

FILED
09-26-2018
Clerk of Circuit Court
Racine County
2017CV001644

DATE SIGNED: September 26, 2018

Electronically signed by Eugene A Gasiorkiewicz
Circuit Court Judge

STATE OF WISCONSIN

CIRCUIT COURT

RACINE COUNTY

SANDRA J. WEIDNER,

Petitioner,

v.

Case No. 17-CV-1644

CITY OF RACINE,
a Wisconsin municipal corporation,

Case Code: 30952

Respondent.

ORDER REGARDING SEPTEMBER 25, 2018 HEARING

On September 25, 2018, the Court held a hearing and addressed Respondent City of Racine's ("City") Motion for an Emergency Hearing and for Sanctions on Petitioner Sandra J. Weidner's ("Aldersperson Weidner") Contempt of Court for Violating the Court's Seal Orders (the "Sanctions Motion", or if referring to the hearing on the Sanctions Motion, the "Sanctions Hearing"); Aldersperson's Weidner's request to adjourn the Sanctions Hearing (the "Adjournment Request"); Milwaukee Journal Sentinel, USA Today Network – Wisconsin, the Wisconsin Freedom of Information Council, the Wisconsin Newspaper Association, and the Wisconsin Broadcasters Association (collectively the "News Media") request to intervene to argue that the Sanctions Hearing be public (the "News Media Request"); and Harry Wait's Motion to Intervene ("Wait Motion to Intervene").

Aldersperson Weidner appeared by Mark Hinkston of Knuteson, Hinkston & Quinn, S.C. The City appeared by Michael Cohen and Dieter Juedes of Meissner Tierney Fisher & Nichols S.C. The News Media appeared by Brian Spahn of Godfrey & Kahn S.C. Harry Wait appeared *pro se*.

For the reasons stated on the record, the Court Orders as follows:

1. Aldersperson Weidner's Adjournment Request is granted to allow Aldersperson Weidner to obtain new counsel for the Sanctions Hearing. The Sanctions Hearing has been adjourned to Wednesday, October 3, 2018 at 1:30 pm.

2. The Sanctions Hearing will be open to the public. The content of the information subject to the Court's Orders of February 8, 2018, February 13, 2018, and May 16, 2018 (collectively, the "Court's Seal Orders") shall not be mentioned during the Sanctions Hearing or divulged to anyone.

3. The Court's Seal Orders remain in full force and affect. The Court will not revisit the Court's Seal Orders, which as it relates to the Court's May 16, 2018 Order, is presently on appeal to the Wisconsin Court of Appeals.

4. The City's Brief in Support of its Sanctions Motion, Affidavit of Michael J. Cohen in Support of the Sanctions Motion, and the City's Notice of the Sanctions Motion and Sanctions Motion, and Amended Notice of the Sanctions Motion and Sanctions Motion contain confidential information subject to the Court's Seal Orders and remain sealed.

5. The News Media Request to intervene is denied as moot based on the Court's determination that the Sanctions Hearing will be open to the public.

6. The Wait Motion to Intervene is denied as untimely to the extent it seeks to revisit the Court's Seal Orders. To the extent the Wait Motion to Intervene seeks to ensure that the Sanctions Hearing is open to the public, it is denied as moot based on the Court's determination that the Sanctions Hearing will be open to the public.