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CITY OF  
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VIA MESSENGER

August 18, 2017

Honorable William Sosnay  
Milwaukee County Circuit Court  
Milwaukee County Courthouse, Branch 8  
901 North 9th Street, Room 414  
Milwaukee, WI 53233

**RE: *Woodspring Suites Milwaukee Airport LLC v. City of Milwaukee***  
**Case No. 2017-CV-006239; The Court's July 28, 2017 Order**

Dear Judge Sosnay:

As you are aware, Woodspring Suites Milwaukee Airport LLC ("Hotel") filed two complaints with the Milwaukee County Circuit Court - the one before you for certiorari (Case No. 2017-CV-006239) and the one before Judge Fiorenza for mandamus (2017-CV-006238).

On the same day the certiorari case was filed with your Court, you issued the **enclosed** July 28<sup>th</sup> Order calling for the City to respond to the Hotel's Complaint on September 1 and for the City to file with the Court the City's record on September 22.

As you are aware, on August 4<sup>th</sup> our office filed with Judge Fiorenza motions to consolidate the two cases before Judge Fiorenza and to dismiss them. Also on August 4, Judge Fiorenza signed the **enclosed** Stipulation and Order establishing the briefing schedule for the motions and oral argument on August 30<sup>th</sup>.

Because the August 30<sup>th</sup> oral arguments before Judge Fiorenza may result in an eventual decision from her consolidating and dismissing both cases, the City hereby respectfully requests that the City's September 1 and 22 deadlines in your Order be



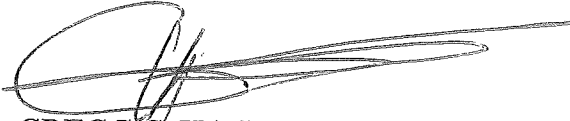
Honorable William Sosnay  
August 18, 2017

stayed to allow Judge Fiorenza time to hear oral arguments and to decide. Upon her deciding, if need be, the City's deadlines in your July 28 Order can be revisited.

I **enclose** a proposed Order for your consideration to stay the deadlines as requested. I am copying the Hotel's lawyer and Judge Fiorenza on this transmittal.

Thank you very much for considering this.

Sincerely,



GREGG C. HAGOPIAN  
Assistant City Attorney

GCH:tas

Enclosures

- c: Judge Claire Fiorenza (w/enc. by messenger) (2017CV-006238)  
M. Andrew Skwierawski, Hotel's lawyer (w/enc. by email)  
S. Todd Farris, Hotel's lawyer (w/enc. by email)  
Brian Randall, Hotel's lawyer (w/enc. by email)  
Christopher M. Meuler, Hotel's lawyer (w/enc. by email)  
Cameron Smith, DOT's lawyer (w/enc. by email)  
Alderman Terry L. Witkowski (w/enc. by email)  
Jim Owczarski (w/enc. by email)  
Bill Fuchs (w/enc. by email)  
Kyle Gast (w/enc. by email)  
Vanessa Koster (w/enc. by email)  
Yance Marti (w/enc. by email)

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STATE OF WISCONSIN      CIRCUIT COURT      MILWAUKEE COUNTY

WOODSPRING SUITES MILWAUKEE  
AIRPORT LLC,

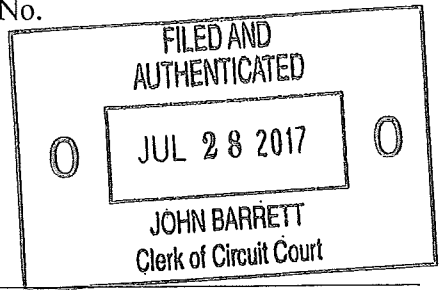
Plaintiff,

v.

CITY OF MILWAUKEE, a municipal corporation,

Defendant.

Case No.



**CERTIORARI ORDER**

Plaintiff, WoodSpring Suites Milwaukee Airport LLC (“WoodSpring”), having filed its Complaint against Defendant, City of Milwaukee, seeking the remedy available by Writ of Certiorari for the City’s rejection of a Certified Survey Map (“CSM”) submitted for approval by WoodSpring and it appearing from the Complaint that WoodSpring has a right to certiorari review of the City’s rejection of its CSM;

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

1. WoodSpring shall serve the Complaint and this Order on the City on or before 8-11, 2017.
2. The City shall file its written response to the Complaint on or before 9-1, 2017.
3. The City shall assemble the record of proceedings on WoodSpring’s CSM and file it with the Court on or before 9-22, 2017.
4. Upon receipt of the record, the Court will hold a Scheduling Conference for further proceedings in the case.

Dated this 28 day of \_\_\_\_\_, 2017.



