

Wisconsin Supreme Court and Court of Appeals Case Access

Nancy Bartlett v. Tony Evers

Appeal Number 2019AP001376 - OA

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	08-13-2020		Remittitur Comment: T/J
OCCD	SC	07-10-2020		Cites 393 Wis. 2d 172
OCCD	SC	07-10-2020		Cites 945 N.W.2d 685
OCCD	SC	07-10-2020		Opinion/Decision Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Kelly, Dallet, Hagedorn Opinion: Per Curiam Decision: Other Pages: 4 Roggensack, Patience Drake Wrote Concur/Dissent Opinion 47 pages. Bradley, Ann Walsh Wrote Concur/Dissent Opinion 51 pages. Kelly, Daniel Wrote Concur/Dissent Opinion 45 pages. Hagedorn, Brian K. Wrote Concurring Opinion 26 pages. Dallet, Rebecca F. Joined Concur/Dissent Opinion Additional Judge Action:of Ann Walsh Bradley, J. Ziegler, Annette K. Joined Concurring Opinion Additional Judge Action:of Brian K. Hagedorn, J. Bradley, Rebecca Grassl Joined Concur/Dissent Opinion Additional Judge Action:of Daniel Kelly, J. Order Text: by the court - Rights declared; relief granted in part denied in part Comment: Opinion/Decision
OCCD	SC	07-09-2020		Public Domain Citation Comment: PDC No: 2020 WI 68
OCCD	SC	04-20-2020		Oral Argument Comment: 1st case, 9:45 a.m. (ARGUMENT WILL BE PRESENTED VIA VIDEO/AUDIO CONFERENCING). Attorney Richard M. Esenberg for PET, Attorney Misha Tseytlin for AMI, Attorney Colin Roth for RES.

OCCD SC	03-04-2020	Briefs Received At State Law Library
OCCD SC	02-27-2020	Other Brief Respondent's Reply Brief to Amicus Comment: Respondents response to the Wisconsin Legislature's Amicus Curiae Brief
OCCD SC	02-17-2020	Briefs Received At State Law Library
OCCD SC	02-13-2020	Motion for Miscellaneous Relief Filed By: Colin Roth Submit Date: 2-13-2020 Decision: (G) Grant Decision Date: 2-14-2020 ORD that the motion is granted. Respondents may file a single brief in response to the non-party amicus curiae brief which shall not exceed 3000 words on or before February 28, 2020. Comment: Leave to file response to the proposed non-party brief of the legislature
OCCD SC	02-12-2020	Brief of Amicus Curiae Non-Party Brief of the Legislature as Amicus Curiae Supporting Petitioners Filed By: Misha Tseytlin Comment: Wisconsin Legislature
OCCD SC	02-12-2020	Briefs Received At State Law Library
OCCD SC	02-05-2020	Motion to File Amicus/Non-Party Brief Filed By: Misha Tseytlin Submit Date: 2-5-2020 Decision: (G) Grant Decision Date: 2-12-2020 ORD that the motion to file a non-party brief amicus curiae is granted and the brief is accepted for filing. FRO that the court grants the Legislature's motion to permit its counsel a total of ten minutes of argument time. FRO that the proposed allocation of oral argument time is accepted. The sequence of arguments shall be as follows: (1) The petitioners shall present the initial argument for 30 minutes; (2) the amicus, the Wisconsin Legislature, shall have 10 minutes of oral argument time; (3) The respondent's Tony Evers, et al., shall have 40 minutes of oral argument time; and (4) the petitioners may have 5 minutes rebuttal. ANN WALSH BRADLEY, J., did not participate in this order.
OCCD SC	02-04-2020	Assigned-Oral Argument
OCCD SC	02-04-2020	Reply Brief-Supreme Court Reply Brief - Supreme Court Filed By: Anthony LoCoco
OCCD SC	01-23-2020	Response Brief-Supreme Court Response Brief - Supreme Court Filed By: Colin Roth Comment: Separate Appendix.

OCCD SC 12-09-2019

First Brief-Supreme Court
[First Brief-Supreme Court](#)

Comment: Separate Appendix.

OCCD SC 10-30-2019

Motion for Miscellaneous Relief

Filed By: Maura Whelan
Submit Date: 10-30-2019
Decision: (G) Grant
Decision Date: 11-1-2019

IT IS ORDERED that the motion is granted. The briefing schedule shall be set as follows: (1) petitioners' opening brief shall be filed by December 9, 2019; (2) respondents' response brief shall be filed by 45 days thereafter, i.e., January 23, 2020; and (3) petitioners' reply brief shall be filed by 15 days after the response brief is filed.

Comment: Motion for Modification of Briefing Schedule

OCCD SC 08-05-2019

Court Order

IT IS ORDERED that, on or before August 19, 2019, the petitioners shall file an amended petition in the form of a complaint containing numbered paragraphs and a prayer for relief that lists the precise relief sought. In addition to alleging specific facts necessary to understand the petitioner's claims, the amended petition shall identify, by section of Act 9 and statutory section number, each veto that the petitioners seek to challenge and shall set forth the language of that specific section, as passed by the Wisconsin Legislature, and shall show the portions of the section vetoed by the Governor. For each challenged veto, the amended petition shall identify the specific constitutional provision or constitutional doctrine that the partial veto is alleged to violate and shall contain a short statement of the petitioner's claim regarding the constitutionality of that partial veto. In addition, for each challenged veto, the amended petition shall set forth the specific relief that the petitioners seek.

IT IS FURTHER ORDERED that, within 20 days of the filing of the amended petition, the respondents shall file a joint response or separate responses to the amended petition, in the form of an answer. The respondents may also file a memorandum or separate memoranda in support of their response.

IT IS FURTHER ORDERED that, within 14 days after the filing of the last response, the parties shall file a stipulation of all relevant facts and a joint statement or separate statements that specify what factual issues are in dispute and how those disputed factual issues are relevant to the legal issues set forth in the amended petition.

OCCD SC 08-05-2019

Attorney Change

Comment: AAG Colin T. Roth and Maura FJ Whelan for respondent per notice of appearance.

OCCD SC 07-31-2019

Fee Paid

Comment: Receipt No: 19R 001979

OCCD SC 07-31-2019

Petition for an Original Action

Filed By: Richard Esenberg
Submit Date: 7-31-2019
Decision: (G) Grant
Decision Date: 10-16-2019

ORD that the Amended Petition for Original Action is granted and this court assumes jurisdiction over this action.

FRO that the Joint Stipulation of Facts (1) are adopted as the controlling facts in this court; (2) shall supersede any assertion/denial set forth in the other filings; and (3) shall be construed as leaving no additional material facts in dispute.

FRO that within 40 days of the date of this order the petitioners shall file a brief in this court; that within 30 days thereafter the respondents shall file a responsive brief that also addresses any affirmative defenses; within 15 days thereafter the petitioners shall file a reply brief.

FRO that parties' briefs shall conform to the applicable requirements set forth in Wis. Stat. (Rule) 809.19.

FRO that the parties will be notified in due course of the scheduling of oral argument.

Motion Response

Filed By: Richard Esenberg

Submit Date: 9-20-2019

Motion Response

Filed By: Maura Whelan

Submit Date: 9-9-2019

Motion Response

Filed By: Richard Esenberg

Submit Date: 9-20-2019

Comment: Memorandum in Support filed w/petition
