Tammy Jo Hock, Brown County Circuit Court and Judge Mary Triggiano, Milwaukee County Circuit Court

11:50 AM Adjourn

1:00 - 4:00 PM

2023 Litigation Skills Session - Co-Hosted by the Young Lawyers Committee and the

Ad-Hoc Litigation Skills Committee

Nicole Radler, Simpson & Deardorff, S.C., Monte Weiss, Weiss Law Offices, S.C., Charles Polk, Amundsen Davis, LLC and Andrew Hebl, Boardman & Clark, LLP

New this year - A FREE litigation skills session for young lawyers following the Spring Conference! Please note that this session is separate from the 2023 Spring Conference. For more information see page 5 of this brochure. To register, visit the link on page 5, or by check the box in the Pricing Information section of this brochure.



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Speaker Biographies

David Corr serves as Materials Consulting Group Director at CTLGroup and is one of the nation's leading experts related to materials characterization, structural performance, and infrastructure materials development. Dr. Corr's knowledge focuses on both traditional and emerging building



materials. Specifically, he has studied the durability of concrete, the rheology and fresh-state behavior of concrete, and fracture and cracking in cement-based materials.

Prior to joining CTLGroup, Dr. Corr was Clinical Professor and the Director of Graduate Studies in the Department of Civil & Environmental Engineering at Northwestern University. His most current research focused on nanotechnology of cement-based materials, large- scale additive manufacturing (3D printing), and cross-laminated timber. Dr. Corr has also conducted research in structural health monitoring, structural diagnostics, data analysis of structural performance, failure analysis and forensic engineering. He is a member of the American Concrete Institute (ACI), the past Chair of the Cements Division of the American Ceramic Society and is a licensed professional engineer in the states of Illinois and Michigan.

Tammy Jo Hock is a Brown County Circuit Court Judge, and has been since April of 2012. Judge Hock has been a Commercial Court Docket Pilot Project Judge since the Commercial Court began in 2017. She currently serves at the Presiding Judge in Brown County, the Deputy Chief Judge for District 8, and the presiding judge of the Brown County Young Adult Treatment Court. She received her Bachelor of Arts from Marquette University and is a University of Wisconsin Law School graduate. Prior to taking the bench, Judge Hock had a variety of experience. She was in private practice handling business and corporate matters, civil litigation and estate planning. She also previously worked as an Assistant District Attorney and an Assistant United States Attorney.

Toyja Kelley represents large public and medium-sized businesses in complex commercial disputes. He concentrates his practice in general commercial litigation, construction litigation, professional and product liability, business torts and insurance coverage, regularly appearing before state and federal



courts in Maryland and the District of Columbia. Toyja is an active member of DRI and having served as President of the 16,000-member international organization in 2018-2019. In 2020, he became the inaugural President of DRI's National Center for Law and Public Policy, a research and advocacy organization dedicated to influencing public policy. He is also a Past President of the Board of Directors of the Maryland Defense Counsel and serves as an adjunct professor of law in its litigation and conflict resolution skills program at Washington and Lee University.

Nicole Marklein is a partner with Cross Jenks Mercer & Maffei, LLP in Baraboo, Wisconsin. She concentrates her practice on civil litigation, specializing in personal injury, property damage and insurance coverage disputes. She serves as President-Elect of the Wisconsin Defense Counsel and



on the Board of the Wisconsin Civil Justice Council.

Heather Nelson is a Shareholder and President of Everson, Whitney, Everson & Brehm in Green Bay. Her practice entails defending civil lawsuits, including motor vehicle accident, premises liability, wrongful death and products liability matters. She serves as Secretary/Treasurer and is on the



Board of Directors of Wisconsin Defense Counsel. She also serves on the Board of Directors of the State Bar of Wisconsin Litigation Section. Heather has been active in presenting CLE topics at State Bar and WDC conferences, including instructing at



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Speaker Biographies continued

the North Central Trial Academy. She has served as Presiding Judge and Scoring Judge for Wisconsin's High School Mock Trial tournaments and enjoys the opportunity it affords her to encourage and to mentor aspiring litigators.

