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**Mark J. Steichen**  
Direct Dial Number · (608) 283-1767  
msteichen@boardmanlawfirm.com

May 28, 2010

Elizabeth Yazbec  
Clerk, Branch 3  
Walworth County Courthouse  
P. O. Box 1001  
1800 County Road NN  
Elkhorn, WI 53121-1001

Re: Waller v. American Transmission Company Co., LLC  
Case Nos. 08-CV-520 and 08-CV-955

Dear Liz:

Enclosed for filing in each of the above-entitled actions is a Notice of Entry of Judgment.

A copy of the Notice has been served on plaintiff's counsel.

Sincerely yours,

Boardman, Suhr, Curry & Field LLP

A handwritten signature in black ink, appearing to read "Mark J. Steichen".

Mark J. Steichen

MJS/ja  
Enclosures  
cc: Attorney Hugh Braun

SCOTT N. WALLER and  
LYNNEA S. WALLER,

Plaintiffs,

v.

AMERICAN TRANSMISSION CO. LLC,  
by its corporate manager, ATC Management Inc.

Defendant.

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Case No. 08-CV-520

Case Code: 30402  
Condemnation Review

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**NOTICE OF ENTRY OF JUDGMENT**

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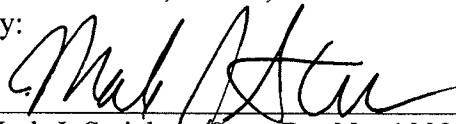
TO: Mr. Hugh R. Braun  
Godfrey, Braun & Frazier  
735 N. Water Street  
16th Floor  
Milwaukee, WI 53202-4278  
Attorneys for Plaintiffs,  
Scott N. and Lynnea S. Waller

PLEASE TAKE NOTICE that the attached final judgment was entered on May 21, 2010.

Dated this 28<sup>th</sup> day of May, 2010.

BOARDMAN, SUHR, CURRY & FIELD LLP

By:



Mark J. Steichen, State Bar No. 1009712

One South Pinckney Street, Suite 400

P.O. Box 927

Madison, WI 53701-0927

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(608) 283-1709 (fax)

msteichen@boardmanlawfirm.com

Attorneys for American Transmission Co. LLC,  
by its corporate manager, ATC Management Inc.

STATE OF WISCONSIN                      CIRCUIT COURT                      WALWORTH COUNTY

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SCOTT N. WALLER and  
LYNNEA S. WALLER,

Plaintiffs,

v.

AMERICAN TRANSMISSION CO. LLC,

Defendant.

**FILED**  
CIRCUIT COURT

Case No. 08-CV-520

Case Code: 30402

MAY 21 2010

CLERK OF COURTS - WALWORTH CO.  
BY ELISABETH YAZBEC

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**JUDGMENT**

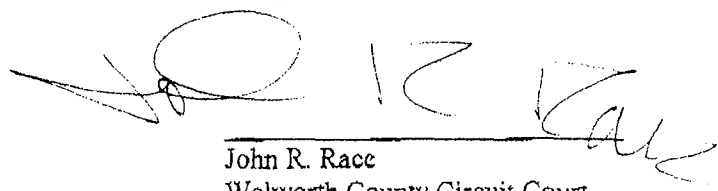
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In accordance with this Court's order for entry of judgment,

The Court declares that the property still owned by the Wallers after the partial taking of easements by American Transmission Co. LLC and ATC Management Inc., its corporate manager, does not constitute an uneconomic remnant within the meaning of Wis. Stat. §32.06(3m). This action is dismissed and ATC is awarded its costs and disbursements as taxed by the clerk in the amount of \$ 417.85.

Dated this 21 day of May, 2010.

BY THE COURT

  
\_\_\_\_\_  
John R. Race  
Walworth County Circuit Court

*5/21/10 Per Atty Steichen, do not docket judgment. (lis)*

State of Wisconsin

Circuit Court  
**FILED**  
CIRCUIT COURT

Walworth County

Scott N. Waller and  
Lynnea S. Waller

MAY 21 2010

vs.

