



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

FILED
06-30-2025
CLERK OF WISCONSIN
SUPREME COURT

June 30, 2025

To:

Hon. Kashoua Kristy Yang
Circuit Court Judge
Electronic Notice

Ashley Anne Brown
Electronic Notice

Anna Hodges
Clerk of Circuit Court
Milwaukee County Appeals Processing
Division
Electronic Notice

Bradley S. Foley
Electronic Notice

Elizabeth Fors
Electronic Notice

*Distribution List Cont. on Page 2

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

No. 2024AP126

Wren v. Columbia St. Mary's Hospital Milwaukee, Inc.,
L.C.#2023CF4960

A petition for review pursuant to Wis. Stat. § 808.10 having been filed on behalf of defendants-respondents-petitioners, Columbia St. Mary's Hospital Milwaukee, Inc. et al., and considered by this court;

IT IS ORDERED that the petition for review is granted and that pursuant to Wis. Stat. § (Rule) 809.62(6), the defendants-respondents-petitioners may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court. We note that on pages 10-11 of their response to the petition for review,¹ plaintiffs-appellants-respondents, Savannah Wren et al., asserted that the statute at issue in this case, Wis. Stat. § 895.4801, violates certain constitutional provisions in addition to the sole provision discussed by the court of appeals, Wis. Const. art. I, § 5 ("Trial by jury"). Although it was permissible for plaintiffs-appellants-respondents to assert these alternative grounds for affirmance of the court of appeals' decision, see § (Rule) 809.62(3)(d), the parties are advised that the court's review of the constitutionality of § 895.4801 will be limited in this case to a review of its compliance with Wis. Const. art. I, § 5; and

¹ This citation is to the electronic filing page numbers in the response to the petition for review. See Wis. Stat. § (Rule) 809.19(8)(bm) (addressing pagination of appellate filings).

Page 2
June 30, 2025
No. 2024AP126

Wren v. Columbia St. Mary's Hospital Milwaukee, Inc.,
L.C.#2023CF4960

IT IS FURTHER ORDERED that pursuant to Wis. Stat. §§ (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the defendants-respondents-petitioners must file a brief in this court; that within 20 days of filing the plaintiffs-appellants-respondents must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the plaintiffs-appellants-respondents, within 10 days of filing the defendants-respondents-petitioners must file either a reply brief or a statement that no reply 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 the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.

Samuel A. Christensen
Clerk of Supreme Court

Distribution List Continued:

Bradley S. Foley
Electronic Notice

Patrick O'Neill III
Electronic Notice

Elizabeth Fors
Electronic Notice

Peter A. Schmit
Electronic Notice

Jason J. Franckowiak
Electronic Notice

Mark A. Solheim
Electronic Notice

Sean M. Gaynor
Electronic Notice

Morgan Voight
Electronic Notice

Mark E. Larson
Electronic Notice

Edward E. Robinson
Cannon & Dunphy, S.C.
595 N. Barker Road
P.O. Box 1750
Brookfield, WI 53008-1750

Eric J. Magnuson
Robins Kaplan LLP
800 Lasalle Ave., Suite 2800
Minneapolis, MN 55402

James D. Rogers
Wisconsin Association for Justice
10 W. Mifflin St. 201
Madison, WI 53703

Kevin T. McCarthy
Electronic Notice