

No. 98-2643

STATE OF WISCONSIN

IN COURT OF APPEALS  
DISTRICT IV

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STEPHEN V. HANNIGAN,

FILED

PLAINTIFF-APPELLANT,

September 13, 1999

v.

CLERK OF  
COURT OF APPEALS  
OF WISCONSIN

LIBERTY MUTUAL INSURANCE COMPANY, RELIANCE  
NATIONAL INSURANCE COMPANY, BORGELT, POWELL,  
PETERSON & FRAUEN, S.C., A WISCONSIN SERVICE  
CORPORATION, ERIC B. JENSEN AND VIRGINIA NEWCOMB,

DEFENDANTS-RESPONDENTS.

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**ERRATA SHEET**

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PLEASE TAKE NOTICE that the attached page 33 is to be substituted for page 33 in the above-captioned opinion which was released on August 26, 1999.

No. 98-2643

STATE OF WISCONSIN

IN COURT OF APPEALS  
DISTRICT IV

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STEPHEN V. HANNIGAN,

FILED

PLAINTIFF-APPELLANT,

August 30, 1999

v.

CLERK OF  
COURT OF APPEALS  
OF WISCONSIN

LIBERTY MUTUAL INSURANCE COMPANY, RELIANCE  
NATIONAL INSURANCE COMPANY, BORGELT, POWELL,  
PETERSON & FRAUEN, S.C., A WISCONSIN SERVICE  
CORPORATION, ERIC B. JENSEN AND VIRGINIA NEWCOMB,

DEFENDANTS-RESPONDENTS.

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PLEASE TAKE NOTICE that the attached pages 1 and 33 are to be substituted for pages 1 and 33 in the above-captioned opinion which was released on August 26, 1999.

**COURT OF APPEALS  
DECISION  
DATED AND FILED**

August 26, 1999

Marilyn L. Graves  
Clerk, Court of Appeals  
of Wisconsin

**NOTICE**

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See § 808.10 and RULE 809.62, STATS.

**No. 98-2643**

**STATE OF WISCONSIN**

**IN COURT OF APPEALS  
DISTRICT IV**

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**STEPHEN V. HANNIGAN,**

**PLAINTIFF-APPELLANT,**

**v.**

**LIBERTY MUTUAL INSURANCE COMPANY, RELIANCE  
NATIONAL INSURANCE COMPANY, BORGELT, POWELL,  
PETERSON & FRAUEN, S.C., A WISCONSIN SERVICE  
CORPORATION, ERIC B. JENSEN AND VIRGINIA  
NEWCOMB,**

**DEFENDANTS-RESPONDENTS.**

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APPEAL from a judgment of the circuit court for Dane County:  
RICHARD J. CALLAWAY, Judge. *Affirmed in part; reversed in part and cause  
remanded with directions.*

Before Dykman, P.J., Eich and Vergeront, JJ.

VERGERONT, J. Stephen Hannigan appeals a summary judgment dismissing his claims under §§ 146.81-84 and 51.30, STATS., regarding the

have also decided that the bringing of a personal injury lawsuit putting one's health in issue does not, in itself, mean that there can be no claim under § 895.80, STATS., with respect to one's health care or treatment records.<sup>1</sup>

We therefore reverse the court's determination regarding frivolousness, and remand for an evidentiary hearing and such other proceedings as the court may consider appropriate consistent with this opinion.

*By the Court.*—Judgment affirmed in part; reversed in part and cause remanded with directions.

Not recommended for publication in the official reports.

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<sup>1</sup> We do not decide whether there are other grounds for concluding that the claims had no reasonable basis in law or equity.