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FROM: COURT OF APPEALS, District IV

DATE: March 21, 2011

PAGES: 3 (including cover sheet)

RE: 2011AP613-LV
Ismael R. Ozanne v. Jeff Fitzgerald (L.C. # 2011CV1244)



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DISTRICT IV

March 21, 2011

To:

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

2011AP613-LV

Ismael R. Ozanne v. Jeff Fitzgerald (L.C. # 2011CV1244)

Before Lundsten, Higginbotham and Blanchard, JJ.

Wisconsin Secretary of State Douglas La Follette has filed a petition for leave to appeal a temporary restraining order (TRO) issued on March 18, 2011, which enjoins La Follette from publishing Act 10, commonly known as the Budget Repair Bill until the circuit court can rule on an underlying action. La Follette further requests temporary relief under Wis. STAT. RULE 809.52 (2009-10) in the form of an order staying the TRO pending disposition of his petition, so that he may publish the Act on March 25, 2011.

Dane County District Attorney Ismael Ozanne has notified this court of his intention to file a response to both the petition and the request for temporary relief by the end of the business

No. 2011AP613-LV

day on March 23, 2011. Upon reviewing the materials submitted by La Follette, this court has decided to modify the proposed timeline for the District Attorney's response as follows:

IT IS ORDERED that, by 4:00 p.m. on Tuesday, March 22, 2011, the District Attorney shall submit a memorandum addressing the argument made on pages 21-23 of La Follette's petition regarding the authority of the judiciary to enjoin the secretary of state from publishing an act. Any remaining arguments the District Attorney wishes to make in response to the petition for leave to appeal and accompanying request for temporary relief shall be filed by Wednesday, March 23, at 4:00 p.m.

A. John Voelker
Acting Clerk of Court of Appeals