

# Wisconsin Supreme Court and Court of Appeals Case Access

## Beatriz Banuelos v. University of Wisconsin Hospitals and Clinics Authority

Appeal Number 2020AP001582

Supreme Court

### CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	05-08-2023		Remittitur
OCCD	SC	04-04-2023		Cites
		988 N.W.2d 627		
OCCD	SC	04-04-2023		Cites
		406 Wis. 2d 439		
OCCD	SC	04-04-2023		<a href="#">Opinion/Decision</a>
		Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky Opinion: Opinion Decision: Affirmed Pages: 24 Written by: Bradley, Ann Walsh Roggensack, Patience Drake Wrote Dissenting Opinion 12 pages. Bradley, Rebecca Grassl Wrote Dissenting Opinion 18 pages. Ziegler, Annette K. Joined Dissenting Opinion Roggensack, Patience Drake Joined Dissenting Opinion Order Text: The decision of the court of appeals is affirmed. Comment: Opinion/Decision - Supreme Court		
OCCD	SC	04-03-2023		Public Domain Citation
		Comment: PDC No: 2023 WI 25		
OCCD	SC	11-01-2022		Oral Argument
		Comment: 1st case, 9:45 a.m. (Capitol SC Hearing Room). Jay P. Lefkowitz for Defendant-Respondent-Petitioner. Jesse B. Blocher for Plaintiff-Appellant.		
OCCD	SC	10-31-2022		Letter/Correspondence
		Comment: Cover Letter to Supplemental Appendix		
OCCD	SC	10-28-2022		Letter/Correspondence

OCCD SC 10-27-2022 Letter/Correspondence  
Comment: Cover Letter to Motion to Supplement the Appendix to BR1

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OCCD SC 10-27-2022 Motion for Miscellaneous Relief  
Filed By: Daniel Manna  
Submit Date: 10-28-2022  
Decision: (G) Grant  
Decision Date: 10-31-2022  
IT IS ORDERED that the motion is granted. No later than 12:00 p.m. on Monday, October 31, 2022, the University of Wisconsin Hospitals and Clinics Authority shall file and serve an original and 10 copies of a separate supplemental appendix containing copies of the two documents from the drafting file for Wis. Stat. 146.836 that are attached to the motion to supplement. The University of Wisconsin Hospitals and Clinics Authority shall also file an electronic copy of the supplemental appendix no later than 12:00 p.m. on Monday, October 31, 2022.  
Motion Response  
Filed By: Jesse Blocher  
Submit Date: 10-28-2022  
Comment: Motion to Supplement the Appendix to BR1; Response to Motion to Supplement the Appendix to BR1; 10/31/2022 Court Order Motion for Miscellaneous Relief

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OCCD SC 08-26-2022 Assigned-Oral Argument

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OCCD SC 08-11-2022 Letter/Correspondence  
Comment: Letter advising of updated firm name

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OCCD SC 08-10-2022 Court Order  
IT IS ORDERED that the motion is granted. Oral argument in this case shall be rescheduled to November 1, 2022 at 9:45 a.m.  
Comment: 8-10-2022 Order

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OCCD SC 08-09-2022 Letter/Correspondence  
Comment: Reply to Response to Counsel for the Petitioner's Request to Reschedule Oral Argument

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OCCD SC 08-08-2022 Letter/Correspondence  
Comment: Response to Counsel for the Petitioner's Request to Reschedule Oral Argument Response to Counsel for the Petitioner's Request to Reschedule Oral Argument

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OCCD SC 08-05-2022 Notice of Appearance  
Comment: Attorney Jay P. Lefkowitz for the Petitioner

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OCCD SC 08-05-2022 Notice of Appearance  
Comment: Attorney Gilad Bendheim for the Petitioner

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OCCD SC 08-05-2022 Letter/Correspondence  
Comment: Letter from Counsel for the Petitioner re Rescheduling Oral Argument

