

SUE E. BISCHEL
Circuit Judge



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CIRCUIT COURT BRANCH III

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MICHELLE WALLERIUS
Judicial Assistant
920/448-4115

February 16, 2009

Mr. Ronald Van Den Huevel
2303 Lost Dauphin Road
De Pere, WI 54115

FILE COPY

Re: *Hilliard Limited Partnership vs. Evergreen Development, LLC*
Case No. 08-CV-2265

Dear Mr. Van Den Huevel:

I believe you received a copy of Attorney Nova's letter to me dated February 12, 2009. I am prepared to establish a briefing schedule regarding the Motion for Summary Judgment but before devoting my time to this motion, would like to inquire whether you are contesting it. I have not heard from you whether you intend to retain an attorney on your behalf or on behalf of the corporation. It is my understanding that you are the managing partner of that corporation. As I indicated in my earlier correspondence, you cannot personally defend the corporation. If you do not intend to retain an attorney for the corporation, nothing will be submitted on behalf of the corporation to defeat Mr. Nova's request and I will be compelled to grant judgment in favor of his client. If you do not intend to personally respond to the Summary Judgment Motion on your behalf, or retain an attorney for yourself, I will similarly be compelled to grant the motion. Therefore, before devoting substantial time to this motion, I would respectfully request that you advise me within 10 days of the date of this letter whether you intend to retain an attorney for yourself or the corporation, and whether you are personally opposing the motion and intend to submit a response brief which would be ordered.

Sincerely,

Copy 10 days

Sue E. Bischel
Circuit Court Judge

SEB:mkw

c: Attorney Ross Nova
Evergreen Development, LLC