

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

August 22, 2011

Before

William J. Bauer, Circuit Judge

THEODORE NICKEL, Plaintiff-Appellee,		] Appeal from the United
		] States District Court for
		] the Western District of
No. 11-1158	v.	] Wisconsin.
]
UNITED STATES OF AMERICA, Defendant-Appellant.		] No. 3:10-cv-00778-bbc
]
-----		] Barbara B. Crabb, Judge.
UNITED STATES OF AMERICA, Plaintiff-Appellant,		] Appeal from the United
		] States District Court for
		] the Western District of
No. 11-1419	v.	] Wisconsin.
]
WISCONSIN STATE CIRCUIT COURT FOR DANE COUNTY, et al.,		] No. 3:11-cv-00099-bbc
]
Defendants-Appellees.		] Barbara B. Crabb, Judge.

O R D E R

On consideration of the "UNITED STATES' MOTION TO CONSOLIDATE APPEALS" filed on February 28, 2011, the "WISCONSIN COMMISSIONER OF INSURANCE'S OPPOSITION TO UNITED STATES' MOTION TO CONSOLIDATE APPEALS" filed on February 28, 2011, and the "UNITED STATES' REPLY TO THE WISCONSIN INSURANCE COMMISSIONER'S OPPOSITION TO THE UNITED STATES' MOTION TO CONSOLIDATE APPEALS" filed on March 2, 2011,

IT IS ORDERED that the motion is GRANTED, and these appeals are CONSOLIDATED for purposes of briefing and disposition.

The briefing schedule is as follows:

Nos. 11-1158 and 11-1419

Page 2

1. The appellant shall file its consolidated brief and required short appendix on or before September 28, 2011.
2. The appellees shall file their respective consolidated briefs on or before October 28, 2011.
3. The appellant shall file its consolidated reply brief, if any, on or before November 14, 2011.

Counsel for appellees are encouraged to avoid unnecessary duplication by filing a joint brief or a joint appendix or by adopting parts of a co-appellee's brief. Duplicative briefing will be stricken and may result in disciplinary sanctions against counsel. *See United States v. Torres*, 170 F.3d 749 (7th Cir. 1999); *United States v. Ashman*, 964 F.2d 596 (7th Cir. 1992).

IT IS FURTHER ORDERED that the parties fully address the issue of appellate jurisdiction over Appeal No. 11-1158 in their respective briefs.

Important Scheduling Notice!

Notices of hearing for particular appeals are mailed shortly before the date of oral argument. Criminal appeals are scheduled shortly after the filing of the appellant's main brief; civil appeals after the filing of the appellee's brief. If you foresee that you will be unavailable during a period in which your particular appeal might be scheduled, please write the clerk advising him of the time period and the reason for such unavailability. Session data is located at <http://www.ca7.uscourts.gov/cal/calendar.pdf>. Once an appeal is formally scheduled for a certain date, it is very difficult to have the setting changed. See Circuit Rule 34(e).