

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

MARY HALEY et al.,

Plaintiffs,

vs.

KOLBE & KOLBE MILLWORK CO.,
INC. et al.,

Defendant,

Case No. 14-cv-99

and

FIREMAN'S FUND INSURANCE
COMPANY and UNITED STATES FIRE
INSURANCE COMPANY, et al.

Intervenors.

**UNITED STATES FIRE INSURANCE COMPANY'S
NOTICE OF CROSS-APPEAL**

U.S. Fire Insurance Company ("U.S. Fire") notifies the Court and counsel that U.S. Fire cross-appeals to the United States Court of Appeals for the Seventh Circuit the ruling in this action denying U.S. Fire's reimbursement of defense costs contained in the District Court's August 25, 2016 Opinion and Order and August 28, 2016 final judgment (ECF Nos. 567, 568).

U.S. Fire further notifies the Court and counsel that U.S. Fire cross-appeals to the United States Court of Appeals for the Seventh Circuit to reinstate U.S. Fire's challenge to the reasonableness of Kolbe's defense costs. The District Court deemed this issue "premature to resolve" in its April 1, 2016 Opinion and Order (ECF No. 213) and did not resolve the issue in

its August 25, 2016 Opinion and Order and August 28, 2016 final judgment (ECF Nos. 567, 568).

Kolbe filed a Notice of Appeal of the District Court's August 25, 2016 Opinion and Order and August 28, 2016 final judgment (ECF Nos. 567, 568) on September 28, 2016.

Dated: October 11, 2016

Respectfully submitted,

SHOOK, HARDY & BACON L.L.P.

By: /s/ David E. Schoenfeld

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