

# Wisconsin Supreme Court and Court of Appeals Case Access

**William C. McConkey v. J. B. Van Hollen**

**Appeal Number 2008AP001868**

Supreme Court

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	08-09-2010		Remittitur
OCCD	SC	06-30-2010		Published Opinion Citation 326 Wis. 2d 1
OCCD	SC	06-30-2010		Published Opinion Citation 783 N.W.2d 855
OCCD	SC	06-30-2010		<a href="#">Opinion/Decision</a> Judge Panel: Abrahamson, Bradley, Crooks, Prosser, Roggensack, Ziegler, Gableman Opinion: Opinion Decision: Affirmed Pages: 31 Written by: Gableman, Michael J. Order Text: The judgment and order of the circuit court are affirmed.
OCCD	SC	06-29-2010		Public Domain Citation Comment: PDC No: 2010 WI 57
OCCD	SC	11-03-2009		Oral Argument
OCCD	SC	11-02-2009		Briefs Received At State Law Library
OCCD	SC	10-29-2009		Brief of Amicus Curiae/Non-Party <a href="#">Brief of Amicus Curiae - Community Leaders</a> Filed By: Michael Dean
OCCD	SC	10-22-2009		Motion to File Amicus/Non-Party Brief Filed By: Michael Dean Submit Date: 10-26-2009 Decision: (G) Grant Decision Date: 10-29-2009 ORD that the motion is granted, and the non-party brief is accepted for filing.

Motion Response  
Filed By: Lester Pines  
Submit Date: 10-28-2009

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OCCD SC	10-06-2009	Briefs Received At State Law Library
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OCCD SC	10-01-2009	Certificate of Filing by Mail
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OCCD SC	09-30-2009	Brief of Amicus Curiae/Non-Party <a href="#">Brief of Amicus Curiae - League of Women Voters of Wisconsin Education Fund</a>
	Filed By: Sara Dill	

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OCCD SC	09-15-2009	Briefs Received At State Law Library
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OCCD SC	09-11-2009	Motion to File Amicus/Non-Party Brief
	Filed By: (O'Neill, Matthew)	
	Submit Date: 9-14-2009	
	Decision: (G) Grant	
	Decision Date: 9-16-2009	
	ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before September 30, 2009.	

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OCCD SC	09-11-2009	Attorney Change
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OCCD SC	09-11-2009	Other Brief-Supreme Court
	Filed By: Raymond Taffora	

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OCCD SC	09-09-2009	Brief of Amicus Curiae/Non-Party <a href="#">Brief of Amicus Curiae - Lambda Legal Defense and Education Fund, Inc., et al.</a>
	Filed By: Katherine Smith	

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OCCD SC	09-09-2009	Brief of Amicus Curiae/Non-Party <a href="#">Brief of Amicus Curiae - Wisconsin Family Council</a>
	Filed By: Samuel Taylor	

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OCCD SC	09-01-2009	Briefs Received At State Law Library
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OCCD SC	08-28-2009	Reply Brief-Supreme Court <a href="#">Combined Reply Brief-Supreme Court - Plaintiff-Appellant-Cross-Respondent William C. McConkey</a>
	Filed By: Tamara Packard	

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OCCD SC	08-27-2009	Motion to File Amicus/Non-Party Brief
	Filed By: William Conley	

Submit Date: 8-28-2009

Decision: (G) Grant

Decision Date: 9-9-2009

ORD that the motion filed by Wisconsin Family Council is granted. The brief is accepted for filing.

FRO that the motion filed by Lambda Legal Defense and Education Fund, Inc., Fair Wisconsin and ACLU of Wisconsin is granted. The brief is accepted for filing; an additional 12 copies of the brief must be filed with the clerk of this court no later than Friday, September 18, 2009.

FRO that the motions for admission of James A. Campbell and Brian W. Raum of Alliance Defense Fund pro hac vice are 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.

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OCCD SC 08-27-2009 Motion for Pro Hac Vice Admission

Filed By: Samuel Taylor

Submit Date: 8-28-2009

Decision: (G) Grant

Decision Date: 9-9-2009

ORD that the motion filed by Wisconsin Family Council is granted. The brief is accepted for filing.

