

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WISCONSIN

AMANDA WATZKA, BROOKE LA COUNT,)
GRACE WILLIAMS, BRIANNA KAIN, and)
KAYLA KASPER, D.P., a minor, by her)
next friend, BRIANNE CARRIVEAU, and JESSE)
KASAL,)

Plaintiffs,)

v.)

THE BOARD OF EDUCATION OF OCONTO)
FALLS PUBLIC SCHOOL DISTRICT,)

Defendant.)

Case No. 26-cv-00392

The Hon. Judge Byron B. Conway

Magistrate Judge Nancy Joseph

**PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER
AND/OR PROTECTIVE ORDER TO PREVENT NON-PARTY WITNESS
INTIMIDATION AND INTERFERENCE WITH LITIGATION**

NOW COME, Plaintiffs, by and through undersigned counsel, Cass T. Casper, DISPARTI LAW GROUP, P.A., and respectfully move for entry of a temporary restraining order and/or protective order against non-party John Batchelor pursuant to Federal Rules of Civil Procedure 65, 26(c), and its inherent authority to control pending litigation. In summary, Plaintiffs seek narrowly tailored relief prohibiting Mr. Batchelor from threatening, intimidating, pressuring, or attempting to influence Plaintiffs, witnesses, counsel, or any other person concerning participation, testimony, cooperation, withdrawal from this case, disclosure of information, or the prosecution of this litigation.¹

I. FACTUAL BACKGROUND

John Batchelor first became involved in this case after Plaintiff Amanda Watzka introduced him to Plaintiffs' counsel on or about February 9, 2026 as a support person. Counsel has exercised toleration, but also caution because third-party "support" persons can create serious case-administration problems in sex-abuse litigation. (Ex. 7 ¶¶ 4-5.) Over the course of the last few days,

¹ Mr. Batchelor is in Iowa. Based on the at least 72 emails he has sent to the undersigned, minimum contacts are established for purposes of specific and personal jurisdiction, not including 7th Circuit's holding that he has not sufficiently connected to the forum state regarding this case. *See Felland v. Clifton*, 682 F.3d 665, 674-675 (7th Cir. 2012) (a case involving emails sent to the forum state).

Mr. Batchelor is actively threatening certain Plaintiffs and the undersigned, and most egregiously sent an email on the early morning of July 29, 2026 in which he copied opposing counsel and made threats to work with them and harm the case. Plaintiffs Grace, Brooke, Brie (as mother), and Kayla are mortified. The most alarming of the several emails is at Exhibit 1 and speaks for itself.

Backing up a little bit, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Throughout this, Mr. Batchelor sent escalating communications accusing Plaintiffs and counsel of trying to have Amanda arrested¹, demanding immediate responses, threatening investigations and outside reports, and ultimately threatening to coordinate with opposing counsel to have this case dismissed. Exhibits 1 through 4 are true and correct copies of those communications. (Ex. 7 ¶¶ 9-18.)

On July 26, 2026, Mr. Batchelor emailed Attorney Casper and Brianne Carriveau, accused them of having an “apparent agenda” to have Amanda arrested, demanded written reassurance that they would not seek to have Amanda arrested, and threatened to proceed with his investigation if he did not receive satisfactory responses. (Ex. 7 ¶ 12; Ex. 9 ¶¶ 20-24.)

On July 27, 2026, Mr. Batchelor demanded written responses from Attorney Larry Disparti, Attorney Casper, and Ms. Carriveau; threatened to share his investigative findings with Judge Byron

¹ At no point in time has the undersigned or any of the Plaintiffs to the undersigned’s knowledge ever, ever done anything to have Amanda arrested, nor is there any basis for such a bizarre and false accusation, nor is there any basis to arrest her.

B. Conway, the Oconto Falls Public School District, the Illinois State Bar Association, and his email network unless he received responses he considered satisfactory; wrote “STOP TRYING TO HAVE AMANDA ARRESTED”; and threatened to begin a formal investigation at noon. (Ex. 7 ¶ 11; Ex. 9 ¶¶ 15-19.) Ms. Carriveau understood this as pressure to respond and act according to his demands. (Ex. 9 ¶ 19.) Grace Williams states that the July 26 and July 27 communications concerned her because Mr. Batchelor was making demands, threatening investigations and outside reports, and setting response deadlines. (Ex. 8 ¶¶ 19-20.)

