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December 21, 2011

VIA FACSIMILE

(608) 267-0640

Clerk of Court

Wisconsin Court of Appeals/Supreme Court

110 East Main Street - Suite 215

P. O. Box 1688

Madison, WI 53701-1688

RECEIVED

DEC 21 2011

CLERK OF SUPREME COURT
OF WISCONSIN

Re: *Dennis Clinard et al. v. Michael Brennan et al.*
Appeal Number 2011AP002677 – OA.

Dear Clerk:

Enclosed for filing, please find the Intervenors' Motion for Recusal or Disqualification.

By copy of this letter, all counsel of record is being provided with copies of the same.

Thank you for your attention to this matter.

Very truly yours,

FRIEBERT, FINERTY & ST. JOHN, S.C.

Jeremy P. Levinson
jpl@ffsj.com

JPL/ier
Attachment

- cc: Maria S. Lazar, Esq. (w/encl.) – Via E-mail & U.S. Mail
- Michael D. Dean, Esq. (w/encl.) – Via E-mail & U.S. Mail
- Brady C. Williamson, Jr., Esq. (w/encl.) – Via E-mail & U.S. Mail
- Douglas M. Poland, Esq. (w/encl.) – Via E-mail & U.S. Mail
- Rebecca Kathryn Mason, Esq. (w/encl.) – Via E-mail & U.S. Mail

STATE OF WISCONSIN
SUPREME COURT

DENNIS CLINARD, ERIN M. DECKER,
LUONNE A. DUMAK, DAVID A. FOSS,
LaVONNE J. DERKSEN, PAMELA S. TRAVIS,
JAMES L. WEINER, JEFF L. WAKSMAN, and
KEVIN CRONIN,

Petitioners,

and

ALVIN BALDUS; CINDY BARBERA; CARLENE
BECHEN; ELVIRA BUMPUS; RONALD BIENDSEIL;
LESLIE W. DAVIS III; BRETT ECKSTEIN; GLORIA
ROGERS; RICHARD KRESBACH; ROCHELLE
MOORE; AMY RISSEEUW; JUDY ROBSON; JEANNE
SANCHEZ-BELL; CECELIA SCHLIEPP; TRAVIS
THYSSEN;

Involuntary Petitioners,

v,

MICHAEL BRENNAN, DAVID DEININGER, GERALD
NICHOL, THOMAS CANE, THOMAS BARLAND and
TIMOTHY VOCKE each in his official capacity as a
member
of the WISCONSIN GOVERNMENT
ACCOUNTABILITY
BOARD; and KEVIN KENNEDY, Director and General
Counsel for the Wisconsin Government Accountability
Board;

Respondents.

FILED
DEC 21 2011
CLERK OF SUPREME COURT
OF WISCONSIN

Case No. 2011AP00267 - OA

MOTION FOR RECUSAL OR DISQUALIFICATION

The Committee to Recall Wanggaard, Randolph Brandt, The Committee to Recall
Moulton, John Kidd, The Committee to Recall Senator Pam Galloway, Nancy Stencil, and Rita

Pachal ("Intervenors"), by their Attorney Jeremy P. Levinson, submit this motion and hereby request that the Honorable Michael Gableman recuse himself from sitting on this matter and all related matters, or be otherwise disqualified from doing so.¹

The Code of Judicial Conduct prohibits a judge from accepting a gift from lawyers or firms appearing or likely to appear before the judge. *See* SCR 60.05(4)(e). The comment to subsection (10) of this provision states:

Unless authorized by other provisions of sub. (4) (e), sub. (4)(e) 10 prohibits judges from accepting gifts, favors or loans from lawyers or their firms if they have come or are likely to come before the judge; it also prohibits gifts, favors or loans from clients of lawyers or their firms when the clients' interests have come or are likely to come before the judge. *See* sec. 19.43 et seq., Stats.

This motion is based on the appearance of impropriety caused by Justice Gableman's receipt of legal services from Michael Best & Friedrich ("MBF") free of charge. MBF defended Justice Gableman against charges that he violated the Code of Judicial Conduct, SCR Ch. 60, instituted by the Wisconsin Judicial Commission. *See Wisconsin Judicial Commission v. Michael J. Gableman*, 2008AP002458-J.

MBF initiated this proceeding and its companion case, No. 2011XX001409, triggering events that led to the recent disclosure that Justice Gableman received substantial services from MBF free of charge. These cases (i) seek to have the Court effectively block ongoing recall efforts against several Republican officials including the Governor and Lieutenant Governor and (ii) ask the Court to determine the validity of the controversial 2011 Redistricting Plan enacted along party lines by a bare Republican legislative majority, despite the fact that adjudication of the issue is well underway in federal court.

¹ Movants are intervenors in the above-captioned matter. They remain proposed intervenors in the companion case, No. 2011XX001409. This motion seeks Justice Gableman's recusal from both.

Had Justice Gableman disclosed the free services provided by MBF as the law required, it is self-evident he would have been compelled to recuse himself from this matter at the outset. MBF's withdrawal during the last days that Justice Gableman's receipt of free services remained concealed does not begin to cure the need for recusal.

As a separate matter, MBF initiated this proceeding and its companion case as one aspect of its lead role in the Republican Party of Wisconsin's legislative, redistricting, campaign, and recall strategies. This role also included representation of the Republican legislative leadership in connection with the drafting and passage of 2011 Wisconsin Act 43 – the Act at the center of this proceeding. The public record indicates that MBF served as counsel to the drafters of this legislation. Yet MBF initiated this and related proceedings specifically taking issue with the effective date provided for by the legislation. These facts will never change and it alone warrants recusal.

For these and other reasons, it is respectfully submitted that the law, the public interest, and the well-being of the Court as an institution require Justice Gableman's immediate recusal.

DISCUSSION

Immediately after MBF initiated this proceeding, questions were raised about whether it embodied a conflict of interest because the proceeding implicates Act 43, legislation regarding which MBF represented the Republican legislative leadership. Similar questions were raised about MBF's representation of Justice Gableman in defending himself against a Judicial Commission Complaint in Case No. 2008AP002458-J.

Last week, as a direct result of these proceedings, it was disclosed for the first time that Justice Gableman received MBF's legal services free of charge. Ex. 1. The value of these services is as yet undisclosed but is widely estimated to be at least several tens of thousands of

dollars. The revelation that Justice Gableman accepted free services (in connection with a judicial ethics case) worth at least tens of thousands of dollars from MBF, a hitherto undisclosed transaction, ignited a substantial public controversy. Ex. 2. Justice Gableman sat on cases in which MBF appeared or was otherwise involved after having accepted MBF's services free of charge – and after failing to disclose that he had done so.

Section 19.43, Wis. Stats., requires public officials, including Justice Gableman, to submit annual financial disclosure forms to the Government Accountability Board (“GAB”). During all possibly relevant years, the legally required disclosures specifically included “gifts.” Section 19.42(6), Wis. Stats., defines “gift” as “the payment or receipt of anything of value without valuable consideration.” Section 19.42(1), Wis. Stats., defines “Anything of value” as “any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment” (emphasis supplied).

While Justice Gableman submitted disclosure forms to GAB for each year between 2008 and the present, he never disclosed the free services he received from MBF, despite the legal requirement to do so. See Ex. 3. Had Justice Gableman disclosed this “gift,” it is inconceivable that he would not have had to recuse himself from participation in this case the moment it was filed.

Between the time the case and its companion case were filed and the revelation that Justice Gableman received substantial services from MBF free of charge, the law firm withdrew from this case and has at least taken steps to withdraw from its companion case.² Only Justice Gableman's failure to disclose what he received from MBF allowed him to participate long enough for the firm to withdraw. If Justice Gableman continues his participation in this case

² It appears the substitution has been effectively accomplished but the record is not entirely clear.

going forward, it could be justified only by his apparent failures to meet his legal obligations regarding financial disclosure. It is respectfully suggested that this requires immediate recusal.

Setting aside that Justice Gableman's participation only occurred by virtue of his apparent violations of Ch. 19, Wis. Stats., (ethics code), MBF's withdrawal cannot be seen as curing the need for recusal. While withdrawal of a firm may often make recusal unnecessary where the firm's presence creates a conflict of interest, real or perceived, for the judge, the extremely unique nature of this case and its companion, and the sheer power and seriousness of the facts that are suddenly at hand, makes MBF's withdrawal irrelevant. Recusal is still required.

The standard is whether well informed persons would reasonably question the judge's ability to be impartial. It is self-evidence that Justice Gableman's impartiality is reasonably open to question in this case, whether MBF remained or not.

Section 757.19(2)(g), Wis. Stats., states:

Any judge shall disqualify himself or herself from any civil or criminal action or proceeding when one of the following situations occurs:

...
(g) When a judge determines that, for any reason, he or she cannot, or it appears he or she cannot, act in an impartial manner.

SCR § 60.04(4)(a) states:

Except as provided in sub. (6) for waiver, a judge shall recuse himself or herself in a proceeding when the facts and circumstances the judge knows or reasonably should know establish one of the following or when reasonable, well-informed persons knowledgeable about judicial ethics standards and the justice system and aware of the facts and circumstances the judge knows or reasonably should know would reasonably question the judge's ability to be impartial:

(a) The judge has a personal bias or prejudice concerning a party or a party's lawyer or personal knowledge of disputed evidentiary facts concerning the proceeding.

MBF initiated this proceeding and its companion case as part of the firm's lead role in Republican legislative, redistricting, campaign, and recall-related strategies. This role includes assisting the Republican legislative leadership in drafting and enacting legislation (including Act 43, the legislation implicated in this proceeding), and litigation on behalf of Scott Walker's campaign committee and other Republican entities and allies. *See, e.g., Baldus et al. v. Brennan et al.*, 11-CV-00562-JPS-DPW-RMD (E.D. Wis.); *Friends of Scott Walker et al. v. Brennan et al.*, Waukesha County Circuit Court Case No. 2011CV4195.

While MBF has withdrawn from this matter and has at least taken steps to withdraw from the companion, recusal is still required:

- The only conceivable reason Justice Gableman did not recuse himself at the outset is that his receipt of free services from MBF had not been disclosed as required by law. The failure to meet the disclosure requirements of Chapter 19, Wis. Stats., cannot justify his continued participation and it almost certainly increases rather than cures the perception of partiality;
- At least two formal complaints have been instituted against Justice Gableman.³ It is apparent that, at a minimum, Justice Gableman faces inquiries and questions and possibly legal proceedings that directly and profoundly implicate his personal financial, political, and professional interests. Justice Gableman will be dealing with these matters while this matter proceeds simultaneously;
- This proceeding is inextricably tied to Act 43, the redistricting legislation that was drafted and enacted with MBF's direct involvement as counsel for the Act's proponents;
- MBF initiated this proceeding as part of a larger litigation strategy on behalf of the Republican Party and its incumbents and these proceedings remain a part of the larger partisan strategy on which MBF continues to work.

