



OFFICE OF THE CLERK

Supreme Court of Wisconsin

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December 21, 2021

To:

Hon. Keith A. Mehn
Circuit Court Judge
613 Dodge St
Kewaunee, WI 54216

Connie Defere
Clerk of Circuit Court
Door County Justice Center
1205 S. Duluth Ave.
Sturgeon Bay, WI 54235

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You are hereby notified that the Court, by its Clerk and Commissioners, has entered the following order:

No. 2020AP1942

Nordstrom v. Kane L.C. #2019CV132

The court is in receipt of a petition for review filed on behalf of defendants-appellants-petitioners, Steven G. Kane, Jacqueline Kane, and Cottage Row Properties, LLC, by Attorneys Jon R. Pinkert and Tyler D. Puff, and a response to the petition for review filed on behalf of plaintiff-respondents, Stephan B. Nordstrom, et al., by Attorneys Adam E. Witkov and Thomas O. Gartner.

The hard copy of the response to the petition for review contains printed words that say it was "electronically signed" by Attorney Witkov, but it lacks a handwritten signature. See "In re Interim Court Rule Governing Electronic Filing in the Supreme Court," S. Ct. Order 19-02A and 20-07A, 2021 WI 62 (issued June 15, 2021, eff. July 1, 2021), Revised Interim Rule at 6 ("Handwritten signatures must be used to sign paper documents. See former § 802.05(1).").

Wisconsin Stat. § 802.05(1) provides: "An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the attorney or party." See also § (Rule) 809.84 (stating that appeals are governed by the rules of civil procedure

Page 2

December 21, 2021

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unless the appellate rules or the circumstances of the appeal require a different result). It appears that the clerk of this court contacted Attorney Witkov regarding the signature error, and a faxed copy of Attorney Witkov's signature was received in response to that communication, but faxed copies of original signatures are not sufficient. An original handwritten signature of a licensed attorney is required. No response to the petition for review bearing an attorney's original handwritten signature has been received.

By this order, Attorneys Witkov and Gartner are hereby notified that a handwritten signature is required on the response to the petition for review.

IT IS ORDERED that Attorneys Adam E. Witkov and/or Thomas G. Gartner, within fourteen calendar days of the date of this order: (1) file the response to the petition for review with an original signature; (2) file an electronic version of the response bearing the handwritten signature; and (3) serve one copy of the response bearing the handwritten signature on opposing counsel. Failure to comply with these directives may result in the striking of the response to the petition for review. See Wis. Stat. § (Rule) 809.83.

Sheila T. Reiff
Clerk of Supreme Court