Wisconsin Supreme Court and Court of Appeals Case Access

John McAdams v. Marquette University

Appeal Number 2017AP001240

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	08-08-2018		Remittitur
	Comment: NRI returned via UPS 8/9/18			
OCCD	SC	07-06-2018		Cites
	383 Wis. 2d 358			
OCCD	SC	07-06-2018		Cites
	914 N.W.2d 708			
OCCD	SC	07-06-2018		Opinion/Decision
	Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly Opinion: Opinion Decision: Reversed and remanded Pages: 63 Written by: Kelly, Daniel Abrahamson, Shirley S. Joined Dissenting Opinion Ziegler, Annette K. Took No Part Bradley, Ann Walsh Wrote Dissenting Opinion 24 pages. Bradley, Rebecca Grassl Wrote Concurring Opinion 22 pages. Kelly, Daniel Wrote Concurring Opinion 3 pages. Order Text: THE DECISION OF THE COURT OF APPEALS IS REVERSED AND REMANDED WITH INSTRUCTIONS. Comment: Opinion/Decision			
OCCD	SC	07-03-2018		Public Domain Citation
	Comment: PDC No: 2018 WI 88			
OCCD	SC	04-19-2018		Oral Argument
	Comment: at 1:30 p.m.; Attorney Richard Esenberg for Pla-App; Attorney Ralph Weber for Def-Res			
OCCD	SC	03-29-2018		Briefs Received At State Law Library
OCCD	SC	03-23-2018		Brief of Amicus Curiae

Brief of Amicus Curiae - Wisconsin Association of Independent Colleges & Universities (WAICU)

Filed By: Andrew Hitt
Comment: Wisconsin Association of Independent Colleges & Universities (WAICU)

OCCD SC 03-22-2018 Certificate of Filing by Mail

Comment: BAM 03/21/18; University Academic Senate of Marquette University

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OCCD SC 03-22-2018 Brief of Amicus Curiae
Brief of Amicus Curiae - University Academic Senate of Marquette University

Filed By: Amy MacArdy
Comment: University Academic Senate of Marquette University

OCCD SC 03-22-2018 Brief of Amicus Curiae
Brief of Amicus Curiae - National Association of Manufacturers

Filed By: Bryan Cahill
Comment: National Association of Manufacturers

OCCD SC 03-22-2018 Motion to File Amicus/Non-Party Brief

Filed By: Amy MacArdy
Submit Date: 3-22-2018
Decision: (G) Grant
Decision Date: 3-22-2018
ORD that the motions are granted and the briefs are accepted for filing.
Ziegler, J., did not participate.
Comment: University Academic Senate of Marquette University

OCCD SC 03-21-2018 Motion to File Amicus/Non-Party Brief

Filed By: Bryan Cahill
Submit Date: 3-22-2018
Decision: (G) Grant
Decision Date: 3-22-2018
ORD that the motions are granted and the briefs are accepted for filing.
Ziegler, J., did not participate.
Comment: National Association of Manufacturers

OCCD SC 03-20-2018 Motion to File Amicus/Non-Party Brief

Filed By: Andrew Hitt
Submit Date: 3-20-2018
Decision: (G) Grant
Decision Date: 3-23-2018
IT IS ORDERED that the motion is granted and the brief is accepted for filing.
Comment: Wisconsin Association of Independent Colleges & Universities (WAICU)

OCCD SC 03-19-2018 Briefs Received At State Law Library

OCCD SC 03-07-2018 Other Brief
Other Brief - Corrected Brief of Amicus Curiae Association of Jesuit

Colleges and Universities in Support of Marquette University

Filed By: Thomas Shriner
Comment: Corrected Brief of Amicus Curiae Association of Jesuit Colleges and Universities in Support of Marquette University

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OCCD SC 03-07-2018 Motion for Miscellaneous Relief

Filed By: Thomas Shriner
Submit Date: 3-7-2018
Decision: (G) Grant
Decision Date: 3-8-2018
ORD that the motion is granted and the corrected non-party brief is accepted for filing.
Ziegler, J., did not participate.
Comment: Substitute corrected amicus brief (Association of Jesuit Colleges and Universities)

OCCD SC 03-07-2018 Brief of Amicus Curiae
Brief of Amicus Curiae- Thomas More Society

Filed By: Andrew Bath
Comment: Thomas More Society

OCCD SC 03-05-2018 Certificate of Filing by Mail

Comment: BAM 03/02/18; Metropolitan Milwaukee Association of Commerce (MMAC)

OCCD SC 03-05-2018 Brief of Amicus Curiae
Brief of Amicus Curiae - Metropolitan Milwaukee Association of Commerce

Filed By: Michael Apfeld
Comment: Metropolitan Milwaukee Association of Commerce (MMAC)

OCCD SC 02-28-2018 Brief of Amicus Curiae
Brief of Amicus Curiae- National Association of Scholars

Filed By: James Troupis
Comment: National Association of Scholars; Please note the party designation on the caption was corrected on the covers of all briefs. Please use the above caption on all future briefs.

