

# Wisconsin Supreme Court and Court of Appeals Case Access

## 5 Walworth, LLC v. Engerman Contracting, Inc.

### Appeal Number 2019AP001086

**CONSOLIDATED**  
Supreme Court

#### SUMMARY

<b>Short Caption</b>	<b>Status</b>	<b>Maintenance</b>
5 Walworth, LLC v. Engerman Contracting, Inc.	CL	
<b>Class</b>	<b>Court</b>	
Property Damage	Supreme Court	
<b>Disposition</b>	<b>County</b>	
Affirmed and remanded 06-20-2023	Walworth	

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#### Circuit Court Case Numbers

<b>Case Number</b>	<b>Circuit Court Judge</b>	<b>Responsible Circuit Court Judge</b>
2018CV000319	Johnson, Daniel S.	Johnson, Daniel S.

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#### Consolidated Case Numbers

<b>Case Number</b>	<b>Caption</b>	<b>Filing Date</b>
<a href="#">2019AP001085</a>	5 Walworth, LLC v. Engerman Contracting, Inc.	06-17-2019
<a href="#">2019AP001086</a>	5 Walworth, LLC v. Engerman Contracting, Inc.	06-17-2019

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#### Parties and Attorneys

<b>Side Party Name</b>	<b>Party Type(s)</b>	<b>Attorney(s)</b>	<b>Address</b>
1 5 Walworth, LLC	Plaintiff	Clark, James R.  Heinen, Gregory	777 E. Wisconsin Ave. Milwaukee, WI 53202-5300  777 E. Wisconsin Ave. Milwaukee, WI 53202-5306
2 Engerman Contracting, Inc.	Defendant Appellant	Gardiner, Thomas G.  Gleason, Richard C.	500 Commercial Ct., Ste. 300 Lake Geneva, WI 53147-4564  53 W. Jackson Blvd., Ste.

2	Downes Swimming Pool Co., Inc.	Defendant Third-Party Plaintiff	Carney, James A.  Dassow, Adam J.	950 Chicago, IL 60604 P.O. Box 2000 Janesville, WI 53547-2000  P.O. Box 2000 Janesville, WI 53547
2	West Bend Mutual Insurance Company	Defendant Respondent Petitioner	Koltz, Henry E.	2600 North Mayfair Road, Suite 1000 Milwaukee, WI 53226
2	The Cincinnati Insurance Company	Defendant Third-Party Plaintiff	Carney, James A.  Dassow, Adam J.	P.O. Box 2000 Janesville, WI 53547-2000  P.O. Box 2000 Janesville, WI 53547
2	General Casualty Company of Wisconsin	Defendant Respondent Petitioner	Johnson, Robert F.  LaFlamme, Eugene M.  Raines, Douglas M.  Kempowski, Jacob	411 E. Wisconsin Ave., Ste. 1000 Milwaukee, WI 53202 N19W24200 Riverwood Dr., Ste. 125 Waukesha, WI 53188 Suite 1100 511 North Broadway Milwaukee, WI 53202 N19W24200 Riverwood Dr., Ste. 125 Waukesha, WI 53188
3	Otto Jacobs Company, LLC	Third-Party Defendant	Grady, Lance S.  Halloin, Scott R.  Shadman Emerson, Sheila Lea	Ste. 200 N14 W23777 Stone Ridge Dr. Waukesha, WI 53188-1140 839 N. Jefferson St., Ste. 503 Milwaukee, WI 53202 839 N. Jefferson St., Ste. 503 Milwaukee, WI 53202
3	Acuity	Third-Party Defendant Petitioner	Mirabella, Joseph M.	Suite 410 311 E. Chicago Street Milwaukee, WI 53202

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## Interested Parties

Name	Address	Title	Comment
Friedman, James A.	P.O. Box 2719 One East Main Street, Suite 500 Madison, WI 53701-2719	Amicus	Wisconsin Insurance Alliance and American Property Casualty Insurance Association
Marcellis,	501 Wildwood Ridge	Amicus	Allied Construction Employers' Association ("ACEA")

Matthew L. Colgate, WI 53017

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## Citation Information

<b>Court</b>	<b>Volume</b>	<b>Publisher</b>	<b>Page</b>
CA	399	Wis. 2d	240
CA	963	N.W.2d	779
SC	408	Wis. 2d	39
SC	992	N.W.2d	31

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## Public Domain Citation Information

<b>Court</b>	<b>PDC</b>
CA	2021 WI App 51
SC	2023 WI 51

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