It is understood from the Court's recent decision in *State v. Henley*, 2011 WI 67, ___ Wis.2d ___, 802 N.W.2d 175 (on motion for reconsideration), that Justice Gableman alone is to decide whether recusal is warranted. For the reasons discussed herein, Justice Gableman should

³ See "Second Complaint Filed Against Justice Gableman," Jason Stein, MILWAUKEE JOURNAL SENTINEL (December 21, 2011) (<http://www.jsonline.com/blogs/news/135997763.html>).

promptly recuse himself. Acknowledging that *Henley* controls, it is respectfully suggested that it was wrongly decided if, under the present circumstance, the only process for resolving the recusal question begins and ends with Justice Gableman himself. If Justice Gableman declines to recuse himself, it is respectfully suggested that *Henley* should be revisited.

While no direct factual analogy is suggestive, the extraordinary facts at hand do implicate the constitutional principles discussed by the United States Supreme Court in *Caperton v. A.T. Massey Co., Inc.*, 129 S. Ct. 2252 (2009).

The proper constitutional inquiry is whether sitting on the case then before the Supreme Court of Alabama would offer a possible temptation to the average judge to lead him not to hold the balance nice, clear and true.

Id. at 2261 (quoting *Aetna Life Ins. Co. v. Lavoie*, 475 U.S. 813, 825 (1986)) (internal punctuation omitted).

The Court underscored that “what degree or kind of interest is sufficient to disqualify a judge from sitting cannot be defined with precision.” In the Court's view, however, it was important that the test have an objective component.

Id. (internal citation and punctuation omitted).

In defining these standards the Court has asked whether, under a realistic appraisal of psychological tendencies and human weakness, the interest poses such a risk of actual bias or prejudice that the practice must be forbidden if the guarantee of due process is to be adequately implemented.

Id. at 2263 (internal punctuation and citation omitted).

At a minimum, “reasonable, well-informed persons” familiar with the judicial ethics code and the justice system could question Justice Gableman’s “ability to be impartial” in this matter and its companion case. See SCR 60.04(4); see also § 757.19(2)(g), Wis. Stats. These cases (i) seek to have the Court effectively block ongoing recall efforts against several Republican

officials including the Governor and Lieutenant Governor and (ii) ask the Court to determine the validity of the controversial 2011 Redistricting Plan enacted along party lines by a bare Republican legislative majority, despite the fact that adjudication of the issue is well underway in federal court.

There are abundant reasons the Court should decline these requests. And Justice Gableman has put himself at the center of a constellation of profound and difficult facts and circumstances that compel him to refrain from participating in the Court's decision-making on these matters.

CONCLUSION

Based on the foregoing, Honorable Michael Gableman should recuse himself from sitting on this matter and all related matters, or be otherwise disqualified from doing so.

Dated this 21st day of December, 2011.

FRIEBERT, FINERTY & ST. JOHN, S.C.

By: _____


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State Bar No. 1026359
Joseph M. Peltz
State Bar No. 1061442

Attorneys for The Committee to Recall Wanggaard, Randolph Brandt, The Committee to Recall Moulton, John Kidd, The Committee to Recall Senator Pam Galloway, Nancy Stencil, and Rita Pachal

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December 12, 2011

Wisconsin Supreme Court Justices
16 East State Capital
Madison, WI 53703-1688

Dear Justices:

An article in the November 29, 2011 edition (attached) of the Milwaukee Journal Sentinel reported on matters concerning this Court and our representation of Justice Gableman. The article's description of the terms of this engagement was arguably incomplete or inaccurate.

Michael Best was engaged by Justice Gableman in July 2008. Our engagement provided that payment for attorneys fees would be contingent upon the recovery of fees pursuant to Wis. Stat. § 757.99. The prerequisite in that statute was not met, and thus, we made no application for fees. Thus, no bill for attorneys' fees was sent and none were paid. The engagement further provided that Justice Gableman would be responsible for all out of pocket disbursements incurred in connection with our representation. These charges were billed and paid in full by Justice Gableman.

Our representation of Justice Gableman ended in July of 2010.

We are providing a copy of this letter to all attorneys of record in cases now pending before this Court that Michael Best and Friedrich, LLP, attorneys have filed appearances.

Sincerely,

MICHAEL BEST & FRIEDRICH LLP

A handwritten signature in black ink, appearing to read "Jonathan H. Margolles".

Jonathan H. Margolles
General Counsel

JHM:lm

cc: David A. Krutz, Esq.

michaelbest.com



Milwaukee Journal Sentinel
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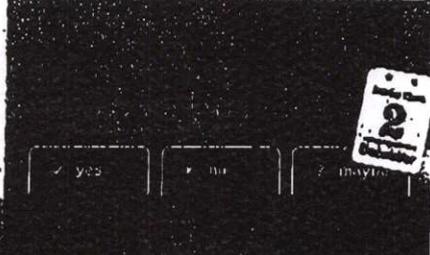
Tuesday
November 29, 2011

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RECALL ELECTIONS

Law firm at center of redistricting debate

Lawyers gave advice on law they are now suing over

By PATRICK MARLEY
pmarley@journal-sentinel.com

Madison — The law firm bringing a suit against the state's elections agency advised the Legislature on how to write the very law it is suing over.

Republican lawmakers hired Michael Best & Friedrich and the Troupis Law Office to help them draw new legislative maps this year and write legislation implementing those maps. Taxpayers paid the two firms \$400,000 for the work.

That law was explicit in saying the new maps would take effect for recall elections starting in the fall of 2012. "This act first applies, with respect

to special or recall elections, to offices filled or contested concurrently with the 2012 general election," it says.

That means any recall elections before then must be held in the old districts, according to the state Government Accountability Board, which runs state elections.

Please see REDISTRICTING, 5B

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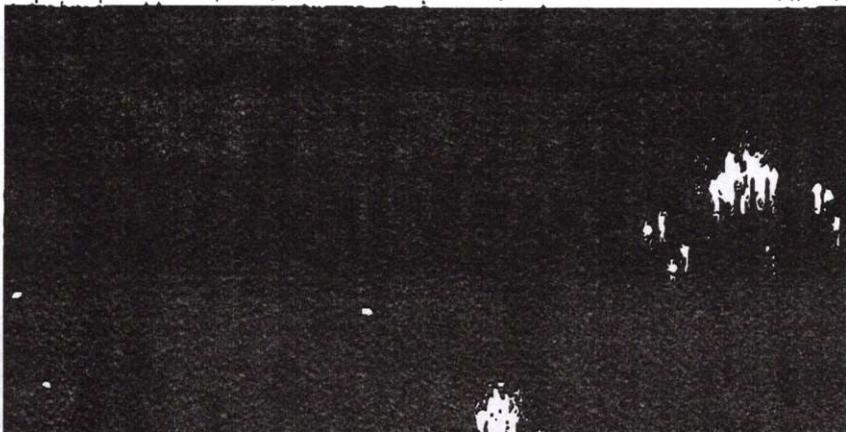
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ANE, 5B

GUESTS TO CITY'S BEST



Bonuses to offset pension costs

Reimbursements balance higher contributions

By LARRY SANDLER
lsandler@journal-sentinel.com

More than 200 employees at two quasi-independent Milwaukee city

Tuesday, November 29, 2011 5B

From page 1

REDISTRICTING

Lawyers advised on law suit targets

Now, Michael Best is representing a group of Republicans who have sued the accountability board, arguing any recall elections must be held using the new maps. The new maps favor Republicans.

Michael Best attorney Eric McLeod is representing the group and also advised lawmakers on redistricting. He declined to talk about discussions his firm might have had with lawmakers about what implementation date to include in the legislation.

"I can't comment on the legal advice we provided to our client," McLeod said.

While the law says the new maps are not to take effect for recalls until the fall of 2012, McLeod said the accountability board should have ordered that any new elections from now on be held in the new districts. That's because the old districts are no longer constitutional because some of them include significantly higher populations than others.

The group McLeod represents has asked the state Supreme Court to take up the case or appoint a panel of three county circuit judges to hear its case. The high court has not said what, if anything, it will do in the case.

Recusal issue?

McLeod defended Justice Michael Gableman, before the other state Supreme Court justices after the Wisconsin Judicial Commission alleged he had violated the state's ethics code for judges by lying in a 2008 campaign ad. The court split 3-3 in June 2010, and the case ended there with no agreement on whether Gableman lied or violated the ethics code.

McLeod said he did not believe his relationship with Gableman would require the justice to have to step aside in the case.

"I don't think my past representation of a justice would result in the need for recusal," he said, noting his work for him ended more than a year ago.

McLeod said Gableman had a standard billing agreement with the law firm and had paid that bill.

State ethics rules say judges must recuse themselves from cases in which a well-informed person might reasonably question their ability to be impartial.

Kalth Swisher, an assistant professor who teaches legal ethics at Phoenix School of Law in Arizona, said he believed that rule would require Gableman to step aside in this case because of the importance of the work McLeod did for Gableman. But he said deciding whether he should have to step down was a "close call" because some time had passed since he did the work.

"It's not a slam dunk one way or the other," he said. "To me, it raises a question about Gableman's ability to be impartial."

Monroe Freedman, an expert on judicial ethics at Hofstra Law School in New York, also said Gableman should step aside.

"I just don't understand why these lawyers put themselves, and more importantly the court, in this position," he said.

But other experts said they believed Gableman could participate in the case.

"I would not be particularly bothered by Gableman hearing this case," said James Sample, a Hofstra associate law professor who has criticized Gableman in the past over the ethics case. "The scope of any ruling on redistricting will dwarf what at best is a minor conflict."

Stephen Gillers, a New York University Law School professor, said he saw no need for Gableman to recuse himself because the case was more than a year old and Gableman had paid his bill for the work.



Justice Gableman not charged legal fees in ethics case

Justice's arrangement with firm raises questions about cases, ethics rules

By Patrick Marley of the Journal Sentinel

Dec. 15, 2011 | (162) Comments

Madison - State Supreme Court Justice Michael Gableman received free legal service worth thousands of dollars from one of Wisconsin's largest law firms as it defended him against an ethics charge, according to a letter released Thursday by the firm.

