

SUPREME COURT OF WISCONSIN

Case No.: 96-2893, 96-2895, 96-2916, 96-2917,
96-2937, 96-2938, 96-2939

Complete Title
of Case:

96-2893:

Erika Eneman and Amy Nadler,
Plaintiffs-Appellants-Petitioners

v.

Pat Richter, Susan Riseling, David Williams,
Defendants-Respondents.

Per Mar Security & Research, Oxford Health Plans
(Connecticut), Inc.,
Defendants.

96-2895:

Tara L. Harrison, Gary Harrison and Louise
Harrison,

Plaintiffs-Appellants-Petitioners,

v.

Pat Richter, Mike Green and Susan Riseling,
Defendants-Respondents,

Per Mar Security & Research, Cigna Health Care,
Defendants,

David Williams,
Defendant-Respondent,

Struck & Irwin Fence, Inc., XYZ Insurance Corp.,
Defendants.

96-2916:

Alyson J. Berowitz and Stephen S. Berowitz,
Plaintiffs-Appellants-Petitioners,

v.

Pat Richter, Mike Green and Susan Riseling,
Defendants-Respondents,

Per Mar Security & Research,
Defendant,

David Williams,
Defendant-Respondent,

Struck & Irwin Fence, Inc., XYZ Insurance Corp.,
Defendants

96-2917:

Rebecca S. Levin, David P. Levine and The
Guardian Life Insurance Company of America,
Plaintiffs-Appellants-Petitioners,

v.

Pat Richter, Mike Green and Susan Riseling,
Defendants-Respondents,

Per Mar Security & Research,
Defendant,
David Williams,
Defendant-Respondent,
Struck & Irwin Fence, Inc. and XYZ Insurance
Corp.,
Defendants.

96-2937:

Susan K. Roemer,
Plaintiff-Appellant-Petitioner,
Blue Cross & Blue Shield United of WI,
Involuntary-Plaintiff,
Susan Riseling,
Defendant-Respondent,
David Williams,
Defendant,
Patrick Richter,
Defendant-Respondent,
Michael Green,
Defendant,
David Ward,
Defendant-Respondent,
UW-Madison, Per Mar Security & Research and
Struck & Irwin Fence, Inc.,
Defendants.

96-2938:

Stephanie M. Kaplan,
Plaintiff-Appellant-Petitioner,
John Alden Life Insurance Company, a foreign
insurance corporation,
Involuntary-Plaintiff,
v.
Susan Riseling,
Defendant-Respondent,
David Williams,
Defendant,
Patrick Richter,
Defendant-Respondent,
Michael Green,
Defendant,
David Ward,
Defendant-Respondent,
UW-Madison, Per Mar Security & Research and
Struck & Irwin Fence, Inc.,
Defendants

96-2939:

Adam P. Read,
Plaintiff-Appellant-Petitioner,

v.
Susan Riseling,
Defendant-Respondent,
David Williams,
Defendant,
Patrick Richter,
Defendant-Respondent,
Michael Green,
Defendant,
David Ward,
Defendant-Respondent,
UW-Madison, Per Mar Security & Research and
Struck & Irwin Fence, Inc.,
Defendants.

ON REVIEW OF A DECISION OF THE COURT OF APPEALS
Reported at: 217 Wis. 2d 288, 577 N.W.2d 386
(Ct. App. 1998, Unpublished)

Opinion Filed: March 3, 1999
Submitted on Briefs:
Oral Argument: January 6, 1999

Source of APPEAL
COURT: Circuit
COUNTY: Dane
JUDGE: William D. Johnston

JUSTICES:
Concurred:
Dissented:
Not Participating: Abrahamson, C.J., did not participate.

ATTORNEYS: For all the plaintiffs-appellants-petitioners there were joint briefs by *Lester A. Pines* and *Cullen, Weston, Pines & Bach*, Madison; *Richard F. Rice* and *Fox & Fox*, Madison; *Mark L. Thomsen* and *Cannon & Dunphy, S.C.*, Brookfield and oral argument by *Mark Thomsen & Lester A. Pines*.

