

SUPREME COURT OF WISCONSIN

CASE No. : 2005AP544

COMPLETE TITLE :

DaimlerChrysler c/o ESIS,
Plaintiff-Appellant,
v.
Labor and Industry Review Commission and Glenn
May,
Defendants-Respondents.

MOTION FOR RECONSIDERATION

2007 WI 15

Reported at: ___ Wis. 2d ___, 727 N.W.2d 311

OPINION FILED: March 30, 2007

SUBMITTED ON BRIEFS:

ORAL ARGUMENT:

SOURCE OF APPEAL:

COURT:

COUNTY:

JUDGE:

JUSTICES:

CONCURRED:

DISSENTED:

NOT PARTICIPATING:

ATTORNEYS:

NOTICE

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

No. 2005AP544
(L.C. No. 2004CV722)

STATE OF WISCONSIN

:

IN SUPREME COURT

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May,

Defendants-Respondents.

FILED

MAR 30, 2007

A. John Voelker
Acting Clerk of Supreme
Court

MOTION for reconsideration. *Reconsideration denied.*

¶1 PER CURIAM. DaimlerChrysler moves the court to reconsider its opinion in DaimlerChrysler v. Labor & Industry Review Comm'n, 2007 WI 15, ___ Wis. 2d ___, 727 N.W.2d 311, on the ground that the court based its decision on a statute not in effect when the injury to Glenn May occurred.

¶2 The motion for reconsideration is denied.

¶3 However, to clarify the DaimlerChrysler opinion, we now add the following footnote at the end of the second sentence of ¶39:

¹⁷ Wisconsin Stat. § 102.32(6)(b) became effective March 30, 2004. Wis. Act 144. It was therefore not in effect at the time of May's accident. We draw on it here not as a statement of the law in 1999, but because it demonstrates that the LIRC's interpretation of § 102.18(1)(d) is reasonable.

¶4 Accordingly, the motion for reconsideration is denied, without costs.

