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February 12, 2009

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:

On January 9, 2009, the parties in the above-referenced matter received a letter from you providing the Defendants thirty days from January 7, 2009 to retain substitute representation. That time has expired and counsel for the Plaintiff has received no information that the Defendants have retained new counsel. Assuming that the Court has likewise received no information regarding new representation for the Defendants, we respectfully request the Court establish a briefing schedule in regard to the Summary Judgment Motion filed by the Plaintiff on January 5, 2009.

Judge Bischel, thank you in advance for your patience and cooperation. If you have any questions or comments, please do not hesitate to contact me.

Very truly yours,

GODFREY & KAHN, S.C.



Ross J. Nova

RJN:kjo

cc: Ronald H. Van Den Huevel
Evergreen Development, LLC
Hilliard Limited Partnership

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