

# Wisconsin Supreme Court and Court of Appeals Case Access

## Madison Teachers, Inc. v. Scott Walker

Appeal Number 2012AP002067

Supreme Court

### CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	01-06-2015		Remittitur
OCCD	SC	08-20-2014		Motion for Reconsideration Filed By: M. Padway Submit Date: 9-3-2014 Decision: (D) Deny Decision Date: 11-5-2014 ORD that the motion is denied, with \$50 costs. Motion Response Filed By: Steven Kilpatrick Submit Date: 9-4-2014 Motion Response Filed By: M. Padway Submit Date: 9-12-2014 Motion Response Filed By: Steven Kilpatrick Submit Date: 9-18-2014 Motion Response Filed By: M. Padway Submit Date: 10-1-2014
OCCD	SC	07-31-2014		Cites 358 Wis. 2d 1
OCCD	SC	07-31-2014		Cites 851 N.W.2d 337
OCCD	SC	07-31-2014		<a href="#">Opinion/Decision</a> Judge Panel: Abrahamson, Bradley, Crooks, Prosser, Roggensack, Ziegler, Gableman Opinion: Opinion Decision: Reversed Pages: 90 Written by: Gableman, Michael J. Abrahamson, Shirley S. Joined Dissenting Opinion

Crooks, N. Patrick Wrote Concurring Opinion 8 pages.  
Bradley, Ann Walsh Wrote Dissenting Opinion 28 pages.  
Order Text: The decision and order of the circuit court is reversed.

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OCCD	SC	07-30-2014	Public Domain Citation
Comment: PDC No: 2014 WI 99			

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OCCD	SC	04-30-2014	Briefs Received At State Law Library
Comment: Additional Authorities			

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OCCD	SC	04-23-2014	Additional Authorities
Comment: filed by AAG Kilpatrick on behalf of defendants-appellants ("the State"); submitted to S.Ct. Additional Authorities-filed by AAG Kilpatrick on behalf of defendants-appellants ("the State")			

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OCCD	SC	01-22-2014	Briefs Received At State Law Library
Comment: Rsp. to Add'l/Supplemental Authorities			

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OCCD	SC	01-14-2014	Rsp. to Add'l/Supplemental Authorities
Comment: filed by AAG Kilpatrick on behalf of Defendants-Appellants; submitted to S.Ct. Rsp. to Add'l/Supplemental Authorities-filed by AAG Kilpatrick on behalf of Defendants-Appellants			

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OCCD	SC	01-13-2014	Briefs Received At State Law Library
Comment: Additional Authorities			

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OCCD	SC	01-07-2014	Additional Authorities
Comment: filed by Atty. Padway on behalf of plaintiff-respondent Public Employees Union Local 61; submitted to S.Ct. Additional Authorities-Filed by Atty. Padway on behalf of plaintiff-respondent Public Employees Union Local 61			

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OCCD	SC	11-22-2013	Public Domain Citation
Comment: PDC No: 2013 WI 91			

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OCCD	SC	11-21-2013	Cites
351 Wis. 2d 237			

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OCCD	SC	11-21-2013	Cites
839 N.W.2d 388			

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OCCD	SC	11-21-2013	Court Order
Per Curiam. By the Court. -The contempt order of the circuit court is vacated. Dissent: Abrahamson, CJ and Bradley, J.			

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OCCD	SC	11-11-2013	Oral Argument
Comment: at 9:45 a.m., 2nd case (rescheduled from 1:30 p.m.): AG J.B. Van Hollen and AAG Kevin St.			

OCCD SC 11-08-2013 Court Order

IT IS ORDERED that the non-party union movants' motion to intervene is denied because it is untimely. "The general rule [is] that postjudgment motions for intervention will be granted only upon a strong showing of justification for failure to request intervention sooner and that a postjudgment motion to intervene by its nature prolongs litigation beyond the point anticipated by the original parties." *Olivarez v. Unitrin*, 2005 WI App 189, 20, 296 Wis. 2d 337, 723 N.W.2d 131. The movants have not asserted that they attempted to intervene in the circuit court or in the court of appeals, nor have they proffered any reason why they could not have done so. Intervention at this late stage will cause delay in the case that has been waiting for our review since June 14, 2013.