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OCCD	SC	08-03-2022	Assigned-Oral Argument
OCCD	SC	06-14-2022	<p>Brief of Amicus Curiae  <a href="#">Brief of Amicus Curiae (Wisconsin Hospital Association, Inc., et al.)</a></p> <p>Filed By: Sara MacCarthy  Comment: Wisconsin Hospital Association, Inc., et al. Cover Letter for Brief of Amicus Curiae (WI Hospital, Medical Soc., Dental Assc., Leading Age, RWHC, WHCA/WCAL, Health Manage.)</p>
OCCD	SC	06-13-2022	<p>Letter/Correspondence</p> <p>Comment: Cover Letter to Brief of Amicus Curiae (Wisconsin Association for Justice and Wisconsin Defense Counsel)</p>
OCCD	SC	06-13-2022	<p>Brief of Amicus Curiae  <a href="#">Brief of Amicus Curiae (Wisconsin Association for Justice and Wisconsin Defense Counsel)</a></p> <p>Filed By: Brett Eckstein  Comment: Wisconsin Association for Justice and the Wisconsin Defense Counsel</p>
OCCD	SC	06-13-2022	<p>Brief of Amicus Curiae  <a href="#">Brief of Amicus Curiae (Association of Health Information Outsourcing Services)</a></p> <p>Filed By: Christopher Avallone  Comment: Association of Health Information Outsourcing Services</p>
OCCD	SC	05-26-2022	<p>Brief of Amicus Curiae  <a href="#">Brief of Amicus Curiae (Wisconsin Civil Justice Council, Inc.)</a></p> <p>Filed By: Scott Rosenow  Comment: Wisconsin Civil Justice Council, Inc.</p>
OCCD	SC	05-25-2022	<p>Letter/Correspondence</p> <p>Comment: Cover Letter to Joint MAM (Wisconsin Association for Justice and Wisconsin Defense Counsel)</p>
OCCD	SC	05-25-2022	<p>Motion to File Amicus/Non-Party Brief</p> <p>Filed By: Brett Eckstein  Submit Date: 5-25-2022  Decision: (G) Grant  Decision Date: 5-26-2022  IT IS ORDERED that the motion of the Wisconsin Civil Justice Council, Inc., is granted, and the brief submitted with the motion is accepted as filed; and,  IT IS FURTHER ORDERED that the motion of the Association of Health Information Outsourcing Services and the joint motion of the Wisconsin Association for Justice and the Wisconsin Defense Counsel are granted. Twenty-two copies of each non-party brief shall be filed on or before June 13, 2022.  Comment: Joint Motion to File Amicus/Non-Party Brief (Wisconsin Association for Justice and Wisconsin Defense Counsel)</p>
OCCD	SC	05-24-2022	Motion to File Amicus/Non-Party Brief

Filed By: Susan Lovern  
Submit Date: 5-24-2022  
Decision: (G) Grant  
Decision Date: 5-26-2022

IT IS ORDERED that the motion of the Wisconsin Civil Justice Council, Inc., is granted, and the brief submitted with the motion is accepted as filed; and,

IT IS FURTHER ORDERED that the motion of the Association of Health Information Outsourcing Services and the joint motion of the Wisconsin Association for Justice and the Wisconsin Defense Counsel are granted. Twenty-two copies of each non-party brief shall be filed on or before June 13, 2022.

Comment: Motion to File Amicus/Non-Party Brief (Association of Health Information Outsourcing Services)

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OCCD SC 05-24-2022

Reply Brief-Supreme Court

[Reply Brief-Supreme Court \(University of Wisconsin Hospitals and Clinics Authority\)](#)

Filed By: Daniel Manna

Comment: Cover Letter - Reply Brief-Supreme Court

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OCCD SC 05-23-2022

Letter/Correspondence

Comment: Cover Letter to MAM (Wisconsin Civil Justice Council, Inc.)

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OCCD SC 05-23-2022

Motion to File Amicus/Non-Party Brief

Filed By: Scott Rosenow

Submit Date: 5-23-2022

Decision: (G) Grant

Decision Date: 5-26-2022

IT IS ORDERED that the motion of the Wisconsin Civil Justice Council, Inc., is granted, and the brief submitted with the motion is accepted as filed; and,

IT IS FURTHER ORDERED that the motion of the Association of Health Information Outsourcing Services and the joint motion of the Wisconsin Association for Justice and the Wisconsin Defense Counsel are granted. Twenty-two copies of each non-party brief shall be filed on or before June 13, 2022.

Comment: Motion to File Amicus/Non-Party Brief (Wisconsin Civil Justice Council, Inc.)

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OCCD SC 05-20-2022

Letter/Correspondence

Comment: Cover Letter to MAM (Wisconsin Hospital Association, Inc. etc.)

