

# Wisconsin Supreme Court and Court of Appeals Case Access

**E-L Enterprises, Inc. v. Milwaukee Metropolitan Sewerage District**

**Appeal Number 2008AP000921**

**Supreme Court**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
PEND	CA		07-14-2008	Court Reporter's Statement-Trans.
		Court Reporter Name: (Kasprzak, Linda)		
PEND	CA		06-20-2008	Court Reporter's Statement-Trans.
		Court Reporter Name: (Kasprzak, Linda)		
OCCD	SC	12-10-2010		Letter/Correspondence
OCCD	SC	11-10-2010		Remittitur
OCCD	SC	10-29-2010		Costs Taxed
OCCD	SC	10-07-2010		Letter/Correspondence
OCCD	SC	07-29-2010		Objection to Motion for Costs
		Filed By: Joseph Cincotta Submit Date: 8-10-2010 Decision: (D) Deny Decision Date: 10-29-2010 ORD that the objection is denied. FRO that costs in the amount of \$5878.30 be taxed against plaintiff-respondent, E-L Enterprises, Inc.		
OCCD	SC	07-16-2010		Statement on Costs Filed
OCCD	SC	07-02-2010		Cites
		326 Wis. 2d 82		
OCCD	SC	07-02-2010		Cites
		785 N.W.2d 409		
OCCD	SC	07-02-2010		<a href="#">Opinion/Decision</a>

Judge Panel: Abrahamson, Bradley, Crooks, Prosser, Roggensack, Ziegler, Gableman  
Opinion: Opinion  
Decision: Reversed Pages: 34  
Written by: Ziegler, Annette K.  
Bradley, Ann Walsh Wrote Concurring Opinion 3 pages.  
Prosser, David T. Jr. Wrote Dissenting Opinion 10 pages.  
Order Text: The decision of the court of appeals is reversed.

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OCCD SC	06-30-2010	Public Domain Citation
Comment: PDC No: 2010 WI 58		

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OCCD SC	10-21-2009	Oral Argument
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OCCD SC	09-18-2009	Briefs Received At State Law Library
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OCCD SC	09-15-2009	Certificate of Filing by Mail
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OCCD SC	09-14-2009	Attorney Change
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OCCD SC	09-14-2009	Other Brief <a href="#">Response to Brief of Amicus Curiae</a>
Filed By: Jerome Kerkman		

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OCCD SC	08-31-2009	Motion for Miscellaneous Relief
Filed By: Jerome Kerkman		
Submit Date: 9-1-2009		
Decision: (G) Grant		
Decision Date: 9-3-2009		
IT IS ORDERED the motion is granted. E-L enterprises, Inc. May File a response brief, not to exceed 13 pages if a monospaced font is used or 3000 word if a proportional serif font is used, on or before 9/14/09.		
Motion Response		
Filed By: G. Michael Halfenger		
Submit Date: 9-1-2009		

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OCCD SC	08-24-2009	Certificate of Service
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OCCD SC	08-21-2009	Briefs Received At State Law Library
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OCCD SC	08-17-2009	Brief of Amicus Curiae <a href="#">Brief of Amicus Curiae</a>
Filed By: Daniel Olson		

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OCCD SC	08-12-2009	Briefs Received At State Law Library
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OCCD SC	08-04-2009	Certificate of Filing by Mail
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OCCD SC	08-04-2009	Response
OCCD SC	07-31-2009	Motion for Miscellaneous Relief
Filed By: Daniel Olson Submit Date: 8-3-2009 Decision: (G) Grant Decision Date: 8-3-2009 IT IS ORDERED the motion is granted. 22 copies of the brief shall be filed by 8/17/09.		
OCCD SC	07-31-2009	Reply Brief-Supreme Court <a href="#">Reply Brief-Supreme Court</a>
Filed By: G. Michael Halfenger		
OCCD SC	07-28-2009	Briefs Received At State Law Library
OCCD SC	07-17-2009	Response Brief-Supreme Court <a href="#">Response Brief-Supreme Court</a>
Filed By: Jerome Kerkman		
OCCD SC	07-16-2009	Attorney Change
OCCD SC	07-02-2009	Assigned-Oral Argument
OCCD SC	06-24-2009	Briefs Received At State Law Library
OCCD SC	06-19-2009	First Brief-Supreme Court <a href="#">First Brief-Supreme Court</a>
Filed By: G. Michael Halfenger		
OCCD SC	06-19-2009	Motion for Miscellaneous Relief
Filed By: G. Michael Halfenger Submit Date: 6-19-2009 Decision: (G) Grant Decision Date: 6-19-2009 IT IS ORDERED the motion is granted and defendant-appellant-petitioner's corrected brief and appendix is accepted for filing.		
OCCD SC	06-18-2009	Certificate of Filing by Mail
OCCD SC	06-16-2009	First Brief-Supreme Court
Filed By: James Petersen		
OCCD SC	06-05-2009	Motion for Miscellaneous Relief
Filed By: G. Michael Halfenger Submit Date: 6-8-2009 Decision: (G) Grant		