IT IS FURTHER ORDERED that the motion of non-party union movants and the motions of Wisconsin County Mutual Insurance Company and Community Insurance Corporation to participate in oral argument are denied. In addition, we also deny the motions of Wisconsin County Mutual Insurance Company and Community Insurance Corporation to intervene. We are confident that the pending motions and contentions regarding the constitutionality of Act 10 and Act 32 will be well addressed by the parties at oral argument and the written filings of all.

IT IS FURTHER ORDERED that the Defendants-Appellants will have 45 minutes to argue the topics they choose to address. This time can be divided between argument-in-chief and rebuttal if the Defendants-Appellants so choose. The Plaintiffs-Respondents will have 45 minutes to argue the topics they choose to address.

Dissent: Abrahamson, CJ, Bradley, J. and Crooks, J.

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OCCD SC 11-08-2013 Motion for Miscellaneous Relief

Filed By: Daniel Borowski

Submit Date: 11-8-2013

Decision: (D) Deny

Decision Date: 11-8-2013

ORD that the non-party union movants' motion to intervene is denied because it is untimely. The movants have not asserted that they attempted to intervene in the circuit court or in the court of appeals, nor have they proffered any reason why they could not have done so. Intervention at this late stage will cause delay in the case that has been waiting for our review since June 14, 2013.

FRO that the motion of non-party union movants and the motions of Wisconsin County Mutual Insurance Company and Community Insurance Corporation to participate in oral argument are denied. In addition, we also deny the motions of Wisconsin County Mutual Insurance Company and Community Insurance Corporation to intervene. We are confident that the pending motions and contentions regarding the constitutionality of Act 10 and Act 32 will be well addressed by the parties at oral argument and the written filings of all.

FRO that the Defendants-Appellants will have 45 minutes to argue the topics they choose to address. This time can be divided between argument-in-chief and rebuttal if the Defendants-Appellants so choose. The Plaintiffs-Respondents will have 45 minutes to argue the topics they choose to address.

Shirley S. Abrahamson, C.J., Ann Walsh Bradley, J., and N. Patrick Crooks, J. (dissenting).

Comment: Motion for Leave to Appear and Present Oral Argument

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OCCD SC 11-07-2013 Motion for Miscellaneous Relief

Filed By: Steven Kilpatrick

Submit Date: 11-7-2013

Decision: (O) Other

Decision Date: 11-8-2013

ORD that the non-party union movants' motion to intervene is denied because it is untimely. The movants have not asserted that they attempted to intervene in the circuit court or in the court of appeals, nor have they proffered any reason why they could not have done so. Intervention at this late stage will cause delay in the case that has been waiting for our review since June 14, 2013.

FRO that the motion of non-party union movants and the motions of Wisconsin County Mutual

Insurance Company and Community Insurance Corporation to participate in oral argument are denied. In addition, we also deny the motions of Wisconsin County Mutual Insurance Company and Community Insurance Corporation to intervene. We are confident that the pending motions and contentions regarding the constitutionality of Act 10 and Act 32 will be well addressed by the parties at oral argument and the written filings of all.

FRO that the Defendants-Appellants will have 45 minutes to argue the topics they choose to address. This time can be divided between argument-in-chief and rebuttal if the Defendants-Appellants so choose. The Plaintiffs-Respondents will have 45 minutes to argue the topics they choose to address. Shirley S. Abrahamson, C.J., Ann Walsh Bradley, J., and N. Patrick Crooks, J. (dissenting).

Motion Response

Filed By: Steven Kilpatrick

Submit Date: 11-7-2013

Motion Response

Filed By: Lester Pines

Submit Date: 11-7-2013

Comment: Affidavit of Steven C. Kilpatrick with attached Exhibit C

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OCCD SC 11-07-2013 Motion for Clarification

Filed By: Timothy Hawks

Submit Date: 11-7-2013

Decision: (D) Deny

Decision Date: 11-8-2013

ORD that the non-party union movants' motion to intervene is denied because it is untimely. The movants have not asserted that they attempted to intervene in the circuit court or in the court of appeals, nor have they proffered any reason why they could not have done so. Intervention at this late stage will cause delay in the case that has been waiting for our review since June 14, 2013.