FRO that the motion filed by Lambda Legal Defense and Education Fund, Inc., Fair Wisconsin and ACLU of Wisconsin is granted. The brief is accepted for filing; an additional 12 copies of the brief must be filed with the clerk of this court no later than Friday, September 18, 2009.

FRO that the motions for admission of James A. Campbell and Brian W. Raum of Alliance Defense Fund pro hac vice are 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.

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OCCD SC 08-27-2009 Motion to File Amicus/Non-Party Brief

Filed By: Samuel Taylor

Submit Date: 8-28-2009

Decision: (G) Grant

Decision Date: 9-9-2009

ORD that the motion filed by Wisconsin Family Council is granted. The brief is accepted for filing.

FRO that the motion filed by Lambda Legal Defense and Education Fund, Inc., Fair Wisconsin and ACLU of Wisconsin is granted. The brief is accepted for filing; an additional 12 copies of the brief must be filed with the clerk of this court no later than Friday, September 18, 2009.

FRO that the motions for admission of James A. Campbell and Brian W. Raum of Alliance Defense Fund pro hac vice are 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.

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OCCD SC 08-25-2009 Briefs Received At State Law Library

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OCCD SC 08-24-2009 Response

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OCCD SC 08-18-2009 Assigned for Oral Argument

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OCCD SC 08-13-2009 Response Brief-Supreme Court  
[Response Brief - Supreme Court \(Combined Brief of Defendant-Respondent-Cross Appellant\)](#)

Filed By: Lewis Beilin

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OCCD SC 07-08-2009 First Brief-Supreme Court  
[First Brief-Supreme Court](#)

Filed By: Tamara Packard

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OCCD SC 05-22-2009 Motion for Miscellaneous Relief

Filed By: Lester Pines  
Submit Date: 5-26-2009  
Decision: (O) Other  
Decision Date: 5-27-2009

ORD that the motion is granted in part. The briefing schedule to be followed in this case shall be modified as follows: (1) Plaintiff-appellant-cross-respondent shall serve and file his opening brief or a statement that no brief will be filed on or before July 8, 2009. (2) Defendant-respondent-cross-appellant shall serve and file his combined response brief on the appeal and opening brief on the cross-appeal or a statement that no brief will be filed on or before August 13, 2009; (3)

Plaintiff-appellant-cross-respondent shall serve and file his combined reply brief on the appeal and response brief on the cross-appeal or a statement that no brief will be filed on or before August 28, 2009; (4) Defendant-respondent-cross-appellant shall serve and file his reply brief on the cross-appeal or a statement that no brief will be filed on or before September 12, 2009.

FRO that all other provisions of the court's order of May 12, 2009, except for the provision regarding the timing of briefs in this court, shall remain in effect.

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OCCD SC 05-12-2009 Court Changed to Supreme Court

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OCCD CA 05-12-2009 Hold Status

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OCCD SC 04-10-2009 Letter/Correspondence

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OCCD SC 04-09-2009 Certification

Filed By: Unassigned District 4  
Submit Date: 4-9-2009  
Decision: (G) Grant  
Decision Date: 5-12-2009

ORD the certification is granted and the appeal is accepted for consideration of all issues raised before the court of appeals. When this court grants direct review upon certification, it acquires jurisdiction of the case, Wis. Const. art. VII, secs. 3(3), that is, the entire appeal, which includes all issues, not merely the issues certified or the issue for which the court accepts the certification. Further, the court has jurisdiction over issues not certified because the court may review an issue directly on its own motion.

FRO that within 30 days after the date of this order the appellant must file either a brief in this court or a statement that no brief will be filed; that within 20 days of filing, the respondent must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the respondent, within 10 days of filing, the appellant must file either a reply brief or a statement that no reply brief will be filed; and

FRO that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief; instead, any material upon which there is reliance should be restated in the brief filed in this court; and

FRO that in the event any party elects not to file a brief in this court, the briefs previously submitted by that party to the court of appeals shall stand as that party's brief in the Supreme Court; and

FRO that within the time period established for the filing of briefs, each party must provide the clerk of this court with copies of the briefs previously filed on behalf of that party in the court of appeals. If a party elects to file a new brief(s), 10 copies of their court of appeals brief(s) must be provided. If a party elects to stand on their court of appeals brief(s), 17 copies of each of their court of appeals brief(s) must be provided.

