



JUDGE WILLIAM E. HANRAHAN
DANE COUNTY CIRCUIT COURT
BRANCH 7

Dane County Court
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Madison, WI
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Nicole Smith, Judicial Assistant

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June 26, 2017

Nathan Andersen
921 Jenifer St Apt 3
Madison WI 53703

Re: 16-CF-2361, 16-CF-2360, 16-CF-2420

Dear Mr. Anderson,

As promised, I have enclosed a copy of the transcript of the proceedings held on Monday. I hope that this will answer some of the questions that the District Attorney's Office may have been able to fully explain.

Sincerely,

Hon. William E. Hanrahan
Judge, Dane County Circuit Court Br. 7

STATE OF WISCONSIN : CIRCUIT COURT : COUNTY OF DANE
BRANCH 7

STATE OF WISCONSIN,

Plaintiff,

v.

GEORGE A. LAZAR,

I

Defendant.

Case No. 2016CF002360

STATE OF WISCONSIN,

Plaintiff,

v.

SEBASTIAN Y. JOHNSON,

Defendant.

Case No. 2016CF002361

STATE OF WISCONSIN,

Plaintiff,

v.

RICHARD L. WALLACE,

Defendant.

Case No. 2016CF002420

PROCEEDINGS: 2016CF002360: Jury Selection (dismissal)
2016CF002361: Jury Selection (dismissal)
2016CF002420: Jury Selection (dismissal)

DATE: June 26, 2017

BEFORE: The Honorable Judge WILLIAM E. HANRAHAN

APPEARANCES: The State of Wisconsin appeared by DDA ANDREA B. RAYMOND
and ADA WILLIAM L. BROWN; Madison, Wisconsin.

Defendant GEORGE A. LAZAR appeared in person and with
Attorney MARK W. FRANK of Frank Law Offices;

403 West Wilson Street; Madison, Wisconsin 53703.

Defendant SEBASTIAN Y. JOHNSON appeared in person and with
Attorney LANE FITZGERALD of the Fitzgerald Law Firm;

2301 Riverside Drive, Suite A; Beloit, Wisconsin 53511.

Defendant RICHARD L. WALLACE appeared in person and with
Assistant State Public Defender STANLEY V. WOODARD;

Madison, Wisconsin.

PATRICK A. WEISHAN, RPR
Official Court Reporter
Branch 7

P R O C E E D I N G S

(Commenced at approximately 9:14 a.m.)

THE COURT: Calling 16CF2361, this is the State of Wisconsin v. Sebastian Johnson; 16CF2360, State of Wisconsin v. George A. Lazar; and 16CF2420, State of Wisconsin v. Richard Wallace. Appearances, please.

ATTORNEY BROWN: Andrea Raymond and William Brown for the State of Wisconsin.

ATTORNEY FRANK: Mr. Lazar appears in person, Your Honor, and with Counsel Mark Frank.

ATTORNEY WOODARD: Your Honor, Mr. Wallace appears in person with Counsel Stan Woodard of the Public Defender's Office.

ATTORNEY FITZGERALD: Mr. Johnson appears in custody, in person, with Attorney Lane Fitzgerald.

THE COURT: All right. And first I'll start with the State. I noticed in reviewing the files here today is the date of jury selection in this case. These cases have been set for trial on two previous occasions. The court, with great reluctance, granted the State's request to adjourn these on two previous occasions. Motions for discovery, discovery demands, were filed by each of the defendants January 23rd of this year, many months ago, including a demand for a witness list. There's been no witness list filed in two out of three cases here. One witness list was filed this morning, the date of jury selection,

1 for Mr. Wallace. I've got no motions in limine, no jury
2 instructions filed. Why?

3 ATTORNEY BROWN: Well, Your Honor, there are no
4 motions in limine that the State is requesting at this time. I
5 think as a matter of practice at least Ms. Raymond and I are
6 trying to get away from what has been the historical practice of
7 the District Attorney's Office, which is to file a boilerplate
8 set of motions in limine that simply ask you to follow the rules
9 of evidence. So, if you will do so, I don't think we have to
10 file any motions in limine.

