Wisconsin Supreme Court and Court of Appeals Case Access

Timothy Zignego v. Wisconsin Elections Commission

Appeal Number 2019AP002397

CONSOLIDATED - List of Consolidated Cases
Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	12-20-2021		Fee Paid
	Comment: Invoice No: 20100; Receipt No: 21R 002854			
OCCD	SC	12-20-2021		Invoice Issued
	Comment: Invoice No: 20100			
OCCD	SC	05-11-2021		Remittitur
OCCD	SC	04-09-2021		Cites
	396 Wis. 2d 391			
OCCD	SC	04-09-2021		Cites
	957 N.W.2d 208			
OCCD	SC	04-09-2021		Opinion/Decision
	Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky Opinion: Opinion Decision: Modified and Affirmed. Pages: 24 Written by: Hagedorn, Brian K. Bradley, Rebecca Grassl Wrote Dissenting Opinion 22 pages. Ziegler, Annette K. Joined Dissenting Opinion Order Text: The decision of the court of appeals is modififed, and affirmed as modified, and the cause is remanded to the circuit court for dismissal.			
OCCD	SC	04-07-2021		Public Domain Citation
	Comment: PDC No: 2021 WI 32			
OCCD	SC	10-30-2020		Motion to Withdraw as Counsel
	Filed By: Lucas Vebber Submit Date: 10-30-2020 Decision: (N) No Action			

Decision Date: 10-30-2020
No Action
Comment: Motion to Withdraw as Counsel

OCCD SC 09-29-2020 Oral Argument

Comment: 1st case, 9:45 a.m. (Due to COVID-19 pandemic, argument will be conducted via video/audio conferencing). Richard M. Esenberg for Plaintiffs-Respondents-Petitioners Josh Kaul for Defendants-Appellants

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OCCD SC 08-02-2020 Briefs Received At State Law Library

OCCD SC 07-20-2020 Brief of Amicus Curiae
Brief of Amicus Curiae (Public Interest Legal Foundation)

Filed By: Eric Hatchell
Comment: Public Interest Legal Foundation Brief of Amicus Curiae - Filing Acknowledgement (Public Interest Foundation)

OCCD SC 07-17-2020 Motion for Pro Hac Vice status

Filed By: Eric Hatchell
Submit Date: 7-17-2020
Decision: (G) Grant
Decision Date: 8-4-2020
IT IS ORDERED that the motion 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 copy of this order.
Comment: Motion for Pro Hac Vice status Court Order - 08/04/20

OCCD SC 07-16-2020 Court Order

ORD that the Public Interest Legal Foundation Shall file 14 additional copies of its amicus brief on or before July 27, 2020.
Comment: 7/16/20 CTO

OCCD SC 07-15-2020 Certificate of Filing by Mail

Comment: RE: Brief of Amicus Curiae League of Women Voters of Wisconsin, Mailed 7-13-2020, Copies (22), COS.

OCCD SC 07-15-2020 Brief of Amicus Curiae
Brief of Amicus Curiae (League of Women Voters of Wisconsin)

Comment: League of Women Voters of Wisconsin. Note that the district number has been corrected on all briefs. Please use this number on all future correspondence; Notice of Filing of Brief of Amicus Curiae (League of Women Voters of WI)

OCCD SC 07-14-2020 Assigned-Oral Argument

OCCD SC 07-13-2020 Motion to File Amicus/Non-Party Brief

Filed By: Eric Hatchell
Submit Date: 7-13-2020
Decision: (G) Grant
Decision Date: 7-15-2020

IT IS ORDERED that the motion is granted, and the brief is accepted for filing.
Comment: Public Interest Legal Foundation; Motion to File Amicus/Non-Party Brief (Public Interest Legal Foundation); Order on Motion to File Amicus/Non-Party Brief (Public Interest Legal Foundation)

OCCD SC 07-13-2020 Brief of Amicus Curiae
Brief of Amici Curiae (Felicia Ellzey, Marangelly Quintana Feliciano, Jennifer Hagen and SEIU Wisconsin State Council)

