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United States District Court
Eastern District of Wisconsin (Green Bay)
CIVIL DOCKET FOR CASE #: 1:24-cv-01206-WCG

Van Elzen v. American Home Shield Corporation
Assigned to: Judge William C Griesbach
Cause: 47:227 Restrictions of Use of Telephone Equipment

Date Filed: 09/22/2024
Date Terminated: 04/21/2026
Jury Demand: Plaintiff
Nature of Suit: 485 Telephone Consumer
Protection Act (TCPA)
Jurisdiction: Federal Question

Plaintiff

David Van Elzen

represented by **Avi R Kaufman**
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V.

Defendant

American Home Shield Corporation

represented by **Daniel T Flaherty**
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Date Filed	#	Docket Text
09/22/2024	1	COMPLAINT with Jury Demand; against American Home Shield Corporation by David Van Elzen. (Filing Fee PAID \$405 receipt number AWIEDC-4775754) (Attachments: # 1 Civil Cover Sheet)(Coleman, Stefan)
09/22/2024	2	REQUEST for Issuance of Summons by David Van Elzen (Coleman, Stefan)
09/22/2024	3	DISCLOSURE Statement by David Van Elzen. (Coleman, Stefan)
09/23/2024		NOTICE Regarding assignment of this matter to Judge William C Griesbach. Consent/refusal forms for Magistrate Judge Stephen Dries to be filed within 21 days; the consent/refusal form is available here . (mew)
09/23/2024		Summons Issued as to American Home Shield Corporation. (jmk)
09/29/2024	4	SUMMONS Returned Executed by David Van Elzen. American Home Shield Corporation served on 9/26/2024. (Coleman, Stefan)
10/14/2024	5	DISCLOSURE Statement by American Home Shield Corporation. (Flaherty, Daniel)
10/14/2024	6	STIPULATION for Extension of Deadline to File Initial Response to Plaintiff's Initial Complaint by American Home Shield Corporation. (Flaherty, Daniel)
10/15/2024		NOTICE from the clerk to Defendant requesting that the Consent/Refusal form to Magistrate Judge Stephen C. Dries be filed within 21 days; the form is available here . (jmk)
10/16/2024	7	TEXT ONLY ORDER APPROVING 6 Stipulation extending Defendant's time to file an answer or otherwise respond to Plaintiff's complaint to November 18, 2024 , signed by Judge William C Griesbach on 10/16/2024. (cc: all counsel)(Griesbach, William)
11/05/2024	8	Magistrate Judge Jurisdiction Form filed by All Defendants. (NOTICE: Pursuant to Fed.R.Civ.P. 73 this document is not viewable by the judge.) (Flaherty, Daniel)
11/18/2024	9	Defendant's ANSWER to 1 Complaint with Jury Demand by American Home Shield Corporation.(Flaherty, Daniel)
11/19/2024	10	NOTICE of Hearing: Rule 16 Telephone Scheduling Conference set for 12/18/2024 at 09:20 AM by Telephone before Judge William C Griesbach. Rule 26 Discovery Plan due by 12/11/2024. The parties shall call the court Zoom conference line at 669-254-5252 , use Meeting ID: 161 5758 9308 , press # to bypass Participant ID, and enter Passcode: 519855 to join the call. To ensure a clear record of the hearing, participants should not use a speaker phone. Participants shall call in prior to the time that the hearing is scheduled to begin so that there is no disruption to the court proceeding. If you have any questions, please contact the Clerks Office at 920-884-3720. (cc: all counsel)(jmk)