Douglas L. Proulx is the President/ Owner of Proulx Professional Research, Inc. which he founded in March of 1989. Proulx Professional Research, Inc specializes in investigations related to worker's compensation claims, personal injury claims, Family Medical leave issues and other types of special investigations.



He lives in Waukesha, Wisconsin.

He has 43 years of experience in the Private Investigation/Insurance Claims Investigations Field, 10 years experience as Special Investigator handling Insurance Claims and Related Investigations throughout the United States, Canada and Mexico.

He has testimony experience in Worker's Compensation Hearings, Unemployment Compensation Hearings, County Civil Trials, and U.S. District/Federal Trials

Our clients include insurance companies, laws firms and private employers and various city and county municipalities.

Kristen Scheuerman is a Partner with Weiss Law Office, S.C. Kristen's practice focuses on personal injury litigation (both plaintiff and defense) and she enjoys serving as a Guardian ad litem in minor settlement cases and mediating. She is currently serving as Chair for the State Bar's Litigation Section Board of Directors.



Before taking the bench, Judge Strampe was a shareholder at Borgelt, Powell, Peterson & Frauen S.C. where he served as the firm's President responsible for the administration and operation of a 50-person firm, with offices located in two states. He is a past president

of the Wisconsin Defense Counsel and a Member of the American Board of Trial Advocates. (ABOTA) Prior to his legal career, Judge Strampe served in the U.S. Army (1990-1994). After graduating from West Point, he was commissioned as an infantry officer and stationed in Germany. Selected for promotion to Captain in 1994, he was honorably discharged from active duty to attend law school at the University of Wisconsin. Judge Strampe is also a licensed WIAA Football Official, who has been selected to officiate several State Championship games.

Francis X. Sullivan is the deputy director (litigation) for the Wisconsin Office of Lawyer Regulation. Frank began practicing at the Madison law firm of Bell, Moore & Richter, where he specialized in defense of professional malpractice actions against attorneys and health



care professionals. He then joined the Wisconsin Department of Justice, where he served as an assistant attorney general in a variety of roles, including defense of state employees in professional malpractice litigation. He is a national litigation skills trainer for the National Attorney Generals Training and Research Institute.

Frank and his family live in Stoughton, where he is president of the school board.

Chief Judge Mary Triggiano is a graduate of UW-Madison Law School and has been a Milwaukee County Circuit Court Judge since August 1, 2004. She was first assigned to the Chil-dren's Division from August 2004 to August 2009. She was next assigned to the Domestic Vio-

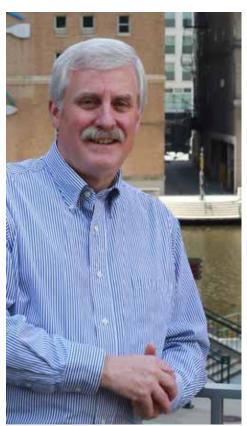


lence Court, handling adult misdemeanor and felony domestic abuse and child abuse cases. From August 2013 to August 2017, she was again assigned to the Children's Court Division where she led the Family Drug Treatment Court and created the first of its kind in Wisconsin Healthy Infant Court. From

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Before mediating fulltime Jim litigated cases for 30 years, primarily defending clients in personal injury, property damage, product liability, environmental, construction and transportation lawsuits. His varied background also includes stints as a plaintiff personal injury attorney and in-house counsel for a major insurer. He is a past president of WDC.

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Speaker Biographies continued

August 2017 to February 2020, she was assigned to the Civil Divi-sion. She was a Deputy Chief Judge for Chief Judge Maxine White for over four years. She is currently the Chief Judge District 1 Milwaukee County.