FRO that the motion of non-party union movants and the motions of Wisconsin County Mutual Insurance Company and Community Insurance Corporation to participate in oral argument are denied. In addition, we also deny the motions of Wisconsin County Mutual Insurance Company and Community Insurance Corporation to intervene. We are confident that the pending motions and contentions regarding the constitutionality of Act 10 and Act 32 will be well addressed by the parties at oral argument and the written filings of all.

FRO that the Defendants-Appellants will have 45 minutes to argue the topics they choose to address. This time can be divided between argument-in-chief and rebuttal if the Defendants-Appellants so choose. The Plaintiffs-Respondents will have 45 minutes to argue the topics they choose to address. Shirley S. Abrahamson, C.J., Ann Walsh Bradley, J., and N. Patrick Crooks, J. (dissenting).

Motion Response

Filed By: Timothy Hawks

Submit Date: 11-7-2013

Motion Response

Filed By: Steven Kilpatrick

Submit Date: 11-8-2013

Motion Response

Filed By: Timothy Hawks

Submit Date: 11-8-2013

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OCCD SC 11-06-2013 Motion for Miscellaneous Relief

Filed By: M. Padway

Submit Date: 11-6-2013

Decision: (G) Grant

Decision Date: 11-8-2013

ORD that the non-party union movants' motion to intervene is denied because it is untimely. The movants have not asserted that they attempted to intervene in the circuit court or in the court of appeals, nor have they proffered any reason why they could not have done so. Intervention at this late stage will cause delay in the case that has been waiting for our review since June 14, 2013.

FRO that the motion of non-party union movants and the motions of Wisconsin County Mutual Insurance Company and Community Insurance Corporation to participate in oral argument are denied. In addition, we also deny the motions of Wisconsin County Mutual Insurance Company and Community Insurance Corporation to intervene. We are confident that the pending motions and contentions regarding the constitutionality of Act 10 and Act 32 will be well addressed by the parties at oral argument and the written filings of all.

FRO that the Defendants-Appellants will have 45 minutes to argue the topics they choose to address. This time can be divided between argument-in-chief and rebuttal if the Defendants-Appellants so choose. The Plaintiffs-Respondents will have 45 minutes to argue the topics they choose to address. Shirley S. Abrahamson, C.J., Ann Walsh Bradley, J., and N. Patrick Crooks, J. (dissenting).

Motion Response

Filed By: Lester Pines

Submit Date: 11-7-2013

Motion Response

Filed By: M. Padway

Submit Date: 11-7-2013

Comment: Motion for Additional Time for Oral Argument Motion for Miscellaneous Relief

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OCCD SC 11-05-2013 Letter/Correspondence  
Comment: DOJ's ltr requesting relief from the 11-4-13 CA order.

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OCCD SC 11-05-2013 Additional Authorities  
Comment: AG Kilpatrick filed - 12AP2490

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OCCD SC 11-04-2013 Attorney Change  
Comment: Delete Kurt C. Kobelt; add Stephen Pieroni for Wisconsin Education Association Council

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OCCD SC 10-29-2013 Additional Authorities  
Comment: filed by Atty. Esenberg; submitted to S.Ct.

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OCCD SC 10-29-2013 Court Order  
The court of appeals ordinarily considers motions to stay circuit court orders in the first instance, and this court normally does not address such matters until after the court of appeals has ruled. In the interest of judicial economy, we deem it appropriate to follow that established practice in this case. Accordingly, this court will take no action on the defendants-appellants motion to stay until after the court of appeals has issued its decision. If any party seeks relief from the court of appeals decision in this matter, such request for relief shall be filed on the day following the court of appeals decision. If such a request for relief is filed and any party wishes to supplement the filings made in the court of appeals, supplements are to be filed by 5:00 p.m. on November 7, 2013. The parties shall be prepared to address the motions to stay the circuit court orders at the oral argument in this matter currently scheduled for November 11, 2013.

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OCCD SC 10-28-2013 Briefs Received At State Law Library  
Comment: Surreply

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OCCD SC 10-25-2013 Motion for Stay  
Filed By: Steven Kilpatrick  
Submit Date: 10-25-2013  
Decision: (O) Other  
Decision Date: 7-31-2014

see 11/8/13 order.

