

APPEAL, CEW, CLOSED,

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:16-cv-00296-jdp**

Restoration Risk Retention Group, Inc. v. Ross, Dave et al
Assigned to: District Judge James D. Peterson
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 28:2201 Declaratory Judgement

Date Filed: 05/05/2016
Date Terminated: 11/04/2016
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: Federal Question

Plaintiff**Restoration Risk Retention Group, Inc.**

represented by **Kenneth T. Brooks**
Honigman Miller Schwartz and Cohn LLP
222 North Washington Square
Suite 400
Lansing, MI 48933
517-377-0735
Fax: 517-364-9535
Email: kbrooks@honigman.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kevin M. Blair
Honigman Miller Schwartz and Cohn LLP
222 North Washington Square
Suite 400
Lansing, MI 48933
517-377-0716
Fax: 517-364-9516
Email: kblair@honigman.com
ATTORNEY TO BE NOTICED

V.

Defendant**Dave Ross**

*Secretary, Wisconsin Department of Safety
and Professional Services*

represented by **F. Mark Bromley**
Wisconsin Department of Justice
17 W. Main Street
P.O. Box 7857
Madison, WI 53707-7857
608-264-6201
Fax: 608-267-8906
Email: bromleyfm@doj.state.wi.us

*ATTORNEY TO BE NOTICED***Steven Carl Kilpatrick**

Wisconsin Department of Justice

17 W. Main Street

P.O. Box 7857

Madison, WI 53707-7857

608-266-1792

Fax: 608-267-8906

Email: kilpatricksc@doj.state.wi.us

*TERMINATED: 08/19/2016***Theresa Movroydis Anzivino**

Wisconsin Department of Justice

17 W. Main Street

P.O. Box 7857

Madison, WI 53707-7857

608-266-8554

Fax: 608-267-8906

Email: anzivinothm@doj.state.wi.us

*ATTORNEY TO BE NOTICED***Defendant****Trades Credentialing Unit***Wisconsin Department of Safety and**Professional Services**TERMINATED: 10/24/2016*represented by **F. Mark Bromley**

(See above for address)

*ATTORNEY TO BE NOTICED***Steven Carl Kilpatrick**

(See above for address)

*TERMINATED: 08/19/2016***Theresa Movroydis Anzivino**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/06/2016	<u>1</u>	COMPLAINT (<i>Verified</i>) for Declaratory and Injunctive Relief against Restoration Risk Retention Group, Inc. (Filing fee \$ 400 receipt number 0758-1803273.), filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit A - WI Office of Commissioner of Ins. Risk Retention Group Webpage, # <u>2</u> Exhibit B - April 30 2015 Letter, # <u>3</u> Exhibit C - May 20 2015 Email, # <u>4</u> Exhibit D - July 28 2015 Letter, # <u>5</u> Exhibit E - September 15 2015 Letter, # <u>6</u> JS-44 Civil Cover Sheet, # <u>7</u> Summons to Dave Ross,

