

STATE OF WISCONSIN  
COURT OF APPEALS  
DISTRICT IV

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Case No. 2009AP000728

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WISCONSIN MEDICAL SOCIETY, INC.,  
AND DAVID M. HOFFMAN, M.D.,

Plaintiffs-Appellants,

v.

MICHAEL L. MORGAN,

Defendant-Respondent.

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DEFENDANT-RESPONDENT MICHAEL L. MORGAN'S  
MOTION TO STRIKE

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The Wisconsin Hospital Association (“WHA”) has filed a motion for leave to file a brief as *amicus curiae* in this matter. WHA’s appendix to its brief consists of four documents that are not part of the trial court record. Such submissions are contrary to appellate procedure and the law.

For the reasons stated in the memorandum of law in support of this motion, defendant-respondent Michael L. Morgan, by his attorneys,

Attorney General J.B. Van Hollen and Assistant Attorneys General Christopher J. Blythe and Charlotte J. Gibson, hereby moves the Court to strike WHA's appendix to its brief, as well as all references to its appendix in its brief and all arguments based thereupon.

Dated this 29<sup>th</sup> day of June 2009.

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