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OCCD SC 05-20-2022

Motion to File Amicus/Non-Party Brief

Filed By: Sara MacCarthy

Submit Date: 5-20-2022

Decision: (G) Grant

Decision Date: 5-23-2022

IT IS ORDERED that the motion is granted. Twenty-two copies of the brief shall be filed on or before June 13, 2022.

Comment: Motion to File Amicus/Non-Party Brief (Wisconsin Hospital Association, Inc., Wisconsin Medical Society, Inc., Wisconsin Dental Association, Inc., LeadingAge Wisconsin, Inc., Rural Wisconsin Health Cooperative, Wisconsin Health Care Association/Wisconsin Center for Assisted Living, Wisconsin Health Information Association, Inc.)

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OCCD SC 05-10-2022

Response Brief-Supreme Court

[Response Brief-Supreme Court \(Beatriz Banuelos\)](#)

Filed By: Jesse Blocher

Comment: Cover Letter - Response Brief-Supreme Court

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OCCD SC 04-20-2022

Letter/Correspondence

Comment: Cover Letter to First Brief-Supreme Court (University of Wisconsin Hospitals and Clinics Authority)

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OCCD SC 04-20-2022

First Brief-Supreme Court

[First Brief-Supreme Court \(University of Wisconsin Hospitals and Clinics Authority\)](#)

Filed By: Daniel Manna

Comment: Separate appendix.

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OCCD SC 03-21-2022

Court Changed to Supreme Court

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OCCD CA 11-12-2021

Final Publication

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OCCD SC 11-12-2021

Motion to File Amicus/Non-Party Brief

Filed By: Matthew Splitek

Submit Date: 11-12-2021

Decision: (D) Deny

Decision Date: 12-15-2021

IT IS ORDERED that the motion is denied.

Comment: Aurora Health Care, Inc. Motion to File Amicus/Non-Party Brief (Aurora Health Care, Inc.)

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OCCD CA 11-12-2021

Brief of Amicus Curiae

[Brief of Amicus Curiae \(The Wisconsin Hospital Association, Inc., etc.\)](#)

Filed By: Sara MacCarthy

Comment: The Wisconsin Hospital Association, Inc., etc. Brief of Amicus Curiae Brief of Amicus Curiae

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OCCD SC 11-11-2021

Motion to File Amicus/Non-Party Brief

Filed By: Sara MacCarthy

Submit Date: 11-11-2021

Decision: (G) Grant

Decision Date: 11-12-2021

IT IS ORDERED that the motion is granted, and the accompanying proposed non-party brief amici curiae is accepted for filing.

Comment: The Wisconsin Hospital Association, Inc., etc. 11-12-2021 Order

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OCCD SC 10-29-2021

Petition for Review

[Response to Petition for Review](#)

[Petition for Review](#)

Filed By: Daniel Manna

Submit Date: 11-10-2021

Decision: (G) Grant

Decision Date: 3-21-2022

IT IS ORDERED that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6),

the defendant-respondent-petitioner 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 defendant-respondent-petitioner must file a brief in this court; that within 20 days of filing the plaintiff-appellant, Beatriz Banuelos, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the plaintiff-appellant, within 10 days of filing the defendant-respondent-petitioner 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, in connection with the granting of  
Comment: Cover Letter - Petition for Review

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OCCD	SC	10-29-2021	Fee Paid
Comment: Receipt No: 21R 002495			

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OCCD	CA	10-27-2021	Cites
399 Wis. 2d 568			

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OCCD	CA	10-27-2021	Cites
966 N.W.2d 78			

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OCCD	CA	10-27-2021	Opinion Ordered Published
Comment: Opinion Ordered Published Opinion Ordered Published			

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OCCD	CA	10-27-2021	Public Domain Citation
Comment: PDC No: 2021 WI App 70			

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OCCD	CA	09-30-2021	<a href="#">Opinion/Decision</a>
Judge Panel: Kloppenburg, Blanchard, Nashold			
Opinion: Opinion			
Decision: Reversed and remanded Pages: 23			
Written by: Kloppenburg, JoAnne F.			
Order Text: Order reversed and cause remanded for further proceedings.			