JUDICIAL ACTIVITIES AND LEADERSHIP

Judge Triggiano has been or is involved in the following: Committee of Chief Judges,; Judicial College; Judicial Education Committee; Wisconsin Trial Judges Association, Department of Chil-dren & Families Trauma Trainings, National Governor's Association Conference on Child Well Being; National Council on Juvenile & Family Court Judges; Child Abuse and Neglect Prevention Board; Wisconsin Committee on Children, Families & Courts - Children's Court Improvement Pro-gram; Legislative Committee on Problem Solving Courts, Adjunct Professor at Marquette Law School co-teaching Problem Solving Courts and the Neuroscience of Trauma. She recently joined the board of the Neuroscience Research Center. She is a long time member and past president of the Association for Women Lawyers. She also is a member of the State Bar of Wisconsin, Milwau-kee Bar Association and the Wisconsin Association of African American Lawyers.

PRESENTATIONS JUDCIAL AND ACADEMIC

Over the past 30 years, Judge Triggiano has presented on numerous topics to the judiciary, attor-neys (federal and state), medical professionals, academia and others. The topics include, but are not limited to: Child Welfare Law, Safety and Permanence, Substance Use Disorders, Infant Mental Health, Evidence Based Sentencing Practices, Domestic Violence, Trauma and Restorative Justice.

Over the past 12 years Judge Triggiano also has co-presented on The Impact of Childhood Trauma on Adult Health, Well-Being and Behavior to more than 4000 individuals at a variety of locations in Milwaukee and across the State of Wisconsin. In 2015, she co-chaired & presented at the Conference on Child Welfare and the Courts: Moving Toward a Trauma-Informed Wisconsin with over 500 attendees.

RECOGNITION AND AWARDS

Judge Triggiano has received numerous awards over the years including, among others: the Association for Women Lawyers Mentoring Award, Community Involvement Award, Pro Bono Award, and Founders Award; St. Charles Exceeding Expectations Award; Milwaukee Young Lawyers Association/Legal Action Volunteer Lawyers Project Exceptional Leadership Award; Justinian Society of Lawyers Jurist of the Year Award; Milwaukee Bar Association E. Michael McCann Distinguished Public Service Award and the Wisconsin Association for Treatment Court Professional's Aulik Award.



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Spy Balloons Over Montana: The Ins and Outs of Personal Injury Surveillance

Doug Proulx, Private Detective Proulx Professional Research, Inc.

Attorney Nicole Marklein Cross Jenks Mercer & Maffei LLP

Attorney Kristen S. Scheuerman Weiss Law Office, S.C.

- I. Introduction; Meet Doug!
 - 1. Nature of business and surveillance activity by case type
 - 2. Deposition and trial experience
- II. Super Fun Audience Participation; Surveying Your Surveillance Experience
 - 1. Have you ever used surveillance in a case?
 - 2. What types of devices does Doug use to obtain surveillance?
 - a. Camcorder and 8mm tapes
 - b. Drones
 - c. Hidden cameras
 - d. Cell phone
 - e. Bumper beepers/GPS
 - 3. Bonus Question (what happens at the WDC Seminar stays at the WDC Seminar; confessions will not be held against participants at a later date)
- III. Surveillance Process
 - 1. Assignment from attorney
 - 2. Initial investigation including social media check
 - 3. Surveillance

- 4. Practice Tip/Discussion Point: Should surveillance be obtained *before* or *after* a plaintiff or party's deposition?
 - a. Surveillance Sample 1 (consideration should also be given as to how to present surveillance to a jury; consider
 - b. Surveillance Sample 2

