

FILED  
09-26-2019  
CIRCUIT COURT  
DANE COUNTY, WI  
2018CV003122

DATE SIGNED: September 26, 2019

Electronically signed by Frank D Remington  
Circuit Court Judge

STATE OF WISCONSIN

CIRCUIT COURT

DANE COUNTY

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LEONARD POZNER,  
Plaintiff

vs.

Case No. 18CV3122

JAMES FETZER,  
MIKE PALECEK,  
WRONGS WITHOUT WREMEDIES, LLC,  
Defendants.

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Contempt Order

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This Court having considered the following:

Plaintiff made an oral request for an order to show cause on September 5, 2019 (see Doc. #256). Counsel for Defendant Fetzer waived formal service and agreed to accept service on behalf of his client. (*see Id.*) Plaintiff filed a Motion for Order to Show Cause (Doc. #270) and associated exhibits (Docs. ##258-269). The Court thereafter held an evidentiary hearing including sworn testimony from Defendant Fetzer.

**NOW IT IS HEREBY ORDERED** that for the reasons stated on the record at the September 13, 2019 hearing, the Court finds that Defendant Fetzer intentionally violated the Court's Confidentiality Order. The Court further finds that the contempt is ongoing.

The Court imposes the following remedial sanctions:

(1) If Plaintiff establishes that he may be entitled to punitive damages, Plaintiff shall be allowed to inform the jury of this contempt.

(2) Defendant Fetzer shall be incarcerated for five (5) days in the Dane County Jail. This sentence is stayed subject to both of the following purge conditions being satisfied no later than 8:30 AM on October 14, 2019:

(a) Defendant Fetzer shall compensate Plaintiff for the reasonable expenses associated with bringing Plaintiff's motion. The Court finds that \$7,000 is reasonable. Counsel for the parties stipulated on the record that \$7,000 is reasonable. Therefore, Defendant Fetzer shall pay Plaintiff \$7,000.

(b) Defendant Fetzer shall use his best efforts to ensure that all recipients of confidential information from Mr. Pozner's videotaped deposition have returned the confidential information to Defendant Fetzer and his counsel and have destroyed all of the confidential information in their possession.

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