11 Regarding the witness list, one was filed this morning, but
12 in addition, in response to the defendant's discovery demands
13 that were made months and months back, there is a letter that is
14 sent to the defendants that states that please consider all
15 witnesses named in the police reports to be possible witnesses
16 at trial. All the witnesses that were actually put in that
17 formal list for the Court this morning encompass names that were
18 previously turned over in police reports. So the defendants
19 have had access to these names and notice that these people all
20 may be called at trial for months and months, including
21 throughout the previous two set-over requests, so the defendants
22 are at no disadvantage today. Frankly, the Court's ruling or
23 order generally that the witness lists be submitted the Friday
24 before trial--

25 THE COURT: Thursday.

1 ATTORNEY BROWN: --Thursday before trial in general
2 would allow the defense very little opportunity as well to
3 investigate those people. In general they know who's going to
4 testify because the State tells them it's the people in the
5 police report.

6 THE COURT: So the circuit court rule is silly and
7 should be abolished. It also serves to inform the court as to
8 what--how we're to schedule this and calendar, and indeed my
9 clerk has on this occasion, as in previous occasions these were
10 set for trial, had to actually, much like the dentist's office,
11 send out e-mail to the State to ask for this witness list, and
12 that e-mail was ignored again. What's the explanation here?

13 ATTORNEY RAYMOND: Your Honor, I will apologize for
14 that. I did not see that e-mail. Otherwise I definitely would
15 have filed the witness list. I do apologize for that.

16 THE COURT: On which of the three occasions? This is
17 the third time it's been set.

18 ATTORNEY RAYMOND: Well, the last one. The other
19 two I guess I knew that there was no way that the trial was
20 going to go forward for various reasons.

21 THE COURT: In advance of the court granting the
22 State's adjournment request?

23 ATTORNEY RAYMOND: Well, it was one of those
24 situations where if it wouldn't have been adjourned, it would
25 have had to be dismissed and reissued, because if we don't have

1 a main witness, we can't go forward.

2 THE COURT: All right.

3 ATTORNEY RAYMOND: I did not file any jury
4 instructions request because I didn't think there would be any
5 that were abnormal to the standard. I guess I can if Your Honor
6 would still like me to, although I don't think that there's
7 anything unusual at all that I would be requesting at this
8 point.

9 The other delay in this case has been whether or not
10 Mr. Johnson and Mr. Lazar have wanted to testify or would be
11 willing to testify against Mr. Wallace, and that has been taking
12 up-- Those sort of logistics really has been something that has
13 taken up some time and some-- As far as for jury instructions,
14 whether or not we would have them testifying or not, those would
15 be the only ones that would be abnormal, and really I haven't
16 known for sure. I guess I have with Mr. Johnson. That was
17 confirmed last Friday. I'm haven't known for sure with
18 Mr. Lazar. I'm not even sure as we sit here now. I think he's
19 planning on testifying, but I guess I don't know. I wouldn't
20 swear to it.

21 THE COURT: All right. Just this is really
22 distressing. The court tries to control its calendar, tries to
23 control the forward movement of it, but there's been a failure,
24 a major failure, and although you can say that when discovery is
25 provided any person whose name appears in that discovery may be

1 called as a witness, that does not serve the same function as
2 the circuit court's requirement of filing a witness list of
3 witnesses that are likely to be called at trial. It doesn't
4 narrow it down. It doesn't hone it specifically. It does not
5 provide adequate notice to the defense or the court. It reduces
6 the efficiency of the court and the ability to control the
7 court's calendar, and there's been a willful disregard,
8 apparently, of the court's efforts to keep this on track here.

9 The question is what is the appropriate sanction. I've
10 evaluated Chapter 805, 805.03; 802.10(7). I've looked at
11 *Anderson v. Circuit Court* from Milwaukee County. That's a
12 supreme court decision at 219 Wis.2d 1. It's from 1998.
13 There's *State v. Prieto*, P-R-I-E-T-O. That's a Second District
14 Court of Appeals decision. It appears to be unpublished. I'm
15 not positive of that. But, man, that one is right on target.
16 That's found at 15AP279, District II, from December 30th, 2015,
17 involving the State's failure to file a witness list under the
18 discovery statute when a discovery demand was made, but the
19 concurrence in that case I think is far more persuasive, which
20 says it really shouldn't matter what the--that it should be
21 decided along the terms of the discovery statute, and I read
22 from the last paragraph of that opinion. It says, "Our opinion
23 need go no further than evaluating the circuit court's decision
24 for an appropriate exercise of discretion under WIS. STAT. ...
25 802.10(7) and 805.03," and "for..." those "reasons, I respectfully

1 concur." In that case, the court disallowed calling those
2 witnesses, the witnesses that the State failed to put on a
3 witness list.