IV. Discovery and Surveillance

- 1. Ranft v. Lyons, 163 Wis. 2d 282, 471 N.W.2d 254 (1991).
 - a. Issue presented: Is a plaintiff who claims disabling injuries entitled to pretrial discovery of whether or not he or she has been subject to post-accident photographic or video surveillance by the defendant.
 - b. Answered by the court: No. Post-accident surveillance is protected work-product and is not discoverable prior to trial.
 - c. Majority rule (cited by *Ranft*) is that a party is entitled not only to know before trial whether he or she has been subjected to photographic or video surveillance but to have pre-trial access to surveillance materials as well. *Id.* at 300. The majority rule was ultimately **rejected** in *Ranft*.
 - d. "A lawyer's strategic decision to invest a client's resources on photographic or video surveillance is protected work-product. The decision not only reflects the lawyer's evaluation of the strengths or weaknesses of the opponent's case but the lawyer's instructions to the person or persons conducting the surveillance also reveals the lawyer's analysis of potentially fruitful areas of investigation." *Id.* at 301, citing *Dudek v. Circuit Court for Milwaukee Cty.*, 34 Wis. 2d 559, 589.
 - e. "Disclosure of the fact of the surveillance and a description of the materials recorded would thus impinge on the very core of the work-product doctrine." *Id.* at 302.
 - f. "As long as the Ranfts have an opportunity to reasonably challenge any surveillance material prior to the defendants' use of the material at trial, neither the Ranfts nor the trial's truth-finding function will be prejudiced." *Id.* at 302.
 - 1. Practice Tip: Based on the language cited above, most judges will give attorneys an opportunity outside the presence of the jury to

review the surveillance sought to be introduced. Give some consideration to your trial calendar and order of witnesses; if you have hours upon hours of footage that needs to be viewed before select portions can be shown to the jury, finding a way to allow counsel to view the footage "after hours" might be prudent so as to avoid having jurors captive but stuck in the jury room.

- 2. Practice Tip: Give consideration to how surveillance will be edited and played for the jury. Work with your investigator or a tech consultant to ensure the final footage is clear and concise (in other words, you do not want to play sections of video and "fast forward" through sections of video not being introduced).
- 2. Stock v. Wis. Cent., Ltd., 2013 WI App. 128, 351 Wis. 2d. 224, 838 N.W.2d 865. Note: this is an unpublished decision.
 - a. Affirms that the Wisconsin rule is that "surveillance video is the protected work-product of the attorney." *Id.* at ¶ 30, citing *Ranft*, 163 Wis. 2d at 301-02.
 - b. Work-product protection is not absolute; disclosure may be made if requesting party makes a "strong showing" of need to warrant disclosure. Id. at ¶ 31.
 - c. Admissibility: *Stock* court considered an objection to surveillance of a plaintiff playing golf on plaintiff's counsel's objection that the video lacked probative value. The court disagreed and held that because plaintiff "opened the door" by discussing his ability to golf and physical abilities, the video was admissible and probative. *Id.* at ¶ 32.



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Milwaukee County Scheduling Order re: witness disclosures

- 3. On or before the dates set forth below, the parties shall serve, pursuant to Local Rule 1.13,
 - (a) the names and addresses of lay witnesses and a brief summary of their anticipated testimony;
 - (b) the name, address, resume and written report of each expert witness (any witness who will give an expert opinion at trial on any subject); and
 - (c) an itemized statement of damages, including any claim of permanency.

No party is required to supply a separate report for an expert who's opinions at trial will be limited to and consistent with opinions that are stated in medical records previously generated by that witness. The witness will be limited to opinions in those records. The party intending to adduce such an opinion shall, on or before the date set below, summarize and identify where in the records the opinions are located.

Plaintiff: October 31, 2022, Defendant: January 20, 2023, Third Party: use if appropriate.:,

Witnesses and damage claims not disclosed in full compliance will be excluded from trial, unless good cause is shown.

Brown County Scheduling Orders re: witness disclosures

4. The names and addresses of Plaintiff's expert witnesses shall be furnished in writing to opposing counsel or or before October 28, 20 22.
5. The names and addresses of Defendant's expert witnesses shall be furnished in writing to opposing counselon or before February 23, 20 23.
6. The names and addresses of Lay witnesses shall be furnished in writing to opposing counsel on or before
7. Defense medical examinations shall be completed on or before April 14 , 20 23 ; a written report thereof shall be furnished to opposing counsel on or before April 28 , 20 23 .