Comment: Emergency Motion to Stay Appeal, Memo in Support, Affidavits of Kilpatrick and Davis

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OCCD SC 10-23-2013 Letter/Correspondence

Comment: From Clerk's Office to counsel advising of OA schedule change making this the 2nd case argued at 9:45 on Nov. 11, 2013.

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OCCD SC 10-22-2013 Other Brief  
[Other Brief - Surreply](#)

Filed By: M. Padway  
Comment: Surreply

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OCCD SC 10-18-2013 Motion to Strike

Filed By: M. Padway  
Submit Date: 10-21-2013  
Decision: (O) Other  
Decision Date: 10-22-2013  
ORD that the motion to file a surreply brief is granted and the brief submitted with the motion is accepted for filing.  
Comment: Strike Appellants' Argument or in Alternative Motion for Leave to file Surreply Brief

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OCCD SC 10-17-2013 Attorney Change

Comment: Notice of Withdrawal of Counsel; delete Attys. Joseph Olson and Michael Screnock

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OCCD SC 10-04-2013 Attorney Change

Comment: Notice of Withdrawal filed; Atty. Means will no longer appear on behalf of defendants-appellants; delete from service list.

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OCCD SC 10-02-2013 Assigned-Oral Argument

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OCCD SC 09-17-2013 Briefs Received At State Law Library

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OCCD SC 09-09-2013 Certificate of Filing by Mail

Comment: BAM - Wisconsin County Mutual Insurance Corporation and Community Insurance Corporation

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OCCD SC 09-04-2013 Brief of Amicus Curiae  
[Brief of Amicus Curiae - Wisconsin County Mutual Insurance Corporation and Community Insurance Corporation](#)

Filed By: Daniel Borowski  
Comment: Wisconsin County Mutual Insurance Corporation and Community Insurance Corporation; Please note that the brief certification pursuant to Rule 809.19(8)(b) and (c) has been corrected on this brief. Please refer to rule 809.19 regarding the brief certification. Please note that the certification pursuant to Rule 809.19(12)(f) has been corrected on all brief copies. Please include this certification in all briefs.

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OCCD SC 09-03-2013 Briefs Received At State Law Library

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OCCD SC	08-29-2013	Brief of Amicus Curiae <a href="#">Brief of Amicus Curiae - Joint Union Movants</a>
	Filed By: Timothy Hawks Comment: Joint Union Movants	
OCCD SC	08-28-2013	Reply Brief-Supreme Court <a href="#">Reply Brief-Supreme Court</a>
	Filed By: Steven Kilpatrick	
OCCD SC	08-27-2013	Brief of Amicus Curiae <a href="#">Brief of Amicus Curiae - Elijah Grajkowski, Kristi Lacroix and Nathan Berish</a>
	Filed By: Richard Esenberg Comment: Elijah Grajkowski, Kristi Lacroix and Nathan Berish	
OCCD SC	08-23-2013	Briefs Received At State Law Library
OCCD SC	08-20-2013	Motion to File Amicus/Non-Party Brief
	Filed By: Andrew Phillips Submit Date: 8-21-2013 Decision: (G) Grant Decision Date: 8-21-2013 ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before September 4, 2013. Comment: Wisconsin County Mutual Insurance Corporation and Community Insurance Corporation	
OCCD SC	08-19-2013	Motion to File Amicus/Non-Party Brief
	Filed By: Timothy Hawks Submit Date: 8-19-2013 Decision: (O) Other Decision Date: 8-20-2013 ORD that this court duly notes the addition of AFSCME District Council 48 to the Joint Union Movants, and the Joint Union Movants shall file their non-party brief amicus curiae on or before August 29, 2013. Comment: Joint Union Movants (Corrected)	
OCCD SC	08-19-2013	Brief of Amicus Curiae <a href="#">Brief of Amicus Curiae - City of Milwaukee</a>
	Filed By: Stuart Mukamal Comment: City of Milwaukee; Please note an amended signature page per Rule 802.05/809.19(1)(h) has been added to all briefs.	
OCCD SC	08-16-2013	Briefs Received At State Law Library
OCCD SC	08-15-2013	Motion to File Amicus/Non-Party Brief
	Filed By: Timothy Hawks Submit Date: 8-15-2013 Decision: (G) Grant Decision Date: 8-15-2013	

ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before August 29, 2013.