OCCD SC 02-28-2018 Motion to Extend Time

Filed By: Michael Apfeld
Submit Date: 2-28-2018
Decision: (G) Grant
Decision Date: 2-28-2018
ORD that the motion for leave to file a non-party brief amicus curiae of the Thomas More Society is granted. Twenty-two copies of the brief shall be filed on or before March 9, 2018;
FRO that the motion for leave to file a non-party brief amicus curiae of the National Association of Scholars is granted and the brief is accepted for filing;
FRO that the motion for admission of Kenneth Chesebro pro hac vice is granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys' appearing pro hac vice is attached to the moving party's order;
FRO that the motion for extension of time of Metropolitan Milwaukee Association of Commerce is granted. Metropolitan Milwaukee Association of Commerce's non-party brief shall be filed on or before March 2, 2018.
Ziegler, J., did not participate.

See BAM event due on 3-2-2018
Comment: Metropolitan Milwaukee Association of Commerce (MMAC)

OCCD SC 02-28-2018 Brief of Amicus Curiae

Filed By: Aaron Wegrzyn
Comment: Association of Jesuit Colleges & Universities; Please note the party designation on the caption was corrected on the covers of all briefs. Please use the above caption on all future briefs.
CORRECTED VERSION OF BRIEF FILED 3/7/18

OCCD SC 02-27-2018 Motion to File Amicus/Non-Party Brief

Filed By: James Troupis
Submit Date: 2-28-2018
Decision: (G) Grant
Decision Date: 2-28-2018
ORD that the motion for leave to file a non-party brief amicus curiae of the Thomas More Society is granted. Twenty-two copies of the brief shall be filed on or before March 9, 2018;
FRO that the motion for leave to file a non-party brief amicus curiae of the National Association of Scholars is granted and the brief is accepted for filing;
FRO that the motion for admission of Kenneth Chesebro pro hac vice is granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys' appearing pro hac vice is attached to the moving party's order;
FRO that the motion for extension of time of Metropolitan Milwaukee Association of Commerce is granted. Metropolitan Milwaukee Association of Commerce's non-party brief shall be filed on or before March 2, 2018.
Ziegler, J., did not participate.
Comment: [National Association of Scholars, Edward J. Erler, Duek Pesta and Mark Zunac]

OCCD SC 02-27-2018 Motion for Pro Hac Vice status

Filed By: James Troupis
Submit Date: 2-28-2018
Decision: (G) Grant
Decision Date: 2-28-2018
ORD that the motion for leave to file a non-party brief amicus curiae of the Thomas More Society is granted. Twenty-two copies of the brief shall be filed on or before March 9, 2018;
FRO that the motion for leave to file a non-party brief amicus curiae of the National Association of Scholars is granted and the brief is accepted for filing;
FRO that the motion for admission of Kenneth Chesebro pro hac vice is granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys' appearing pro hac vice is attached to the moving party's order;
FRO that the motion for extension of time of Metropolitan Milwaukee Association of Commerce is granted. Metropolitan Milwaukee Association of Commerce's non-party brief shall be filed on or before March 2, 2018.
Ziegler, J., did not participate.
Comment: Kenneth Chesebro [National Association of Scholars, Edward J. Erler, Duek Pesta and Mark Zunac]

OCCD SC 02-27-2018 Motion to File Amicus/Non-Party Brief

Filed By: Andrew Bath
Submit Date: 2-28-2018
Decision: (G) Grant
Decision Date: 2-28-2018
ORD that the motion for leave to file a non-party brief amicus curiae of the Thomas More Society is granted. Twenty-two copies of the brief shall be filed on or before March 9, 2018;

FRO that the motion for leave to file a non-party brief amicus curiae of the National Association of Scholars is granted and the brief is accepted for filing;
FRO that the motion for admission of Kenneth Chesebro pro hac vice is granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys' appearing pro hac vice is attached to the moving party's order;
FRO that the motion for extension of time of Metropolitan Milwaukee Association of Commerce is granted. Metropolitan Milwaukee Association of Commerce's non-party brief shall be filed on or before March 2, 2018.
Ziegler, J., did not participate.
Comment: Thomas More Society

OCCD SC 02-27-2018 E-Filing Certification

Comment: BAM; American Association of University Professors

OCCD SC 02-27-2018 Brief of Amicus Curiae
Brief of Amicus Curiae - American Association of University Professors

Filed By: Frederick Perillo
Comment: American Association of University Professors; Please note the party designation on the caption was corrected on the covers of all briefs. Please use the above caption on all future briefs. Please note amended signature pages pursuant to Rule 802.05/809.19(1)(h) have been added to all briefs.