3. Plaintiff to name lay and expert witnesses on an hafere Newsonker 22, 2020
 Plaintiff to name lay and expert witnesses on or before November 23, 2020.

Crawford County Scheduling Order re: witness disclosures

9. Witness List: Each party shall file and exchange witnesses on or before the dates set forth below:

4. Defendant to name lay and expert witnesses on or before January 25, 2021.

- A. The name and addresses of lay witnesses, together with a brief, meaningful summary of their testimony.
- B. The names and addresses of each expert witness shall be filed, together with a resume and written report, if any.

	Expert(s)	<u>Lay</u>
Plaintiff(s) disclosure date:	02/02/2022	02/02/2022
Defendant(s) disclosure date:	05/02/2022	05/02/2022
Rebuttal disclosure date:	05/16/2022	05/16/2022

Dane County Scheduling Orders re: witness disclosures

- 2) Plaintiffs shall name expert witnesses on or before May 12, 2023. Reports are not required for treating physicians, but Plaintiff must in good faith provide a description of the anticipated and expected testimony for the particular treating physician named. Reports and curriculum vitaes are required for any and all other retained experts.
- 3) Defendants shall name expert witnesses and conduct any independent medical examination on or before **August 11**, **2023**. Defendants shall provide Plaintiff with a complete copy of any independent medical examination report on or before **August 25**, **2023**.

- Plaintiff shall identify lay and expert witnesses, including a summary of anticipated testimony by December 9, 2022.
- Defendants shall identify all lay and expert witnesses, including a summary of anticipated testimony by each witness by March 9, 2023.
- The deadline for defense IME's to be completed with reports provided to opposing counsel is March 9, 2023.
- The parties agree to exchange reports of all retained experts. No reports are necessary for treating physicians.

- 3. Plaintiff and Involuntary Plaintiff shall file and disclose the identity of all lay and expert witnesses by no later than March 31, 2023. The disclosure shall identify the name and last known address and phone number of each lay witness, indicate whether he /she is to testify in regard to liability and/or damages and include a brief summary of the witness' anticipated testimony. The disclosure shall state the name, address and area of expertise of each expert witness. For non-retained, treating physicians, the party shall file a summary of opinion(s) to be expressed by that treating physician if the opinion(s) will be limited to and consistent with opinions stated in medical records he/she authored. For all other experts, the party shall file the expert's written report summarizing the expert's opinions and the bases for those opinions, along with the witness' CV/resume and a copy of the witness' file prepared in relation to the opinions contained in the report.
- 4. Defendant shall file and disclose the identity of all lay and expert witnesses, and complete any independent medical and vocational examinations, by no later than **June 30, 2023**. The disclosure shall identify the name and last known address and phone number of each lay witness, indicate whether he /she is to testify in regard to liability and/or damages and include a brief summary of the witness' anticipated testimony. The disclosure shall state the name, address and area of expertise of each expert witness. For non-retained, treating physicians, the party shall file a summary of opinion(s) to be expressed by that treating physician if the opinion(s) will be limited to and consistent with opinions stated in medical records he/she authored. For all other experts, the party shall file the expert's written report summarizing the expert's opinions and the bases for those opinions, along with the witness' CV/resume and a copy of the witness' file prepared in relation to the opinions contained in the report.

- 5. Failure to comply with these requirements will result in exclusion or limitation of the witness' testimony at trial absent good cause. At trial, expert witnesses will be limited to the opinions set forth in their reports or their self-authored medical records.
- Any party seeking damages shall file an itemization of the damages the party is seeking in the lawsuit by the deadline set for disclosing witnesses.

Eau Claire County Scheduling Orders re: witness disclosures

- The plaintiffs shall name experts by January 31, 2023, and file reports by February 28, 2023.
 - The defendants shall name experts by March 31, 2023.
 - Any defense-initiated independent medical examination shall be completed and reports provided to the plaintiffs' attorney by May 31, 2023.

