

Wisconsin Supreme Court and Court of Appeals Case Access

Braylon Seifert v. Kay M. Balink, M.D.

Appeal Number 2014AP000195

Supreme Court

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|-------------|----------------------|---|
| OCCD | SC | 01-03-2023 | | Fee Paid Comment: Invoice No: 20486; Receipt No: 23R 000002 |
| OCCD | SC | 01-03-2023 | | Invoice Issued Comment: Invoice No: 20486 |
| OCCD | SC | 11-08-2022 | | Fee Paid Comment: Receipt No: 22R 002490 |
| OCCD | SC | 11-08-2022 | | Invoice Issued Comment: Invoice No: 20454 |
| OCCD | SC | 03-16-2017 | | Remittitur |
| OCCD | SC | 01-31-2017 | | Attorney Change Comment: Updated address for Attorney Lynn Laufenberg upon return of SC decision. Resent to address found on WisBar |
| OCCD | SC | 01-26-2017 | | Motion for Reconsideration Filed By: Brent Simerson Submit Date: 2-7-2017 Decision: (D) Deny Decision Date: 3-14-2017 ORD that the motion for reconsideration is denied. \$50 costs. Motion Response Filed By: Kenneth Levine Submit Date: 2-7-2017 |
| OCCD | SC | 01-06-2017 | | Cites 888 N.W.2d 816 |

OCCD SC 01-06-2017
372 Wis. 2d 525

Cites

OCCD SC 01-06-2017 [Opinion/Decision](#)

Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly
Opinion: Opinion
Decision: Affirmed Pages: 65
Written by: Abrahamson, Shirley S.
Ziegler, Annette K. Wrote Concurring Opinion 16 pages.
Gableman, Michael J. Wrote Concurring Opinion 31 pages.
Roggensack, Patience Drake Joined Concurring Opinion
Bradley, Rebecca Grassl Joined Dissenting Opinion
Kelly, Daniel Wrote Dissenting Opinion 20 pages.
Order Text: The decision of the court of appeals is affirmed.

OCCD SC 01-04-2017 Public Domain Citation
Comment: PDC No: 2017 WI 2

OCCD SC 11-09-2016 Attorney Change
Comment: Updated address for Wisconsin Association for Justice pursuant to letter request dated November 2, 2016

OCCD SC 09-06-2016 Oral Argument
Comment: 2nd case, 9:45 a.m. Atty Samuel J. Leib for Def-App-Pet; Atty Kenneth M. Levine for Pla-Res

OCCD SC 06-01-2016 Assigned-Oral Argument

OCCD SC 05-13-2016 Attorney Change
Comment: Notice of Substitution of Firm for Attys. Leib, Gaynor and Simerson

OCCD SC 03-23-2016 Certificate of Filing by Mail
Comment: BR3 (IB)

OCCD SC 03-22-2016 Briefs Received At State Law Library

OCCD SC 03-22-2016 [Reply Brief-Supreme Court](#)
[Reply Brief-Supreme Court](#)
Filed By: Samuel Leib

OCCD SC 03-15-2016 Letter/Correspondence
Comment: From Clerk's Office to counsel: confirming that case was removed from court's April oral argument calendar.

OCCD SC 03-15-2016 [Brief of Amicus Curiae](#)
[Brief of Amicus Curiae - Wisconsin Association for Justice](#)
Filed By: William Gleisner

OCCD SC 03-07-2016 Motion to Extend Time
Filed By: Samuel Leib
Submit Date: 3-8-2016
Decision: (G) Grant
Decision Date: 3-9-2016
ORD that the motion is granted. Defendants-appellants-petitioners' reply brief shall be served and filed on or before March 22, 2016. No further time extensions will be granted.
See BR3 event due on 3-15-2016

OCCD SC 03-03-2016 Briefs Received At State Law Library

OCCD SC 02-29-2016 [Response Brief-Supreme Court](#)
[Response Brief-Supreme Court](#)
Filed By: Paul Sceptur
Comment: separate appendix

OCCD SC 02-26-2016 Motion to File Amicus/Non-Party Brief
Filed By: William Gleisner
Submit Date: 2-29-2016
Decision: (G) Grant
Decision Date: 3-1-2016
ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before March 15, 2016.
Comment: Wisconsin Association for Justice

OCCD SC 02-25-2016 Other Papers
Comment: Ltr from Atty. Leib regarding notice of oral argument; in file.