The state's ethics code says state officials cannot receive anything of value for free because of their position. And a separate ethics code specifically for judges says they cannot accept gifts from anyone who is likely to appear before them.

A former state ethics official on Thursday said authorities should thoroughly investigate how the deal between Gableman and attorney Eric McLeod of Michael Best & Friedrich worked because Gableman did not end up paying any attorneys fees.

"It seems to me that they have to investigate all the facts, and if the investigation discloses (McLeod) gave as a gift to Gableman counsel services, that is a problem," said Gordon Myse, a former member of the Government Accountability Board.

The accountability board oversees the state's general ethics code. Myse said the Wisconsin Judicial Commission, which enforces the judicial ethics code, should also look into the matter.

Michael Best has five cases currently before the Supreme Court. Gableman is participating in all of them. Gableman did not respond Thursday to a request for an interview.

In the 2008 campaign for the high court, Gableman ran an ad that said then-Justice Louis Butler "found a loophole" for an offender who "went on to molest another child." But it did not mention that Butler was unsuccessful in getting the offender out of prison early and that he committed the subsequent crime after serving his sentence.

After the election, the state Judicial Commission filed an ethics complaint against Gableman, alleging he violated a provision of the ethics code for judges that says judicial candidates cannot lie about their opponents.



The high court last year split 3-3 on whether Gableman in fact violated the judicial ethics code. The commission then stopped pursuing the case because of the impasse.

Gableman hired McLeod and Indiana attorney James Bopp to represent him.

McLeod recently told the Journal Sentinel that Gableman had a standard agreement with Michael Best and that Gableman had fulfilled his obligations with that agreement.

In a letter to the court this week responding to a story that mentioned that agreement, the firm more fully described the deal. Michael Best General Counsel Jonathan Margolies wrote that Gableman was required to pay his attorney fees under the arrangement only if he recovered those fees from the state. Since Gableman was not able to recover them, he did not have to pay legal fees to the firm.

Gableman was responsible for out-of-pocket expenses, and he did pay those, the letter from Margolies said.

The firm represented Gableman from July 2008 to July 2010. In an interview, Margolies declined to describe the value of that work, but other attorneys said it likely was worth tens of thousands of dollars.

Contingency arrangements are common in personal injury cases, where plaintiffs' attorneys receive a percentage of the award if they win a case but get nothing if they lose. But contingency deals are less common when lawyers are defending someone because winning fees is less likely.

State law says judges who prevail in an ethics case can ask the state Claims Board to reimburse their legal fees. In recent decades, there been only one case in which a judge had the ability to pursue legal fees, in 1988.

Because the Supreme Court split 3-3, Gableman could not argue before the Claims Board that he had prevailed and the state should cover his fees. "Thus, no bill for attorneys' fees was sent and none were paid," Margolies' letter said.

In the interview, Margolies said Michael Best handles billings in a number of different ways, including contingencies. He declined to say how frequently the firm had an arrangement similar to the one with Gableman.

Michael Best also represented Justice Annette Ziegler in a 2007 ethics case. Ziegler said Thursday she did not have a contingency deal with the firm for its service, which ended in 2008.

Margolies said the agreement with Gableman was put in writing when the firm was retained, but he declined to release a copy of it.

He said he sent the letter to the justices and parties in pending cases to ensure they fully understood how the agreement worked after it was briefly described in the Journal Sentinel. He said he was uncomfortable providing additional details because he wanted the court and the parties to all have the same information.

"We sent the letter to the court and the parties so there's no confusion or incomplete information," he said. "Because there was a statement in the newspaper, we wanted to make sure this information was clear."

He said he was confident the arrangement comported with state ethics laws.

Bopp, the Indiana attorney also involved in the case, declined to describe his arrangement with Gableman other than to say it complied with Wisconsin's ethics laws.

"My attorney-client relationship is privileged, so I don't discuss that," he said.

Jonathan Becker, the ethics administrator for the Government Accountability Board, did not speak specifically to Gableman's situation, but said in general the board would consider how common a type of fee arrangement was in examining a specific one given to a public official. He said he did not know if contingency arrangements were common in Judicial Commission cases.

State officials would "quite possibly" have to list free legal services they have received on economic interest statements they file annually with the state, Becker said. Gableman has not listed receiving any gifts on his last three reports, according to the board.

Jim Alexander, executive director of the Judicial Commission, said he did not know if contingency arrangements were common because judges with ethics cases before the commission don't share the details of their arrangements with him. But, he noted the judicial ethics code's ban on judges accepting gifts from those who are likely to appear before them.

"If it was a gift, that could create a problem if the attorney was someone who appeared before the court," he said.

The judicial ethics code also says judges cannot participate in cases if a neutral person knowing all the facts could reasonably question their impartiality.

Stephen Gillers, a New York University Law School professor who specializes in legal ethics, said last month that he believed Gableman could hear cases involving Michael Best because the firm no longer represents him. But on Thursday he said he based that view on the understanding that Gableman had paid for the legal work. After reviewing the letter from Margolies, he said he now believed Gableman may be barred permanently from hearing cases involving Michael Best.

"Thanks to the firm, Gableman was in a position of 'no financial exposure' (putting aside disbursements) because of the willingness of the firm to go unpaid for its time . . . if it could not secure any (or its full) compensation under the statute," he wrote in an email.

"The firm conferred a significant benefit on Gableman, namely representation free to him. I don't know how much work was required in the firm's representation, but I assume it was substantial since it involved a proceeding before the state Supreme Court.

"In my view the 'no financial exposure' benefit the firm gave Gableman requires him to recuse himself indefinitely from cases the firm brings to the court."

Margolies had no comment on Gillers' view, other than to point out that under Wisconsin's law judges alone decide whether they can hear cases.

Charles Geyh, a professor at the Maurer Law School at Indiana University Bloomington, said Gableman must consider the value of any free legal service he received in determining whether he can participate in cases involving Michael Best.

He said he needs to keep in mind whether a neutral, reasonable person would think the relationship could affect Gableman's ability to be impartial.

"A reasonable perception would be, 'This guy owes him one,'" Geyh said. "When you're talking about tens of thousands of dollars (in a case) that is that important to the judge, it certainly raises some concern."

He said he believed Gableman should make a note on the record that he would not hear cases involving Michael Best for two or three years after receiving the legal service. The period should be longer before hearing cases by McLeod because he personally worked on the case, Geyh said.

In addition to the five cases now before the Supreme Court, Michael Best represented a Republican group that wants to change what district maps are used for possible recall elections for the state Senate.

It has brought two cases over the matter. The group recently dropped Michael Best from one of them but not the other, according to online court records.

The Supreme Court has not said what to do with the cases. Changing the maps would give an advantage to Republicans in the recall elections.

Jeremy Levinson, an attorney for Democratic recall groups, said he was considering asking Gableman to step aside in the cases because of Michael Best's role in them.

Levinson, who has represented attorneys and others accused of ethics violations, called Michael Best's contingency arrangement with Gableman peculiar.

"This is inexplicable except as cover to give the guy free legal service," he said.

Find this article at:

<http://www.jsonline.com/news/statepolitics/gableman-not-charged-legal-fees-pc3f5do-135711223.html>

Check the box to include the list of links referenced in the article.



Democratic lawmaker calls for ethics probe of Justice Gableman

By Jason Stein of the Journal Sentinel

Dec. 16, 2011 [\(84\) Comments](#)

Madison - A Democratic lawmaker is calling for an ethics investigation into conservative Supreme Court Justice Michael Gableman.

Rep. Gary Hebl of Sun Prairie called for the investigation after the Milwaukee Journal Sentinel reported Friday that Gableman received free legal service worth thousands of dollars from one of Wisconsin's largest law firms as it defended him against an ethics charge.

The state's ethics code says state officials cannot receive anything of value for free because of their position. And a separate ethics code specifically for judges says they cannot accept gifts from anyone who is likely to appear before them.

Hebl called for the Government Accountability Board, Wisconsin Judicial Commission and State Bar of Wisconsin to look into the matter. Spokesmen for those three groups either had no comment or could not be reached for comment late Friday.

There also was no immediate comment late Friday from the spokesman for the Supreme Court and Gableman and an attorney for the law firm of Michael Best and Friedrich. Gableman is currently participating in the five cases that Michael Best has before the Supreme Court.

In the 2008 campaign for the high court, Gableman ran an ad that said then-Justice Louis Butler "found a loophole" for an offender who "went on to molest another child." But it did not mention that Butler was unsuccessful in getting the offender out of prison early and that the offender committed the subsequent crime after serving his sentence.

After the election, the state Judicial Commission filed an ethics complaint against Gableman, alleging he violated a provision of the ethics code for judges that says judicial candidates cannot lie about their opponents.

The high court last year split 3-3 on whether Gableman violated the judicial ethics code. The commission then stopped pursuing the case because of the impasse.

Gableman hired Michael Best attorney Eric McLeod and Indiana attorney James Bopp to represent him.

Find this article at:

<http://www.jsonline.com/news/statepolitics/democratic-lawmaker-calls-for-ethics-probe-of-justice-gableman-gg3fkq-136761928.html>

Check the box to include the list of links referenced in the article.



Gableman voted with law firm after receiving free legal services

He cast key vote in collective bargaining case

By Patrick Marley of the Journal Sentinel

Dec. 19, 2011 | [\(362\) Comments](#)

Madison - State Supreme Court Justice Michael Gableman in two cases cast the deciding vote in favor of parties represented by a law firm that gave him tens of thousands of dollars of free legal services, a review of state records shows.

One of those was a high-stakes case this June that allowed Gov. Scott Walker to implement a law that all but eliminates collective bargaining for most public workers. Gableman was in the 4-3 majority that allowed Walker to prevail. Michael Best & Friedrich - the firm that defended Gableman for free in an ethics case - worked for the state and Walker's administration in the collective bargaining case.

In addition to the collective bargaining case, Gableman supplied the deciding vote in an opinion he wrote this March that sided with a Michael Best client against the City of Milwaukee over tax assessments.

In another case, Gableman's vote was decisive because it resulted in a 3-3 deadlock over a Milwaukee ordinance requiring employers to provide workers sick leave. If he had not participated, the Metropolitan Milwaukee Association of Commerce - a Michael Best client - would have lost and the justices would have voted to put the ordinance into effect.

Instead, the court could not reach agreement and the case was sent to the Court of Appeals to decide. The appeals court ruled this March the sick-leave ordinance should go into effect, but by then Republicans had taken control of the state Legislature and soon after they passed a law to block the ordinance.