- 2. The plaintiffs shall name experts by February 24, 2023.
- 3. If the plaintiffs are making a claim for lost earning capacity, plaintiffs shall provide to defendant a meaningful, written vocational evaluation authored by plaintiffs' expert witnesses on or before March 24, 2023. Failure to submit such a written report constitutes a waiver of any claim for lost earning capacity.
- 4. The defendants shall name experts by June 23, 2023.
- Any defense-initiated independent medical examination or vocationl evaluation of plaintiff shall be completed and reports provided to the plaintiffs' attorney by July 28, 2023.

<u>Iowa County Scheduling Order re: witness disclosures</u>

- Plaintiffs must name their lay and expert witnesses by February 23, 2023, including any reports if in addition to medical records.
- The Defendants must name their expert witnesses by June 23, 2023.
- 3. Plaintiffs must name their rebuttal experts by July 24, 2023.

<u>Jefferson County Scheduling Order re: witness disclosures</u>

- 10. Witness List: Each party shall file with the Court and exchange with the parties on or before the dates set forth below:
 - A. The name and addresses of lay witnesses, together with a brief summary of their testimony.
 - B. The names and addresses of each expert witness, together with a resume and written report.
 - C. A statement of itemized damages, to date (if any).

Plaintiff(s) disclosure date:

Defendant(s) disclosure date:

Expert(s)
August 19, 2022
November 18, 2022
November 18, 2022

LaCrosse County Scheduling Order re: witness disclosures

X_ 2.	The plaintiff is to name any expert witnesses with reports which it intends to call at trial no later than February 3, 2017.
X 3.	The defendant is to name any expert witnesses with reports which it intends to call at trial no later than June 2, 2017.
X_ 4.	If the plaintiff intends to call any rebuttal expert witnesses with reports at trial their names shall be provided no later than July 7, 2017.
X7.	All independent medical and vocational examinations will be completed and reports exchanged no later than June 30, 2017.
X8.	The last medical examination of the plaintiff, the results of which are anticipated to be used at trial, will be completed no later than July 28, 2017. This does not preclude the plaintiff from undergoing routine and/or emergency treatment after that date. It does, however, preclude the use of that information at trial.

Monroe County Scheduling Order re: witness disclosures

- Expert Disclosure Plaintiff(s). Plaintiff(s) shall disclose experts, including a copy
 of each expert's report or summary of each expert's expected testimony, on or before
 September 20, 2019. Disclosure of experts is considered complete when mailed to
 opposing counsel.
- Expert Disclosure Defense. Defense shall disclose experts, including a copy of any expert report or summary of each expert's proposed testimony, on or before December 20, 2019. Disclosure of experts is considered complete when mailed to opposing counsel.
- Defense IME. If the defense wishes to have Independent Medical Examination, the examination shall be completed and a report mailed to plaintiff's counsel on or before February 7, 2020.

Outagamie County Scheduling Order re: witness disclosures with Order on Defendant's Motion to Compel (granted)

- That the names and addresses of plaintiff's expert witnesses be furnished in writing to opposing counsel
 on or before 2/14/2022; records and/or summaries to be provided within 10 days thereof.
- That the names and addresses of defense expert witnesses be furnished in writing to opposing counsel on or before 03/062023; records and/or summaries to be provided within 10 days thereof.
- That defense medical examinations be completed on or before 04/28/2023 and that a written summary be furnished to opposing counsel.

SO ORDERED:

 Defendants' Supplemental Motion to Compel Plaintiffs' Expert Information is Hereby GRANTED.

IT IS FURTHER ORDERED:

- By or before August 11, 2022, Plaintiffs are to provide more specificity about the
 experts they have designated, including identification of which plaintiff the expert
 treated and the nature of the injury for which the expert provided treatment; and
- By or before August 26, 2022, Plaintiffs are to identify for Defendants which expert(s) they intend to call at trial; and
- By or before September 7, 2022, Plaintiffs are to provide proposed discovery deposition dates for the experts they intend to call at trial; and
- The defense expert deadline is held open and will be addressed at the telephone scheduling conference set for September 16, 2022 at 8:45 a.m.