Decision Date: 6-12-2009

IT IS ORDERED the motion is granted. Defendant-appellant-petitioner shall file its principal brief no later than 6/16/09; plaintiff-respondent shall file its response brief no later than 7/17/09; and defendant-appellant-petitioner shall file its reply brief no later than 7/31/09. No further extensions shall be granted.

OCCD SC	05-13-2009	Caption Amended
OCCD SC	05-12-2009	Court Changed to Supreme Court
OCCD CA	02-09-2009	Final Publication
OCCD CA	01-28-2009 316 Wis. 2d 280	Cites
OCCD CA	01-28-2009 763 N.W.2d 231	Cites
OCCD CA	01-28-2009	Opinion Ordered Published
OCCD CA	01-28-2009 Comment: PDC No: 2009 WI App 15	Public Domain Citation
OCCD SC	01-23-2009	Fee Paid
OCCD SC	01-22-2009	Petition for Review
Filed By: G. Michael Halfenger Submit Date: 2-11-2009 Decision: (G) Grant Decision Date: 5-12-2009 IT IS ORDERED the petition for review is granted and that except as otherwise ordered by the court herein, pursuant to Wis. Stat. (Rule) 809.62(6), the defendant-appellant-petitioner may not raise or argue issues not set forth in the petition for review; and IT IS FURTHER ORDERED that pursuant to Wis. Stat. (Rule) 809.62(6) and 809.63, within 30 days after the date of this order the defendant-appellant-petitioner must file a brief in this court; that within 20 days of filing the plaintiff-respondent, E-L Enterprises, Inc, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the plaintiff-respondent, within 10 days of filing the defendant-appellant-petitioner must file either a reply brief or a statement that no reply brief will be filed; and IT IS FURTHER ORDERED that the parties' briefs shall address the following additional issue: the applicability of the United States Constitution's provisions regarding takings of property. IT IS FURTHER ORDERED that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeal's brief or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and IT IS FURTHER ORDERED that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and IT IS FURTHER ORDERED that within 30 days after the date of this order, each party must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; and IT IS FURTHER ORDERED the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.		

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OCCD SC	01-22-2009	Attorney Change
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OCCD CA	12-23-2008	<a href="#">Opinion/Decision</a>
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Judge Panel: Fine, Brennan, Kessler  
Opinion: Opinion  
Decision: Affirmed Pages: 16  
Written by: Fine, Ralph Adam  
Order Text: Judgment affirmed and cause remanded with directions

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OCCD CA	12-02-2008	Submitted on Briefs
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OCCD CA	11-11-2008	Briefs Received At State Law Library
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OCCD CA	10-28-2008	Record and Briefs Sent to District 1
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OCCD CA	10-20-2008	Reply Brief
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Filed By: James Petersen

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OCCD CA	10-09-2008	Certificate of Filing by Mail
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OCCD CA	10-06-2008	Brief of Respondent(s)
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Filed By: Jerome Kerkman

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OCCD CA	09-08-2008	Certificate of Filing by Mail
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OCCD CA	09-08-2008	Brief & Appendix of Appellant(s)
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Filed By: James Petersen

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OCCD CA	07-30-2008	Record
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OCCD CA	07-24-2008	Delinquent
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OCCD CA	06-17-2008	Statement on Transcript
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Filed By: James Petersen  
Status: Ordered

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OCCD CA	04-29-2008	Statement on Transcript
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Filed By: James Petersen  
Status: Ordered

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# WSCCA Case History

OCCD CA	04-21-2008	Docketing Statement Submitted
OCCD CA	04-21-2008	Docketing Statement from Appellant
OCCD CA	04-16-2008	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	04-16-2008	Fee Paid
OCCD CA	04-14-2008	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	04-11-2008	Notice of Appeal filed in Cir. Ct.
OCCD CA	03-11-2008	Judgment of Circuit Court