OCCD SC 02-16-2016 Briefs Received At State Law Library

OCCD SC 02-01-2016 [Brief of Amicus Curiae](#)
[Brief of Amicus Curiae - Wisconsin Medical Society and American Medical Association](#)
Filed By: Guy Dubeau
Comment: Wisconsin Medical Society and American Medical Association

OCCD SC 01-29-2016 Letter/Correspondence
Comment: To all counsel from Clerk's Office: case has been removed from SC's March oral argument calendar and will be rescheduled to another date and time TBD. cjp

OCCD SC 01-08-2016 Motion to Extend Time
Filed By: Paul Sceptur
Submit Date: 1-8-2016
Decision: (G) Grant
Decision Date: 1-11-2016
ORD that the motion is granted in part. The respondent brief of plaintiffs-respondents, Braylon Seifert,

by his guardian ad litem, Paul J. Scoptur, Kimberly Seifert and David Seifert, shall be served and filed on or before March 4, 2016.

Motion Response

Filed By: Samuel Leib

Submit Date: 1-8-2016

See BR2 event due on 3-4-2016

OCCD SC 12-30-2015 Response
Comment: add'l 10 copies of brief previously filed on behalf of each party in the court of appeals

OCCD SC 12-28-2015 [First Brief-Supreme Court](#)
[First Brief-Supreme Court](#)
Filed By: Samuel Leib
Comment: Kay M. Balink, M.D. and Proassurance Wisconsin Insurance Company. Two Appendices

OCCD SC 12-23-2015 Motion to Extend Time
Filed By: Guy Dubeau
Submit Date: 12-28-2015
Decision: (G) Grant
Decision Date: 12-28-2015
ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before February 1, 2016.
See BAM event due on 2-1-2016

OCCD SC 12-18-2015 Motion for Miscellaneous Relief
Filed By: Guy Dubeau
Submit Date: 12-21-2015
Decision: (G) Grant
Decision Date: 12-21-2015
ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before 1/4/16.
Comment: Motion for leave to appear as amicus curiae and join with The medical Society for the purpose of submitting a joint brief

OCCD SC 11-27-2015 Motion to Extend Time
Filed By: Samuel Leib
Submit Date: 11-27-2015
Decision: (G) Grant
Decision Date: 11-30-2015
ORD that the motion is granted. Defendants-appellants-petitioners' opening brief shall be served and filed on or before December 28, 2015.
See BR1 event due on 12-28-2015

OCCD SC 11-04-2015 Caption Amended

OCCD SC 11-04-2015 Court Changed to Supreme Court

OCCD CA 09-16-2015 Final Publication

OCCD SC 09-14-2015 Motion to File Amicus/Non-Party Brief

Filed By: Guy Dubeau
Submit Date: 9-15-2015
Decision: (G) Grant
Decision Date: 10-15-2015
ORD that the motion is granted and the brief is accepted for filing.
Comment: Wisconsin Medical Society

OCCD SC 09-09-2015 Fee Paid
Comment: Invoice No: 17731; Receipt No: 15R 002219

OCCD SC 09-09-2015 Invoice Issued
Comment: Invoice No: 17731

OCCD CA 09-04-2015 Errata Issued

OCCD SC 08-31-2015 Petition for Review
Filed By: Samuel Leib
Submit Date: 9-14-2015
Decision: (G) Grant
Decision Date: 11-4-2015
ORD that the petition for review is granted. Briefs/Statements 30/20/10
FRO that amicus Wisconsin Medical Society's request to participate in appellate briefing is granted. The Wisconsin Medical Society shall file its nonparty brief in accordance with the requirements and deadlines set forth in Wis. Stat. sec. 809.19(7).
FRO that the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.
Motion Response
Filed By: Paul Sceptur
Submit Date: 9-14-2015
Motion Response
Filed By: Guy Dubeau
Submit Date: 10-15-2015

