

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

TOWN OF THORNAPPLE, WISCONSIN;  
ANGELA JOHNSON, RALPH C.  
KENYON, TOM ZELM, and JACK ZUPAN,  
in their official capacities as Town Clerk and  
Town Board Supervisors of the Town of  
Thornapple; TOWN OF LAWRENCE,  
WISCONSIN; CHARIDY LUDESCHER,  
BOB NAWROCKI, STACY ZIMMER, and  
DUANE BILLER, in their official capacities  
as Town Clerk and Town Board Supervisors  
of the Town of Lawrence; and STATE OF  
WISCONSIN,

Case No.: 3:24-cv-664

Defendants.

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**STATUS REPORT -- JOINT PROPOSED CASE MANAGEMENT PLAN**

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Plaintiff United States of America and Defendants Town of Thornapple, Angela Johnson, Ralph C. Kenyon, Tom Zelm, and Jack Zupan (“Thornapple Defendants”) (collectively, “the Parties”), respectfully propose the following case management plan.

The Thornapple Defendants intend to appeal the September 27, 2024, Order Granting Preliminary Injunction (*see* Dkt. 27), pursuant to 28 U.S.C. § 1292(a)(1). As such, the Parties jointly request that the Court stay all proceedings in this action pending the outcome of the interlocutory appeal, with the exception that the United States may amend its Complaint to ensure the inclusion of all necessary parties and that the Court will retain jurisdiction to hold proceedings

to enforce the injunction entered in this case. The Parties further stipulate that the Order Granting Preliminary Injunction shall remain in effect during the pendency of the interlocutory appeal.<sup>1</sup>

Dated this 16<sup>th</sup> day of October, 2024.

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<sup>1</sup> Defendant State of Wisconsin does not oppose entry of this joint proposed case management plan.

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Defendants.

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**ORDER GRANTING JOINT PROPOSED CASE MANAGEMENT PLAN**

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The above-captioned matter, having come before the Court, and with the Court having found good cause,

**IT IS ORDERED** that the Parties' joint proposed case management plan is **GRANTED**.

**IT IS HEREBY ORDERED** that all proceedings in this matter are stayed, pending the outcome of the interlocutory appeal to be filed by Defendants Town of Thornapple, Angela Johnson, Ralph C. Kenyon, Tom Zelm and Jack Zupan ("Thornapple Defendants"), and with the exception that the United States may amend its Complaint to ensure the inclusion of all necessary parties and that the Court will retain jurisdiction to hold proceedings to enforce the injunction entered in this case.

**IT IS HEREBY ORDERED** that the preliminary injunction, dated October 4, 2024, *see* Dkt. 27, shall remain in effect during the pendency of the Thornapple Defendants' interlocutory appeal.

**IT IS SO ORDERED.**

This \_\_\_\_ day of October, 2024.

\_\_\_\_\_

Hon. \_\_\_\_\_

UNITED STATES DISTRICT JUDGE

Entered this \_\_\_\_ day of \_\_\_\_\_, 2024.

By: \_\_\_\_\_