State law bars public officials from receiving anything of value for free because of their position. Separately, the state's judicial ethics code prevents judges from accepting gifts from those who are likely to appear before them.

Since the firm started representing Gableman in the ethics case in July 2008, Gableman has participated in nine cases in which the court voted on substantive issues involving Michael Best clients. Gableman ruled in those clients' favor in five of those cases - more than any other justice.

In a tenth case, Gableman recused himself. In that matter, Michael Best itself was sued, making the firm

a party to the case, rather than just a firm representing clients.

Rick Esenberg, president of the Wisconsin Institute for Law and Liberty, a conservative public interest law firm, said that determining whether a judge must recuse after receiving legal service depends on several factors, including whether he had recused himself from some past cases, how long ago the law firm had represented him and what the work involved.

"That's a judgment call," Esenberg said.

But two well-known legal ethics experts contacted last week - New York University law professor Stephen Gillers and Indiana University law professor Charles Geyh - said they believed Gableman should not be participating in cases involving Michael Best.

Gableman has not responded to requests for an interview.

Gableman joined the Supreme Court in 2008 but after two months faced a formal ethics charge by the state Judicial Commission accusing him of lying in a campaign ad. The high court split 3-3 in June 2010 on whether he lied in the ad and violated the judicial ethics code. The Judicial Commission suspended its pursuit of the case because of the deadlock.

Gableman retained Michael Best attorney Eric McLeod and Indiana attorney Jim Bopp to fight the accusation.

McLeod recently told the Journal Sentinel that Gableman had a standard billing agreement and that Gableman fulfilled his obligations under it. Last week, after the paper published a story with McLeod's comments, Michael Best General Counsel Jonathan Margolies sent a letter to the court saying Gableman had not been required to pay the attorney fees.

That's because the firm worked on a contingency that said they would be paid only if Gableman prevailed in the ethics case and was then able to persuade the state to pay his legal bills. Gableman was responsible for the firm's out-of-pocket expenses.

Michael Best has declined to state the value of the work, but other attorneys have said it was likely worth tens of thousands of dollars. Bopp has declined to say whether Gableman paid him.

On Monday, Margolies, the Michael Best general counsel, declined to say whether Gableman had paid for other work Michael Best has performed for Gableman.

"You would hope a justice of the Supreme Court would have realized this was an ethical dilemma and at a minimum would have disclosed this and probably gone further and recused himself" from the collective bargaining case, said Senate Minority Leader Mark Miller (D-Monona). "I think this needs to be investigated because to me it seems very clear Justice Gableman has failed to meet an appropriate ethical standard for a Supreme Court justice."

Separate from the formal ethics charge in 2008, the liberal group One Wisconsin Now filed a complaint that same year against Gableman with the Office of Lawyer Regulation. McLeod represented Gableman in that matter, according to correspondence from the Office of Lawyer Regulation. The agency dismissed the complaint against Gableman in April 2009.

Also in 2008, the Journal Sentinel requested emails from Gableman under the state's open records law. McLeod worked with Gableman to decide which of the emails to release.

Of the nine cases reviewed by the Journal Sentinel, Gableman voted in Michael Best's interests five times. Three others voted for Michael Best four times in those cases - Justices David Prosser, Patience Roggensack and Annette Ziegler. However, Roggensack and Ziegler each did not participate in one of the nine cases.

In the four cases in which Gableman ruled against Michael Best's client, three were decided 7-0; the other was 6-1.

Gableman, Prosser, Roggensack and Ziegler often vote together and make up the court's conservative majority.

The other three members of the court - Chief Justice Shirley Abrahamson and Justices Ann Walsh Bradley and N. Patrick Crooks - voted for Michael Best's position in just one of the nine cases.

Of the nine, the collective bargaining case drew the most public attention. In that case, Dane County District Attorney Ismael Ozanne argued the legislation should not go into effect because he believed a committee of legislative leaders had violated the state's open meetings law by voting on the bill with short notice.

In June, the Supreme Court ruled 4-3 that legislative rules trumped the open meetings law and allowed the committee to meet with little warning. The court's ruling allowed the collective bargaining changes to go into effect.

McLeod, Gableman's attorney, was among the Michael Best attorneys who worked on the case for the administration.

"It does strike me as something that's very interesting, that he actually represented Justice Gableman and then was on a case that was so controversial," Ozanne said.

Michael Best has been paid more than \$294,000 so far by state taxpayers to assist the Department of Justice in that case and others challenging the collective bargaining law.

One of those cases is in Dane County and could reach the Supreme Court. If it does and Michael Best continues to work on the case, unions will ask for Gableman to recuse himself, said union attorney Lester Pines.

"If that lawsuit finds its way to the Supreme Court, this issue will come up," Pines said.

Walker spokesman Cullen Werwie declined comment.

Jason Stein of the Journal Sentinel staff contributed to this report.

Find this article at:

<http://www.jsonline.com/news/statepolitics/gableman-voted-with-law-firm-after-receiving-free-legal-services-o53gc01-135904063.html>

Check the box to include the list of links referenced in the article.

Gableman voted with law firm after receiving free legal services - JS... <http://www.printlickability.com/pt/cpt?expire=&title=Gableman...>



Group files formal request for Gableman ethics investigation

By Patrick Marley of the Journal Sentinel

Dec. 20, 2011 | (332) Comments

Madison - A watchdog group filed a formal request Tuesday with the state Judicial Commission to investigate state Supreme Court Justice Michael Gableman's receipt of free legal services.

The Wisconsin Democracy Campaign filed the request with the commission, which oversees the state's judicial ethics code. If the commission finds wrongdoing, it would file a formal complaint with the state Supreme Court - putting Gableman's fellow justices in charge of deciding whether his conduct was appropriate.

Gableman faced an ethics complaint from the commission in 2008 over a campaign ad. The Supreme Court deadlocked 3-3 in that case last year and the commission suspended its action on the case.

Gableman retained Michael Best & Friedrich attorney Eric McLeod and Indiana lawyer James Bopp to defend him in that case. Gableman never paid for the work by Michael Best, according to a letter from the firm last week. Bopp and Gableman have not said whether Gableman paid for Bopp's work.

Michael Best has declined to release a copy of its agreement with Gableman or state its value. Other attorneys have said the two years of work by Michael Best was likely worth tens of thousands of dollars.

Since the work by Michael Best began, Gableman has ruled on cases involving Michael Best clients. Five other cases involving Michael Best are pending that Gableman has participated in.

The judicial ethics code overseen by the Judicial Commission bars judges from accepting gifts from those who are likely to appear before them.

A separate ethics code that applies to all state officials prevents them from receiving anything of value for free because of their position. That ethics code is administered by the Government Accountability Board.

Mike McCabe, the executive director of the Democracy Campaign who filed the Judicial Commission request, said he was also considering filing an investigation request with the accountability board.

As he has in recent days, Gableman did not respond to a request for an interview Tuesday.

According to Michael Best, Gableman is now being represented by Washington, D.C., attorney Viet

Dinh. Dinh could not be reached late Tuesday.

Review promised

Jim Alexander, the executive director of the Judicial Commission, said the commission will evaluate the request to decide whether to investigate. The commission is next slated to meet Feb. 24. The commission's investigations are confidential.

"Justice Gableman is entitled to a fair hearing without prejudgment," said a statement from the commission. "The request for investigation will receive a thorough review by the commission in due course, as are all requests for investigation."

If the commission were to conclude Gableman violated the judicial ethics code, it would file a complaint with the state Supreme Court.

The issue would then be heard by either a special panel of three appeals court judges or a jury. The panel or jury would provide a recommendation to the high court, which would have the only binding say on the case.

If the Supreme Court found wrongdoing, it would have the power to reprimand Gableman, censure him, suspend him without pay or remove him from office. If it split 3-3, nothing would happen, as was the case in Gableman's 2008 ethics case.

"It's less than ideal to have Supreme Court justices sit in judgment of one of their own in judicial misconduct cases," McCabe said. "(But) it's what we're stuck with."

McLeod, the Michael Best attorney, recently told the Journal Sentinel that Gableman had a standard billing agreement and that Gableman fulfilled his obligations under it.

But last week, Michael Best General Counsel Jonathan Margolies sent a letter to the court saying Gableman had not been required to pay the attorney fees. The firm worked on a contingency that said it would be paid only if Gableman prevailed in the ethics case and was then able to persuade the state to pay his legal bills. The tie vote meant Gableman didn't win and therefore was unable to seek state payment of his legal fees.

Gableman was responsible for the firm's out-of-pocket expenses, according to Margolies.

Margolies referred questions about the complaint to Gableman's new attorney.

Keith Swisher, an assistant professor who teaches legal ethics at Phoenix School of Law in Arizona, said the judicial ethics code's ban on gifts is meant to prevent arrangements like the one between Gableman and Michael Best. That they had a contingency agreement was of little importance, he said.

"The chance of Michael Best recovering fees was so slim, this was basically a pro bono case," he said.

MCCabe, of the Democracy Campaign, made the same point, writing in his request for an investigation that a contingency arrangement in such a case "would be extraordinary and is generally unheard of."

Find this article at:

<http://www.jsonline.com/news/statepolitics/group-files-formal-request-for-gableman-ethics-investigation-sd3guc0-135926403.html>

Check the box to include the list of links referenced in the article.



Second complaint filed against Justice Gableman

By Jason Stein of the Journal Sentinel

Dec. 21, 2011 9:50 a.m. [\(95\) Comments](#)

Madison -- The Wisconsin Democracy Campaign filed a second ethics complaint Wednesday against Justice Michael Gableman.

This complaint, charging that the justice had received free legal services in violation of a state law prohibiting gifts to public officials, was filed with the Governmental Accountability Board. On Tuesday, the Democracy Campaign requested a separate investigation by the state Judicial Commission.

In 2008 Gableman faced a earlier ethics complaint from the judicial commission over a campaign ad. The Supreme Court deadlocked 3-3 in that case last year and the commission suspended its action on the case.

Gableman retained Michael Best & Friedrich attorney Eric McLeod and Indiana lawyer James Bopp to defend him in that case. Gableman never paid for the work by Michael Best, according to a letter from the firm last week. Bopp and Gableman have not said whether Gableman paid for Bopp's work.

Find this article at:

<http://www.jonline.com/blogs/news/135997763.html>

Check the box to include the list of links referenced in the article.

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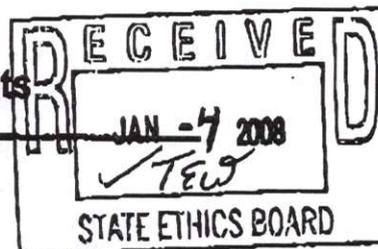
Statement of Economic Interests

Filed in 2008 for calendar year 2007 by

Gableman, Michael J.