Vernon County Scheduling Order re: witness disclosures

- Plaintiffs shall name expert witnesses, with a summary of expected testimony, by November 18, 2022.
- Defendants shall name expert witnesses, with a summary of expected testimony, by January 16, 2023.
- Rebuttal experts shall be named, with a summary of expected testimony, by February 17, 2023.

Waukesha County Scheduling Order re: witness disclosures

3. The party bearing the burden of proof on a claim or counterclaim must provide in writing to the court and the opposing parties: (1) the names and addresses of all lay witnesses along with a brief statement of his/her anticipated testimony; and (2) an itemized statement of damages claimed, including, if applicable, any special damage claims and permanency, no later than October 2, 2022. Responsive disclosures must be made no later than April 17, 2023. The party bearing the burden of proof on a claim or counterclaim must serve the names, addresses, and resumes for each expert named, along with a written report outlining all opinions to be offered, by October 2, 2022. All expert disclosures and reports in response to those named on October 2, 2022 must be named by April 17, 2023. Any rebuttal expert or rebuttal expert opinion must be disclosed no later than May 17, 2023. Witnesses not timely named and described will be precluded from testifying as witnesses at trial, except for good cause shown.





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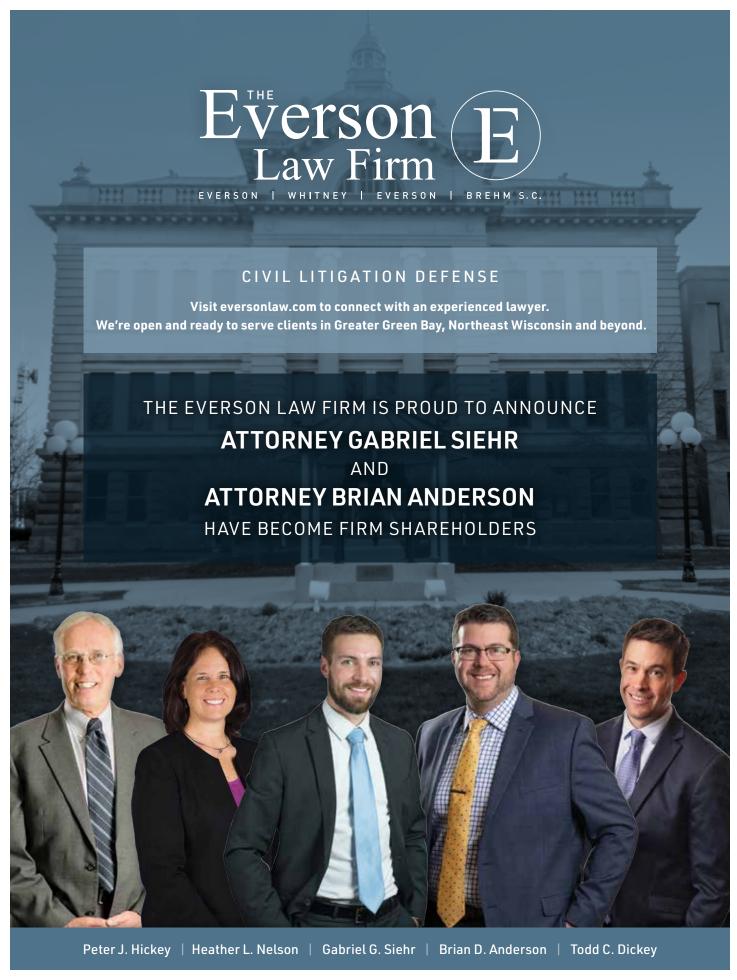