FRO that the parties shall be notified of the date and time for oral argument in this appeal in due course. See DEC event filed on 4-9-2009

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OCCD CA 04-09-2009 [Opinion/Decision](#)

Judge Panel: Dykman, Higginbotham, Lundsten

Opinion: Certification

Decision: Certification Filed Pages: 7

Order Text: Whether Article XIII, Section 13 of the Wisconsin Constitution, commonly known as the marriage amendment, was enacted in violation of the single-subject rule set forth in Article XII, Section 1 of the Wisconsin Constitution; whether a voter who would have voted the same way on each of two propositions included in a single-ballot referendum can claim to have personally suffered a direct injury by an alleged violation of the single-subject rule.

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OCCD CA	03-06-2009	Submitted on Briefs
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OCCD CA	02-16-2009	Briefs Received At State Law Library
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OCCD CA	01-28-2009	Record and Briefs Sent to District 4
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OCCD CA	01-27-2009	Cross-Reply Brief <a href="#">Cross-Reply Brief</a>
	Filed By: Lewis Beilin	

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OCCD CA	01-12-2009	Combined Brief of Appellant and Cross-Respondent <a href="#">Reply and Cross-Respondent's Brief</a>
	Filed By: Lester Pines	

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OCCD CA	12-29-2008	Brief of Amicus Curiae/Non-Party <a href="#">Brief of Amicus Curiae</a>
	Filed By: Amy Salberg	

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OCCD CA	12-22-2008	Motion to File Amicus/Non-Party Brief
	Filed By: Amy Salberg	
	Submit Date: 12-23-2008	
	Decision: (G) Grant	
	Decision Date: 12-29-2008	
	ORD that the Wisconsin Family Council may file a nonparty brief.	

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OCCD CA	12-12-2008	Brief of Respondent and Cross-Appellant <a href="#">Brief of Respondent and Cross-Appellant</a>
	Filed By: Lewis Beilin	

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OCCD CA	11-12-2008	Brief & Appendix of Appellant(s) <a href="#">Brief of Appellant(s)</a>
	Filed By: Lester Pines	

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OCCD CA	10-09-2008	Motion to Extend Time
	Filed By: Lester Pines	
	Submit Date: 10-9-2008	
	Decision: (G) Grant	
	Decision Date: 10-15-2008	
	ORD that the deadline to file the appellant-cross-respondent's brief is extended until November 17,	

2008.  
See BAP event due on 11-17-2008

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OCCD CA	09-10-2008	Record
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OCCD CA	09-08-2008	Attorney Change
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OCCD CA	08-19-2008	Statement on Transcript
	Filed By: Thomas Balistreri	
	Status: Prev. Filed	

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OCCD CA	08-11-2008	Notif Sent-Filing of Cross Appeal/Ct Rec
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OCCD CA	08-11-2008	Notice of Cross Appeal & Court Docket Entries
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OCCD CA	08-11-2008	Notice of Reporter RE: Filing of Transcript(s)
	Court Reporter Name: (Pelletter, Sarah)	

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OCCD CA	08-07-2008	Cross Appeal Filed in Circuit Court
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OCCD CA	08-07-2008	Statement on Transcript
	Filed By: Lester Pines	
	Status: Ordered	

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OCCD CA	08-06-2008	Transcript filed in Circuit Court
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OCCD CA	08-06-2008	Docketing Statement from Cross-Appellant
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OCCD CA	08-06-2008	Case to Proceed Under Regular Briefing Schedule
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OCCD CA	07-30-2008	Docketing Statement Submitted
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OCCD CA	07-30-2008	Fee Paid
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OCCD CA	07-29-2008	Notif. Sent-Filing of NAP & Ct. Record
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OCCD CA	07-29-2008	Notice of Appeal & Circuit Court Docket Entries
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OCCD CA	07-24-2008	Notice of Appeal filed in Circuit Court
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OCCD CA	07-24-2008	Docketing Statement from Appellant
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OCCD CA	06-09-2008	Order of Circuit Court
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OCCD CA 12-21-2007

Order of Circuit Court

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