Comment: Joint Union Movants

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OCCD SC 08-15-2013 Brief of Amicus Curiae  
[Brief of Amicus Curiae - City of Madison](#)

Filed By: Michael May  
Comment: City of Madison

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OCCD SC 08-15-2013 Brief of Amicus Curiae  
[Brief of Amicus Curiae - Laborer's Local 236 and AFSCME Local 60](#)

Filed By: Bruce Ehlke  
Comment: Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO

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OCCD SC 08-15-2013 Response Brief-Supreme Court  
[Response Brief-Supreme Court](#)

Filed By: Lester Pines

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OCCD SC 08-15-2013 Response  
Comment: 22 copies of any briefs filed or 17 copies of previously filed briefs if party stands on ct. app. briefs

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OCCD SC 08-14-2013 Briefs Received At State Law Library

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OCCD SC 08-13-2013 Motion to File Amicus/Non-Party Brief  
Filed By: Richard Esenberg  
Submit Date: 8-13-2013  
Decision: (G) Grant  
Decision Date: 8-13-2013  
ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before August 27, 2013.  
Comment: Elijah Grajkowski, Kristi Lacroix and Nathan Berish

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OCCD SC 08-08-2013 Letter/Correspondence  
Comment: From Clerk's Office to counsel: oral argument has been removed from the court's October calendar at reschedule request of AAG Kilpatrick. Counsel will be notified of new date and time for oral argument.

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OCCD SC 08-05-2013 Motion to File Amicus/Non-Party Brief  
Filed By: John Strange  
Submit Date: 8-6-2013  
Decision: (G) Grant  
Decision Date: 8-6-2013  
ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before August 20, 2013.  
Comment: City of Madison

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OCCD SC 08-05-2013 Motion to File Amicus/Non-Party Brief



Filed By: Stuart Mukamal

Submit Date: 8-5-2013

Decision: (G) Grant

Decision Date: 8-6-2013

ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before August 20, 2013.

Comment: City of Milwaukee

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OCCD SC 08-01-2013 Letter/Correspondence

Comment: Ltr from AAG Kilpatrick requesting oral argument be scheduled for a time other than the week of October 21-25, 2013; submitted to S.Ct.

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OCCD SC 07-26-2013 Motion to File Amicus/Non-Party Brief

Filed By: Bruce Ehlke

Submit Date: 7-26-2013

Decision: (G) Grant

Decision Date: 7-30-2013

ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before August 19, 2013.

Comment: Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO

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OCCD SC 07-25-2013 First Brief-Supreme Court  
[First Brief-Supreme Court](#)

Filed By: Steven Kilpatrick

Comment: Corrected Brief Separate Appendix Appx to First Brief-Supreme Court

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OCCD SC 07-24-2013 Motion for Miscellaneous Relief

Filed By: Steven Kilpatrick

Submit Date: 7-25-2013

Decision: (G) Grant

Decision Date: 7-25-2013

ORD that the motion is granted and the corrected brief is accepted for filing.

Comment: Motion for Leave to File Corrected Brief By Defendants-Appellants

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OCCD SC 07-15-2013 First Brief-Supreme Court

Filed By: Steven Kilpatrick

Comment: Separate Appendix First Brief-Supreme Court

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OCCD SC 07-11-2013 Letter/Correspondence

Comment: From non-party addressed to C. J. Abrahamson (dated 6/18/13); response from J. A. Nelson to non-party (dated 6/26/13). Both letters placed in file.

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OCCD SC 06-14-2013 Court Changed to Supreme Court

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OCCD SC 05-06-2013 Motion to File Amicus/Non-Party Brief

Filed By: Richard Esenberg

Submit Date: 5-7-2013

Decision: (G) Grant

Decision Date: 6-14-2013

ORD that the motion is granted and the amicus curiae brief in support of the certification is accepted for filing.