The conduct culminated in Mr. Batchelor’s July 29, 2026 email, which he sent to Attorney Casper, Ms. Carriveau, and Ms. Williams, while copying others, including defense counsel. (Ex. 7 ¶ 10; Ex. 8 ¶ 6; Ex. 9 ¶ 7.) In that email, Mr. Batchelor demanded that they communicate with him by noon; stated that he, Broc Watzka, and Jessica Pecha had agreed to urge Amanda to withdraw from the case if any of them further “disrespect[ed]” him by refusing to correspond; and threatened to share everything he knew with opposing counsel and work collaboratively with opposing counsel to ensure the case was dismissed. (Ex. 8 ¶¶ 7-9; Ex. 9 ¶¶ 8-10.) Ms. Williams and Ms. Carriveau both understood the email as a threat that Mr. Batchelor would harm the case and try to influence Amanda’s participation if they did not communicate with him as demanded. (Ex. 8 ¶¶ 10-13; Ex. 9 ¶¶ 11-14.)

Mr. Batchelor also disclosed Ms. Williams’s private July 27 Messenger communication to the District’s lawyers without her consent or advance knowledge. (Ex. 8 ¶¶ 15-18.) Ms. Williams had sent that message to calm the situation and prevent him from doing anything that would harm the case. (Ex. 8 ¶¶ 15-18.)

Exhibit 4 further shows Mr. Batchelor insisting all communications be in writing while he completed investigations involving the alleged police report, Ms. Carriveau, and alleged statements about him. (Ex. 7 ¶ 13; Ex. 9 ¶¶ 25-27.) Exhibit 5 is an example of an email chain showing Mr.

Batchelor communicating with Plaintiffs' counsel about this case and personal circumstances. (Ex. 7 ¶¶ 14-15; Ex. 9 ¶¶ 28-29.)

Plaintiffs are afraid and concerned that Mr. Batchelor's conduct is interfering with their ability to pursue this case without fear, pressure, or intimidation. Ms. Williams and Ms. Carriveau are concerned that he may influence Amanda or others to withdraw or stop cooperating, contact opposing counsel or third parties in a way that harms Plaintiffs, disrupt the litigation, or discourage Plaintiffs and witnesses from participating freely and truthfully. (Ex. 8 ¶¶ 21-25; Ex. 9 ¶¶ 30-34.) Both ask that he be prohibited from contacting them directly, pressuring Plaintiffs or witnesses, contacting opposing counsel to harm the case, or attempting to influence participation or testimony. (Ex. 8 ¶¶ 26-29; Ex. 9 ¶¶ 35-38.) Kayla Kasper states that Mr. Batchelor's emails and threats are "highly offensive and unhelpful" and are putting her in fear of further involvement in the case. (Ex. 10 ¶ 7.)

II. LEGAL STANDARD

A. Rule 65

Federal Rule of Civil Procedure 65 governs temporary restraining orders and preliminary injunctions. A TRO may issue without notice only if "specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result" before the adverse party can be heard, and the movant's attorney certifies in writing the efforts made to give notice and the reasons notice should not be required. Fed. R. Civ. P. 65(b)(1).

Every injunction or restraining order must state the reasons why it issued, state its terms specifically, and describe in reasonable detail the act or acts restrained or required. Fed. R. Civ. P. 65(d)(1). Rule 65(d)(2) binds parties, their officers, agents, servants, employees, and attorneys, and other persons in active concert or participation with them, who receive actual notice of the order. Fed. R. Civ. P. 65(d)(2).

In the Seventh Circuit, a temporary restraining order is evaluated under the same general standard as a preliminary injunction. *Troogstad v. City of Chicago* explains that the movant must show likelihood of success on the merits, irreparable harm, and that the balance of equities and public interest favor emergency relief, and that courts apply a sliding-scale approach. 571 F. Supp. 3d 901, 907 (N.D. Ill. 2021). *Troogstad* further states that courts should consider the effects of granting or denying a TRO on nonparties and the public interest. 571 F. Supp. 3d 901.