Circuit Court

Circuit Court Judge Burnett County



FOR EXPLANATIONS, EXAMPLES AND EXCEPTIONS SEE THE INSTRUCTIONS OR VISIT OUR WEBSITE AT <http://ethics.state.wi.us>.
 Still have questions? For priority service send an e-mail to: ethics@ethics.state.wi.us; otherwise leave a detailed message at (800) 286-8115.
 ATTACH ADDITIONAL PAGES AS NEEDED

Part A

As of December 31, 2007

1. INVESTMENTS

a) WISCONSIN DEFERRED COMPENSATION PROGRAM If you held an investment in a fund available within the Wisconsin Deferred Compensation Program, please place a checkmark next to each fund in which you held \$5,000 or more, whether held privately or through the Program.

	More than \$50,000 or less \$50,000	More than \$50,000 or less \$50,000	More than \$50,000 or less \$50,000
Pratice Series			
Vanguard Retirement 2045 Fund	<input type="checkbox"/>	<input type="checkbox"/>	BGI Russell 2000 Index - Collective T <input type="checkbox"/>
Vanguard Retirement 2035 Fund	<input type="checkbox"/>	<input type="checkbox"/>	DFA US Micro Cap Fund <input type="checkbox"/>
Vanguard Retirement 2025 Fund	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mid Cap
Vanguard Retirement 2015 Fund	<input type="checkbox"/>	<input type="checkbox"/>	BGI Mid Cap Equity Index - Collective W <input type="checkbox"/>
Vanguard Target Retirement Income Fund	<input type="checkbox"/>	<input type="checkbox"/>	T Rowe Price Mid Cap Growth Fund <input type="checkbox"/>
International			Large Cap
American Funds Euro Pacific R6 <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Calvert Social Investment Equity I <input type="checkbox"/>
BGI EAFE Equity Index - Collective W <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fidelity Contra Fund <input checked="" type="checkbox"/>
			Vanguard Institutional Index Fund Plus <input type="checkbox"/>
			Vanguard Wellington Fund - Admiral <input type="checkbox"/>
			Bond
			BGI US Debt Index Fund - Collective W <input type="checkbox"/>
			Federated US Government Securities 2-5yr <input type="checkbox"/>
			Vanguard Long-term Investment Grade Adm <input type="checkbox"/>
			Money Market
			Vanguard Admiral Treasury Money Market <input type="checkbox"/>
			Fixed Returns for the Quarter
			Stable Value Fund <input type="checkbox"/>
			FDIC Bank Option <input type="checkbox"/>

b) OTHER INVESTMENTS List stocks, bonds, limited partnerships, Wisconsin governmental securities, and mutual and money market funds in which you and your family's interest was valued at \$5,000 or more.

MUTUAL OR MONEY MARKET FUND	(check one) \$50,000 or less	More than \$50,000
American Funds AMCAP	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds American Balanced	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds Capital World Growth & Income	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds New World	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds Small Cap World	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
STOCKS/OPTIONS/FUTURES	(check one) \$50,000 or less	More than \$50,000
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
BONDS	(check one) \$50,000 or less	More than \$50,000
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>



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LIMITED PARTNERSHIPS

(check one) \$50,000 or less More than \$50,000

WISCONSIN GOVERNMENTAL SECURITIES

(check one) \$50,000 or less More than \$50,000

2. BUSINESS ACTIVITIES List businesses, farms, rental, commercial, and income-producing real estate; and business activities in which you or your family had at least a 10% or greater interest.

a) Enterprise(s) operating under a business or trade name, list here.

Name of business	Municipality or Town	County	State	Describe nature of business
Crex Development Corp.	Grantsburg	Burnett	WI	Real estate development / construction and management of retail mall and restaurant

b) Enterprise(s) NOT operating under a business or trade name, list here.

Name of business	Municipality or Town	County	State	Describe nature of business

3. COMMERCIAL CUSTOMERS, CLIENTS, AND TENANTS For each unincorporated business, subchapter S corporation, service corporation (SC), limited liability company (LLC), partnership, or income-producing real estate reported in Item 2, list businesses, organizations, and lobbyists that paid the enterprise \$1,000 or more in calendar year 2007.

Check if the organization authorized you to represent it in its dealings with others as an attorney-at-law, agent, spokesperson, or representative.

Businesses, organizations, lobbyists that were customers, clients, or tenants	City	State	Y/N
Family Dollar, Charlotte, NC			<input type="checkbox"/>
University of Phoenix, Phoenix, AZ			<input type="checkbox"/>

4. BUSINESS PARTNERS For each enterprise reported under Item 2, list its co-owners, partners, officers, and directors (other than yourself), unless the information is already registered with the Wisconsin Department of Financial Institutions.

Business	Partners, or officers and directors	City	State
Crex Development Corp.	Stanley Engelrand	Burnett	WI
Crex Development Corp.	Terry Nesvold	Grantsburg	WI

5. NON-COMMERCIAL REAL ESTATE List the specific location of WISCONSIN REAL ESTATE in which you or your family had an interest (except your principal residence and real estate whose location you already listed in Item 2).

Location of property Street address or fire number	Municipality or town	County	Nature of interest (e.g. own, lease, option, easement, land contract)
453 State Road 70	Grantsburg	Burnett County	Wisconsin, own

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6. OFFICERS AND DIRECTORS List organizations of which you or a family member was an officer or director (unless already listed in Item 2).

Business or organization	City	State	Position
Crex Development Corp.	Greenburg	WI	President

7. AGENT, REPRESENTATIVE OR SPOKESPERSON. List organizations that authorized you or a family member to represent them in their dealings with others as an attorney-at-law, agent, spokesperson, or representative (unless already listed in Item 2, 3 or 6).

Business or organization	City	State
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8. CREDITORS List creditors to which you or your family owed \$5,000 or more. (check one)

Creditor	City	State	\$50,000 or less	More than \$50,000
Royal Credit Union	Eau Claire	WI	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Part B For calendar year 2007

9. EMPLOYERS List your and your family's EMPLOYERS (\$1,000 or more of income) in 2007.

Name of employer (if State of Wisconsin, also identify agency or institution)	City	State	Nature of employer's business
State of WI - Circuit Courts	Madison	WI	State Government

10. ADDITIONAL SOURCES OF INCOME List other sources from which you or your family received income of \$1,000 or more in 2007.

Source of income	City	State
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11. ENTERTAINMENT AND GIFTS List individuals and organizations that provided you with entertainment or gifts (more than \$50) in 2007.

Name of provider	City	State
------------------	------	-------

12. HONORARIA AND EXPENSES List, for 2007, sources of honoraria and payment of expenses related to your state government duties (more than \$50) not previously reported to the Ethics Board.

Payer	Approximate value of expenses	Amount of honorarium	Circumstances of receipt
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FILING NOTES -or- COMMENTS

If we saw an opportunity to clarify a prior report, we added comments or filing tips below. Please review any comments and make the appropriate corrections.

CERTIFICATION

I have read the accompanying instructions and certify that the information contained in this Statement of Economic Interests is true, complete, and correct to the best of my knowledge, information, and belief. If any part has been left blank, I have done so intentionally because there is nothing to report.

	Daytime phone #	(715) 349-2149
Signature of person filing	Date	1/4/08
	E-mail address	michael.gableman@wicourts.gov

The information sought in this form is required by §§19.43 and 19.44, *Wisconsin Statutes*. Failure to file a completed form may result in a forfeiture of up to \$500. Statements of Economic Interests are open for public inspection. The Ethics Board will notify you of the identity of any person who examines your Statement. In accordance with §15.04(1)(m), *Wisconsin Statutes*, the Ethics Board states that no personally identifiable information is likely to be used for purposes other than those for which it is collected.

Mail or fax to: Wisconsin Ethics Board, 44 E. Mifflin St., Suite 601, Madison, WI 53703-2800; Fax: (608) 264-9319
Et 1 Personalized. For use in 2008

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AMENDED Statement of Economic Interests
 Filed In 2008 for calendar year 2007 by

Gableman, Michael J.
 Circuit Court
 Circuit Court Judge Burnett County



FOR EXPLANATIONS, EXAMPLES AND EXCEPTIONS SEE THE INSTRUCTIONS OR VISIT OUR WEBSITE AT <http://ethics.state.wi.us>.
 Still have questions? For priority service send an e-mail to: ethics@ethics.state.wi.us; otherwise leave a detailed message at (608) 266-6118.
ATTACH ADDITIONAL PAGES AS NEEDED

Part A As of December 31, 2007

1. INVESTMENTS

a) WISCONSIN DEFERRED COMPENSATION PROGRAM If you held an investment in a fund available within the Wisconsin Deferred Compensation Program, please place a checkmark next to each fund in which you held \$5,000 or more, whether held privately or through the Program.

	\$50,000 or less	More than \$50,000		\$50,000 or less	More than \$50,000		\$50,000 or less	More than \$50,000
Profile Series			Small Cap			Bond		
Vanguard Retirement 2046 Fund	<input type="checkbox"/>	<input type="checkbox"/>	BGI Russell 2000 Index - Collective T	<input type="checkbox"/>	<input type="checkbox"/>	BGI US Debt Index Fund - Collective W	<input type="checkbox"/>	<input type="checkbox"/>
Vanguard Retirement 2035 Fund	<input type="checkbox"/>	<input type="checkbox"/>	DFA US Micro Cap Fund	<input type="checkbox"/>	<input type="checkbox"/>	Federated US Government Securities 2-5yr	<input type="checkbox"/>	<input type="checkbox"/>
Vanguard Retirement 2025 Fund	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mid Cap			Vanguard Long-term Investment Grade Adm	<input type="checkbox"/>	<input type="checkbox"/>
Vanguard Retirement 2015 Fund	<input type="checkbox"/>	<input type="checkbox"/>	BGI Mid Cap Equity Index - Collective W	<input type="checkbox"/>	<input type="checkbox"/>	Money Market		
Vanguard Target Retirement Income Fund	<input type="checkbox"/>	<input type="checkbox"/>	T Rowe Price Mid Cap Growth Fund	<input type="checkbox"/>	<input type="checkbox"/>	Vanguard Admiral Treasury Money Market	<input type="checkbox"/>	<input type="checkbox"/>
International			Large Cap			Fixed Returns for the Quarter		
American Funds Euro Pacific RS	<input type="checkbox"/>	<input type="checkbox"/>	Calvert Social Investment Equity I	<input type="checkbox"/>	<input type="checkbox"/>	Stable Value Fund	<input type="checkbox"/>	<input type="checkbox"/>
BGI EAFE Equity Index - Collective W	<input type="checkbox"/>	<input type="checkbox"/>	Fidelity Contra Fund	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FDIC Bank Option	<input type="checkbox"/>	<input type="checkbox"/>
			Vanguard Institutional Index Fund Plus	<input type="checkbox"/>	<input type="checkbox"/>			
			Vanguard Wellington Fund - Admiral	<input type="checkbox"/>	<input type="checkbox"/>			

b) OTHER INVESTMENTS List stocks, bonds, limited partnerships, Wisconsin governmental securities, and mutual and money market funds in which you and your family's interest was valued at \$5,000 or more.