OCCD SC 02-27-2018 Brief of Amicus Curiae
Brief of Amicus Curiae- The State of Wisconsin

Filed By: Ryan Walsh
Comment: State of Wisconsin

OCCD SC 02-22-2018 Brief of Amicus Curiae
Brief of Amicus Curiae - Law and University Professors and Academics

Filed By: Bernardo Cueto
Comment: Law and University Professors and Academics; Note that the brief cover color has been corrected on this brief. Please see Rule 809.19(9) regarding requirements. When using staples please be sure to bind along the left side of the brief.

OCCD SC 02-20-2018 Motion to File Amicus/Non-Party Brief

Filed By: Bernardo Cueto
Submit Date: 2-21-2018
Decision: (G) Grant
Decision Date: 2-21-2018
ORD that the motion is granted. Twenty-two copies of the brief with the correct front and back cover shall be filed on or before February 27, 2018.
Ziegler, J., did not participate.
Comment: Law and University Professors and Academics

OCCD SC 02-20-2018 Motion to File Amicus/Non-Party Brief

Filed By: Michael Apfeld
Submit Date: 2-20-2018
Decision: (G) Grant
Decision Date: 2-20-2018
ORD that the motion is granted. Twnety=two copies of the brief shall be filed on or before February 27, 2018.

Ziegler, J., did not participate.
Comment: Metropolitan Milwaukee Association of Commerce (MMAC)

OCCD SC 02-16-2018 Motion to File Amicus/Non-Party Brief

Filed By: Michael Dean
Submit Date: 2-16-2018
Decision: (D) Deny
Decision Date: 3-13-2018
ORD that the motion is denied.
Rebecca Grassl Bradley and Kelly, JJ., dissent
Ziegler, J., did not participate
Comment: Marquette Alumnus J.D.

OCCD SC 02-14-2018 Motion to File Amicus/Non-Party Brief

Filed By: Frederick Perillo
Submit Date: 2-14-2018
Decision: (G) Grant
Decision Date: 2-14-2018
ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before February 27, 2018.
Ziegler, J., did not participate
Comment: American Association of University Professors

OCCD SC 02-12-2018 Attorney Change

Comment: Atty. Cueto replaces Atty. Dean as affiliated WI counsel for Atty. Mersino, admitted pro hac vice, for proposed amici, University Professors and Academics

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OCCD SC 02-09-2018 Motion for Miscellaneous Relief

Filed By: Michael Dean
Submit Date: 2-9-2018
Decision: (G) Grant
Decision Date: 2-12-2018
ORD that the motion is granted.
Ziegler, J., did not participate.
Comment: Motion to substitute counsel for AMI University Professors and Academics

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OCCD SC 02-05-2018 Motion to File Amicus/Non-Party Brief

Filed By: Thomas Shriner
Submit Date: 2-5-2018
Decision: (G) Grant
Decision Date: 2-7-2018
ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before February 27, 2018.
Ziegler, J., did not participate.
Comment: Association of Jesuit Colleges and Universities

OCCD SC 02-02-2018 Assigned-Oral Argument

OCCD SC 01-31-2018 Fee Paid

Comment: Receipt No: 18R 000307; copy of appendix to applnt. brief emailed to Abby Willemssen,

OCCD SC 01-29-2018 Motion to File Amicus/Non-Party Brief

Filed By: Ryan Walsh
Submit Date: 1-29-2018
Decision: (G) Grant
Decision Date: 1-30-2018
ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before February 27, 2018.
Ziegler, J., did not participate.
Comment: State of Wisconsin

OCCD SC 01-19-2018 Court Changed to Supreme Court

OCCD CA 01-19-2018 Hold Status

OCCD CA 12-20-2017 Non-Electronic Record Item

Comment: Exhibit #1: Thumb Drive

OCCD CA 12-18-2017 Supplement to Record

Comment: ELECTRONICALLY FILED: 142-1 to 144-1

OCCD SC 12-07-2017 Motion for Miscellaneous Relief

Filed By: Ralph Weber
Submit Date: 12-7-2017
Decision: (G) Grant
Decision Date: 12-7-2017
ORD that the motion is granted and the response is accepted for filing.
Comment: Respondent Marquette University's motion to file response to non-party brief (FIRE)

OCCD CA 12-05-2017 Motion to Correct/Supplement Record

Filed By: Ralph Weber
Submit Date: 12-5-2017
Decision: (G) Grant
Decision Date: 12-12-2017
ORD that the clerk of the circuit court shall include the above listed item in the appellate record no later than 10 days from the date of this order.