12/11/2024	11	<i>Joint</i> REPORT of Rule 26(f) Plan by David Van Elzen. (Kaufman, Avi)
12/18/2024	12	Minute Entry for proceedings held before Judge William C Griesbach: Rule 16 Telephone Scheduling Conference held on 12/18/2024. Phase Discovery due by 3/28/2025, Defendant's Fast-Track Summary Judgment Motion due by 4/14/2025. (Tape #Zoom 121824) (mav) (Entered: 12/20/2024)
12/20/2024	13	SCHEDULING ORDER signed by Judge William C Griesbach on 12/20/2024. (cc: all counsel)(Griesbach, William)
02/10/2025	14	Stipulated MOTION for Protective Order by All Defendants. (Attachments: # 1 Exhibit 1 - Proposed Stipulated Protective Order)(Flaherty, Daniel)
02/11/2025	15	PROTECTIVE ORDER, signed by Judge William C Griesbach on 02/11/2025. The motion, Dkt. No. 14, is GRANTED. (Attachments: # 1 Agreement to Be Bound by Protective Order) (cc: all counsel)(Griesbach, William)
03/12/2025	16	STIPULATION <i>for Extension of Deadline to Complete First Phase of Discovery and to File Fast-Track Motion for Summary Judgment</i> by All Defendants. (Flaherty, Daniel)
03/13/2025	17	TEXT ONLY ORDER APPROVING 16 STIPULATION for Extension of Deadline to Complete First Phase of Discovery and to File Fast-Track Motion for Summary Judgment, signed by Judge William C Griesbach on 03/13/2025. The first phase of discovery shall be completed on or before May 12, 2025, and Defendant shall file and serve its fast-track motion for summary judgment on or before June 2, 2025. (cc: all counsel)(Griesbach, William)
05/06/2025	18	Rule 7(h) Expedited Non-Dispositive MOTION to Compel <i>Production of Plaintiff's Electronic Devices and Extend Case Deadlines</i> by All Defendants. (Flaherty, Daniel). Added MOTION for Extension of Time on 5/7/2025. (kwf)
05/06/2025	19	DECLARATION of Timothy Loose <i>in Support of Defendant's Rule 7(h) Motion to Compel Production of Plaintiff's Electronic Devices and Extend Case Deadlines</i> (Attachments: # 1 Exhibit A - Protocol for Examination)(Flaherty, Daniel)
05/12/2025	20	STIPULATION <i>for Extension of Deadline to Complete First Phase of Discovery and to File Fast-Track Motion for Summary Judgment</i> by All Defendants. (Flaherty, Daniel)
05/12/2025	21	LETTER from Daniel T. Flaherty <i>withdrawing Rule 7(h) Motion to Compel</i> . (Flaherty, Daniel)
05/13/2025	22	TEXT ONLY ORDER APPROVING 20 Stipulation for Extension of Deadline to Complete First Phase of Discovery and to File Fast-Track Motion for Summary Judgment, filed by American Home Shield Corporation, signed by Judge William C. Griesbach on 05/13/2025. All discovery on the issue of consent shall be completed on or before July 11, 2025. Defendant shall file its Fast-Track motion for summary judgment on or before August 29, 2025. (cc: all counsel) (Griesbach, William)
07/07/2025	23	STIPULATION <i>for Extension of Deadline to Complete First Phase of Discovery and to File Fast-Track Motion for Summary Judgment</i> by American Home Shield Corporation. (Flaherty, Daniel)
07/08/2025	24	TEXT ORDER ONLY APPROVING 23 Stipulation for Extension of Deadlines, filed by Defendant American Home Shield Corporation, signed by Judge William C. Griesbach on 07/08/2025. The parties shall complete phase one of discovery by August 25, 2025, and Defendant shall file its Streamlined Summary Judgment motion on or before September 15, 2025. Defendant should review the recent revision of the Preferred Procedures and General Information for Litigants Appearing Before Judge William C. Griesbach at the