For the defendants-respondents the cause was argued by *John J. Glinski*, assistant attorney general, with whom on the brief was *James E. Doyle*, attorney general.

Amicus curiae brief was filed by *Edward E. Robinson and Warshafsky, Rotter, Tarnoff, Reinhart & Bloch, S.C.*, Milwaukee for the Wisconsin Academy of Trial Lawyers.

NOTICE

This opinion is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 96-2893; 96-2895; 96-2916; 96-2917;
96-2937; 96-2938; 96-2939

IN SUPREME COURT

STATE OF WISCONSIN

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Erika Eneman and Amy Nadler,

Plaintiffs-Appellants-
Petitioners,

v.

Pat Richter, Susan Riseling, David
Williams,

Defendants-Respondents,

Per Mar Security & Research, Oxford
Health Plans (Connecticut), Inc.,

Defendants.

MAR 3, 1999

Marilyn L. Graves
Clerk of Supreme Court
Madison, WI

Tara L. Harrison, Gary Harrison and
Louise Harrison,

Plaintiffs-Appellants-
Petitioners,

v.

Pat Richter, Mike Green and Susan
Riseling,

Defendants-Respondents,

Per Mar Security & Research, Cigna Health
Care,

Defendants,

David Williams,

Defendant-Respondent,

Struck & Irwin Fence, Inc., XYZ Insurance
Corp.,

Defendants.

Alyson J. Berowitz, and Stephen S.
Berowitz,

Plaintiffs-Appellants-
Petitioners,

v.

Pat Richter, Mike Green, Susan Riseling,

Defendants-Respondents,

Per Mar Security & Research,

Defendant,

David Williams,

Defendant-Respondent,

Struck & Irwin Fence, Inc., XYZ Insurance
Corporation,

Defendants.

Rebecca S. Levine, David P. Levine, The
Guardian Life Insurance Company of
America,

Plaintiffs-Appellants-
Petitioners,

v.

Pat Richter, Mike Green, Susan Riseling,

Defendants-Respondents,

Per Mar Security & Research,

Defendant,

David Williams,

Defendant-Respondent,

Struck & Irwin Fence, Inc., XYZ Insurance
Corporation,

Defendants.

Susan K. Roemer,

Plaintiff-Appellant-Petitioner,

Blue Cross & Blue Shield United of WI,

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Michael Green,

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David Ward,

Defendant-Respondent,

UW-Madison, Per Mar Security & Research,
Struck & Irwin Fence, Inc.,

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Stephanie M. Kaplan,

Plaintiff-Appellant-Petitioner,

John Alden Life Insurance Company, a

foreign insurance corporation,

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v.

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David Williams,

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David Ward,

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UW-Madison, Per Mar Security & Research,
Struck & Irwin Fence, Inc.,

Defendants.

Adam P. Read,

Plaintiff-Appellant-Petitioner,

v.

Susan Riseling,

Defendant-Respondent,

David Williams,

Defendant,

Patrick Richter,

Defendant-Respondent,

Michael Green,

Defendant,

David Ward,

Defendant-Respondent,

University of Wisconsin - Madison, Per
Mar Security & Research, Struck & Irwin
Fence, Inc.,

Defendants.

REVIEW of a decision of the Court of Appeals. *Affirmed.*

¶1 PER CURIAM. The court is equally divided on whether to affirm or reverse the decision of the court of appeals. Justice Donald W. Steinmetz, Justice William A. Bablitch, and Justice Jon P. Wilcox would affirm; Justice Ann Walsh Bradley, Justice N. Patrick Crooks, and Justice David T. Prosser would reverse. Chief Justice Shirley S. Abrahamson did not participate.

¶2 Accordingly, the decision of the court of appeals is affirmed.