OCCD CA 12-04-2017 Response

Comment: PER 11/30/17 CTO - 4 ADDTNL. COPIES AMICUS BRIEF IN SUPPORT OF BYP DUE

OCCD SC 11-29-2017 Motion to File Amicus/Non-Party Brief

Filed By: Daniel Adams
Submit Date: 11-30-2017
Decision: (G) Grant
Decision Date: 11-30-2017
ORD the motion is granted and the brief is accepted for filing. However, pursuant to Wis. Stat. rule 809.82(1), the foundation shall file 4 additional copies of its non-party brief with the clerk if this court on

or before December 8, 2017.
Comment: Foundation for Individual Rights in Education (FIRE) Brief in support of Pla-App-Pet John McAdams; 12/4/17 rcv'd. 4 addtnl. copies brief in support of petitioner and additional copies of motion via first class mail.

OCCD CA 11-06-2017 Reply Brief
Reply Brief

Filed By: Richard Esenberg

OCCD CA 11-03-2017 Motion to File Amicus/Non-Party Brief

Filed By: Michael Dean
Submit Date: 11-6-2017
Decision: (D) Deny
Decision Date: 11-10-2017
ORD that the motion to file an amicus curiae brief is denied.
Comment: Law and University Professors and Academics

OCCD SC 11-03-2017 Fee Paid

Comment: Receipt No: 17R 002683

OCCD SC 11-03-2017 Petition to Bypass

Filed By: Richard Esenberg
Submit Date: 11-17-2017
Decision: (G) Grant
Decision Date: 1-19-2018
ORD the petition to bypass is granted and the appeal is accepted for consideration in this court; and FRO that the briefs previously submitted by the parties to the court of appeals may stand as the parties' briefs in this court. The parties shall submit 17 additional copies of their briefs within 10 days of the date of this order. The parties will be notified of the date and time for oral argument in this appeal in due course.
ANNETTE KINGSLAND ZIEGLER, J., did not participate.
SHIRLEY S. ABRAHAMSON and ANN WALSH BRADLEY, J.J. (dissenting).
Motion Response
Filed By: Ralph Weber
Submit Date: 11-17-2017
Motion Response
Filed By: Daniel Adams
Submit Date: 12-4-2017
Motion Response
Filed By: Ralph Weber
Submit Date: 12-7-2017
Comment: DOES NOT STAY BRIEFING

OCCD CA 11-01-2017 Motion for Pro Hac Vice status

Filed By: Michael Dean
Submit Date: 11-1-2017
Decision: (G) Grant
Decision Date: 11-2-2017
ORD that Attorney Erin Elizabeth Andrews is granted pro hac vice status to represent the Great Lakes Justice Center as may be appropriate in this appeal. Counsel should be aware that Dean, as sponsoring

Wisconsin counsel, must appear in the action on appeal and must sign every paper that Andrews files in this court.
Comment: of Atty. Erin Elizabeth Mersino for Amicus Great Lakes Justice Center supporting Appellant

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OCCD CA 10-20-2017 Brief of Respondent(s)
Brief of Respondent

Filed By: Ralph Weber
Comment: Separate Appendix

OCCD CA 09-11-2017 Brief & Appx of Appellant(s)
Brief of Appellant

Filed By: Richard Esenberg

OCCD CA 08-30-2017 Motion to Extend Time

Filed By: Thomas Kamenick
Submit Date: 8-31-2017
Decision: (G) Grant
Decision Date: 9-1-2017
IT IS ORDERED that the deadline for the appellant to file an opening brief is extended through September 11, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16). IT IS FURTHER ORDERED that the deadline for the respondent to file a brief is extended through October 20, 2017. See id.
See BAP event due on 9-11-2017

OCCD CA 07-25-2017 Record

Comment: ELECTRONCIALLY FILED: 1-28 to 141-72

OCCD CA 07-03-2017 Statement on Transcript

Filed By: Thomas Kamenick
Status: Prev. Filed

OCCD CA 06-28-2017 Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 06-28-2017 Fee Paid

Comment: Receipt No: 17R 001519

OCCD CA 06-28-2017 Notice of Appeal & Circuit Court Docket Entries

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OCCD CA 06-23-2017 Notice of Appeal filed in Cir. Ct.

OCCD CA 06-21-2017 Docketing Statement from Appellant

OCCD CA 06-09-2017 Order of Circuit Court