MUTUAL OR MONEY MARKET FUND	(check one) \$50,000 or less	More than \$50,000
American Funds AMCAP	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds American Balanced	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds Capital World Growth & Income	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds New World	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds Small Cap World	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
STOCKS/OPTIONS/FUTURES	(check one) \$50,000 or less	More than \$50,000
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
BONDS	(check one) \$50,000 or less	More than \$50,000
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

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LIMITED PARTNERSHIPS	(check one) \$80,000 or less	More than \$80,000
	<input type="checkbox"/>	<input type="checkbox"/>
WISCONSIN GOVERNMENTAL SECURITIES	(check one) \$80,000 or less	More than \$80,000
	<input type="checkbox"/>	<input type="checkbox"/>

2. BUSINESS ACTIVITIES List businesses, farms, rental, commercial, and income-producing real estate; and business activities in which you or your family had at least a 10% or greater interest.

a) Enterprise(s) operating under a business or trade name, list here.

Name of business	Municipality or Town	County	State	Describe nature of business
Crax Development Corp.	Grantsburg	Burnett	WI	Real estate development/ construction and management of retail mall in Grantsburg, WI and Pizza Planet restaurant in St. Croix Falls, WI.

b) Enterprise(s) NOT operating under a business or trade name, list here.

Name of business	Municipality or Town	County	State	Describe nature of business

3. COMMERCIAL CUSTOMERS, CLIENTS, AND TENANTS For each unincorporated business, subchapter S corporation, service corporation (SC), limited liability company (LLC), partnership, or income-producing real estate reported in Item 2, list businesses, organizations, and lobbyists that paid the enterprise \$1,000 or more in calendar year 2007.

Check if the organization authorized you to represent it in its dealings with others as an attorney-at-law, agent, spokesperson, or representative.

Businesses, organizations, lobbyists that were customers, clients, or tenants	City	State	Y/N
Family Dollar, Charlotte, NC			<input type="checkbox"/>
University of Phoenix, Phoenix, AZ			<input type="checkbox"/>

4. BUSINESS PARTNERS For each enterprise reported under Item 2, list its co-owners, partners, officers, and directors (other than yourself), unless the information is already registered with the Wisconsin Department of Financial Institutions.

Business	Partners, or officers and directors	City	State
Crax Development Corp.	Stanley Engstrand	Luck	WI
Crax Development Corp.	Terry Neavold	Osgoia	WI

5. NON-COMMERCIAL REAL ESTATE List the specific location of WISCONSIN REAL ESTATE in which you or your family had an interest (except your principal residence and real estate whose location you already listed in Item 2).

Location of property Street address or fire number	Municipality or town	County	Nature of interest (e.g. own, lease, option, easement, land contract)
463 East State Road 70,	Grantsburg,	Burnett County,	Wisconsin own

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6. OFFICERS AND DIRECTORS List organizations of which you or a family member was an officer or director (unless already listed in Item 2).

Business or organization	City	State	Position
Crax Development Corp.	Grantsburg	WI	President

7. AGENT, REPRESENTATIVE OR SPOKESPERSON. List organizations that authorized you or a family member to represent them in their dealings with others as an attorney-at-law, agent, spokesperson, or representative (unless already listed in Item 2, 3 or 8).

Business or organization	City	State
--------------------------	------	-------

8. CREDITORS List creditors to which you or your family owed \$5,000 or more. (check one)

Creditor	City	State	\$60,000 or less	More than \$50,000
Royal Credit Union	Eau Claire	WI	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Part B For calendar year 2007

9. EMPLOYERS List your and your family's EMPLOYERS (\$1,000 or more of income) in 2007.

Name of employer (If State of Wisconsin, also identify agency or institution)	City	State	Nature of employer's business
State of WI - Circuit Courts	Madison	WI	State Government

10. ADDITIONAL SOURCES OF INCOME List other sources from which you or your family received income of \$1,000 or more in 2007.

Source of income	City	State
------------------	------	-------

11. ENTERTAINMENT AND GIFTS List individuals and organizations that provided you with entertainment or gifts (more than \$50) in 2007.

Name of provider	City	State
------------------	------	-------

12. HONORARIA AND EXPENSES. List, for 2007, sources of honoraria and payment of expenses related to your state government duties (more than \$50) not previously reported to the Ethics Board.

Payer	Approximate value of expenses	Amount of honorarium	Circumstances of receipt
-------	-------------------------------	----------------------	--------------------------

JAN-07-2008 14:37

BCGC-CLERK OF COURTS

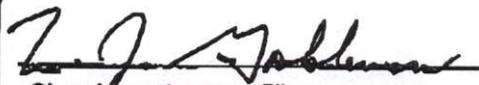
715 349 7659 P.05

FILING NOTES -or- COMMENTS

If we saw an opportunity to clarify a prior report, we added comments or filing tips below. Please review any comments and make the appropriate corrections.

CERTIFICATION

I have read the accompanying instructions and certify that the information contained in this Statement of Economic Interests is true, complete, and correct to the best of my knowledge, information, and belief. If any part has been left blank, I have done so intentionally because there is nothing to report.

	Daytime phone # <u>(715) 349-2149</u>
Signature of person filing	Date <u>11/7/08</u> E-mail address <u>michael.gableman@wlcourts.gov</u>

The information sought in this form is required by §§19.43 and 19.44, *Wisconsin Statutes*. Failure to file a completed form may result in a forfeiture of up to \$500. Statements of Economic Interests are open for public inspection. The Ethics Board will notify you of the identity of any person who examines your Statement. In accordance with §15.04(1)(m), *Wisconsin Statutes*, the Ethics Board states that no personally identifiable information is likely to be used for purposes other than those for which it is collected.

Mail or fax to: Wisconsin Ethics Board, 44 E. Mifflin St., Suite 601, Madison, WI 53703-2800; Fax: (608) 264-9319
Eth 1 Personalized. For use in 2007

TOTAL P.05

FEB-23-2009 14:06 From: JUSTICE M GABLEMAN 6081267 6828

To: 608 264 9319

P. 1/4

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Statement of Economic Interests

Filed in 2008 for calendar year 2008 by

FEB 23 2009

Gableman, Michael J.

Supreme Court

Justice Supreme Court Justice

Wisconsin Government Accountability Board

Ethics & Accountability Division

FOR EXPLANATIONS, EXAMPLES AND EXCEPTIONS SEE THE INSTRUCTIONS OR VISIT OUR WEBSITE AT <http://ethics.state.wi.us>.
 Still have questions? For priority service send an e-mail to ethics@ethics.state.wi.us, otherwise leave a detailed message at (608) 266-2128
 ATTACH ADDITIONAL PAGES AS NEEDED/PLEASE SEE INSTRUCTIONS

Part A

As of December 31, 2008

1. INVESTMENTS

A) WISCONSIN DEFERRED COMPENSATION PROGRAM If you hold an investment in a fund available within the Wisconsin Deferred Compensation Program, please place a checkmark next to each fund in which you held \$5,000 or more, whether held privately or through the Program.

	\$5,000 to \$50,000	More than \$50,000		\$5,000 to \$50,000	More than \$50,000		\$5,000 to \$50,000	More than \$50,000
Profile Series			Small Cap			Bond		
Vanguard Retirement 2045	<input type="checkbox"/>	<input type="checkbox"/>	BGI Russell 2000 Index	<input type="checkbox"/>	<input type="checkbox"/>	BGI US Debt Index	<input type="checkbox"/>	<input type="checkbox"/>
Vanguard Retirement 2038	<input type="checkbox"/>	<input type="checkbox"/>	DFA US Micro Cap	<input type="checkbox"/>	<input type="checkbox"/>	Federated US Government Securities 2-5yr	<input type="checkbox"/>	<input type="checkbox"/>
Vanguard Retirement 2026	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mid Cap			Vanguard Long-term Investment Grdge Adm	<input type="checkbox"/>	<input type="checkbox"/>
Vanguard Retirement 2018	<input type="checkbox"/>	<input type="checkbox"/>	BGI Mid Cap Equity Index	<input type="checkbox"/>	<input type="checkbox"/>	Money Market		
Vanguard Target Retirement Income	<input type="checkbox"/>	<input type="checkbox"/>	T Rowe Price Mid Cap Growth	<input type="checkbox"/>	<input type="checkbox"/>	Vanguard Admiral Treasury Money Market	<input type="checkbox"/>	<input type="checkbox"/>
International			Large Cap			Fixed Return, by the Quarter		
American Euro Pacific Growth	<input type="checkbox"/>	<input type="checkbox"/>	Carson Social Investment Equity	<input type="checkbox"/>	<input type="checkbox"/>	Stable Value	<input type="checkbox"/>	<input type="checkbox"/>
BGI BAPE Equity Index	<input type="checkbox"/>	<input type="checkbox"/>	Fidelity Contrafund	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FDIC Bank Option	<input type="checkbox"/>	<input type="checkbox"/>
			Vanguard Institutional Index Plus	<input type="checkbox"/>	<input type="checkbox"/>			
			Vanguard Wellington-Admiral Shares	<input type="checkbox"/>	<input type="checkbox"/>			

B) OTHER INVESTMENTS List stocks, bonds, limited partnerships, Wisconsin governmental securities, and mutual and money market funds in which you and your family's interest was valued at \$5,000 or more.

