

# SUPREME COURT OF WISCONSIN

NOTICE

This order is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 08-19

---

In the matter of corrections to Supreme Court  
Order 05-06 amending Wis. Stat. § 887.26

**FILED**

**JUL 25, 2008**

David R. Schanker  
Clerk of Supreme Court  
Madison, WI

---

The court having identified typographical errors in its order issued April 29, 2008, amending Wis. Stat. § 887.26, and deciding on its own motion to correct these errors so the accurate language is included in the statutes when the statutes are published in the fall of 2008,

IT IS ORDERED that effective the date of this order, the typographical errors found in Supreme Court Order 05-06 amending 887.26 of the statutes are corrected as follows:

**SECTION 1.** Section 887.26 (5) (bm) 3., as renumbered and amended by Supreme Court Order 05-06, is amended to read:

887.26 (5) (bm) 3. At the expiration of the period under ~~sub.~~ subds. ~~(b)—1.~~ and ~~(b)—2.~~, and if no objection to the issuance of the commission has been received or sustained the commission shall issue, with the written questions, direct, cross and redirect, and all objections, and transmitted to the

commissioner first named by mail or express at the expense of the moving party. But when any defendant shall not have appeared and the time for the defendant to plead has expired, no notice is required to be given such defendant, and the commission may issue on filing the direct interrogatories questions as provided in sub. (4). At the noticing person's expense, the commission shall be transmitted to the court of jurisdiction of the residence of the witness, for issuance of the subpoena in accord with the rules applicable to that court. No commission shall issue if the witness's residence is not given as required.

**SECTION 2.** Section 887.26 (6) (am) of the statutes, as created by Supreme Court Order 05-06, is amended to read:

887.26 (6) (am) *Oral Examination.* Testimony shall be taken in the manner provided by ~~ss.~~ s. 804.05 (4) to (6).

IT IS FURTHER ORDERED that notice of this correction to Supreme Court Order 05-06 amending of Wis. Stat. § 887.26 be given by a single publication of a copy of this order in the official state newspaper and in an official publication of the State Bar of Wisconsin.

ANNETTE KINGSLAND ZIEGLER, J., did not participate.

Dated at Madison, Wisconsin, this 25th day of July, 2008.

BY THE COURT:

David R. Schanker  
Clerk of Supreme Court