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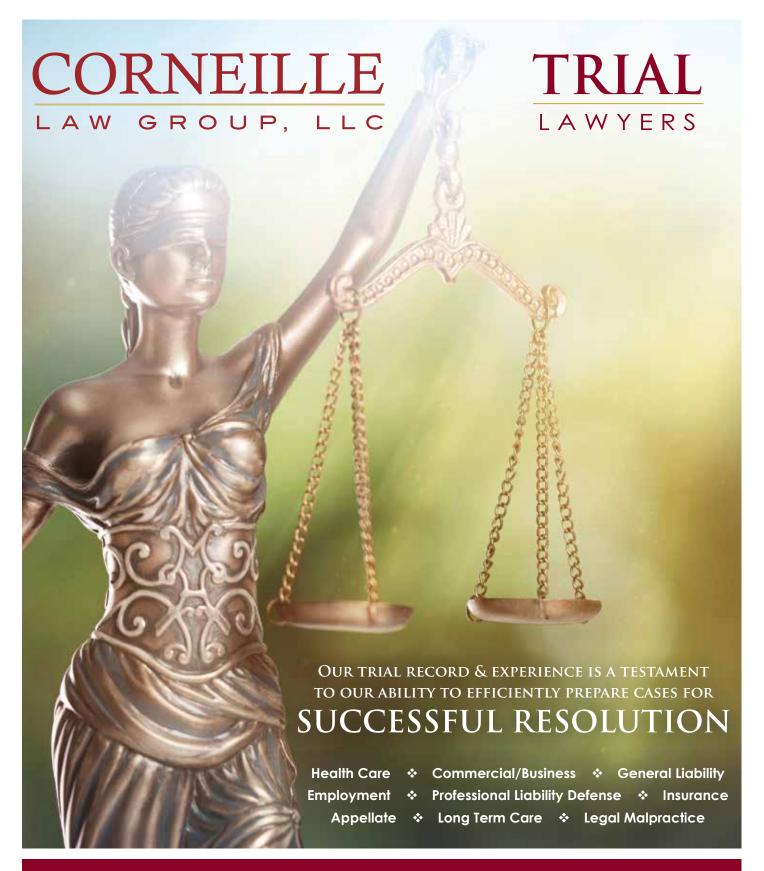
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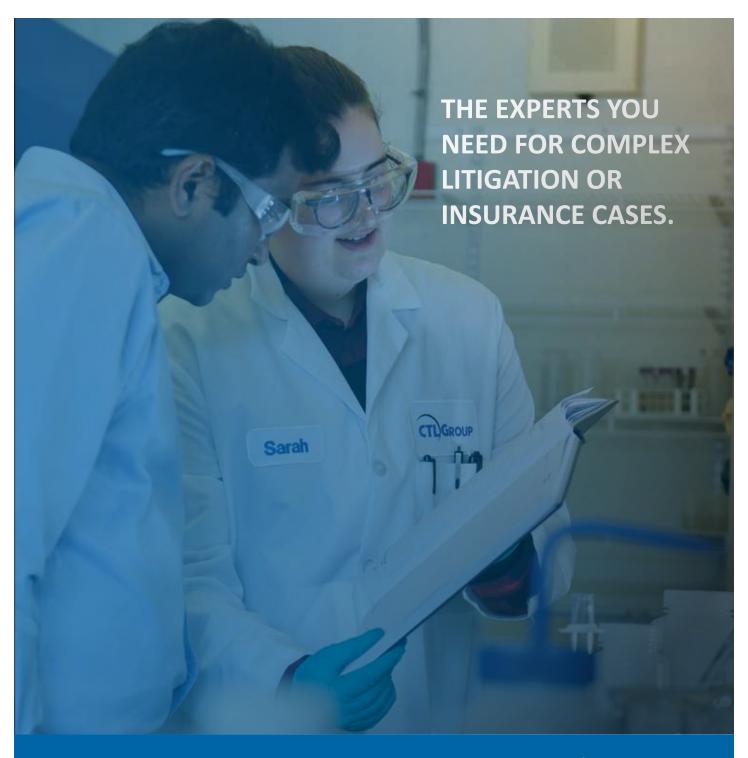
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