

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

WILLIAM SCHMALFELDT,
Plaintiff,

Case No. 2:15-cv-01516-NJ

v.

SARAH PALMER, ET AL.,
Defendants.

CASE MANAGEMENT ORDER

It is clear that this case is the latest in a protracted series of disputes between and among the parties here,¹ and that the dispute between Plaintiff and at least some of these Defendants is particularly bitter. However, “[t]his Court is not a ‘trampoline for the excess energies of litigants whose need to have the last word exceeds the fair briefing of issues.’” *Allnut v. U.S. Dep’t of Justice*, No. Y9801722, 2000 WL 34475731, at *14 (D. Md. March 6, 2000). The Court has no option but to limit the deluge of filings in this case from the Plaintiff in order to prevent this case from consuming an inordinate share of this Court’s limited resources. Accordingly, pursuant to Fed. R. Civ. P. 1, 16(b), and 83(b), I now issue this Case Management Order to allow for the “just, speedy, and inexpensive determination” of this action, Fed. R. Civ. P. 1.

¹ This Plaintiff has previously filed four civil suits against similar defendants: *Schmalfeldt v. Hoge, et al.*, Case No. 14-CV-01685-CCB (D. Md. 2014); *Schmalfeldt v. Johnson, et al.*, Case No. 15-CV-00315-RDB (D. Md. 2015); *Schmalfeldt v. Hoge, et al.*, Case No. 13-C-15-102498 (Md. Cir. Ct. Howard Co. 2015); and *Schmalfeldt v. Grady, et al.*, Case No. 15-CV-01241-RDB (D. Md. 2015).

MOTIONS PRACTICE

A. Requesting Permission to File a Motion

1. The Plaintiff is allowed as a matter of course to file a single opposition to any motion filed by any defendant in this case.
2. In order to reduce the burden on this Court caused by the excessive volume of documents filed to date by the Plaintiff, it is ORDERED that no other document may be filed by the Plaintiff in this case without advance permission of the Court, in accordance with the procedures set forth below.
3. If the Plaintiff desires to file a motion, he must first file a letter seeking approval and complying with the following requirements. Any letter that fails to comply with these requirements and any document filed without complying with this Order will be stricken from the docket by the Clerk.
4. A request for permission to file a motion (“Request”) will be filed in letter format, and may not exceed three pages, single spaced, twelve point font;
5. The Request is subject to the requirements of Fed. R. Civ. P. 11, and must state with particularity the relief that will be requested in the motion and the grounds for seeking the relief requested;
6. The Request will include a subject line that states:
 - a. The caption of this case (*e.g.*, *Schmalfeldt v. Grady, et al.*), the Case Number (2:15-cv-01516-NJ), and
 - b. A title in the form of “Request to File Motion to/for _____,” clearly stating the nature of the relief sought.
7. The Plaintiff may not file a Request on behalf of any other party or person;
8. The first paragraph of the Request must contain a concise statement of the specific relief sought and the justification for seeking it, and include a summary of the facts and law that support the Request. It also must state why that relief is relevant to the issues in this case and appropriate at the current stage of proceedings;
9. Unless otherwise allowed by the Court, a Request may not contain more than 10 exhibits, each of which must be separately identified by a number or letter. The Request must explain why the exhibits are relevant to the relief requested;
10. A Request may not seek any relief already sought and denied by the Court unless that denial was expressly without prejudice or the Request is for reconsideration of the denial based upon specific new facts or law that did not exist at the time the original motion was

denied and specifically sets forth why the facts or law are relevant to the Request, and could not reasonably have been known when the relief was originally denied;

11. A Request may not seek to strike any other Request or filing without good cause; and
12. No Request may contain any redundant, immaterial, impertinent, or scandalous matter, or any *ad hominem* attack on any party, attorney, any Judge or employee of this or any Court, or any other person. Nor shall any Request include information covered by a confidentiality order in this or any other court.

If a Request fails to comply with any of these requirements, it will be summarily STRICKEN and will not be considered by this Court.

B. Filing Motions After a Request Has Been Granted

When the Court has granted a Request to file a Motion, the Motion must meet the following requirements:

1. Every motion or response will comply strictly with the requirements of Fed. R. Civ. P. 7(b) and 11, including the requirements for signatures and other identifying information contained in Rule 11(a). The motion, any accompanying memorandum, opposition memorandum may not exceed thirty (30) pages, double spaced. Any reply memorandum may not exceed fifteen (15) pages. All such filings shall either be typed in 12 point font or, if accompanied by a certification that the filer lacks access to a computer or typewriter, be in clear, printed (*i.e.* not cursive) handwriting.
2. Every motion or response shall contain a caption substantially identical to the caption on this Case Management Order;
3. Every motion shall have a clear, concise title that sets forth the identity of the movant or movants and the relief sought in an unambiguous fashion;
4. The Plaintiff may not file a motion on behalf of any other party or person;
5. Each opposition or reply memorandum shall contain a title that clearly identifies the party or parties on whose behalf it is submitted, the title of the original motion to which it relates, and the ECF Number of the motion to which it relates;
6. Opposition or reply memoranda must cite to the exact title of the original motion to which they respond, provided that abbreviated titles may be used where substantial space is saved;
7. No surreplies will be permitted;
8. No supplements will be permitted to a motion, opposition, or reply already filed unless the party seeking to supplement first submits a Request, in letter format, not to exceed

one, single-spaced page, setting forth what the proposed supplement will contain, why it could not have been included in timely filed motion papers, and why it is necessary to the just resolution of the pending motion;

9. No exhibits to the Plaintiff's motions or replies will be permitted unless leave has been requested and granted by attaching them to a Request pursuant to paragraph A.6 above. Such exhibits will be numbered or lettered separately;
10. No motion, opposition, or reply may contain any redundant, immaterial, impertinent, or scandalous matter, or any *ad hominem* attack on any party, any Judge or employee of this or any Court, or any other person. Nor shall any document filed with this Court include information covered by a confidentiality order in this or any other court.

Dated at Milwaukee, Wisconsin, this _____ day of _____, 2016

BY THE COURT

NANCY JOSEPH
United States Magistrate Judge