**BILL OF COSTS**

CLERK OF COURTS - WALWORTH CO. Case No.: 08-CV-520  
BY ELISABETH YAZBEC

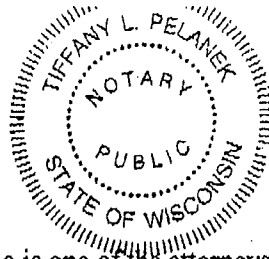
American Transmission Co. LLC,

EXCLUSIVE OF DISBURSEMENTS	PROPOSED	ALLOWED
Statutory attorney's fees pursuant to sec. 814.02	\$ 100.00	100.00
Costs (Amount Recovered or Property Involved \$500.00 to less than \$1000.00)		
Costs (Amount Recovered or Property Involved \$200.00 to less than \$500.00)		
Costs (Amount Recovered or Property Involved)		
Costs awarded by the Court		
Interest on Verdict		
<b>DISBURSEMENTS</b>		
Appeals from Inferior Courts,		
Affidavits,		
Service of Summons		
Service of Summons by Publication		
Service of Subpoena		
Service of		
Clerk's Fees		
Register of Deeds Fees		
Postage	\$ 24.53	24.53
Facsimile	\$ 58.50	58.50
Telephoning	\$ 13.53	13.53
Express	\$ 51.29	51.29
Photocopies	\$ 25.00	25.00
Abstract of Title		
Court Commissioners' Fees		
Witness Fees		
Referee's Fees		
Registration of Foreign Judgment		
Hearing Transcripts: 8/11/08 \$84.50; 10/15/08 \$60.50	\$ 145.00	145.00
Total:	\$ 417.85	417.85

The above costs and disbursements are hereby adjusted, taxed and allowed this 21 day of May, 2010, at Four Hundred Seventeen & 85/100 Dollars (\$ 417.85).

By Sheila T. Reiff, Clerk  
Elisabeth Yazbec, Deputy Clerk

Wisconsin Statutes 814 - 814.04 Sub. Sec. (6) If the judgment is by default or upon voluntary dismissal by the adverse party the costs taxed under subsection (1) shall be one-half what they would have been had the matter been contested



State of Wisconsin }
} ss
Dane County }

Mark J. Steichen, being duly sworn, on oath says that he is one of the attorneys for the defendant in the within entitled action, and that the disbursements within mentioned have been or will be necessarily made and the copies charged for in the within bill of costs were necessarily obtained for use in said action.

Handwritten signature of Mark J. Steichen

Subscribed and sworn to before me this 7 day of May 2010

Handwritten signature of Notary Public, State of Wisconsin
My Commission expires: March 11, 2012

State of Wisconsin }
} ss
County }

being duly sworn, on oath says that he is one of the attorneys for the in the within entitled action; that the person named below actually attended as witnesses on the part of the on the trial of said action, the number of days and resided at the places and traveled the number of miles from their respective places of residence to attend the trial of said action, hereinafter stated and set opposite their names, to-wit:

resides at attended days, and traveled miles, and is entitled to \$
resides at attended days, and traveled miles, and is entitled to \$
resides at attended days, and traveled miles, and is entitled to \$
resides at attended days, and traveled miles, and is entitled to \$
resides at attended days, and traveled miles, and is entitled to \$

Subscribed and sworn to before me this day of , 2010.

Notary Public, State of Wisconsin
My Commission expires:

NOTICE OF TAXATION OF COSTS

Take notice that the Costs and Disbursements in the within entitled action, of which the within is the proposed bill, will be taxed, and the amount thereof inserted in the Judgment, by and before the Clerk of said Court, at his office in the of o'clock, in the noon.

Dated at Wisconsin, 200.