MUTUAL OR MONEY MARKET FUND (check one) \$5,000 to \$50,000 More than \$50,000

American Funds AMCAP	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds American Balanced	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds Capital World Growth & Income	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds New World	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds Small Cap World	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

STOCKS/OPTIONS/FUTURES (check one) \$5,000 to \$50,000 More than \$50,000

	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

BONDS (check one) \$5,000 to \$50,000 More than \$50,000

	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

FEB-23-2009 14:06 From: JUSTICE M GABLEMAN 6081257 6828

To: 608 264 9319

P.2/4

LIMITED PARTNERSHIPS	(check one) \$5,000 to \$50,000	More than \$50,000
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

WISCONSIN GOVERNMENTAL SECURITIES	(check one) \$5,000 to \$50,000	More than \$50,000
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

2. BUSINESS ACTIVITIES List businesses, farms, rental, commercial, and income-producing real estate; and business activities in which you or your family had at least a 10% or greater interest.

a) Enterprise(s) operating under a business or trade name, list here.

Name of business	Municipality or Town	County	State	Describe nature of business
Crax Development Corp.	Grantburg	Burnell	WI	Real estate development

b) Enterprise(s) NOT operating under a business or trade name, list here.

Name of business	Municipality or Town	County	State	Describe nature of business

3. COMMERCIAL CUSTOMERS, CLIENTS, AND TENANTS For each unincorporated business, subchapter S corporation, service corporation (SC), limited liability company (LLC), partnership, or income-producing real estate reported in item 2, list businesses, organizations, and lobbyists that paid the enterprise \$1,000 or more in calendar year 2008.

Check if the organization authorized you to represent it in its dealings with others as an attorney-at-law, agent, spokesperson, or representative.

Businesses, organizations, lobbyists that were customers, clients, or tenants	City	State	Y/N
Family Dollar	Charlotte	NC	<input type="checkbox"/>
University of Phoenix	Phoenix	AZ	<input type="checkbox"/>
Woodlands Grille & Pub	Grantburg	WI	<input type="checkbox"/>
Pizza Place	Grantburg	WI	<input type="checkbox"/>
Hands Down Nail Salon	Grantburg	WI	<input type="checkbox"/>

4. BUSINESS PARTNERS For each enterprise reported under item 2, list its co-owners, partners, officers, and directors (other than yourself), unless the information is already registered with the Wisconsin Department of Financial Institutions.

Business	Partners, or officers and directors	City	State
Crax Development Corp.	Stanley Engstrand	Grantburg	WI
Crax Development Corp.	Terry Neayold	Grantburg	WI

5. NON-COMMERCIAL REAL ESTATE List the specific location of WISCONSIN REAL ESTATE in which you or your family had an interest (except your principal residence and real estate whose location you already listed in item 2).

Location of property Street address, or firm number	Municipality or town	County	Nature of interest (e.g. own, lease, option, easement, land contract)

FEB-23-2009 14:06 From: JUSTICE M GABLEMAN 6081267 6828

To: 608 264 9319

P.344

6. OFFICERS AND DIRECTORS List organizations of which you or a family member was an officer or director (unless already listed in item 2).

Business or organization	City	State	Position

7. AGENT, REPRESENTATIVE OR SPOKESPERSON List organizations that authorized you or a family member to represent them in their dealings with others as an attorney-at-law, agent, spokesperson, or representative (unless already listed in item 2, 3 or 8).

Business or organization	City	State

8. CREDITORS List creditors to which you or your family owed \$5,000 or more. (check one)

Creditor	City	State	(check one)	
			\$5,000 to \$50,000	More than \$50,000
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Part B For calendar year 2008

9. EMPLOYERS List your and your family's EMPLOYERS (\$1,000 or more of income) in 2008.

Name of employer (If State of Wisconsin, also identify agency or institution)	City	State	Nature of employer's business
State of WI - Circuit Courts	Madison	WI	State Government

10. ADDITIONAL SOURCES OF INCOME List other sources from which you or your family received income of \$1,000 or more in 2008.

Source of income	City	State

11. ENTERTAINMENT AND GIFTS List individuals and organizations that provided you with entertainment or gifts (more than \$50) in 2008.

Name of provider	City	State

12. HONORARIA AND EXPENSES List, for 2008, sources of honoraria and payment of expenses related to your state government duties (more than \$50) not previously reported to the Government Accountability Board.

Payer	Approximate value of expense	Amount of honorarium	Circumstances of receipt

FEB-23-2009 14:06 From: JUSTICE M GABLEMAN 6081267 6828

To: 608 264 9319

P. 4/4

FILING NOTES -or- COMMENTS

If we saw an opportunity to clarify a prior report, we added comments or filing tips below. Please review any comments and make the appropriate corrections.

CERTIFICATION

I have read the accompanying instructions and certify that the information contained in this Statement of Economic Interests is true, complete, and correct to the best of my knowledge, information, and belief. If any part has been left blank, I have done so intentionally because there is nothing to report.

	Daytime phone #	(608) 266-1884
	Date	2/20/09
Signature of person filing	E-mail address	michael.gableman@wicourts.gov

The information sought in this form is required by §§19.43 and 19.44 Wisconsin Statutes. Failure to file a completed form may result in a forfeiture of up to \$500. Statements of Economic Interests are open for public inspection. The Government Accountability Board will notify you of the identity of any person who examines your Statement. In accordance with §16.04(1)(m), Wisconsin Statutes, the Government Accountability Board states that no personally identifiable information is likely to be used for purposes other than those for which it is collected.

Mail or fax to: Wisconsin Government Accountability Board, P.O. Box 2973, Madison, WI 53701-2973; Fax: (608) 264-9319
E-File Personalized For use in 2008

Mail or fax to: Wisconsin Government Accountability Board, P.O. Box 7884, Madison, WI 53707-7984; Fax: (608) 264-8310

Statement of Economic Interests

Filed in 2010 for calendar year 2009

Name: Gableman, Michael J.
(last name, first name & initial)

State position: Supreme Court Justice
(held or sought) (include agency, division, branch or district, if applicable)

TEG
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 12/21/2011
 10:53 AM

FOR EXPLANATIONS, EXAMPLES AND EXCEPTIONS SEE THE INSTRUCTIONS OR VISIT OUR WEBSITE AT <http://ethics.state.wi.us>.
 Still have questions? For priority service send an e-mail to GABEthics@wisconsin.gov; otherwise leave a detailed message at (608) 264-8123.
****Attach additional pages as needed/Please See Instructions.****

Part A Information current as of **December 31, 2009**

1. INVESTMENTS.

a) Funds Available in Wisconsin Deferred Compensation Program. These funds are available to participants in the Wisconsin Deferred Compensation program and many of them are also available for direct purchase, independent of that program. If you held an investment of \$5,000 or more in any of these funds - either directly or through the program - please check the appropriate box.

	one			one			one	
	\$5,000 to \$50,000	More than \$50,000		\$5,000 to \$50,000	More than \$50,000		\$5,000 to \$50,000	More than \$50,000
Retirement Funds			Equity Funds			Bond		
Vanguard Retirement 2049			BGI Russell 2000 Index			BGI US Debt Index		
Vanguard Retirement 2035			DFA US Micro Cap			Federated US Government Securities 2-5 Yr.		
Vanguard Retirement 2025	X		Mid-Cap			Vanguard Long-Term Investment Grade Adm		
Vanguard Retirement 2015			BGI Mid Cap Equity Index			Money Market		
Vanguard Target Retirement Income			T. Rowe Price Mid Cap Growth			Vanguard Admiral Treasury Money Market		
Dispositional			Value			Other		
American Euro Pacific Growth			Calvert Social Investment Equity			Stable Value Fund		
BGI EAFE Equity Index			Fidelity Contrafund	X		FDIC Bank Option		
			Vanguard Institutional Index Fund Plus					
			Vanguard Wellington - Admiral Shares					

b) Other Investments. List stocks, bonds, limited partnerships, Wisconsin governmental securities, and mutual and money market funds in which you and your family's interest was valued at \$5,000 or more.

Name of security	Type of security - "✓" one					Amount - "✓" one	
	Stock/option/futures	Bond	Limited partnership	Wisconsin governmental security	Mutual or money market fund	\$5,000 to \$50,000	More than \$50,000
American Funds Money Market Fund-A					X	X	

2. BUSINESS ACTIVITIES. List businesses, farms, rental, commercial, and income-producing real estate; and business activities in which you or your family had at least a 10% or greater interest.

a) Enterprise(s) operating under a business or trade name, list here.

Name of business	Municipality or Town	County	State	Describe nature of business
Crex Development Corporation	Grantsburg	Burnett	WI	Real Estate Development

b) Enterprise(s) NOT operating under a business or trade name, list here.

Street address or fire number	Municipality of Town	County	State	Describe nature of business

3. COMMERCIAL CUSTOMERS, CLIENTS, AND TENANTS. For each unincorporated business, subchapter S corporation, service corporation (SC), limited liability company (LLC), partnership, or income-producing real estate reported in Item 2, list businesses, organizations, and lobbyists that paid the enterprise \$1,000 or more in calendar year 2009.

Check if the organization authorized you to represent it in its dealings with others as an attorney-at-law, agent, spokesperson, or representative.

Businesses, organizations, lobbyists that were customers, clients, or tenants	City	State	"✓"
Family Dollar	Grantsburg	WI	
H&R Block	Grantsburg	WI	
Pizza Place	Grantsburg	WI	
University of Phoenix	Grantsburg	WI	
Woodlands Grille & Pub	Grantsburg	WI	

4. BUSINESS PARTNERS. For each enterprise reported under Item 2, list its co-owners, partners, officers, and directors (other than yourself), unless the information is already registered with the Wisconsin Department of Financial Institutions.

Business	Partners, or officers and directors	City	State
Crex Development Corporation	Stanley Engstrand	Grantsburg	WI
Crex Development Corporation	Terry Nesvold	Grantsburg	WI

5. NON-COMMERCIAL REAL ESTATE. List the specific location of WISCONSIN REAL ESTATE in which you or your family had an interest (except your principal residence and real estate whose location you listed in Item 2).

LOCATION OF PROPERTY			NATURE OF INTEREST (own, lease, option, easement, land contract)
Street address or fire number	Municipality or Town	County	

6. OFFICERS AND DIRECTORS. List organizations of which you or a family member was an officer or director (unless listed in Item #2.)

Business or organization	City	State	Position

7. AGENT, REPRESENTATIVE OR SPOKESPERSON. List each organization that authorized you or a family member to represent it in its dealings with others as an attorney-at-law, agent, spokesperson, or representative (unless listed in Item 2, 3, or 6.)

Business or organization	City	State

8. CREDITORS. List creditors to which you or your family owed \$5,000 or more.

Creditor	City	State	one	
			\$50,000 or less	More than \$50,000

Part B **For calendar year 2009**

9. EMPLOYERS. List your and your family's EMPLOYERS (\$1,000 or more of income) in 2009.

Name of employer (If State of Wisconsin, identify agency or institution)	City	State	Nature of employer's business
State of Wisconsin - Supreme Court	Madison	WI	State Government

10. ADDITIONAL SOURCES OF INCOME. List other sources from which you or your family received income of \$1,000 or more in 2009.