		# 8 Summons to Trades Credentialing Unit) (Brooks, Kenneth) (Entered: 05/06/2016)
05/06/2016	2	MOTION FOR PRELIMINARY INJUNCTION by Plaintiff Restoration Risk Retention Group, Inc. (Brooks, Kenneth) (Entered: 05/06/2016)
05/06/2016	3	Brief in Support of 2 Motion for Preliminary Injunction by Plaintiff Restoration Risk Retention Group, Inc., (Attachments: # 1 Exhibit A - WI Office of Commissioner of Ins. Risk Retention Group Webpage, # 2 Exhibit B - April 30 2015 Letter, # 3 Exhibit C - May 20 2015 Email, # 4 Exhibit D - July 28 2015 Letter, # 5 Exhibit E - September 15 2015 Letter, # 6 Exhibit F - WI Department of Professional Services Website, # 7 Exhibit G - Order Granting Motion) (Brooks, Kenneth) Modified on 5/9/2016. (lak) (Entered: 05/06/2016)
05/06/2016		Case randomly assigned to District Judge James D. Peterson and Magistrate Judge Stephen L. Crocker. (jat) (Entered: 05/06/2016)
05/06/2016		Standard attachments for Judge James D. Peterson required to be served on all parties with summons or waiver of service: NORTC, Corporate Disclosure Statement . (jat) (Entered: 05/06/2016)
05/06/2016	4	Summons Issued as to Dave Ross, Trades Credentialing Unit. (Attachments: # 1 Summons Dave Ross) (jat) (Entered: 05/06/2016)
05/09/2016	5	Corporate Disclosure Statement by Plaintiff Restoration Risk Retention Group, Inc. (Brooks, Kenneth) (Entered: 05/09/2016)
05/19/2016	6	Summons Returned Executed. Dave Ross served on 5/18/2016, answer due 6/8/2016. (Brooks, Kenneth) (Entered: 05/19/2016)
05/19/2016	7	Summons Returned Executed. Trades Credentialing Unit served on 5/18/2016, answer due 6/8/2016. (Brooks, Kenneth) (Entered: 05/19/2016)
06/07/2016	8	Notice of Appearance filed by Theresa Movroydis Anzivino for Defendants Dave Ross, Trades Credentialing Unit, (Attachments: # 1 Certificate of Service) (Anzivino, Theresa) Modified on 6/8/2016: Document is signed by one attorney. Additional counsel not added. (lak) (Entered: 06/07/2016)
06/07/2016	9	ANSWER by Defendants Dave Ross, Trades Credentialing Unit. (Anzivino, Theresa) (Entered: 06/07/2016)
06/08/2016		Set Telephone Conference: Telephone Pretrial Conference set for 7/6/2016 at 01:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. [Standing Order Governing Preliminary Pretrial Conference attached] (jat) (Entered: 06/08/2016)
06/09/2016		Set Briefing Deadlines as to 2 MOTION FOR PRELIMINARY INJUNCTION. Brief in Opposition due 6/30/2016. Brief in Reply due 7/11/2016. (jat) (Entered: 06/09/2016)

06/17/2016	10	Notice of Appearance filed by Kevin M. Blair for Plaintiff Restoration Risk Retention Group, Inc. (Blair, Kevin) (Entered: 06/17/2016)
06/28/2016	11	Proposed Findings of Fact filed by Plaintiff Restoration Risk Retention Group, Inc. re: 2 Motion for Preliminary Injunction. (Blair, Kevin) (Entered: 06/28/2016)
06/28/2016	12	Stipulation to Extend Briefing Deadlines by Plaintiff Restoration Risk Retention Group, Inc., (Attachments: # 1 Exhibit - Order (Unsigned)) (Blair, Kevin) (Entered: 06/28/2016)
06/29/2016	13	** TEXT ONLY ORDER ** ORDER granting 12 Stipulation to Extend Briefing Deadlines. Signed by Magistrate Judge Stephen L. Crocker on 6/28/16. (jat) (Entered: 06/29/2016)
06/29/2016		Reset Briefing Deadlines as to 2 MOTION FOR PRELIMINARY INJUNCTION. Brief in Opposition due 7/8/2016. Brief in Reply due 7/19/2016. (jat) (Entered: 06/29/2016)
06/29/2016	14	MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS by Defendants Dave Ross, Trades Credentialing Unit. Brief in Opposition due 7/20/2016. Brief in Reply due 8/1/2016. (Anzivino, Theresa) Modified on 6/30/2016. (lak) (Entered: 06/29/2016)
06/29/2016	15	Brief in Support of 14 Motion for Partial Judgment on the Pleadings by Defendants Dave Ross, Trades Credentialing Unit. (Anzivino, Theresa) Modified on 6/30/2016. (lak) (Entered: 06/29/2016)
06/30/2016	16	Joint Discovery Plan. (Blair, Kevin) (Entered: 06/30/2016)
07/06/2016		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference held on 7/6/2016 [:25] (cak) (Entered: 07/06/2016)
07/07/2016	17	Response to Proposed Findings of Fact filed by Defendants Dave Ross, Trades Credentialing Unit re: 2 Motion for Preliminary Injunction. (Anzivino, Theresa) (Entered: 07/07/2016)
07/07/2016	18	Brief in Opposition by Defendants Dave Ross, Trades Credentialing Unit re: 2 Motion for Preliminary Injunction filed by Restoration Risk Retention Group, Inc. (Anzivino, Theresa) (Entered: 07/07/2016)
07/19/2016	19	Brief in Reply by Plaintiff Restoration Risk Retention Group, Inc. in Support of 2 Motion for Preliminary Injunction. (Blair, Kevin) (Entered: 07/19/2016)
07/20/2016	20	Pretrial Conference Order - Dispositive Motions due 3/31/2017. Final Pretrial Submissions due 7/19/2017. Court Trial set for 8/16/2017 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 7/8/16. (jat) (Entered: 07/20/2016)
07/20/2016	21	Brief in Opposition by Plaintiff Restoration Risk Retention Group, Inc. re: 14 Motion for Partial Judgment on the Pleadings filed by Trades Credentialing Unit, Dave Ross. (Blair, Kevin) (Entered: 07/20/2016)
07/21/2016	22	Unopposed Motion for Leave to File <i>an Early Motion for Summary Judgment</i> by Plaintiff Restoration Risk Retention Group, Inc. (Blair, Kevin) (Entered: 07/21/2016)

