



MEMORANDUM

Date: February 12, 2014

To: Common Council

From: Pamela A. ^{AC}Captain, City Attorney

RE: City of Menasha v. Waverly Sanitary District et al.
Calumet County Case No. 2013CV189

City of Kaukauna et al. v. Village of Harrison et al.
Calumet County Case No. 2013CV159

City of Menasha v. Waverly Sanitary District et al.
Calumet County Case No. 2013CV189

On February 10, 2014, a scheduling conference was held setting a schedule for briefing the initial legal issues in this case. The parties agreed to stagger briefing on the issues given the legal complexities involved. A hearing for oral argument is set for April 25, 2014 at 1:30 p.m. Further briefing may be scheduled after that hearing depending upon the initial rulings.

City of Kaukauna et al. v. Village of Harrison et al.
Calumet County Case No. 2013CV159

On February 11, 2014, Plaintiff's filed a Motion to Compel Discovery arising out of Harrisons' failure to provide requested information. According to the motion that was filed: "On January 3, 2014, the Town of Harrison served discovery responses that failed to provide requested documents relating to, *inter alia*, communications between and among Town officials, and between Town officials and others, relating to the subject matter of this lawsuit; and further failed to provide a privilege log as requested by Plaintiffs." Plaintiffs are seeking an order that the Harrisons comply with the discovery request and pay the extra costs and associated attorney fees due to having to file the motion. A motion hearing is scheduled for March 14, 2014. Subsequent to filing the motion the Harrisons did provide a few documents.