BY THE COURT:

*William Sosna*  
Circuit Court Judge

WOODSPRING SUITES MILWAUKEE AIRPORT  
LLC,

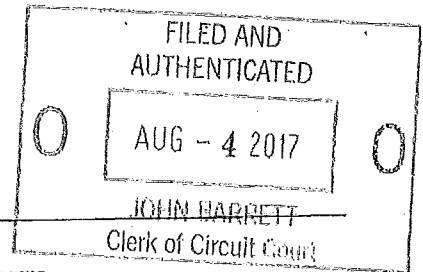
Case No. 2017-CV-006238

Plaintiff,

v.

JAMES R. OWCZARSKI, in his official capacity as City  
Clerk of the City of Milwaukee,

Defendant.



**BRIEFING STIPULATION AND ORDER**

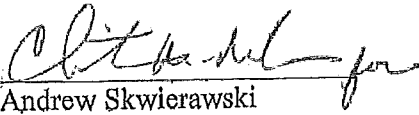
**STIPULATION**

Plaintiff, WoodSpring Suites Milwaukee Airport LLC ("WoodSpring"), filed a Complaint in this case seeking a Writ of Mandamus. Defendant and WoodSpring, through their respective attorneys, spoke about the matter, and they now hereby stipulate and agree as follows:

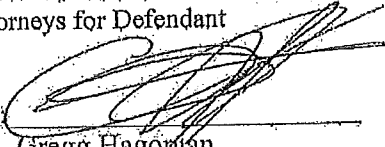
1. Defendant shall on or before Friday August 4, 2017 file with the Court a motion to dismiss/quash and motion to consolidate this case with Case No. 2017-CV-006239.
2. WoodSpring shall file a response brief on or before August 11, 2017.
3. Defendant shall file a reply brief on or before noon on August 25, 2017.
4. The parties shall appear before the Court, Judge Fiorenza presiding, at 1:30 P.M. on August 30, 2017 for a hearing on Defendant's motions.
5. This document may be executed in counterparts. Email and fax signatures are acceptable as originals.

Dated August 2, 2017.

**FRIEBERT, FINERTY & ST. JOHN, S.C.**  
Attorneys for Plaintiff

By:   
Andrew Skwierawski  
Friebert, Finerty & St. John, S.C.  
State Bar No. 1063902  
330 E Kilbourn Ave Suite 1250  
Milwaukee, WI 53202  
(414) 271-0130

**MILWAUKEE CITY ATTORNEY**  
Attorneys for Defendant

By:   
Gregg Hagopian  
Assistant City Attorney  
State Bar No. 1007373  
200 East Wells, Street, Suite 800  
Milwaukee, WI 53202  
(414) 286-2620

**ORDER**

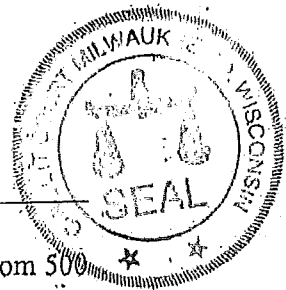
The Court hereby accepts the foregoing stipulation and orders compliance with same.

Dated at Milwaukee, Wisconsin this 4<sup>th</sup> day of August, 2017.

**BY THE COURT:**

/s/ CLARE L. FIORENZA

HONORABLE CLARE L. FIORENZA  
Milw. County Circuit Court, Branch 3, Room 500



WOODSPRING SUITES MILWAUKEE AIRPORT LLC

Plaintiff,

Case No.: 2017-CV-006239

Code: 30955

v.

CITY OF MILWAUKEE

Defendant

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**ORDER STAYING DEADLINES**

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Defendant, City of Milwaukee (“City”), having requested stay of deadlines in this Court’s July 28, 2017 Order due to the City Clerk having moved the Court in Case No. 2017-CV-006238 (Judge Fiorenza) for consolidation of that case (the “Mandamus Case”) with the instant case (the “Certiorari Case”), and for dismissal of the two cases, and due to Judge Fiorenza’s having signed a Briefing Stipulation and Order on August 4, 2017 in the Mandamus Case calling for a hearing and oral argument on those motions on August 30, 2017, hereby orders as follows:

1. The City’s September 1 and September 22, 2017 deadlines in this Court’s July 28, 2017 Order are hereby stayed.
2. The parties in this case shall advise this Court of Judge Fiorenza’s decision on the motions pending before her in the Mandamus Case.
3. After Judge Fiorenza decides the motions in the Mandamus Case, if the Certiorari Case remains before this Court and not dismissed, then this Court will hold a Scheduling Conference and revisit deadlines as needed.

SO ORDERED. Dated: \_\_\_\_\_, 2017

BY THE COURT

\_\_\_\_\_  
Honorable William Sosnay, Branch 8, Room 414

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