Comment: SEIU Wisconsin State Council, Felicia Ellzey, Marangelly Quintana Feliciano, and Jennifer Hagen Notice of Filing of Brief of Amicus Curiae (SEIU Wisconsin State Council, Felicia Ellzey, Marangelly Quintana Feliciano, and Jennifer Hagen) Brief of Amicus Curiae - Filing Acknowledgement (SEIU) and CL

OCCD SC 07-13-2020 Reply Brief-Supreme Court
Reply Brief-Supreme Court

Filed By: Lucas Vebber
Comment: Reply Brief-Supreme Court - CL Reply Brief - Supreme Court - Filing Acknowledgement

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OCCD SC 07-09-2020 Brief of Amicus Curiae
Brief of Amicus Curiae (Honest Elections Project)

Filed By: (St. John, Kevin)
Comment: Honest Elections Project Brief of Amicus Curiae - Filing Acknowledgement (Honest Elections)

OCCD SC 07-08-2020 Motion to File Amicus/Non-Party Brief

Filed By: (St. John, Kevin)
Submit Date: 7-8-2020
Decision: (G) Grant
Decision Date: 7-9-2020
IT IS ORDERED that the motion is granted, and the brief is accepted for filing.
Comment: Honest Elections Project Motion to File Amicus/Non-Party Brief (Honest Elections Project) Court Order - 07/09/20

OCCD SC 07-03-2020 Motion to File Amicus/Non-Party Brief

Filed By: Douglas Poland
Submit Date: 7-3-2020
Decision: (G) Grant
Decision Date: 7-6-2020
IT IS ORDERED that the motion is granted. Twenty-two copies of the brief shall be filed on or before July 13, 2020.
Comment: League of Women Voters of Wisconsin Court Order - 07/06/20

OCCD SC 06-30-2020 Certificate of Filing by Mail

Comment: Regarding BR2; Mailed 6/29/20, COS included Certificate of Filing by Mail

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OCCD SC 06-30-2020 Motion to File Amicus/Non-Party Brief

Filed By: Jeffrey Mandell
Submit Date: 7-1-2020
Decision: (G) Grant
Decision Date: 7-1-2020
ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before July 13, 2020.

Comment: SEIU Wisconsin State Council, Felicia Ellzey, Marangelly Quintana Feliciano, and Jennifer Hagen; Motion to File Amicus/Non-Party Brief

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OCCD SC 06-30-2020 Response Brief-Supreme Court
Response Brief-Supreme Court

Filed By: Karla Keckhaver
Comment: Response Brief - Supreme Court - Filing Acknowledgement

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OCCD SC 06-26-2020 Caption Amended

Comment: Caption Amended

OCCD SC 06-12-2020 Certificate of Service

Comment: From AAG Keckhaver; Motion to Extend Time to File Response Brief and Response to Motion to Decide Case on the Briefs, or in the Alternative, to Set an Expedited Oral Argument were deposited in the United States mail on June 12, 2020 Certificate of Service

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OCCD SC 06-12-2020 Motion to Extend Time

Filed By: Karla Keckhaver
Submit Date: 6-12-2020
Decision: (G) Grant
Decision Date: 6-30-2020
ORD that the motion of the plaintiffs-respondents-petitioners to decide the matter on briefs or, in the alternative, to set an expedited date for oral argument is denied. This matter will be scheduled for oral argument in the normal course, but oral argument will not occur before September 29, 2020
FRO that the motion of defendants-appellants for an extension of time to file their response brief is granted. The response brief shall be served and filed on or before July 21, 2020.
Rebecca Grassl Bradley, J. concurs in part and dissents in part with a separate writing.
Daniel Kelly, J. joins this opinion concurring in part and dissenting in part.
Motion Response
Filed By: Lucas Vebber
Submit Date: 6-15-2020
See BR2 event due on 6-29-2020
Comment: Motion to Extend Time Response