		court's website for information about the Streamlined Summary Judgment procedure. (cc: all counsel) (Griesbach, William)
07/10/2025	25	Rule 7(h) Expedited Non-Dispositive MOTION to Compel <i>Production of Responsive Electronic Discovery</i> by All Defendants. (Flaherty, Daniel)
07/10/2025	26	DECLARATION of Michael Perry in Support of Rule 7(h) Expedited Non-Dispositive Motion to Compel Production of Responsive Electronic Discovery and Extension of Case Deadlines (Attachments: # 1 Exhibit A - Curriculum Vitae, # 2 Exhibit B - Inspection Protocol, # 3 Exhibit C - Inspection Results)(Flaherty, Daniel)
07/10/2025	27	CERTIFICATE by American Home Shield Corporation <i>Per Civil L.R. 37 re 25 Rule 7(h) Expedited Non-Dispositive MOTION to Compel Production of Responsive Electronic Discovery</i> (Loose, Timothy)
07/17/2025	28	RESPONSE to Motion filed by David Van Elzen re 25 Rule 7(h) Expedited Non-Dispositive MOTION to Compel <i>Production of Responsive Electronic Discovery</i> . (Kaufman, Avi)
07/23/2025		NOTICE of Hearing: Telephone Conference set for 8/1/2025 at 10:00 AM before Judge William C Griesbach re 25 Rule 7(h) Expedited Non-Dispositive MOTION to Compel Production of Responsive Electronic Discovery. The parties shall call the court Zoom conference line at 669-254-5252 , use Meeting ID: 161 5758 9308 , press # to bypass Participant ID, and enter Passcode: 519855 to join the call. To ensure a clear record of the hearing, participants should not use a speaker phone. Participants shall call in prior to the time that the hearing is scheduled to begin so that there is no disruption to the court proceeding. If you have any questions, please contact the Clerk's Office at 920-884-3720. (cc: all counsel) (kwf)
08/01/2025	29	Minute Order for Proceedings held before Judge William C Griesbach: Telephone Conference held on 8/1/2025. the court GRANTS Defendant's 25 Motion to Compel. The court allows Plaintiff to withhold documents on relevancy grounds and finds that the Protocol does include searching the devices in the areas discussed by the expert. (Tape #Zoom 080125) (mav) (Entered: 08/04/2025)
08/07/2025	30	STIPULATION for <i>Extension of Deadline to Complete First Phase of Discovery and to File Fast-Track Motion for Summary Judgment</i> by All Defendants. (Flaherty, Daniel)
08/08/2025	31	TEXT ONLY ORDER APPROVING 30 Stipulation for extension of deadlines, filed by American Home Shield Corporation, signed by Judge William C. Griesbach on 08/08/2025. The parties shall complete the first phase of discovery by October 9, 2025, and Defendant shall file its Streamlined Summary Judgment motion on or before October 30, 2025. The parties are reminded to review the recent revision of the Preferred Procedures and General Information for Litigants Appearing Before Judge William C. Griesbach at the court's website for information about the Streamlined Summary Judgment procedure. (cc: all counsel) (Griesbach, William)
09/24/2025	32	NOTICE of Appearance by Francisco Fernandez del Castillo on behalf of David Van Elzen. Attorney(s) appearing: Francisco Fernandez del Castillo (Fernandez del Castillo, Francisco)
10/07/2025	33	Rule 7(h) Expedited Non-Dispositive MOTION for Extension of Time to <i>Continue Phase One Discovery Deadlines and Summary Judgment Filing Deadline by 30 Days</i> by All Defendants. (Flaherty, Daniel)
10/07/2025	34	DECLARATION of Timothy W. Loose in Support of American Home Shield Corporation's Motion to Continue Phase One Discovery Deadlines and Summary Judgment Filing Deadline by 30 Days (Attachments: # 1 Exhibit A - Response to Interrogatories, # 2