To Attorney for

Attorney for

STATE OF WISCONSIN                      CIRCUIT COURT                      WALWORTH COUNTY

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SCOTT N. WALLER and  
LYNNEA S. WALLER,

Plaintiffs,

v.

AMERICAN TRANSMISSION CO. LLC,

Defendant.

Case No. 08-CV-520

Case Code: 30402

**FILED**  
CIRCUIT COURT

MAY 18 2010

CLERK OF COURTS - WALWORTH CO.  
BY ELISABETH YAZBEC

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**ORDER FOR ENTRY OF JUDGMENT**

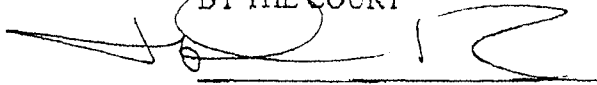
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Closing arguments in this case were heard on April 30, 2010. The Wallers appeared by Hugh R. Braun and Godfrey Braun & Frazier, LLP; American Transmission Co. LLC, and its corporate manager ATC Management Inc. (together "ATC") appeared by Mark J. Steichen, Boardman, Suhr, Curry & Field LLP and Patricia Smith.

The Court having reviewed the record and heard the arguments of counsel, the Court declares that the property still owned by the Wallers after the partial taking of easements by ATC is not an uneconomic remnant within the meaning of Wis. Stat. §32.06(3m). Judgment shall be entered in favor of ATC dismissing this action and awarding ATC its costs and disbursements in the amount taxed by the clerk.

Dated this 17 day of May, 2010.

BY THE COURT

  
\_\_\_\_\_  
John R. Race  
Circuit Judge  
Walworth County Circuit Court

*17 May*



STATE OF WISCONSIN                      CIRCUIT COURT                      WALWORTH COUNTY

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SCOTT N. WALLER and  
LYNNEA S. WALLER,

Plaintiffs,

v.

AMERICAN TRANSMISSION CO. LLC,

Defendant.

Case No. 08-CV-520

Case Code: 30402

**FILED**  
CIRCUIT COURT

MAY 7 - 2010

*Elisabeth Yazbec*

CLERK OF COURTS - WALWORTH CO.  
BY ELISABETH YAZBEC

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**AFFIDAVIT OF MARK J. STEICHEN**

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STATE OF WISCONSIN    )  
                                  ) ss.  
COUNTY OF DANE        )

I, Mark J. Steichen, being duly sworn on oath, state as follows:

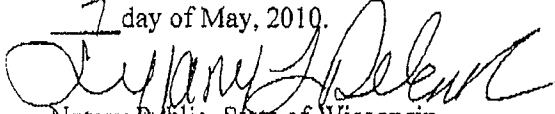
1. I am an attorney for American Transmission Co. LLC and ATC Management Inc. its corporate manager (together "ATC"). I make this affidavit in support of ATC's Bill of Costs in this case.

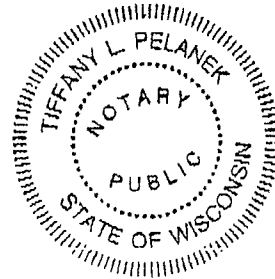
2. The costs and disbursements set out in ATC's Bill of Costs were actually incurred and were necessary for the defense of this action.

3. Certain items of costs, namely postage and telephone charges were incurred for both Walworth County Case No. 2008-CV-955 and Case No. 200-CV-520. These cases involve the same parties, the factual issues are closely interrelated, and ATC is entitled to costs in both cases. These costs are difficult apportion exactly between the two cases. Accordingly, to the extent not attributable separately to one case. the total costs for these items, have been divided equally between the two cases.

  
Mark J. Steicher

Subscribed and sworn to before me this  
7 day of May, 2010.

  
Notary Public, State of Wisconsin  
My Commission: MARCH 11, 2012 ..



Scott N. Waller et al. v. American Transmission Co. LLC,  
Walworth County Case No. 08-CV-520