OCCD SC 06-09-2020 Motion for Miscellaneous Relief

Filed By: Lucas Vebber
Submit Date: 6-9-2020
Decision: (D) Deny
Decision Date: 6-30-2020
ORD that the motion of the plaintiffs-respondents-petitioners to decide the matter on briefs or, in the alternative, to set an expedited date for oral argument is denied. This matter will be scheduled for oral argument in the normal course, but oral argument will not occur before September 29, 2020
FRO that the motion of defendants-appellants for an extension of time to file their response brief is granted. The response brief shall be served and filed on or before July 21, 2020.
Rebecca Grassl Bradley, J. concurs in part and dissents in part with a separate writing.
Daniel Kelly, J. joins this opinion concurring in part and dissenting in part.
Motion Response
Filed By: Karla Keckhaver
Submit Date: 6-12-2020
Comment: Motion to Decide Case on the Briefs or, In the Alternative, to Set an Expedited Date for Oral Argument Motion for Miscellaneous Relief Response

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OCCD SC 06-09-2020 First Brief-Supreme Court
First Brief-Supreme Court

Comment: 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. Appendix to First Brief-Supreme Court First Brief - Supreme Court - Filing Acknowledgement

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OCCD SC 06-01-2020 Court Changed to Supreme Court

Comment: Court Changed to Supreme Court

OCCD SC 04-29-2020 Court Order

KELLY, J. :
Justice Daniel Kelly will participate in the remainder of this matter going forward, including the consideration of the petition for review and, potentially, the merits of the matter if the petition for review is granted.
Comment: Court Order (Justice Kelly) - 04/29/20

OCCD CA 04-27-2020 Final Publication

OCCD CA 04-22-2020 Letter/Correspondence

Comment: From WILL, signed by Atty. Richard Esenberg. Re: response to Justice Kelly's 4-15-20 order concerning his participation in the case. Letter/Correspondence filed by Wisconsin Institute for Law & Liberty

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OCCD CA 04-16-2020 Brief of Amicus Curiae
Amicus Brief - Honest Elections Project

Filed By: (St. John, Kevin)
Comment: Honest Elections Project. SC Brief of Amicus Curiae - Filing Acknowledgement and CL (Honest Elections Project)

OCCD SC 04-15-2020 Court Order

KELLY, J. :
IT IS ORDERED that any party wishing to address the issue of my participation in or recusal from the consideration of the petition for review and potentially of the merits of these consolidated matters shall file a written response to this order no later than April 22, 2020. Any written response, including supporting documents, shall be filed as an attachment in pdf format to an email addressed to clerk@wicourts.gov.
Comment: Court Order (recusal) - 04/15/20

OCCD SC 04-09-2020 Motion for Pro Hac Vice status

Filed By: (St. John, Kevin)
Submit Date: 4-9-2020
Decision: (G) Grant
Decision Date: 4-14-2020
IT IS ORDERED that the motion for admission pro hac vice is granted as to both Attorney Harris and Attorney Norris. 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.
IT IS FURTHER ORDERED that the motion for leave to file a non-party brief amicus curiae in support of the petition for review is granted. Twenty-two copies of the brief shall be filed on or before April 24, 2020.

OCCD SC 04-09-2020 Motion to File Amicus/Non-Party Brief

Filed By: (St. John, Kevin)
Submit Date: 4-9-2020
Decision: (G) Grant
Decision Date: 4-14-2020
IT IS ORDERED that the motion for admission pro hac vice is granted as to both Attorney Harris and Attorney Norris. 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.
IT IS FURTHER ORDERED that the motion for leave to file a non-party brief amicus curiae in support of the petition for review is granted. Twenty-two copies of the brief shall be filed on or before April 24, 2020.
Comment: Court Order - 04/14/20

