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DEC 05 2011

December 5, 2011

CLERK OF SUPREME COURT
OF WISCONSIN

Michael D. Dean
Michael D. Dean, LLC
17035 W. Wisconsin Avenue, Suite 100
P.O. Box 2545
Brookfield, WI 53008

Dennis Clinard et al. v. Michael Brennan et al.,
Wis. Supreme Court Case No. 2011AP2677-OA

Dear Mr. Dean:

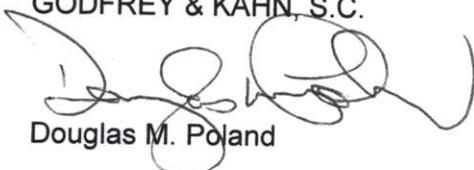
We have your correspondence to the Supreme Court earlier today. We do not object to the substitution of counsel. We do object to any delay in the resolution of this matter, and we will file the memorandum tomorrow by noon as ordered by the Court.

With respect to your substantive statement about the effect of the pending petition on the Waukesha County Circuit Court litigation, we note that the circuit court has sent the complaint to the Supreme Court. The circuit court may no longer have jurisdiction here, whether the complaint has been amended or not. In any event, these two overlapping proceedings—one in the Supreme Court and one in the circuit court—are not severable. If the circuit court case proceeds, the outcome no doubt will be determined in the end by the Supreme Court. The motion we filed today, and served on you with this letter, seeks to avoid “spend[ing] [the] substantial resources” referred to in your letter.

You have copied “Brady Williams” on your letter. Assuming you were referring to Brady Williamson, he is not counsel of record in this matter. You should continue to direct your pleadings and correspondence to the undersigned. We no longer will serve any materials on your clients’ predecessor counsel.

Very truly yours,

GODFREY & KAHN, S.C.



Douglas M. Poland

DMP:aeg

cc: Maria S. Lazar
J.B. Van Hollen
Eric M. McLeod
Kevin J. Kennedy
Joseph L. Olson
Jeremy P. Levinson
A. John Voelker

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