		Exhibit B - Excerpt of Van Elzen Deposition Transcript, # 3 Exhibit C - Exhibit 26 to Van Elzen Deposition, # 4 Exhibit D - Notice of Deposition and Subpoena to IT Rvolution, LLC, # 5 Exhibit E - Email from Kolesk to Kaufman dated 10-3-25, # 6 Exhibit F - Exhibit 29 to Van Elzen Deposition, # 7 Exhibit G - Excerpt of Michael Perry Deposition Transcript, # 8 Exhibit H - Email from Loose to Kaufman dated 10-7-25)(Flaherty, Daniel)
10/14/2025	35	NOTICE by David Van Elzen of <i>No Opposition to Motion (ECF 33)</i> (Kaufman, Avi)
10/15/2025	36	TEXT ONLY ORDER GRANTING 33 unopposed Rule 7(h) expedited non-dispositive motion for an extension of time to continue Phase One discovery and summary judgment filing deadlines, filed by All Defendants, signed by Judge William C. Griesbach on 10/15/2025. The parties shall complete the first phase of discovery by November 10, 2025, and Defendant shall file its Streamlined Summary Judgment motion on or before December 1, 2025. (cc: all counsel) (Griesbach, William)
12/01/2025	37	MOTION for Summary Judgment - <i>Streamlined</i> by All Defendants. (Flaherty, Daniel)
12/01/2025	38	BRIEF in Support filed by All Defendants re 37 MOTION for Summary Judgment - <i>Streamlined</i> . (Flaherty, Daniel)
12/01/2025	39	DECLARATION of Timothy W. Loose in Support of American Home Shield Corporation's Streamlined Motion for Summary Judgment (Attachments: # 1 Exhibit A - Van Elzen v. Halsted Complaint, # 2 Exhibit B - Van Elzen v. Trend Capital Complaint, # 3 Exhibit C - Van Elzen v. Tax Group Center Complaint, # 4 Exhibit D - Van Elzen v. Revimedia Complaint, # 5 Exhibit E - Van Elzen v. Mobilehelp Complaint, # 6 Exhibit F - Van Elzen v. Educator Group Plans Complaint, # 7 Exhibit G - Van Elzen v. Healthcare Solutions Complaint, # 8 Exhibit H - Van Elzen v. Lighthouse Sales Complaint, # 9 Exhibit I - Van Elzen v. Kalamata Research Complaint, # 10 Exhibit J - Van Elzen v. Global Strategy Complaint, # 11 Exhibit K - Van Elzen v. Cody Askins Complaint, # 12 Exhibit L - Van Elzen v. Advisors Ignite Complaint, # 13 Exhibit M - Defendant's Interrogatory Responses, # 14 Exhibit N - Plaintiff's Interrogatory Responses, # 15 Exhibit O - Perry Deposition Transcript, # 16 Exhibit P - Van Elzen Deposition Transcript, # 17 Exhibit Q - Van Elzen Deposition Exhibit 36, # 18 Exhibit R - Van Elzen Deposition Exhibit 40, # 19 Exhibit S - IT Evolution Deposition Transcript)(Flaherty, Daniel)
12/01/2025	40	DECLARATION of Kimberly Hoffman in Support of American Home Shield Corporation's Streamlined Motion for Summary Judgment (Attachments: # 1 Exhibit A - Telemarketing Policy, # 2 Exhibit B - Training Manual, # 3 Exhibit C - AHS Inside Sales OPS, # 4 Exhibit D - Customer Service Operations Scripting Guide, # 5 Exhibit E - Direct Agents Advertiser Terms and Conditions, # 6 Exhibit F - Subscription Notice, # 7 Exhibit G - Contacts, # 8 Exhibit H - Winter Email)(Flaherty, Daniel)
12/01/2025	41	DECLARATION of Michael Perry in Support of American Home Shield Corporation's Motion for Summary Judgment (Attachments: # 1 Exhibit A - Perry Curriculum Vitae, # 2 Exhibit B - Protocol for Examination, # 3 Exhibit C - Chrome Web History, # 4 Exhibit D - Files Sent to Recycle Bin)(Flaherty, Daniel)
12/26/2025	42	Consent MOTION for Extension of Time by David Van Elzen. (Kaufman, Avi)
12/26/2025	43	STATEMENT by American Home Shield Corporation <i>regarding Plaintiff's Motion for Extension of Time</i> . (Flaherty, Daniel)
12/29/2025	44	TEXT ONLY ORDER GRANTING 42 motion for extension of time, filed by David Van Elzen, signed by Judge William C. Griesbach on 12/29/2025. Plaintiff's deadline to file a response to Defendant's motion for summary judgment is extended to January 30, 2026, and Defendant's deadline to file a reply in support of its motion is extended to March 6, 2026. (cc: all counsel)(Griesbach, William)

01/30/2026	45	BRIEF in Opposition filed by David Van Elzen re 37 MOTION for Summary Judgment - <i>Streamlined</i> . (Fernandez del Castillo, Francisco)
02/02/2026		NOTICE of Electronic Filing Error re 45 Brief in Opposition to Motion. The exhibits should have been filed as attachments to the brief. This document does not need to be re-filed. Please refer to the policies and procedures for electronic case filing and the user manual found at www.wied.uscourts.gov for further guidance. (kwf)
03/06/2026	46	REPLY BRIEF in Support filed by All Defendants re 37 MOTION for Summary Judgment - <i>Streamlined</i> . (Flaherty, Daniel)
04/21/2026	47	DECISION AND ORDER signed by Judge William C Griesbach on 4/21/2026 GRANTING AHS's 37 Motion for Summary Judgment. The clerk is directed to enter judgment accordingly. (cc: all counsel) (Griesbach, William)
04/21/2026	48	JUDGMENT signed by Deputy Clerk on 4/21/2026. (cc: all counsel) (kwf)

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