OCCD CA 03-26-2020 Cites

391 Wis. 2d 441

OCCD CA 03-26-2020 Cites

941 N.W.2d 284

OCCD CA 03-26-2020 Opinion Ordered Published

Comment: Opinion Ordered Published

OCCD CA 03-26-2020 Public Domain Citation

Comment: PDC No: 2020 WI App 17

OCCD SC 03-11-2020 Fee Paid

Comment: Receipt No: 20R 000567

OCCD SC 03-11-2020 04-24-2020 Petition for Review

Filed By: Lucas Vebber
Submit Date: 3-27-2020
Decision: (G) Grant
Decision Date: 6-1-2020
IT IS ORDERED that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6), the plaintiffs-respondents-petitioners may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court; and
IT IS FURTHER ORDERED that pursuant to Wis. Stat. (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the plaintiffs-respondents-petitioners must file a brief in this court; that within 20 days of filing the defendants-appellants, Wisconsin Elections Commission, et al., must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the defendants-appellants, within 10 days of filing the plaintiffs-respondents-petitioners must file either a reply brief or a statement that no reply brief will be filed; and
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 appeals' 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, if a party has not previously filed an electronic copy of the briefs filed on behalf of that party in the court of appeals, the party, within 30 days after the date of this order, 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; but if the party has already filed an electronic copy of such briefs, then there is no obligation to provide additional copies of those briefs to the clerk of this court; and
IT IS FURTHER ORDERED that the allowance of costs, if any, i
Comment: Petition for Review - Filing Acknowledgement with CL Response to PRE Response - COM Petition for Review - Appendix

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OCCD SC 03-04-2020 Briefs Received At State Law Library

OCCD CA 02-28-2020 Opinion/Decision

Judge Panel: Nashold, Kloppenburg, Fitzpatrick
Opinion: Opinion
Decision: Reversed Pages: 45
Written by: Fitzpatrick, Michael R.
Order Text: Orders reversed and cause remanded with directions.
Comment: Opinion/Decision

OCCD CA 02-27-2020 Caption Amended

OCCD CA 02-26-2020 Briefs Received At State Law Library

OCCD CA 02-21-2020 Submitted on Briefs

OCCD CA 02-20-2020 Briefs Sent to District

Comment: Reply Brief

OCCD CA 02-19-2020 Briefs Sent to District

Comment: Brief of Amicus Curiae

OCCD CA 02-19-2020 Reply Brief
Reply Brief

Filed By: Karla Keckhaver

Comment: Reply Brief - Filing Acknowledgement with CL

OCCD CA 02-19-2020 Brief of Amicus Curiae
Brief of Amicus Curiae - Felicia Ellzey, Marangelly Quintana Feliciano, et al.

Filed By: Jeffrey Mandell

Comment: Felicia Ellzey, Marangelly Quintana Feliciano, Jennifer Hagen & SEIU Wisconsin State Council Brief of Amicus Curiae - Filing Acknowledgement with CL

OCCD CA 02-14-2020 Briefs Sent to District

Comment: Brief of Respondent

OCCD CA 02-14-2020 Notice of Appearance

Comment: Lucas Vebber and Anthony LoCoco as co-counsel for Respondents

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OCCD CA 02-14-2020 Brief of Respondent(s)

Filed By: Lucas Vebber

Comment: Brief of Respondent(s) - Filing Acknowledgement with CL

OCCD CA 02-05-2020 Motion to File Amicus/Non-Party Brief

Filed By: Jeffrey Mandell
Submit Date: 2-5-2020
Decision: (G) Grant
Decision Date: 2-6-2020
ORD that the SEIU Wisconsin State Council, Felicia Elzey, Marangelly Quintana Feliciano, and Jennifer Hagen may file a non-party brief no later than February 19, 2020.
Comment: Motion to File Amicus/Non-Party Brief Court Order - 02/06/20

OCCD CA 02-05-2020 Record and Briefs Sent to District 4

Comment: Brief of Appellant

OCCD CA 02-04-2020 Brief & Appx of Appellant(s)
Brief of Appellants

Comment: Separate Appendix. Brief & Appx of Appellant(s) - Filing Acknowledgement with CL

