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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

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12-04-2024
CLERK OF WISCONSIN
SUPREME COURT

December 4, 2024

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

No. 2022AP718

WMC, Inc. v. Wisconsin DNR, L.C.#2021CV342

The court having considered the motion of Citizens for a Clean Wausau, Clean Water Action Council of Northeast Wisconsin, River Alliance of Wisconsin, Wisconsin Environmental Health Network, and Doug Oitzinger for leave to file non-party brief amicus curiae;

IT IS ORDERED that the motion is granted and the brief submitted with the motion is accepted as filed.

ANN WALSH BRADLEY, J., with whom ANNETTE KINGSLAND ZIEGLER, C.J., and REBECCA GRASSL BRADLEY, J., join (*dissenting*). The amicus brief is a matter of judicial grace, see Wis. Stat. § (rule) 809.19(7) (allowing nonparties to file a brief only with permission of the court), and we generally do not allow the participation of individuals as amici. Mr. Oitzinger submits that he is not before us in his individual capacity. Rather, he is here as a member of the Marinette city council, representing his constituents who are interested in or may be affected by a decision in this case. I determine that is not a sufficient basis upon which to grant amicus participation.

Samuel A. Christensen
Clerk of Supreme Court

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Distribution List Continued:

Gabe Johnson-Karp
Electronic Notice

Charlotte Gibson
Electronic Notice

Scott E. Rosenow
Electronic Notice

Daniel Gustafson
Robert David Lee
Midwest Environmental Advocates Inc.
634 W. Main St., Ste. 201
Madison, WI 53703-2697

Joshua Taggatz
Electronic Notice

Lucas Thomas Vebber
Electronic Notice

Douglas M. Poland
Stafford Rosenbaum LLP
P.O. Box 1784
Madison, WI 53701-1784

Colin Thomas Roth
Electronic Notice

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