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Supreme Court of Wisconsin

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January 12, 2022

To:

Hon. Daniel Steven Johnson
Circuit Court Judge
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*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;

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- (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

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