

visited 07/13/2011

CLOSED, REMAND

United States District Court
Eastern District of Wisconsin (Milwaukee)
CIVIL DOCKET FOR CASE #: 2:98-cv-00624-JPS

Mahon, et al v. Cyganiak Planning In, et al
Assigned to: Judge J P Stadtmueller
Demand: \$0
Case in other court: Milwaukee County, 98CV004299
Cause: 28:1001 E.R.I.S.A.

Date Filed: 07/01/1998
Date Terminated: 08/08/2000
Jury Demand: Both
Nature of Suit: 791 Labor: E.R.I.S.A.
Jurisdiction: Federal Question

Plaintiff**Patrice Z Mahon**

represented by **Jay A Urban**
Urban Taylor & Lee SC
The Collins Elwell Mansion
1363 N Prospect Ave
Milwaukee, WI 53202
414-276-4775
Fax: 414-276-4887
Email: jurban@wisconsininjury.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott B Taylor
Urban Taylor & Lee SC
The Collins Elwell Mansion
1363 N Prospect Ave
Milwaukee, WI 53202
414-276-4775
Fax: 414-276-4887
Email: staylor@wisconsininjury.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**Terrence K Mahon**

represented by **Jay A Urban**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott B Taylor
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Cyganiak Planning Inc
TERMINATED: 06/29/2000

visited 07/13/2011

represented by **James Samuelsen**
Sager Colwin Samuelsen & Associates
201 S Marr St
Fond du Lac, WI 54935-4287
920-921-1320
TERMINATED: 06/29/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Unknown
Sued as ABC Insurance Company
TERMINATED: 10/19/1998

Defendant

Richard J Demski

represented by **Daniel C Conway**
Jacobson Legal Group SC
13255 W Bluemound Rd - Ste 203
Brookfield, WI 53005-6245
262-780-0460
Fax: 262-780-0468
Email: dconway@jandrlaw.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James J Jacobson
Jacobson Legal Group SC
13255 W Bluemound Rd - Ste 203
Brookfield, WI 53005-6245
262-780-0460
Fax: 262-780-0468
Email: jjacobson@jandrlaw.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Unknown
Sued as XYZ Insurance Company
TERMINATED: 10/19/1998

represented by **James Samuelsen**
(See above for address)
TERMINATED: 10/19/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Wisconsin Physicians Service Insurance Corporation
TERMINATED: 03/11/1999

represented by **Michele D Miller Hayes**
Wisconsin Physicians Service Insurance Corporation
1717 W Broadway
PO Box 8190
Madison, WI 53708-8190
608-221-4711

visited 07/13/2011

TERMINATED: 03/11/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Patricia K Ballman
 Quarles & Brady LLP
 411 E Wisconsin Ave - Ste 2040
 Milwaukee, WI 53202-4497
 414-277-5000
 Email: pkb@quarles.com
TERMINATED: 03/11/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

CNA Insurance Company
TERMINATED: 06/29/2000

represented by **James Samuelson**
 (See above for address)
TERMINATED: 06/29/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Employers Reinsurance Corp

represented by **Daniel C Conway**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James J Jacobson
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shannon L Swaziek
 Shindell Law Firm
 158 N Broadway
 Milwaukee, WI 53202-6015
 414-276-1100
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/01/1998	1	NOTICE OF REMOVAL from Milwaukee County Circuit Court, Case No. 98CV004299, with attached S/C; consent forms distributed for Magistrate Judge Callahan (vlh,)
07/01/1998	2	CERTIFICATE of interest by defendant Cyganiak Planning Inc (vlh,)
07/01/1998	3	CERTIFICATE of interest by defendant Richard J Demski (vlh,)