OCCD CA 02-03-2020 Motion to Extend Time

Filed By: Karla Keckhaver
Submit Date: 2-3-2020
Decision: (G) Grant
Decision Date: 2-4-2020
ORD that the time to file the appellants' brief is extended to February 4, 2020. Subsequent deadlines shall continue to run from the filing of the appellants' brief as set forth in our January 21, 2020 order.
See BAP event due on 2-4-2020
Comment: Motion to Extend Time Court Order - 02/04/20

OCCD CA 01-21-2020 Consolidated Case

Comment: [2019AP002397, 2020AP000112]

OCCD CA 01-17-2020 Court Order

ORD that these matters are consolidated for briefing and disposition upon docketing of the appeal in case No. 2020XX53, the contempt appeal.
FRO that the appellants shall file the statement on transcript for the contempt appeal no later than Tuesday, January 21, 2020, referencing the January 13, 2020 contempt proceedings.
FRO that the transcript of the January 13, 2020 contempt proceedings shall be produced and filed no later than Wednesday, January 22, 2020.
FRO that items in the circuit court record not already transmitted to this court shall be transmitted for the record in the contempt appeal no later than Thursday, January 23, 2020, without need for any notice of compilation of the record.
See XMS event filed on 12-20-2019

OCCD CA 01-14-2020 Caption Amended

Comment: Caption Amended

OCCD CA 01-13-2020 Hold Status

OCCD SC 01-08-2020 Motion for Miscellaneous Relief

Filed By: Karla Keckhaver
Submit Date: 1-8-2020
Decision: (D) Deny
Decision Date: 1-13-2020
ORD the petition to bypass is denied.
FRO that the defendants-appellant's emergency motion is dismissed, given that this court has denied the petition to bypass.
Dissenting: Rebecca Grassl Bradley, J., joined by Roggensack, C.J. and Ziegler, J.
Justice Daniel Kelly did not participate.
Motion Response
Filed By: Richard Esenberg
Submit Date: 1-9-2020
Comment: Appellants' Emergency Motion to Reverse the Court of Appeals Decision to Hold the Stay Motion in Abeyance, or for This Court to Issue a Stay of the Writ of Mandamus Entered by the Circuit Court Court Order - 01/13/20 Response Motion for Miscellaneous Relief

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OCCD CA 01-07-2020 Record

Comment: 1-61 to 97-1 ELECTRONICALLY FILED Record - Filing Notice

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OCCD CA 01-03-2020 Motion for Miscellaneous Relief

Filed By: Karla Keckhaver
Submit Date: 1-3-2020
Decision: (O) Other
Decision Date: 1-7-2020
ORD that the motion to stay and the petition to intervene shall be held in abeyance pending action by the supreme court.
Comment: Renewed Motion for an Expedited Stay of the Writ of Mandamus Enetered December 17, 2019 Or, in the Alternative, For Clarification of Whether This Court Intends to Rule on the Motion Court Order - 01/07/20 Motion for Miscellaneous Relief

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OCCD CA 01-03-2020 Notice of Appearance

Comment: AAG Colin Roth as Co-counsel for the Appellants Notice of Appearance

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OCCD CA 01-02-2020 Docketing Statement Submitted

OCCD SC 12-23-2019 Court Order

Justice Daniel Kelly shall not participate in this matter.
Comment: Court Order (recuse) - 12/23/19

OCCD CA 12-23-2019 Notif. Sent-Filing of NAP & Ct. Record

Comment: Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 12-23-2019 Fee Waived

Comment: State appeal

OCCD CA 12-23-2019 Notice of Appeal & Circuit Court Docket Entries

Comment: Notice of Appeal & Court Record

OCCD CA 12-23-2019 X Transfer

OCCD SC 12-20-2019 Court Order

ORD that any response(s) to the petition to bypass shall be filed on or before January 3, 2020.