Comment: Wisconsin Institute for Law & Liberty

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OCCD SC 04-25-2013 Certification Filed

Filed By: Unassigned District 4

Submit Date: 4-26-2013

Decision: (G) Grant

Decision Date: 6-14-2013

ORD certification is granted; 30/20/10

FRO if party elects to file new brief(s), 10 copies of their court of appeals brief(s) must be provided. If a party elects to stand on their court of appeals brief(s), 17 copies of each of their court of appeals brief(s) must be provided.

Motion Response

Filed By: Steven Means

Submit Date: 5-1-2013

See DEC event filed on 4-25-2013

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OCCD CA 04-25-2013 [Opinion/Decision](#)

Judge Panel: Blanchard, Lundsten, Higginbotham

Opinion: Certification

Decision: Certification Filed Pages: 24

Order Text: Whether statutory changes accomplished by the passage of 2011 Wis. Act 10 and 2011 Wis. Act 32 fundamentally alter the balance of power between municipal employees and their municipal employers with respect to wages and conditions of employment.

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OCCD CA 04-23-2013 Supplement to Record

Comment: 65-3 to 66-1

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OCCD CA 03-19-2013 Submitted on Briefs

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OCCD CA 03-04-2013 Briefs Received At State Law Library

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OCCD CA 02-15-2013 Record and Briefs Sent to District 4

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OCCD CA 02-14-2013 Motion for Miscellaneous Relief

Filed By: Lester Pines

Submit Date: 2-15-2013

Decision: (D) Deny

Decision Date: 2-19-2013

ORD that the Respondents motion to file a reply to a non-party brief is denied.

Motion Response

Filed By: Steven Kilpatrick

Submit Date: 2-18-2013

Comment: Motion for Leave to file Response to Non-Party Brief of Wisconsin County Mutual Insurance Corporation and Community Insurance Corporation

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OCCD CA 02-12-2013 Brief of Amicus Curiae  
[Brief of Amicus Curiae - Add'l Wis. Co. Mut. Ins. Corp. & Community](#)

[Ins. Corp.](#)

Filed By: Andrew Phillips

Comment: Wisconsin County Mutual Insurance Corporation and Community Insurance Corporation  
Appx to Brief of Amicus Curiae-Add'l Wis. Co. Mut. Ins. Corp. & Community Ins. Corp.

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OCCD CA 02-11-2013

Brief of Amicus Curiae  
[Brief of Amicus Curiae - City of Milwaukee](#)

Filed By: Rudolph Konrad

Comment: City of Milwaukee

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OCCD CA 02-06-2013

Other Brief

Filed By: Steven Kilpatrick

Comment: Appellants' Reply Memorandum per CTO 12/28/12

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OCCD CA 02-05-2013

Brief of Amicus Curiae

Filed By: Andrew Phillips

Comment: Wisconsin County Mutual Insurance Corporation and Community Insurance Corporation;  
Separate Appendix

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OCCD CA 02-01-2013

Motion to File Amicus/Non-Party Brief

Filed By: Stuart Mukamal

Submit Date: 2-1-2013

Decision: (G) Grant

Decision Date: 2-11-2013

ORD that the clerk's office shall accept the non-party brief of the City of Milwaukee for filing, and shall submit all of the briefs to the court for its consideration.

Comment: City of Milwaukee

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OCCD CA 02-01-2013

Motion to File Amicus/Non-Party Brief

Filed By: Andrew Phillips

Submit Date: 2-1-2013

Decision: (G) Grant

Decision Date: 2-5-2013

ORD that the Wisconsin County Mutual Insurance Corporation and Community Insurance Corporation may file a non-party brief in this matter. The brief shall be due five business days from the date of this order.

FRO that the motion to reconsider permitting the City of Madison to file a non-party brief is denied.