4 Now, here, on top of the discovery statute, on top of the
5 court's efforts in e-mailing the parties on these occasions,
6 each time this has been set for trial, we've got a circuit court
7 rule that--which is found-- That's rule 224. That comes with a
8 scheduling order that is applicable in all criminal cases, and
9 indeed I find the State was in violation of that rule as well.

10 The sanction that I'm considering here, the 805.03, allows
11 the court to dismiss a case with prejudice. That's an extreme
12 example. The *Prieto* decision disallowed the calling of those
13 witnesses and proceeded to voir dire and commencing the trial.

14 Starting with Attorney Frank, is the defense seeking any
15 remedy here or any sanction?

16 ATTORNEY FRANK: I guess on behalf of Mr. Lazar, I
17 would first of all note he's 22 years old with no prior record.
18 He hasn't been in custody this entire time. He's been out
19 working full time. But this has been, you know, certainly a
20 concern of his. He's been able to review all the discovery.
21 I've reviewed all the discovery. Still I would say that we also
22 were concerned with the lack of a witness list, and there is--
23 This I wouldn't say is an unusual circumstance where we're not
24 getting witness lists.

25 We disagree with the concept that the police reports

1 substitute as a witness list. I know the prosecutor's letter
2 always says please consider all witnesses named in those reports
3 as possible witnesses, and the courts have ruled that really
4 isn't a witness list, per se, because there are a lot of people
5 who are not properly identified or able to be located that an
6 investigator may have to look for. Again, not this occasion
7 specifically, but a lot of times a lot of names are mentioned in
8 the reports. It mentions codefendants, who, again, may be
9 taking the Fifth or may be making arrangements to waive the
10 Fifth. I personally have had my name mentioned in police
11 reports as well even though I'm the attorney of record in cases.
12 I've been mentioned in police reports where I went to the jail
13 to provide identification of my client before he could be
14 released from jail since he had no I.D. on him. So I disagree
15 with the establishing a precedent for the concept that we give
16 you a bunch of reports and we don't need to give you a witness
17 list. I just don't think the two are equivalent.

18 As far as what remedy I would request, well, it is true I
19 have had the reports, and so I know pretty much who the
20 witnesses would be. I still think though that the appropriate
21 remedy would be exclusion of any witness who wasn't previously
22 named on a witness list. The reason I ask for that is I've had
23 Judge Foust, and again, I don't want to tell a lot of war
24 stories here, but I've had Judge Foust exclude witnesses that I
25 did not name on a defense witness list from testifying, and we

1 don't have any witnesses in Mr. Lazar's case that we would
2 intend to call, but there's always this risk if you don't name
3 the witness on your list, that that witness is going to be
4 excluded. I thought I had a good argument that this was a
5 rebuttal witness who did not need to be named, yet I've had
6 witnesses excluded for not being named on the list. I think the
7 prosecution is more than willing to move to exclude a defense
8 witness if it isn't a person named on the list. So I can't
9 really talk about, you know, dismissal and that. I think the
10 appropriate remedy would be exclusion of any witness not
11 provided in the witness list.

12 THE COURT: Thank you. Attorney Woodard?

13 ATTORNEY WOODARD: Judge, I'm going to try to be
14 succinct here. I think the Court has made a record and has
15 cited caselaw that I think is controlling, as the Court has
16 indicated. We asked for a speedy trial originally. That speedy
17 trial was put over because the State needed additional time to
18 get DNA reports or something of that nature. So I think it's
19 clear that we've been trying to push this case so we could go to
20 trial.

21 THE COURT: Well, to make the record even more
22 clear, your client was in custody prior to that speedy trial
23 demand, and because of the State's requested continuance and
24 inability to pull the case together in a timely fashion to get
25 the case tried, he was released from custody on a signature

1 bond; is that correct?

2 ATTORNEY WOODARD: That is correct, Your Honor. I'm
3 just going to ask the Court to follow the caselaw and move that
4 all witnesses need to be excluded that are not on any witness
5 list. That means the State's case, and I would move for
6 dismissal with prejudice.

