



OFFICE OF THE CLERK
Supreme Court of Wisconsin
110 EAST MAIN STREET, SUITE 215
P.O. Box 1688
MADISON, WI 53701-1688

TELEPHONE (608) 266-1880
FACSIMILE (608) 267-0640
Web Site: www.wicourts.gov

January 12, 2022

To:

Hon. Daniel Steven Johnson
Circuit Court Judge
Walworth County Courthouse
P.O. Box 1001
Elkhorn, WI 53121-1001

Kristina Secord
Clerk of Circuit Court
Walworth County Courthouse
P.O. Box 1001
Elkhorn, WI 53121-1001

James A. Carney
Adam J. Dassow
Carney Thorpe, LLC
P.O. Box 2000
Janesville, WI 53547-2000

James R. Clark
Gregory Heinen
Foley & Lardner, LLP
777 E. Wisconsin Ave.
Milwaukee, WI 53202-5300

*Address list continued on Page 2.

You are hereby notified that the Court has entered the following order:

Nos. 2019AP1085 & 5 Walworth v. Engerman Contracting, LLC, L.C.#2018CV319
2019AP1086

The court having considered separate petitions for review pursuant to Wis. Stat. § 808.10 filed on behalf of: (1) defendant-respondent-petitioner, General Casualty Company of Wisconsin; (2) defendant-respondent-petitioner, West Bend Mutual Insurance Company; and (3) third-party defendant-respondent-petitioner, Acuity, a Mutual Insurance Company, and considered by this court;

IT IS ORDERED that all three petitions for review are granted; and

IT IS FURTHER ORDERED that the following briefing schedule be followed in this case:

(1) All petitioners shall serve and file their respective briefs in this court within 30 days of the date of this order;

Page 2

January 12, 2022

Nos. 2019AP1085 & 5 Walworth v. Engerman Contracting, LLC, L.C.#2018CV319
2019AP1086

- (2) Respondents, third-party defendant-appellant, Otto Jacobs Company, and defendant-appellant, Engerman Contracting, Inc., shall within 20 days thereafter serve and file their responses to the petitioners' briefs;
- (3) Petitioners shall within 10 days thereafter serve and file their reply, if any, to the other parties' responses to their brief as petitioner or file a statement that no brief will be filed; and

IT IS FURTHER ORDERED that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and

IT IS FURTHER ORDERED that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and

IT IS FURTHER ORDERED that, if a party has not previously filed an electronic copy of the briefs filed on behalf of that party in the court of appeals, the party, within 30 days after the date of this order, must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; but if the party has already filed an electronic copy of such briefs, then there is no obligation to provide additional copies of those briefs to the clerk of this court; and

IT IS FURTHER ORDERED that the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.

Sheila T. Reiff
Clerk of Supreme Court

Page 3

January 12, 2022

Nos. 2019AP1085 & 5 Walworth v. Engerman Contracting, LLC, L.C.#2018CV319
2019AP1086

Address list continued:

Thomas G. Gardiner
Gardiner Koch Weisberg & Wrona
500 Commercial Ct., Ste. 300
Lake Geneva, WI 53147-4564

Richard C. Gleason
Gardiner Koch Weisberg & Wrona
53 W. Jackson Blvd., Ste. 950
Chicago, IL 60604

Scott R. Halloin
Sheila Lea Shadman Emerson
Halloin Law Group, S.C.
839 N. Jefferson St., Ste. 503
Milwaukee, WI 53202

Jacob Kempowski
Eugene M. LaFlamme
McCoy Leavitt Laskey, LLC
N19W24200 Riverwood Dr., Ste. 125
Waukesha, WI 53188

Henry E. Koltz
Eric S. Darling
Schmidt, Darling & Erwin
2600 N. Mayfair Road, Ste. 1000
Milwaukee, WI 53226-1309

Joseph M. Mirabella
Simpson & Deardorff S.C.
P.O. Box 2183
Milwaukee, WI 53201

Robert F. Johnson
Douglas M. Raines
von Briesen & Roper, S.C.
411 E. Wisconsin Ave., Ste. 1000
Milwaukee, WI 53202-4427