

SUPREME COURT OF WISCONSIN

CASE No.: 2012AP392

COMPLETE TITLE: State Farm Fire and Casualty Company,
 Plaintiff-Appellant,
 v.
 Hague Quality Water, International and The
 Cincinnati
 Insurance Company,
 Defendants-Respondents-Petitioners.

REVIEW OF A DECISION OF THE COURT OF APPEALS
 Reported at 345 Wis. 2d 741, 826 N.W.2d 412
 (Ct. App. 2013 - Published)
 PDC No: 2013 WI App 10

OPINION FILED: January 28, 2014
 SUBMITTED ON BRIEFS:
 ORAL ARGUMENT: January 14, 2014

SOURCE OF APPEAL:
 COURT: Circuit
 COUNTY: Sheboygan
 JUDGE: James J. Bolgert

JUSTICES:
 CONCURRED:
 DISSENTED:
 NOT PARTICIPATING: PROSSER, J., did not participate.

ATTORNEYS:
 For the defendants-respondents-petitioners, there were
 briefs by *Jason P. Gehring* and *Kasdorf, Lewis & Swietlik, S.C.*,
 Milwaukee, and oral argument by *Jason P. Gehring*.

For the plaintiff-appellant, there was a brief by *Charles
 W. Kramer* and *Monte E. Weiss* and *Weiss Law Office, S.C.*, Mequon,
 and oral argument by *Charles W. Kramer*.

NOTICE

This opinion is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 2012AP392
(L.C. No. 2010CV1276)

STATE OF WISCONSIN : IN SUPREME COURT

State Farm Fire and Casualty Company,

Plaintiff-Appellant,

v.

**Hague Quality Water, International and The
Cincinnati**

Insurance Company,

Defendants-Respondents-Petitioners.

FILED

JAN 28, 2014

Diane M. Fremgen
Clerk of Supreme Court

REVIEW of a decision of the Court of Appeals. *Affirmed.*

¶1 PER CURIAM. The court is equally divided on the question of whether the decision of the court of appeals, State Farm Fire & Cas. Co. v. Hague Quality Water, Int'l, 2013 WI App 10, 345 Wis. 2d 741, 826 N.W.2d 412, which reversed the Sheboygan County Circuit Court,¹ should be affirmed or reversed. Chief Justice Shirley S. Abrahamson, Justice Ann Walsh Bradley,

¹ The Honorable James J. Bolgert, presiding.

and Justice N. Patrick Crooks would affirm. Justice Patience Drake Roggensack, Justice Annette K. Ziegler, and Justice Michael J. Gableman would reverse. Justice David T. Prosser did not participate.

¶2 Accordingly, the decision of the court of appeals is affirmed.