7 THE COURT: All right. And Attorney Fitzgerald?

8 ATTORNEY FITZGERALD: Your Honor, in this particular
9 instance, I would agree with both previous counsels' statements
10 here. I can state first hand I have called--attempted to call
11 witnesses disclosed in discovery by the State and had that
12 denied because they were not on my own witness list. So I think
13 in this particular instance the sword needs to cut both ways,
14 and I believe if I'm not mistaken there's case law--I believe
15 it's *Irby v. State*--which requires that the State list
16 witnesses--only witnesses that it intends to call. When you
17 are--

18 THE COURT: What's that case name?

19 ATTORNEY FITZGERALD: I believe it's *Irby v. State*,
20 I-R-B-Y, I believe. I hope I'm not incorrect on that. In that
21 regards, you can't simply give police reports with 500 witness
22 names and expect defense counsel and defense to go through them
23 all. There has to be a succinct list of witnesses that are
24 actually expected to be called at trial. I think that when--
25 And, to be blunt with you, I practice a lot in Rock County.

I
1 This type of here are the police reports, all the witnesses are
2 in/there, just go and find them, this has become incredibly
3 pervasive in Rock County, and I think that it's definitely
4 starting to bleed into other counties in the area, and I think
5 that it's going to be up to the Court to decide what the
6 appropriate remedy here is.

7 So, in that regard, I do certainly believe, as previous
8 counsel has mentioned, that if the defense were attempting to
9 call witnesses at, you know, the 25th hour, that there would be
10 an attempt to exclude those witnesses. So I would agree with
11 previous counsel and their motions.

12 THE COURT: Now, the way it works is had there not
13 been a demand for a witness list, we've got the Dane County
14 Circuit Court Rule that I've cited, 224, that requires that it
15 be done--be filed before 4 o'clock on the Thursday before
16 the--the week before the jury trial starts. That wasn't done
17 here even in response to an e-mail that was left ignored. Prior
18 to that is the obligation that arises when a discovery demand is
19 made, and that's under the statute, the discovery statute, that
20 witness lists must be provided in a reasonable time before
21 trial. Today we sit here for trial, and the witness list has
22 not been provided to two out of the three defendants. The
23 defendant Wallace, the witness list was provided electronically
24 this morning, and I see that counsel does not have a laptop with
25 him here, so I'm guessing he didn't have a chance to read that.

1 Now, if there--

2 ATTORNEY BROWN: If I may address that, Judge.

3 THE COURT: What's that?

4 ATTORNEY BROWN: He was handed a copy this morning.

5 THE COURT: Okay. This morning?

6 ATTORNEY BROWN: Yes.

7 THE COURT: All right. If there wasn't an *Irby v.*

8 State, I can't imagine why there wouldn't be because I agree

9 with the reasoning that's been set the forth if that is in fact

10 the reasoning in the decision that Attorney Fitzgerald is

11 speaking of.

12 Brief reply from the State?

13 ATTORNEY BROWN: Well, Judge, your ability to-- Let

14 me first address the comments of Attorney Fitzgerald. This

15 isn't Rock County. I don't think we're here as a--to discover

16 what happened in other cases in Dane County with previous

17 prosecutors in his experience throughout the years. We're here

18 today because there are three men who are accused of robbing two

19 other men.

20 THE COURT: And we don't want to open up that can of

21 worms of what's happened in previous cases in this county with

22 the failure, the repeated failure, of the State to reply in

23 writing to motions in limine, petitions for sentence adjustment,

24 to motions for sentence credit, to pro se motions filed by

25 defendants to open up cases. We're not going to drag these.

1 I'm going to consider this case on its own merits.

2 ATTORNEY BROWN: Thank you. And I think in this
3 case you have to decide, and this is *Johnson v. Allis-Chalmers*,
4 whether this was an egregious and without clear justifiable
5 breach [sic], and speaking to Attorney Fitzgerald's comments,
6 the fact that he can't perform an investigation if 500 witnesses
7 are listed in the police report, I would submit to the Court,
8 one, Attorney Fitzgerald and Attorney Frank have known since
9 mid-last week that they were extremely unlikely to go to trial
10 today, that Mr. Woodard was going to likely have to go to trial
11 with his client today, that the severance motion was filed by
12 the State, that these two gentlemen were going to testify
13 against that other defendant, yet nonetheless the State was
14 trying to provide open discovery. We listed all of those people
15 in the police reports. We told them that they might be called,
16 and whether we said-- I think when you look at whether this was
17 egregious or not, you have to consider if this would have been
18 submitted at 4 o'clock last Thursday versus this morning, which
19 we apologize for. That's obviously not timely, and it's in
20 violation of the local court rule. Is that egregious? Was there
21 a private investigator that was going to go out on Friday,
22 Saturday, and Sunday of this week and perform an investigation
23 into the State's witnesses, the vast majority of which are law
24 enforcement officers? The other ones who are not are the victims
25 of this crime, which they've known the entire time. This isn't

1 an egregious breach. This is an administrative failure. We
2 apologize. My office messed up. But the State deserves its day
3 in court. The victims deserve their day in court.