B. Rule 26(c)

Rule 26(c) provides that a party or person from whom discovery is sought may move for a protective order, and that the Court may, for good cause, issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense. Fed. R. Civ. P. 26(c)(1). The rule permits orders forbidding disclosure or discovery, specifying terms for disclosure or discovery, prescribing a different discovery method, forbidding inquiry into certain matters, limiting disclosure or discovery, designating persons present during discovery, sealing depositions, and restricting the handling of protected information. Fed. R. Civ. P. 26(c)(1)(A)-(H).

C. The Court's inherent authority and witness-interference precedent

Federal courts also possess inherent authority to protect the integrity of judicial proceedings and to regulate conduct that threatens the orderly and fair administration of justice. *Parrott v. Key Industries, Inc.* recognized that a district court is vested with inherent power to manage its affairs so as to achieve the orderly and expeditious disposition of cases. 2016 WL 10586173, at *2 (C.D. Ill. Apr. 30, 2014).

In *Parrott*, the Central District of Illinois stated that there is a significant interest in ensuring witnesses are protected from threat, intimidation, or coercion, that any endeavor that intimidates or improperly impedes a witness from testifying must be prohibited, and cited 18 U.S.C. §§ 1505 and 1512. 2016 WL 10586173, at *2. *Parrott* affirmed an order directing counsel to advise a client to

avoid communications that would violate the law by intimidating, threatening, or corruptly persuading a potential witness with respect to testimony, and allowed questioning during depositions about communications concerning testimony or anticipated testimony. 2016 WL 10586173, at *2-3.

Konrad v. DeLong held that a federal district court has inherent power to require a party in a case pending before it to refrain from intimidating or discouraging a witness from testifying in that case, because the search for truth can be seriously impaired if the court lacks that power. 57 F.R.D. 123, 125 (N.D. Ill. 1972).

III. ARGUMENT

A. Plaintiffs face immediate and irreparable harm absent emergency relief.

The threatened harm here is immediate and irreparable because it concerns witness participation, Plaintiff participation, communications with opposing counsel, and the integrity of the litigation process. Mr. Batchelor demanded that Plaintiffs and counsel communicate with him by noon, threatened to urge Amanda Watzka to withdraw from the case if he perceived further “disrespect,” and threatened to share information with opposing counsel and work collaboratively with them to ensure the case was dismissed. (Ex. 7 ¶¶ 7-9; Ex. 8 ¶¶ 8-10.)

This cannot be adequately remedied after the fact. If a witness or Plaintiff withdraws, stops cooperating, changes conduct because of fear, or if Mr. Batchelor injects threats and unauthorized communications into the adversarial process, the harm is to the truth-seeking function itself. Grace Williams states that she is concerned Mr. Batchelor’s conduct may interfere with Plaintiffs’ ability to pursue the case, influence Amanda or others to withdraw or stop cooperating, harm Plaintiffs through contact with opposing counsel or third parties, and discourage witnesses or Plaintiffs from participating freely and truthfully. (Ex. 7 ¶¶ 21-25.) Brianne Carriveau expresses the same concerns and states that she is afraid of Mr. Batchelor’s conduct. (Ex. 8 ¶¶ 30-34.) Kayla Kasper states that

Mr. Batchelor's emails and threats are putting her in fear of further involvement in the case. (Ex. 9 ¶ 7.)

B. Plaintiffs are likely to succeed on their request for protective relief.

Plaintiffs need not show that Mr. Batchelor has already committed criminal witness tampering to obtain protective relief. The question is whether the Court should act to prevent interference, intimidation, coercion, or litigation disruption. Parrott is instructive because the court there did not require a finding that witness tampering had occurred before approving a directive that counsel advise the client to avoid communications that would intimidate, threaten, or corruptly persuade a potential witness. 2016 WL 10586173, at *2-3.