visited 07/13/2011		
07/01/1998	4	ATTORNEY APPEARANCE for defendant Wisconsin Physicians by Michele D. Miller Hayes (vlh,)
07/01/1998	5	ANSWER & AFFIRMATIVE DEFENSES by defendant Wisconsin Physicians to complaint [1-1] (vlh,)
07/01/1998	6	CERTIFICATE of interest by defendant Wisconsin Physicians (vlh,)
07/01/1998	7	CERTIFICATE of service by defendant Wisconsin Physicians (vlh,)
07/01/1998		FILING FEE PAID on 7/1/98 in the amount of \$150.00; receipt # 95684 (vlh,)
07/06/1998	8	CONSENT to proceed before magistrate judge by defendant Wisconsin Physicians (vlh,)
07/08/1998	9	ATTORNEY APPEARANCE for defendant Richard J Demski by James J Jacobson (vlh,)
07/08/1998	10	ANSWER & AFFIRMATIVE DEFENSES by defendant Richard J Demski to complaint [1-1]; jury demand (vlh,)
07/08/1998	11	CERTIFICATE of service by defendant Richard J Demski (vlh,)
07/16/1998	12	CONSENT to proceed before magistrate judge by defendant Richard J Demski (vlh,)
07/17/1998	13	ANSWER by defendant Cyganiak Planning In to complaint [1-1] (vlh,)
07/17/1998	14	ATTORNEY APPEARANCE for defendants Cyganiak Planning Inc & ABC Ins Co by James Samuelson (vlh,)
07/17/1998	15	CONSENT to proceed before magistrate judge by defendants Cyganiak Planning Inc & ABC Ins Co (vlh,)
07/21/1998	16	REFUSAL to consent to proceed before magistrate judge by plaintiff (vlh,)
07/29/1998	17	CERTIFICATE of Interest by plaintiff Patrice Z Mahon, plaintiff Terrence K Mahon (wied,) (Entered: 07/30/1998)
07/29/1998	18	Notice and MOTION by plaintiff Patrice Z Mahon, plaintiff Terrence K Mahon to remand (wied,) (Entered: 07/30/1998)
07/29/1998	19	BRIEF by plaintiff Patrice Z Mahon, plaintiff Terrence K Mahon in opposition to denfendants' request for removal and in support of motion to remand [18-1] (wied,) (Entered: 07/30/1998)
08/20/1998	20	ATTORNEY APPEARANCE for defendant Wisconsin Physicians by Patricia K. Ballman (vlh,)
08/20/1998	21	BRIEF by defendant Wisconsin Physicians in opposition to motion to remand [18-1] (vlh,)
08/20/1998	22	CERTIFICATE of service by defendant Wisconsin Physicians (vlh,)
08/24/1998	23	BRIEF by defendant Richard J Demski in opposition to motion to remand [18-1]; certificate of service attached (vlh,) (Entered: 08/25/1998)
08/24/1998	24	BRIEF by defendant Cyganiak Planning in opposition to motion to remand [18-1] (vlh,) (Entered: 08/25/1998)

visited 07/13/2011		
08/27/1998	25	LETTER from plaintiffs' counsel re: service of defendants' memoranda; exhibits attached (vlh,) (Entered: 08/28/1998)
08/28/1998	26	LETTER from defendant WPS's counsel re: filing of memorandum in opposition to pltf's motion for remand (vlh,) (Entered: 08/31/1998)
08/31/1998	27	LETTER from defendant Richard J Demski's counsel re: filing of brief (vlh,) (Entered: 09/01/1998)
09/01/1998	28	LETTER from defendant Cyganiak Planning re: filing of its memorandum in opposition to pltf's motion for remand (vlh,) (Entered: 09/02/1998)
09/08/1998	29	REPLY BRIEF by plaintiffs in support of motion to remand [18-1] (vlh,) (Entered: 09/09/1998)
09/16/1998	30	ATTORNEY APPEARANCE for defendant Cyganiak Planning by James Samuelsen (vlh,)
09/16/1998	31	ORDER by Senior Judge John W. Reynolds denying pltf's resquest for finding waiver of right to file response briefs (cc: all counsel) (vlh,) (Entered: 09/17/1998)
10/07/1998	32	CERTIFICATE of service (copy) of responses to plaintiffs' requests for production by defendant Richard J Demski (vlh,)
10/19/1998	33	PROPOSED AMENDED COMPLAINT with jury demand, terminating unknown defendants and adding CNA Ins Co & Employers Reinsurance Corp (vlh,) Modified on 01/27/1999
10/19/1998		AMENDED SUMMONS issued (vlh,)
10/19/1998	34	MOTION by plaintiffs for leave to amend (vlh,)
10/19/1998	35	BRIEF by plaintiffs in support of motion for leave to amend [34-1] with attached exhibits A & B (vlh,)
10/20/1998	36	NOTICE that the court will resolve pltf's motion to amend complaint pursuant to Local Rule 6.07; two-page response due 10/30/98 (vlh,) (Entered: 10/21/1998)
10/29/1998	37	RESPONSE by defendant Wisconsin Physicians to plaintiff's motion to amend complaint [34-1] (vlh,) (Entered: 10/30/1998)
10/29/1998	38	CERTIFICATE of service by defendant Wisconsin Physicians (vlh,) (Entered: 10/30/1998)
10/30/1998	39	RESPONSE by defendants CNA Ins Co & Cyganiak Planning to plaintiff's motion to amend [34-1] stating no objection & requesting add'l time to supplement briefs in opposition to motion to remand (vlh,)
10/30/1998	40	LETTER RESPONSE by defendants Richard J Demski & Employers Reinsurance to plaintiff's motion to amend [34-1] & request for add'l time to supplement briefs in response to motion to remand (vlh,) (Entered: 11/02/1998)
01/24/1999	41	ORDER by Senior Judge John W. Reynolds granting plaintiffs' motion for leave to amend [34-1] & denying plaintiffs' motion to remand [18-1]; plaintiffs' proposed amended complaint of 10/19/98 is deemed filed as of date of this order (cc: all counsel) (vlh,) (Entered: 01/27/1999)