OCCD CA 08-26-2015 Opinion Ordered Published

OCCD CA 08-26-2015 Cites
364 Wis. 2d 692

OCCD CA 08-26-2015 Cites
869 N.W.2d 493

OCCD CA 08-26-2015 Public Domain Citation
Comment: PDC No: 2015 WI App 59

OCCD CA 08-17-2015 Motion for Clarification
Filed By: Paul Sceptur
Submit Date: 8-18-2015
Decision: (G) Grant

Decision Date: 9-9-2015
ORD that the motion for clarification is granted.

OCCD CA 07-30-2015 [Opinion/Decision](#)
Judge Panel: Kloppenburg, Higginbotham, Sherman
Opinion: Opinion
Decision: Affirmed Pages: 21
Written by: Higginbotham, Paul B.
Order Text: Judgment and order affirmed. 9/5/15 Errata Issued.

OCCD CA 09-16-2014 Submitted on Briefs

OCCD CA 09-02-2014 Briefs Received At State Law Library

OCCD CA 08-18-2014 Record and Briefs Sent to District 4

OCCD CA 08-14-2014 Certificate of Service
Comment: BRY

OCCD CA 08-14-2014 Certificate of Filing by Mail
Comment: BRY

OCCD CA 08-13-2014 [Reply Brief](#)
[Reply Brief](#)
Filed By: Brent Simerson
Comment: received 10 copies of BRY for SC use. PS 12-4-2015

OCCD CA 07-18-2014 Motion to Extend Time
Filed By: Samuel Leib
Submit Date: 7-18-2014
Decision: (G) Grant
Decision Date: 7-22-2014
ORD that the time to file the reply brief is extended to August 13, 2014.
See BRY event due on 8-13-2014

OCCD CA 07-14-2014 [Brief of Respondent\(s\)](#)
[Brief of Respondent](#)
Filed By: Paul Scoptur
Comment: Separate Appendix, received 10 copies of BRS and appendix for SC use. PS 12-1-2015

OCCD CA 06-02-2014 Motion to Extend Time
Filed By: Paul Scoptur
Submit Date: 6-3-2014
Decision: (G) Grant
Decision Date: 6-13-2014
ORD that the time to file the respondents' brief is extended to July 14, 2014.

Motion Response
 Filed By: Samuel Leib
 Submit Date: 6-9-2014
 See BRS event due on 7-14-2014

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| OCCD CA | 05-14-2014 | Certificate of Filing by Mail |
| | Comment: BAP | |

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| OCCD CA | 05-13-2014 | Brief & Appendix of Appellant(s) |
| | | Brief of Appellant |
| | Filed By: Brent Simerson | |
| | Comment: Separate Appendix: received 10 copies of BAP and appendix for SC use. PS 12-4-2015 | |

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| OCCD CA | 04-04-2014 | Record |
| | Comment: 1-2 to 152-1, 3 Separate Boxes | |

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| OCCD CA | 03-14-2014 | Court Reporter's Statement-Trans. |
| | Court Reporter Name: (Wiest, Nichole) | |

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| OCCD CA | 03-13-2014 | Delinquent |
| | Comment: New due date of connected CRS: 3-20-2014 | |

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| OCCD CA | 01-27-2014 | Fee Paid |
| | Comment: Receipt No: 14R 000239 | |

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| OCCD CA | 01-24-2014 | Transcript filed in Circuit Court |
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| OCCD CA | 01-17-2014 | Notif. Sent-Filing of NAP & Ct. Record |
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| OCCD CA | 01-17-2014 | Notice of Appeal & Circuit Court Docket Entries |
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| OCCD CA | 01-16-2014 | Statement on Transcript |
| | Filed By: Samuel Leib | |
| | Status: Ordered | |

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| OCCD CA | 01-16-2014 | Docketing Statement from Appellant |
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| OCCD CA | 01-15-2014 | Notice of Appeal filed in Cir. Ct. |
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| OCCD CA | 12-23-2013 | Judgment/Order of Circuit Court |
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