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OCCD	CA	04-14-2021	Letter/Correspondence
Comment: From Attorney Daniel Manna; Response to 4/8 Response to additional authorities			

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OCCD	CA	04-08-2021	Letter/Correspondence
Comment: From Attorney Corey Lorenz; Response to additional authorities			

OCCD CA	04-02-2021	Additional Authorities Comment: From Attorney Daniel Manna; Additional Authorities
OCCD CA	03-01-2021	Motion to Correct/Supplement Record Filed By: Daniel Manna Submit Date: 3-2-2021 Decision: (D) Deny Decision Date: 3-3-2021 IT IS ORDERED that the motion to supplement the record is denied.
OCCD CA	02-18-2021	Briefs Received At State Law Library
OCCD CA	02-18-2021	Submitted on Briefs
OCCD CA	02-03-2021	Record and Briefs Sent to District 4
OCCD CA	02-02-2021	Certificate of Filing by Mail Comment: Amicus brief from Wisconsin Association for Justice 10 copies mailed 01-27-2021 Certificate of Filing by Mail
OCCD CA	02-02-2021	Brief of Amicus Curiae <a href="#">Brief of Amicua Curiae (Wisconsin Association for Justice)</a>
OCCD CA	01-15-2021	Briefs Received At State Law Library
OCCD CA	01-07-2021	Motion to File Amicus/Non-Party Brief Filed By: Sara MacCarthy Submit Date: 1-8-2021 Decision: (D) Deny Decision Date: 1-14-2021 IT IS ORDERED that the Wisconsin Hospital Association's motion to file an amicus brief is denied as untimely. Comment: Wisconsin Hospital Association
OCCD CA	12-22-2020	Certificate of Filing by Mail Comment: Reply brief 10 copies mailed 12-21-2020 (IB)
OCCD CA	12-22-2020	Reply Brief <a href="#">Reply Brief</a>  Filed By: Jesse Blocher  Comment: Note that the appeal number has been corrected on all briefs. Please use this number on all future correspondence.
OCCD CA	12-21-2020	Motion to File Amicus/Non-Party Brief

Filed By: Brett Eckstein  
Submit Date: 12-22-2020  
Decision: (G) Grant  
Decision Date: 12-28-2020

IT IS ORDERED that the motion to file a brief amicus curiae is granted. The Wisconsin Association for Justice shall file its brief within thirty days of the date of this order.

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OCCD	CA	12-07-2020	Brief of Respondent(s) <a href="#">Brief of Respondent</a>
Comment: Separate appendix Filing Ack. - Brief of Respondent(s) Cover Letter - Brief of Respondent(s)			

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OCCD	CA	11-04-2020	Brief & Appx of Appellant(s) <a href="#">Brief of Appellant</a>
Filed By: Jesse Blocher			
Comment: Separate appendix. Note that the appeal number has been corrected on all briefs. Please use this number on all future correspondence. Ack. of Filing - Brief & Appx of Appellant(s) Cover Letter - Brief & Appx of Appellant(s)			

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OCCD	CA	10-22-2020	Case to proceed under RAP
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OCCD	CA	10-22-2020	Court Order
IT IS ORDERED that this appeal shall not be placed in the courts expedited appeals program.			

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OCCD	CA	10-20-2020	Other Papers
Comment: From Attorney Daniel Manna - Refusal to consent to placing appeal on expedited appeals calendar; Refusal to consent to expedited appeals calendar (DM)			

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OCCD	CA	10-14-2020	Record
Comment: 1-15 to 27-1, ELECTRONICALLY FILED			

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OCCD	CA	10-12-2020	Other Papers
Comment: From Attorney Jesse Blocher - Consent to placing appeal on expedited appeals calendar; Consent to expedited appeals calendar			

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OCCD	CA	09-24-2020	Notif. Sent-Filing of NAP & Ct. Record
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OCCD	CA	09-24-2020	Fee Paid
Comment: Receipt No: 20R 001888			

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OCCD	CA	09-24-2020	Docketing Statement Submitted
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OCCD	CA	09-24-2020	Notice of Appeal & Circuit Court Docket Entries
Comment: Transmittal - Notice of Appeal & Court Record (rescanned for clarity)			

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OCCD	CA	09-23-2020	Statement on Transcript
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Filed By: Jesse Blocher  
Status: Prev. Filed

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OCCD	CA	09-23-2020	Docketing Statement from Appellant
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OCCD	CA	09-18-2020	Notice of Appeal filed in Cir. Ct.
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OCCD	CA	09-11-2020	Order of Circuit Court
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