4 And dismissal at this point, in my view at least, under
5 this section, 805.03, is only with prejudice. I don't think you
6 can dismiss without prejudice. I think there is case law
7 controlling there. So, to the extent you're going to make an
8 adverse ruling to the State, I would ask that you exclude the
9 witnesses and allow us an opportunity to dismiss the case
10 without prejudice.

11 THE COURT: All right. Give me just a second,
12 please.

13 ATTORNEY RAYMOND: Your Honor, may I make just one
14 brief comment?

15 THE COURT: Yeah. If you can just give me a second.
16 I'm rereading the *Prieto* decision.

17 ATTORNEY RAYMOND: Sure. No problem.

18 THE COURT: And I can't give you the page number
19 given the electronic version of this case that I've got, but the
20 argument that's being made that this is a violation of--the
21 court's proposed sanction here is a violation of the victims'
22 rights here, that same argument was raised in *Prieto*. It says,
23 "We decline the State's request to adopt an exception for the
24 discovery violation made by the district attorney so that the
25 significant consequences of the court's order will not be borne

1 by the 'blameless public.' It is difficult to imagine a
2 circumstance in which the public would be to blame for the
3 derelict performance of a prosecutor, and we cannot reconcile
4 the State's position with a criminal justice system that affords
5 fairness to both the State and the defendant."

6 But, in response, I'll hear from you, Attorney Raymond.

7 ATTORNEY RAYMOND: Your Honor, I just want to take
8 responsibility, and I want to tell you this is my mistake and
9 not Mr. Brown's.

10 THE COURT: All right.

11 ATTORNEY RAYMOND: I've had several big life events
12 and have had a recent medical diagnosis. I've been out. I
13 still am behind in my e-mail. I apologize for this. I just
14 want to make it clear though this is not my normal practice.
15 This is not how I normally do cases. And Mr. Brown^I should not
16 get any blame for it.

17 THE COURT: Right. And I blame the State as a
18 generic entity.

19 ATTORNEY BROWN: And if I may briefly reply.

20 THE COURT: And also the failures to have some
21 backup plan. We're all human beings, and we all go through
22 issues. We have people that call in sick. But we have to have
23 a backup plan, and we have to make sure that we're not one
24 person that's indispensable, and I know that this has affected
25 other cases in the past where persons are handed a file on the

1 day of, for example, an important preliminary hearing and the
2 like. But, yes, Attorney Brown?

3 ATTORNEY BROWN: I wasn't attempting to argue that
4 this is in violation--your use of your discretion here would be
5 in violation of Chapter 950 of the Wisconsin Statutes, but you
6 have just that. You have discretion. This is wholly within
7 your discretion to decide what the best thing is to do here and
8 whether our behavior is egregious enough to rid the public of
9 their ability to prosecute these crimes. That's your
10 discretion. I'm not saying you're going to violate Chapter 950.
11 I'm saying it's a consideration I think you should take when
12 you're deciding what to do here and what the appropriate
13 sanction is, is simply the fact that we have people accused of a
14 crime. We have real victims, and they deserve their day in
15 court as well. The State deserves a chance to put their case
16 on.

17 THE COURT: Sure. And I find prejudice has been
18 well articulated by the defense. They're put in a bad situation
19 here. Once again, we've got two different bases. One is the
20 circuit court rule that requires that they be filed at least on
21 a Thursday before the trial, and that's for folks that perhaps
22 had not filed discovery demands, and then we've got the
23 discovery demand that was filed back in January for each of
24 these defendants and the requirement that's incumbent upon the
25 State to provide a witness list in a reasonable time before

1 trial. I find that the morning of trial, or not at all for the
2 two defendants, is not reasonable. It is egregious, and I do at
3 this time prohibit the State from calling witnesses that
4 appeared on the witness list.