Comment: Wisconsin County Mutual Insurance Corporation and Community Insurance Corporation

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OCCD CA 02-01-2013

Brief of Amicus Curiae  
[Brief of Amicus Curiae - Joint Union Movants](#)

Filed By: Timothy Hawks

Comment: Joint Union Movants

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OCCD CA 02-01-2013

Brief of Amicus Curiae

Filed By: Thomas Kamenick

Comment: Separate Appendix. Elijah Grajkowski, Kristi Lacroix and Nathan Berish (individual public employees who are members of WEAC affiliates)

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OCCD CA 01-30-2013 Other Brief  
Comment: Respondents' Supplemental Memorandum per CTO 12/28/12

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OCCD CA 01-25-2013 [Brief of Amicus Curiae](#)  
[Brief of Amicus Curiae - City of Madison](#)  
Filed By: John Strange  
Comment: City of Madison

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OCCD CA 01-23-2013 Interim Motion for Reconsideration  
Filed By: Steven Kilpatrick  
Submit Date: 1-24-2013  
Decision: (D) Deny  
Decision Date: 2-5-2013  
ORD that the Wisconsin County Mutual Insurance Corporation and Community Insurance Corporation may file a non-party brief in this matter. The brief shall be due five business days from the date of this order.  
FRO that the motion to reconsider permitting the City of Madison to file a non-party brief is denied.  
Motion Response  
Filed By: John Strange  
Submit Date: 1-28-2013  
Comment: Reconsider Granting of Motion for Leave to File Amicus Curiae Brief of City of Madison

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OCCD CA 01-22-2013 [Brief of Amicus Curiae](#)  
[Brief of Amicus Curiae - Laborer's Local 236 and AFSCME Local 60](#)  
Filed By: Bruce Ehlke  
Comment: Laborer's Local 236 and AFSCME Local 60; Received 10 copies of BAM for SC use, PS 8-15-13

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OCCD CA 01-22-2013 [Reply Brief](#)  
[Reply Brief](#)  
Filed By: Steven Kilpatrick  
Comment: Received 10 copies of BRY for SC use, PS 7-9-13

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OCCD CA 01-22-2013 [Brief of Respondent\(s\)](#)  
[Brief of Respondent\(s\)](#)  
Filed By: Lester Pines  
Comment: Received 10copies of BRS for SC use, PS 8-15-13

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OCCD CA 01-18-2013 Motion for Pro Hac Vice status

Filed By: Thomas Kamenick

Submit Date: 1-22-2013

Decision: (G) Grant

Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.

FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.

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OCCD CA 01-15-2013 Other Brief

Filed By: Steven Kilpatrick

Comment: Appellants' Supplemental Memorandum per CTO 12/28/12

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OCCD CA 01-14-2013 Motion to File Amicus/Non-Party Brief

Filed By: Timothy Hawks

Submit Date: 1-14-2013

Decision: (G) Grant

Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.

FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.

Comment: Joint Union Movants

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OCCD CA 01-09-2013 Motion to File Amicus/Non-Party Brief

Filed By: Richard Esenberg

Submit Date: 1-10-2013

Decision: (G) Grant

Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.

FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.

Comment: Elijah Grajkowski, Kristi LaCroix and Nathan Berish

OCCD CA 01-09-2013

Motion for Pro Hac Vice status

Filed By: Richard Esenberg

Submit Date: 1-10-2013

Decision: (G) Grant

Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.

FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.

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OCCD CA 01-08-2013

Motion to File Amicus/Non-Party Brief

Filed By: Michael May

Submit Date: 1-9-2013

Decision: (G) Grant

Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.

FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.

Comment: City of Madison

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OCCD CA 01-04-2013

Motion to Intervene

Filed By: Bruce Ehlke

Submit Date: 1-7-2013

Decision: (D) Deny

Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.

FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.

Motion Response

Filed By: Steven Kilpatrick

Submit Date: 1-22-2013

Comment: "Laborers"

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OCCD CA 12-28-2012

Court Order

ORD that the appellants shall file a supplemental memorandum, not exceeding 4,500 words, addressing the above questions within 10 business days of this order, and the respondents shall have 10 business days after the appellants' memoranda is filed to submit their own supplemental memorandum, not exceeding 4,500 words. The appellants may then either advise this court that they will not reply or file a reply memorandum, not exceed 3,000 words, within 5 business days. We further direct the parties to provide this court with copies of any materials from the record that are relevant to these issues, if they have not been attached to previous submissions.

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OCCD CA 12-21-2012 Motion to Extend Time

Filed By: Lester Pines

Submit Date: 12-21-2012

Decision: (G) Grant

Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.

FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.

See BRS event due on 1-22-2013

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OCCD CA 12-18-2012 Motion to Extend Time

Filed By: Lester Pines

Submit Date: 12-18-2012

Decision: (G) Grant

Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.

FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.

See BRS event due on 1-22-2013

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OCCD CA 12-14-2012 Motion to File Amicus/Non-Party Brief

Filed By: Bruce Ehlke

Submit Date: 12-14-2012

Decision: (G) Grant

Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party

briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.  
FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.  
Comment: Laborers Local 236 and AFSCME Local 60

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OCCD CA 12-05-2012 Motion for Miscellaneous Relief

Filed By: Stuart Mukamal  
Submit Date: 12-5-2012  
Decision: (G) Grant  
Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.

FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.

Motion Response

Filed By: 34783 (St. John, Kevin)  
Submit Date: 12-19-2012

Comment: Motion for Leave to Reply to Appellants' Memorandum in Opposition to the City of Milwaukee's Petition to Intervene

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OCCD CA 11-29-2012 Motion to File Amicus/Non-Party Brief

Filed By: Andrew Phillips  
Submit Date: 11-30-2012  
Decision: (G) Grant  
Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.

FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.

Motion Response

Filed By: Lester Pines  
Submit Date: 12-10-2012

Comment: Wisconsin County Mutual Insurance Corporation and Community Insurance Corporation

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OCCD CA 11-20-2012 Motion for Miscellaneous Relief

Filed By: Rudolph Konrad  
Submit Date: 11-21-2012  
Decision: (G) Grant  
Decision Date: 1-22-2013

ORD that we accept the Respondents' brief and the Appellants' reply brief as timely filed as of the date of this order.

FRO that we grant the City of Milwaukee's motion to file a reply on its motion to intervene as a



respondent, but deny the motion for intervention. We also deny the motion of the Laborers Local 236, AFL-CIO and AFSCME Local 60, AFL-CIO to intervene as parties.

FRO that we grant all four of the motions to file non-party briefs on the merits of the appeal, as well as the request to have attorneys admitted pro hac vice to represent the WEAC affiliates. The non-party briefs shall be limited to 13 pages or 3000 words, and shall be due February 1, 2013.

FRO that the motion of the Wisconsin County Mutual Insurance Corporation and the Community Insurance Corporation to participate on the pending stay motion is denied.

Motion Response

Filed By: Steven Kilpatrick

Submit Date: 11-30-2012

Comment: City of Milwaukee's Petition to Intervene

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OCCD CA 11-20-2012 Brief & Appx of Appellant(s)  
[Brief of Appellant](#)

Filed By: Steven Kilpatrick

Comment: Separate Appendix; Received 10 copies of BAP for SC use, PS 7-9-13

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OCCD CA 11-02-2012 Motion to Dismiss

Filed By: Lester Pines

Submit Date: 11-5-2012

Decision: (D) Deny

Decision Date: 11-12-2012

ORD that the respondents' motion to dismiss the appellant's motion for a stay, or in the alternative, to supplement the appellate record is denied.

FRO that the time for the respondents to file a response to the pending stay motion is extended, upon the court's own motion, to three business days from the date of this order.

Motion Response

Filed By: Steven Kilpatrick

Submit Date: 11-6-2012

Comment: or, in the alternative, Motion to Supplement the Record

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OCCD CA 10-25-2012 Motion for Stay

Filed By: Steven Kilpatrick

Submit Date: 10-25-2012

Decision: (D) Deny

Decision Date: 3-12-2013

ORD that the motion for relief pending appeal is denied.

Motion Response

Filed By: Lester Pines

Submit Date: 11-15-2012

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OCCD CA 10-11-2012 Record

Comment: 1-4 to 64-1, Separate Box

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OCCD CA 09-20-2012 Notif. Sent-Filing of NAP & Ct. Record

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OCCD CA 09-20-2012 Fee Waived

Comment: State

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# WSCCA Case History

OCCD	CA	09-20-2012	Notice of Appeal & Circuit Court Docket Entries
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OCCD	CA	09-18-2012	Statement on Transcript
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Filed By: Steven Kilpatrick		
Status: Not Needed		

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OCCD	CA	09-18-2012	Notice of Appeal filed in Cir. Ct.
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OCCD	CA	09-18-2012	Docketing Statement from Appellant
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OCCD	CA	09-14-2012	Order of Circuit Court
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