

Freeman v. Berge

United States District Court for the Western District of Wisconsin

November 23, 2004, Decided

03-C-0021-C

Reporter: 2004 U.S. Dist. LEXIS 24222

BERRELL FREEMAN, Plaintiff, v. GERALD A. BERGE, PETER HUIBREGTSE, GARY BOUGHTON, JOHN SHARPE and BRAD HOMPE, Defendants.

Subsequent History: Request granted, Costs and fees proceeding at [Freeman v. Berge, 2005 U.S. Dist. LEXIS 2464 \(W.D. Wis., Jan. 27, 2005\)](#)

Prior History: [Freeman v. Berge, 2004 U.S. Dist. LEXIS 18425 \(W.D. Wis., Sept. 13, 2004\)](#)

Counsel: [*1] For BERRELL FREEMAN, Plaintiff: DAVID J. HARTH.

For GERALD BERGE, GARY BOUGHTON, JOHN SHARPE, BRAD HOMPE, PETER HUIBREGTSE, Defendants: JAMES E. MCCAMBRIDGE, ASSISTANT ATTORNEY GENERAL, WISCONSIN DEPARTMENT OF JUSTICE, MADISON, WI.

Judges: BARBARA B. CRABB, District Judge.

Opinion by: BARBARA B. CRABB

Opinion

FINAL PRETRIAL CONFERENCE ORDER

A final pretrial conference was held in this case on November 19, 2004, before United States District Judge Barbara B. Crabb. David Harth and Sarah Walkenhorst appeared on behalf of plaintiff. James McCambridge represented defendants.

Counsel advised the court that the case would probably take two days but might last three. They agreed to a jury of seven. All witnesses will be sequestered except for expert witnesses and the parties.

Counsel were informed of the court's schedule and the method of selecting jurors.

Counsel agreed to the proposed voir dire questions in the form distributed to them at the final conference. They reviewed the proposed instructions and form of verdict but have delayed discussion of them until after the evidence is in on the liability phase of the case.

With respect to the motions in limine, plaintiff's motion to exclude any [*2] and all expert testimony by defendants' witnesses was GRANTED. Defendants have no intention of producing any expert witnesses. Defendants' request to exclude references to Jones 'El was GRANTED. In addition, their motion to exclude references to the termination of Corrections Officer Michael Slaney was GRANTED. Plaintiff has no intention of presenting any evidence about Officer Slaney's termination.

The trial in this case will begin at 9:00 a.m. on Monday, November 29, 2004.

Entered this 23rd day of November, 2004.

BY THE COURT:

BARBARA B. CRABB

District Judge