

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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CHRISTOPHER L. WEISMUELLER,

Plaintiff,

v.

MEMORANDUM and ORDER  
07-C-211-S

JOHN KOSUBUCKI, CHARLES H. CONSTANTINE,  
JAMES A. MORRISON, MARK J. BAKER, THOMAS  
M. BOYKOFF, GLENN E. CARR, STEVEN T. CLARK,  
LINDA F. HOSKINS, JAMES L. HUSTON, JOSEPH  
D. KEARNEY, MARY BETH KEPPEL, JOHN PRAY,  
SHIRLEY S. ABRAHAMSON, JON P. WILCOX, ANN  
WALSH BRADLEY, N. PATRICK CROOKS, DAVID PROSSER,  
PATIENCE D. ROGGENSACK and LOUIS B. BUTLER,

Defendants.

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Plaintiff Christopher L. Weismueller commenced this civil action under 42 U.S.C. §1983 against defendants John Kosubucki, Charles H. Constantine, James A. Morrison, Mark J. Baker, Thomas M. Boykoff, Glenn E. Carr, Steven T. Clark, Linda F. Hoskins, James L. Huston, Joseph D. Kearney, Mary Beth Keppel, John Pray, Shirley S. Abrahamson, Jon P. Wilcox, Ann Walsh Bradley, N. Patrick Crooks, David Prosser, Patience D. Roggensack and Louis B. Butler. Plaintiff claims that Wisconsin Supreme Court Rule 40.03 discriminates against interstate commerce in violation of rights secured under the Commerce Clause. His motion for summary judgment was denied on June 19, 2007.

On June 4, 2007 defendants moved to dismiss plaintiff's amended complaint. This motion is fully briefed and ready for decision.

In deciding plaintiff's motion for summary judgment the Court finds as a matter of law that the Wisconsin Supreme Court Rules requiring graduates of all law schools except the University of Wisconsin and Marquette do not violate the Commerce Clause. Accordingly, defendants are entitled to judgment in their favor as a matter of law and their motion to dismiss plaintiff's complaint will be granted.

ORDER

IT IS ORDERED that defendants' motion to dismiss plaintiff's complaint is GRANTED.

IT IS FURTHER ORDERED that plaintiff's motion to certify a class action is DENIED as moot.

IT IS FURTHER ORDERED that judgment be entered in defendants' favor against plaintiff DISMISSING his complaint and all claims contained therein with prejudice and costs.

Entered this 27<sup>th</sup> day of June, 2007.

BY THE COURT:

/s/

JOHN C. SHABAZ  
District Judge