Here, the record is stronger than a mere speculative concern. Mr. Batchelor expressly threatened to urge Amanda Watzka to withdraw from the case and to work with opposing counsel to ensure dismissal if there was further "disrespect." (Ex. 7 ¶¶ 8-9; Ex. 8 ¶¶ 9-10.) He also threatened reports to the presiding judge, the school district, the Illinois State Bar Association, and his network of email contacts unless he received responses that he considered satisfactory. (Ex. 8 ¶¶ 17-19.) He previously accused Attorney Casper and Brianne Carriveau of trying to have Amanda arrested, demanded reassurances, and threatened further investigation. (Ex. 8 ¶¶ 20-24.)

These facts support good cause under Rule 26(c), emergency relief under Rule 65, and exercise of the Court's inherent authority to preserve the integrity of its proceedings.

C. The balance of harms and public interest favor narrowly tailored relief.

The requested order would not prevent Mr. Batchelor from preserving evidence, retaining counsel, complying with lawful process, or pursuing any legitimate legal avenue. It would prohibit only threats, pressure, unauthorized litigation interference, improper contact with represented parties or witnesses, and efforts to influence participation or testimony.

By contrast, denying relief risks continued interference with Plaintiffs and witnesses. Grace Williams asks the Court to prohibit Mr. Batchelor from contacting her directly about the case, threatening or pressuring Plaintiffs or witnesses, contacting opposing counsel for the purpose of harming the case, or attempting to influence any person's participation or testimony. (Ex. 7 ¶¶ 26-29.) Brianne Carriveau requests the same protection. (Ex. 8 ¶¶ 35-38.)

The public interest favors relief because courts have a strong interest in ensuring that witnesses and parties can participate freely and truthfully without coercion. *Parrott* states that there is a significant interest in making sure witnesses are protected from threat, intimidation, or coercion. 2016 WL 10586173, at *2. *Konrad* recognizes that the search for truth, which is the object of a judicial proceeding, can be seriously impaired if courts lack power to prevent witness intimidation or discouragement. 57 F.R.D. at 125.

IV. REQUESTED RELIEF

Plaintiffs respectfully request that the Court enter a temporary restraining order and/or protective order providing that John Batchelor, and anyone acting in active concert or participation with him who receives actual notice of the order, shall not:

1. contact Grace Williams, Brianne Carriveau, Kayla Kasper, Amanda Watzka, or any other Plaintiff directly about this case;
2. threaten, intimidate, harass, coerce, pressure, or attempt to influence any Plaintiff, witness, potential witness, counsel, or party representative concerning testimony, participation, cooperation, withdrawal from the case, or litigation strategy;
3. contact opposing counsel for the purpose of harming Plaintiffs, seeking dismissal of the case, sharing information as leverage, or influencing the litigation outside lawful process²;

² The Plaintiffs do not mean to limit Defendants from obtaining information from Mr. Batchelor as part of the discovery process.

4. encourage, request, pressure, or attempt to cause Amanda Watzka or any other Plaintiff or witness to withdraw from the case, stop cooperating, change testimony, withhold information, or refuse participation;

5. threaten to disclose information, documents, communications, allegations, or purported investigative findings to the Court, opposing counsel, public agencies, licensing bodies, email contacts, media, social media, or any third party as leverage to force communication, social media access, participation in the litigation, or any litigation-related concession;

6. destroy, delete, alter, conceal, or fail to preserve emails, texts, social media messages, attachments, recordings, notes, or other materials concerning this case, Plaintiffs, witnesses, counsel, opposing counsel, Amanda Watzka, Broc Watzka, Jessica Pecha, Grace Williams, Brianne Carriveau, Kayla Kasper, Cass Casper, Larry Disparti, or the communications reflected in Exhibits 1 through 5.

Plaintiffs further request that the Court set an expedited hearing on whether the order should remain in effect during the pendency of this litigation, and grant all further relief the Court deems just and proper.

Dated: July 29, 2026

Respectfully submitted,

s/ Cass T. Casper

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused to be served the foregoing document upon all counsel of record on July 29, 2026 via this Court's CM/ECF filing system, and that all such counsels are registered e-filers.

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By: s/ Cass T. Casper