Source of income	City	State

11. ENTERTAINMENT AND GIFTS. List individuals and organizations that provided you with entertainment or gifts (more than \$50) in 2009.

Name of provider	City	State

12. HONORARIA AND EXPENSES. List, for 2009, sources of honoraria and payment of expenses related to your state government duties (more than \$50) not previously reported to the Government Accountability Board.

Payer	Approximate value of expenses	Amount of honorarium	Circumstances of receipt

I certify that the information contained in this Statement of Economic Interests is true, complete, and correct to the best of my knowledge, information, and belief. In the event this Statement of Economic Interests is filed prior my nomination or appointment, I certify that I will amend it within ten days of my nomination or appointment date if amendment is necessary to bring it into conformity with the true statement of my economic interests as of the date of my nomination or appointment. If any part has been left blank, I have done so intentionally because there is nothing to report.


Daytime phone # (608) 266-1884
michael.gableman@wlcourts.gov
 Signature of person filing Date 3/25/10 E-mail address

The information sought in this form is required by §§18.43 and 19.44, Wisconsin Statutes. Failure to file a completed form may result in a forfeiture of up to \$500. Statements of Economic Interests are open for public inspection. The Government Accountability Board will notify you of the identity of any person who examines your Statement. In accordance with §15.04(1)(m), Wisconsin Statutes, the Government Accountability Board states that no personally identifiable information is likely to be used for purposes other than those for which it is collected.

Eth 2. For use in 2010 (Rev. 10/08)

APR-27-2011 11:47 From: JUSTICE M GABLEMAN 6081267 6828

To: 608 264 9319

P. 1/4

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Statement of Economic Interests
Filed in 2011 for calendar year 2010 by

Gableman, Michael J.

Supreme Court

Justice Supreme Court Justice

Wisconsin Government Accountability Board

Public Accountability Division

FOR EXPLANATIONS, EXAMPLES AND EXCEPTIONS SEE THE INSTRUCTIONS OR VISIT OUR WEBSITE AT <http://www.wisconsin.gov/gab>. If you have questions? For priority service send an e-mail to GABLEMAN@wi.gov, otherwise leave a detailed message at (800) 201-2028. ATTACH ADDITIONAL PAGES AS NEEDED/PLEASE SEE INSTRUCTIONS

Part A

As of December 31, 2010

1. INVESTMENTS

A) WISCONSIN DEFERRED COMPENSATION PROGRAM If you hold an investment in a fund available within the Wisconsin Deferred Compensation Program, please place a checkmark next to each fund in which you held \$5,000 or more, whether held privately or through the Program.

	\$5,000 to \$50,000	More than \$50,000		\$5,000 to \$50,000	More than \$50,000		\$5,000 to \$50,000	More than \$50,000
Profit Saver			Small Cap			Bond		
Vanguard Retirement 2049	<input type="checkbox"/>	<input type="checkbox"/>	BlackRock Russell 2000 Index	<input type="checkbox"/>	<input type="checkbox"/>	BlackRock US Debt Index	<input type="checkbox"/>	<input type="checkbox"/>
Vanguard Retirement 2055	<input type="checkbox"/>	<input type="checkbox"/>	DFA US Micro Cap	<input type="checkbox"/>	<input type="checkbox"/>	Federated US Government Securities 2-Dyn	<input type="checkbox"/>	<input type="checkbox"/>
Vanguard Retirement 2025	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mid Cap			Vanguard Long-Term Investment Grade Adm	<input type="checkbox"/>	<input type="checkbox"/>
Vanguard Retirement 2015	<input type="checkbox"/>	<input type="checkbox"/>	BlackRock Mid Cap Equity Index	<input type="checkbox"/>	<input type="checkbox"/>	Money Market		
Vanguard Target Retirement Income	<input type="checkbox"/>	<input type="checkbox"/>	T Rowe Price Mid Cap Growth	<input type="checkbox"/>	<input type="checkbox"/>	Vanguard Admiral Treasury Money Market	<input type="checkbox"/>	<input type="checkbox"/>
International			Large Cap			Fixed Income for Div Growth		
American Euro Pacific Growth	<input type="checkbox"/>	<input type="checkbox"/>	Oliver Social Investment Equity	<input type="checkbox"/>	<input type="checkbox"/>	Stable Value	<input type="checkbox"/>	<input type="checkbox"/>
BlackRock S&P 500 Equity Index	<input type="checkbox"/>	<input type="checkbox"/>	Fidelity Contrafund	<input checked="" type="checkbox"/>	<input type="checkbox"/>	FBI Bank Callert	<input type="checkbox"/>	<input type="checkbox"/>
			Vanguard International Index Fide	<input type="checkbox"/>	<input type="checkbox"/>			
			Vanguard Wellington Admiral Shares	<input type="checkbox"/>	<input type="checkbox"/>			

B) OTHER INVESTMENTS List stocks, bonds, limited partnerships, Wisconsin governmental securities, and mutual and money market funds in which you and your family's interest was valued at \$5,000 or more.

MUTUAL OR MONEY MARKET FUNDS

(check one) \$5,000 to \$50,000 More than \$50,000

American Funds AMCA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds American Balanced	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds Capital World Growth & Income	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds New World	<input checked="" type="checkbox"/>	<input type="checkbox"/>
American Funds Small-Cap World	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

STOCKS/OPTIONS/FUTURES

(check one) \$5,000 to \$50,000 More than \$50,000

	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

BONDS

(check one) \$5,000 to \$50,000 More than \$50,000

	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>



APR-27-2011 11:47 From: JUSTICE M GABLEMAN 6081267 6028

To: 608 264 9319

P.2/4

LIMITED PARTNERSHIPS

(check one) \$4,000 to \$50,000 More than \$50,000

Form with checkboxes for limited partnerships.

WISCONSIN GOVERNMENTAL SECURITIES

(check one) \$4,000 to \$50,000 More than \$50,000

Form with checkboxes for Wisconsin governmental securities.

2. BUSINESS ACTIVITIES List businesses, farms, rental, commercial, and income-producing real estate; and business activities in which you or your family had at least a 10% or greater interest.

a) Enterprise(s) operating under a business or trade name, list here.

Table with columns: Name of business, Municipality or Town, County, State, Describe nature of business. Row: Crex Development Corp., Grantsburg, Burnett, WI, Real estate development.

b) Enterprise(s) NOT operating under a business or trade name, list here.

Table with columns: Name of business, Municipality or Town, County, State, Describe nature of business.

3. COMMERCIAL CUSTOMERS, CLIENTS, AND TENANTS For each unincorporated business, subchapter S corporation, service corporation (SC), limited liability company (LLC), partnership, or income-producing real estate reported in Item 2, list businesses, organizations, and lobbyists that paid the enterprise \$1,000 or more in calendar year 2010.

Check if the organization authorized you to represent it in its dealings with others as an attorney-at-law, agent, spokesperson, or representative.

Table with columns: Businesses, organizations, lobbyists that were customers, clients, or tenants; City; State; "/>

4. BUSINESS PARTNERS For each enterprise reported under Item 2, list its co-owners, partners, officers, and directors (other than yourself), unless the information is already registered with the Wisconsin Department of Financial Institutions.

Table with columns: Business, Partners, or officers and directors, City, State. Rows: Crex Development Corp., Stanley Engelrand, Grantsburg, WI; Crex Development Corp., Terry Neavold, Grantsburg, WI.

APR-27-2011 11:47 From: JUSTICE M GABLEMAN 6081267 6828

To: 608 264 9319

P. 3/4

5. **NON-COMMERCIAL REAL ESTATE** List the specific location of WISCONSIN REAL ESTATE in which you or your family had an interest (except your principal residence and real estate whose location you already listed in Item 2).

Location of property Street address or fire number	Municipality or town	County	Nature of interest (e.g. own, lease, option, easement, land contract)

6. **OFFICERS AND DIRECTORS** List organizations of which you or a family member was an officer or director (unless already listed in Item 2).

Business or organization	City	State	Position

7. **AGENT, REPRESENTATIVE OR SPOKESPERSON** List organizations that authorized you or a family member to represent them in their dealings with others as an attorney-at-law, agent, spokesperson, or representative (unless already listed in Item 2, 3 or 6).

Business or organization	City	State

8. **CREDITORS** List creditors to which you or your family owed \$5,000 or more. (check one)

Creditor	City	State	\$5,000 to \$50,000	More than \$50,000
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Part B For calendar year 2010

9. **EMPLOYERS** List your and your family's EMPLOYERS (\$1,000 or more of income) in 2010.

Name of employer (If State of Wisconsin, also identify agency or institution)	City	State	Nature of employer's business
State of WI / <i>Office of the Supreme Court</i>	Madison	WI	State Government



10. **ADDITIONAL SOURCES OF INCOME** List other sources from which you or your family received income of \$1,000 or more in 2010.

Source of income	City	State

11. **ENTERTAINMENT AND GIFTS** List individuals and organizations that provided you with entertainment or gifts (more than \$50) in 2010.

Name of provider	City	State

APR-27-2011 11:47 From: JUSTICE M GABLEMAN 6081267 6828

To: 608 264 9319

P.4/4

12. HONORARIA AND EXPENSES List, for 2010, sources of honoraria and payment of expenses related to your state government duties (more than \$50) not previously reported to the Government Accountability Board.

Payer	Approximate value of expenses	Amount of honorarium	Circumstances of receipt

FILING NOTES -or- COMMENTS

If we saw an opportunity to clarify a prior report, we added comments or filing tips below. Please review any comments and make the appropriate corrections.

CERTIFICATION

I have read the accompanying instructions and certify that the information contained in this Statement of Economic Interests is true, complete, and correct to the best of my knowledge, information, and belief. If any part has been left blank, I have done so intentionally because there is nothing to report.

 Daytime phone # (608) 266-1884
4/13/11 Date michael.gableman@wiscourts.gov E-mail address
Signature of person filing

The information sought in this form is required by §§18.43 and 18.44, Wisconsin Statutes. Failure to file a completed form may result in a forfeiture of up to \$500. Statements of Economic Interests are open for public inspection. The Government Accountability Board will notify you of the identity of any person who examines your Statement. In accordance with §18.04(1)(m), Wisconsin Statutes, the Government Accountability Board states that no personally identifiable information is likely to be used for purposes other than those for which it is collected.

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