visited 07/13/2011		
01/24/1999	42	AMENDED COMPLAINT with jury demand, terminating unknown defendants & adding CNA Ins Co & Employers Reinsurance Corp (vlh,) (Entered: 01/27/1999)
02/01/1999	43	ANSWER by defendants Cyganiak Planning & CNA Ins Co to amended complaint [42-1] (vlh,)
02/08/1999	44	ANSWER by defendant Wisconsin Physicians Svc to amended complaint [42-1] (vlh,)
02/16/1999	45	ATTORNEY APPEARANCE for defendant Employers Reinsurance by James J Jacobson & Shannon L Grill (vlh,)
02/16/1999	46	ANSWER by defendants Richard J Demski & Employers Reinsurance to amended complaint [42-1]; jury demand (vlh,) (Entered: 02/17/1999)
02/17/1999	47	NOTICE OF MOTION & MOTION by defendant Richard J Demski & Employers Reinsurance to extend time to answer amended complaint (vlh,)
02/17/1999	48	CERTIFICATE of service by defendants Richard J Demski & Employers Reinsurance (vlh,)
02/22/1999	49	LETTER from deputy clerk to counsel advising that the court will resolve defendants' motion for extension of time pursuant to Local Rule 6.07; two-page response due 3/5/99 (vlh,) (Entered: 02/23/1999)
03/05/1999	50	BRIEF by plaintiff Patrice Z Mahon, plaintiff Terrence K Mahon in opposition to motion to extend time to answer amended complaint [47-1] (wied,)
03/11/1999	51	STIPULATION and ORDER by Senior Judge John W. Reynolds dismissing party Wisconsin Physicians without prejudice & without costs (cc: all counsel) (vlh,) (Entered: 03/12/1999)
04/04/1999	52	ORDER by Senior Judge John W. Reynolds granting defendants Demski & Employers Reinsurance Corp's motion to extend time to answer amended complaint [47-1]; 2/16/99 answer deemed timely filed. Parties instructed to delete defendant Wis. Physicians Service from caption. (cc: all counsel) (vlh,) (Entered: 04/08/1999)
04/08/1999	53	NOTICE of sched conf call set for 10:30 A.M. on 4/28/99 ; status report due 4/26/99 (cc: all counsel) (vlh,) (Entered: 04/09/1999)
04/26/1999	54	STATUS REPORT (vlh,)
04/28/1999	55	HEARING MINUTES: by Senior Judge John W. Reynolds ; discovery ddl set for 9/24/99 ; motion filing ddl set for 10/1/99 ; 5 day jury trial set for 1/11/00, 10:00 ; status hearing held 4/28/99 Plaintiffs are to disclose their experts by 7/2/99. Defendants are to disclose their experts by 10/1/99. Final Pretrial Reports are due 1/4/00. Defendants CNA and Employers Re-Insurance are to file a Certificate of Interest by 5/12/99. Court Reporter: None (wied,) (Entered: 04/30/1999)
04/29/1999	56	SCHEDULING ORDER Senior Judge John W. Reynolds SEE 4/28/99 Hearing Minutes for Details. (cc: all counsel) (wied,) (Entered: 04/30/1999)
05/04/1999	57	CERTIFICATE of interest by defendants Cyganiak Planning & CNA Ins Co (vlh,) (Entered: 05/05/1999)
05/11/1999	58	CERTIFICATE of interest by defendant Employers Reinsurance; certificate of service attached (vlh,)