07/22/2016	23	** TEXT ONLY ORDER ** Plaintiff's unopposed motion for leave to file an early motion for summary judgment (while preserving the right to file another comprehensive summary judgment motion later), Dkt. 22 , is GRANTED. The motion is due August 12, 2016. Signed by District Judge James D. Peterson on 7/22/16. (jat) (Entered: 07/22/2016)
08/01/2016	24	Brief in Reply by Defendants Dave Ross, Trades Credentialing Unit in Support of 14 Motion for Partial Judgment on the Pleadings. (Anzivino, Theresa) Modified on 8/1/2016. (lak) (Entered: 08/01/2016)
08/12/2016	25	MOTION FOR PARTIAL SUMMARY JUDGMENT by Plaintiff Restoration Risk Retention Group, Inc. Brief in Opposition due 9/2/2016. Brief in Reply due 9/12/2016. (Blair, Kevin) (Entered: 08/12/2016)
08/12/2016	26	Brief in Support of 25 Motion for Partial Summary Judgment by Plaintiff Restoration Risk Retention Group, Inc. (Blair, Kevin) (Entered: 08/12/2016)
08/12/2016	27	Proposed Findings of Fact filed by Plaintiff Restoration Risk Retention Group, Inc. re: 25 Motion for Partial Summary Judgment. (Blair, Kevin) (Entered: 08/12/2016)
08/19/2016	28	Notice of Withdrawal of Counsel by Steven Carl Kilpatrick re: Defendants Dave Ross, Trades Credentialing Unit. (Kilpatrick, Steven) (Entered: 08/19/2016)
09/01/2016	29	Brief in Opposition by Defendants Dave Ross, Trades Credentialing Unit re: 25 Motion for Partial Summary Judgment filed by Restoration Risk Retention Group, Inc. (Anzivino, Theresa) (Entered: 09/01/2016)
09/01/2016	30	Response to Proposed Findings of Fact filed by Defendants Dave Ross, Trades Credentialing Unit re: 25 Motion for Partial Summary Judgment. (Anzivino, Theresa) (Entered: 09/01/2016)
09/12/2016	31	Brief in Reply by Plaintiff Restoration Risk Retention Group, Inc. in Support of 25 Motion for Partial Summary Judgment. (Blair, Kevin) (Entered: 09/12/2016)
09/12/2016	32	Reply in Support of Proposed Findings of Fact filed by Plaintiff Restoration Risk Retention Group, Inc. re: 25 Motion for Partial Summary Judgment. (Blair, Kevin) (Entered: 09/12/2016)
10/24/2016	33	OPINION & ORDER granting 14 Defendants' Motion for Partial Judgment on the Pleadings; denying 25 Plaintiff's Motion for Partial Summary Judgment; denying 2 Plaintiff's Motion for Preliminary Injunction. Plaintiff's claims against defendant Trades Credentialing Unit are dismissed. Defendant Trades Credentialing Unit is dismissed from this case. The parties must inform the court of their intention to proceed with this case within 10 days of this order. Signed by District Judge James D. Peterson on 10/24/16. (jat) (Entered: 10/24/2016)
10/24/2016		Set Deadlines: Response to Order due 11/4/2016. (jat) (Entered: 10/24/2016)
11/03/2016	34	STIPULATION of Dismissal of <i>Plaintiff's Remaining Claims without Prejudice or Costs</i> . (Blair, Kevin) Modified on 11/3/2016. (lak) (Entered: 11/03/2016)
11/04/2016	35	JUDGMENT entered in favor of Defendants Dave Ross and Trades Credentialing Unit dismissing the case. (jat) (Entered: 11/04/2016)

12/02/2016	36	NOTICE OF APPEAL by Plaintiff Restoration Risk Retention Group, Inc. as to 35 Judgment. Filing fee of \$ 505, receipt number 0758-1927513 paid. No Docketing Statement filed. (Blair, Kevin) (Entered: 12/02/2016)
12/02/2016	37	Appeal Information Packet. (lak) (Entered: 12/02/2016)