

rnova@gklaw.com

December 31, 2008

Honorable Sue E. Bischel
Brown County Courthouse
P.O. Box 23600
Green Bay, WI 54305-3600

RE: Hilliard Limited Partnership v. Evergreen Development, LLC, et al.
Brown County Case No. 08-CV-2265
File No.: 070998-0002

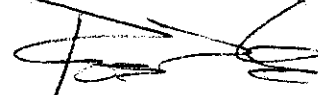
Dear Judge Bischel:

Under separate cover, a courtesy copy of Plaintiff's Notice of Motion and Motion for Summary Judgment, Brief and accompanying documents was delivered to your chambers. I respectfully request that, at your convenience, you set a briefing schedule for the Summary Judgment Motion. Further, I respectfully request that the Scheduling Conference set for January 22, 2009 at 2:00 p.m. be cancelled and rescheduled, if necessary, once a decision on Plaintiff's Motion for Summary Judgment has been rendered.

Judge Bischel, thank you for your time and attention. If you have any questions or comments, or require additional information, please do not hesitate to contact me.

Very truly yours,

GODFREY & KAHN, S.C.



Ross J. Nova

RJN:kjo

cc: David Stellpflug

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