visited 07/13/2011		
05/12/1999	59	ORDER for random reassignment pursuant to 28 U.S.C. Sec. 455(b)(4) by Senior Judge John W. Reynolds; case randomly reassigned to Judge J. P. Stadtmueller (cc: all counsel) (vlh,) (Entered: 05/13/1999)
06/30/1999	60	NOTICE OF SUBSTITUTION OF COUNSEL by plntfs: Urban Taylor & Stawski has been substituted as counsel in place of Lucas Wilkoski & Taylor and Techmeier & Van Grunsven (Scott Taylor & Jay Urban remain primary attys of record) (djd,) (Entered: 07/01/1999)
07/02/1999	61	EXPERT WITNESS LIST submitted by plntf Patrice Z Mahon, plntf Terrence K Mahon w/ Certificate of Service (djd,) Modified on 07/06/1999 (Entered: 07/06/1999)
07/16/1999	62	PRELIMINARY REPORT and EXHIBITS filed by plft (eeb,)
09/02/1999	63	MOTION by plntfs for reconsideration of motion to remand in light of dismissal of deft WPS (djd,)
09/02/1999	64	BRIEF by plntfs in support of motion for reconsideration of motion to remand in light of dismissal of deft WPS [63-1] (djd,)
09/02/1999	65	CERTIFICATE OF SERVICE by plntfs (djd,)
09/24/1999	66	MOTION by defts to extend discovery deadlines , and for order establishing a new time for filing summary judgment motions (djd,) (Entered: 09/27/1999)
09/24/1999	67	AFFIDAVIT of James Samuelson in Support of Motion for an Extension of Time for Discovery & for an Extension of the Deadline for Filing Summary Judgment Motions (djd,) (Entered: 09/27/1999)
09/24/1999		MARGINAL ORDER by Judge J P Stadtmueller granting defts' motion to extend discovery deadlines [66-1], granting defts' motion for order establishing a new time for filing summary judgment motions [66-2] discovery ddl extended to 11/15/99; dispositive motion filing ddl extended to 12/15/99 (cc: all counsel) (djd,) (Entered: 09/30/1999)
09/27/1999	68	BRIEF by defts Employers Reinsurance Corp & Richard J Demski in opposition to plntfs' motion for reconsideration of motion to remand in light of dismissal of deft WPS [63-1] w/ attached Certificate of Service (djd,) Modified on 09/27/1999
09/27/1999	69	BRIEF by defts CNA Ins Co & Cyganiak Planning in opposition to motion for reconsideration of motion to remand in light of dismissal of deft WPS [63-1] (djd,) (Entered: 09/28/1999)
10/04/1999	70	REPLY BRIEF by plntfs in support of motion for reconsideration of motion to remand in light of dismissal of deft WPS [63-1] (djd,) (Entered: 10/05/1999)
10/15/1999	71	EXPERT WITNESS list submitted by defts CNA Ins Co, Cyganiak Planning (djd,)
10/18/1999	72	EXPERT WITNESS list submitted by defts Employers Reinsurance Corp & Richard J Demski w/ attached Certificate of Service (djd,) Modified on 10/18/1999
11/03/1999	73	MOTION by defts Cyganiak Planning & CNA Ins Co to compel plntfs to respond to discovery requests , and to extend discovery cutoff (djd,)
11/03/1999	74	AFFIDAVIT of James Samuelson (djd,)
11/04/1999	75	(Notarized) AFFIDAVIT of James Samuelson (djd,) (Entered: 11/05/1999)