5 ATTORNEY BROWN: I do at this time move to dismiss
6 this case without prejudice with the intent to refile it.

7 THE COURT: All right. And--

8 ATTORNEY RAYMOND: And it will be refiled this
9 afternoon.

10 THE COURT: All right. And I would deny that.
11 We're going to proceed to trial. The defense counsel is all
12 ready. We'll select a jury. The State can participate if you
13 wish, and we'll proceed to trial here today.

14 ATTORNEY BROWN: The State moved to sever these
15 defendants last week.

16 THE COURT: All right.

17 ATTORNEY BROWN: Has that changed your analysis of
18 whether that motion should be granted or not based on today's
19 events?

20 THE COURT: The motion had not been considered by
21 the court. That was part of what was going to go on here today.
22 At this time, I'm not--I'm not certain how--

23 ATTORNEY RAYMOND: Would Your Honor just want to
24 dismiss it with prejudice to save the time? Those are all of our
25 witnesses. There's--

1 THE COURT: If there's a stipulation. Otherwise,
2 I'm not certain that that strong--

3 ATTORNEY RAYMOND: Can we take a minute break and
4 let me go down and confirm?

5 THE COURT: Sure. Sure.

6 ATTORNEY RAYMOND: Okay.

7 (A recess in proceedings at approximately 9:38 a.m.)

8 (Proceedings resumed at approximately 9:49 a.m.)

9 THE COURT: All right. We've reconvened here. Back
10 on the record. Before we start, the citation for *Irby v. State*,
11 that's *I-R-B-Y v. State*, that's 60 Wis.2d 311, 1973, and it
12 stands for the proposition that Attorney Fitzgerald laid out;
13 that is to say, the shotgun approach that has been used by this
14 District Attorney's Office appears to be noncompliant with the
15 discovery statute, which requires a realistic appraisal of
16 witnesses that will actually be called, not the whole universe
17 of potential witnesses.

18 Now, having said that, the State's had a chance to confer.
19 What's the State's position here?

20 ATTORNEY BROWN: Pursuant to the Court's ruling, I
21 see no way that the State could move forward at this time. I
22 think should we call a jury in here, we would simply select them
23 and the case would be dismissed because we don't have any
24 witnesses to put on. So I would move to dismiss to save
25 everybody a little bit of time here.

1 THE COURT: And that dismissal is with prejudice?

2 ATTORNEY BROWN: Well, I would move to dismiss
3 without prejudice, but I think you're going to deny that again
4 since you just did.

5 THE COURT: No, I won't deny it. I'm not certain,
6 under 805.03, although it's presumptively with prejudice, I'm
7 not certain that the court has the authority. My plan was to
8 proceed, to have a jury sworn, and allow the State to call its
9 first witness, and if at that time the State concedes that it
10 was unable to prove the case beyond a reasonable doubt, it would
11 be dismissed probably by motion brought by the defense, and the
12 case would be closed, and it would be, since the jury had been
13 sworn, with prejudice.

14 ATTORNEY WOODARD: That's right.

15 THE COURT: What was offered by Deputy DA Raymond is
16 that she was going to consider whether or not the State would
17 stipulate to a dismissal with prejudice. In the absence of that
18 stipulation, I think we have to call a jury up here.

19 ATTORNEY BROWN: I'll stipulate.

20 THE COURT: Okay. Stipulate that the dismissal is
21 with prejudice. Any objection from Attorney Frank? Do you think
22 an adequate record has been made here?

23 ATTORNEY FRANK: We have no objection, Your Honor.

24 THE COURT: And down the line there?

25 ATTORNEY WOODARD: Yes. Attorney Woodard. No

1 objection, Your Honor.

2 THE COURT: Attorney Fitzgerald?

3 ATTORNEY FITZGERALD: No objection, Judge.

4 THE COURT: All right. Dismissed with prejudice.

5 Thank you.

6 (Proceedings concluded at approximately 9:51 a.m.)

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CERTIFICATE

I, PATRICK A. WEISHAN, do hereby certify that I am the Official Court Reporter for the Circuit Court, Branch 7, Dane County, Wisconsin; and that I have carefully compared the foregoing document with the stenographic notes taken in conjunction with this proceeding by me on June 26th, 2017; and that the same is a true and correct transcript of those notes.

Electronically signed by Patrick A. Weishan, RPR, Official Court Reporter for Branch 7 of the Dane County Circuit Court, on June 29th, 2017.