OCCD SC 12-20-2019 Fee Paid

Comment: Receipt No: 19R 003262

OCCD SC 12-20-2019 Petition to Bypass

Filed By: Richard Esenberg
Submit Date: 1-3-2020
Decision: (D) Deny
Decision Date: 1-13-2020
ORD the petition to bypass is denied.
FRO that the defendants-appellant's emergency motion is dismissed, given that this court has denied the petition to bypass.
Dissenting: Rebecca Grassl Bradley, J., joined by Roggensack, C.J. and Ziegler, J.
Justice Daniel Kelly did not participate.
Motion Response
Filed By: Jeffrey Mandell
Submit Date: 1-3-2020
Motion Response
Filed By: Steven Kilpatrick
Submit Date: 1-3-2020
Comment: Petition to Bypass - Filing Notice Petition to Bypass with CL

OCCD CA 12-20-2019 Miscellaneous Motion on XX-Case

Filed By: Kurt Simatic
Submit Date: 12-20-2019
Decision: (D) Deny
Decision Date: 1-21-2020
ORD that the circuit court's order for a writ of mandamus and the circuit court's contempt order continue to be stayed. The stay shall remain in place until remittitutr to the circuit court.
FRO that the petition to intervene is denied.
FRO that the appellants' brief shall be filed no later than ten calendar days after the date of this order.
FRO that the respondents' brief shall be filed no later than ten calendar days after the appellant's brief is filed.
FRO that the appellants' reply brief shall be filed no later than five calendar days after the respondents' brief is filed.
Motion Response
Filed By: Richard Esenberg
Submit Date: 1-2-2020
This motion contains court order(s).
Comment: Intervention Petition; held in abeyance pending action by supreme court per 1/7/20 CTO; SC order issued 1/13/20 Response with CL Miscellaneous Motion on XX-Case Order (01-21-20) Miscellaneous Motion on XX-Case

OCCD CA 12-18-2019 Court Order

IT IS ORDERED that the appellants' request for an immediate temporary stay without a response from the respondents is denied.
IT IS FURTHER ORDERED that the respondents shall file a response to the appellant's motion for an expedited stay no later than 9:00 a.m. on Monday, December 23, 2019.
See MRL event filed on 12-17-2019
Comment: Court Order (response) - 12/18/19

OCCD CA 12-18-2019 Transfer to District IV

OCCD CA 12-18-2019 Transfer District Designation

OCCD CA 12-17-2019 Statement on Transcript

Filed By: Karla Keckhaver
Status: Prev. Filed
Comment: Statement on Transcript

OCCD CA 12-17-2019 Notice of Appeal filed in Cir. Ct.

Comment: Copy of Notice of Appeal filed in circuit court with CL

OCCD CA 12-17-2019 Order of Circuit Court

OCCD CA 12-17-2019 Docketing Statement from Appellant

Comment: Expedited Appeals Marked Docketing Statement from Appellant

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OCCD CA 12-17-2019 Motion for Relief

Filed By: Karla Keckhaver
Submit Date: 12-17-2019
Decision: (G) Grant
Decision Date: 1-14-2020
ORD that the circuit court's order for a writ of mandamus is stayed until further order of this court.
Motion Response
Filed By: Richard Esenberg
Submit Date: 12-23-2019
Motion Response
Filed By: Steven Kilpatrick
Submit Date: 12-23-2019
Motion Response
Filed By: Richard Esenberg
Submit Date: 12-23-2019
Motion Response
Filed By: Jeffrey Mandell
Submit Date: 12-23-2019
Motion Response
Filed By: Jeffrey Mandell
Submit Date: 12-26-2019
Motion Response
Filed By: Karla Keckhaver
Submit Date: 12-27-2019

This motion contains court order(s).
Comment: Response - Mandell 12/26/19 Response - Keckhaver 12/27/19 Response - Mandell 12/23/19 Response - Kilpatrick 12/23/19 Response - Esenberg 12/23/19 Response - Esenberg 12/23/19 - attachments and CL Motion for Relief Order (01-14-20) Motion for Relief Letter filed by Attorney Esenberg (12-23-19)