visited 07/13/2011		
11/05/1999	76	MOTION by defts CNA Ins Co & Cyganiak Planning to extend time to provide expert reports (djd,)
11/05/1999	77	AFFIDAVIT of James Samuelson (djd,)
11/08/1999	78	MOTION by plntfs for order denying Cyganiak Planning & CNA's discovery motion , and for order closing discovery (djd,)
11/08/1999	79	AFFIDAVIT of Jay A Urban (djd,)
11/08/1999	80	CERTIFICATE OF SERVICE by plntfs (djd,)
11/12/1999	81	MOTION by plntfs for order denying Cyganiak Planning & CNA's untimely discovery motion , and for order closing discovery as previously ordered w/ attached Certificate of Service (djd,) Modified on 11/22/1999 (Entered: 11/15/1999)
11/12/1999	82	AFFIDAVIT of Jay A Urban (djd,) (Entered: 11/15/1999)
11/19/1999	83	LETTER from AAG Matthew J Frank from Dept of Justice stating they have decided not to appear in this matter; but they do wish to be advised if the issue of the constitutionality of a statute or ordinance is raised on appeal (djd,)
11/26/1999	84	CERTIFICATE OF SERVICE BY MAIL by deft Richard J Demski (Responses to plntfs' 2nd & 3rd discovery requests) (djd,) Modified on 11/26/1999
12/15/1999	85	NOTICE OF MOTION AND MOTION by defendant Cyganiak Planning, defendant CNA Ins Co for summary judgment (eeb,) (Entered: 12/16/1999)
12/15/1999	86	MOTION by deft Employers Reinsurance Corp, deft Richard J Demski for summary judgment (djd,) (Entered: 12/16/1999)
12/15/1999	87	BRIEF by defts Employers Reinsurance & Richard J Demski in support of motion for summary judgment [86-1] (djd,) (Entered: 12/16/1999)
12/15/1999	88	AFFIDAVIT of Daniel C Conway in Support of Deft Richard J Demski & Employers Reinsurance Corp's Motion for Summary Judgment (djd,) (Entered: 12/16/1999)
12/15/1999	89	PROPOSED Findings of Fact in Support of Motion for Summary Judgment submitted by defts Employers Reinsurance Corp & deft Richard J Demski (djd,) (Entered: 12/16/1999)
12/15/1999	90	CERTIFICATE of Service by defts Richard J Demski & Employers Reinsurance Corp (djd,) (Entered: 12/16/1999)
01/13/2000	91	NOTICE OF MOTION AND MOTION by plaintiff Patrice Z Mahon, plaintiff Terrence K Mahon to extend the time for plft to response to defts motion for summary judgment (eeb,)
01/13/2000	92	AFFIDAVIT of Scott B. Taylor re [91-1] (eeb,)
01/13/2000	93	CERTIFICATE of Service by plaintiff Patrice Z Mahon, plaintiff Terrence K Mahon (eeb,)
01/31/2000		MARGINAL ORDER by Chief Judge J P Stadtmueller granting plntfs' motion to extend the time for plft to respond to defts' motion for summary judgment [91-1] (cc: all counsel) (djd,) (Entered: 02/01/2000)

visited 07/13/2011		
02/16/2000	94	MOTION by plntf to strike defts' motion for summary judgment and ... (djd,) (Entered: 02/17/2000)
02/16/2000	94	...BRIEF by plntfs in opposition to defts' motion for summary judgment [85-1] (djd,) (Entered: 02/17/2000)
02/16/2000	95	AFFIDAVIT of Jay A Urban (djd,) (Entered: 02/17/2000)
02/16/2000	96	AFFIDAVIT of Scott B Taylor (djd,) (Entered: 02/17/2000)
02/16/2000	97	CERTIFICATE OF SERVICE by plntfs (djd,) (Entered: 02/17/2000)
03/06/2000	98	REPLY BRIEF by defts Employers Reinsurance & Richard J Demski in support of motion for summary judgment [86-1] (djd,) (Entered: 03/07/2000)
03/06/2000	99	REPLY by defts Employers Reinsurance & Richard J Demski to Plntfs' Additional Factual Propositions & Undisputed Facts Precluding Summary Judgment w/ attached Certificate of Service (djd,) Modified on 03/07/2000 (Entered: 03/07/2000)
03/13/2000	100	BRIEF by defts Employers Reinsurance Corp & deft Richard J Demski in opposition to motion to strike defts' motion for summary judgment [94-1] (djd,) (Entered: 03/14/2000)
03/13/2000	101	AFFIDAVIT of Daniel C Conway in Opposition to Plntfs' Motion to Strike Defts' Motion for Summary Judgment w/ attached Certificate of Service (djd,) (Entered: 03/14/2000)
06/29/2000	102	STIPULATION & ORDER by Chief Judge J P Stadtmueller : dismissing party CNA Ins Co, party Cyganiak Planning on the merits & w/ prejudice & w/out further cost or notice to any of the parties (cc: all counsel) (djd,) (Entered: 06/30/2000)
08/08/2000	103	ORDER by Chief Judge J P Stadtmueller granting plntfs' motion for reconsideration of motion to remand in light of dismissal deft WPS [63-1] remanding case to Milwaukee County Circuit Court (cc: all counsel) (djd,) (Entered: 08/09/2000)

PACER Service Center

Transaction Receipt

07/13/2011 11:42:14

PACER Login:	sc1614	Client Code:	
Description:	Docket Report	Search Criteria:	2:98-cv-00624-JPS
Billable Pages:	6	Cost:	0.48