



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBa2391/1  
PJH:jld:rs

**SENATE AMENDMENT 1,  
TO 2011 SENATE BILL 451**

February 27, 2012 – Offered by Senator ZIPPERER.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 20: delete the material beginning with that line and ending with  
3 “cross claim.” on page 3, line 1, and substitute:

4 “806.02 (2) After filing the complaint and proof of service of the summons on  
5 one or more of the defendants and an affidavit that the defendant is in default for  
6 failure to join issue, the plaintiff may move for judgment according to the demand  
7 of the complaint. After filing the counterclaim or cross claim and proof of mailing to  
8 one or more of the counterdefendants or cross defendants and an affidavit that the  
9 counterdefendant or cross defendant is in default for failure to join issue, the  
10 counterclaimant or cross claimant may move for judgment according to the demand  
11 of the counterclaim or cross claim.”

12 **2.** Page 4, line 1: delete lines 1 to 9 and substitute:

1           “806.02 (4) In an action on express contract for recovery of a liquidated amount  
2 of money only, the plaintiff may file with the clerk proof of personal service of the  
3 summons on one or more of the defendants and an affidavit that the defendant is in  
4 default for failure to join issue. A counterclaimant or cross claimant may file with  
5 the clerk proof of mailing to one or more of the counterdefendants or cross defendants  
6 and an affidavit that the counterdefendant or cross defendant is in default for failure  
7 to join issue. The clerk shall render and enter judgment against the defendants,  
8 counterdefendants, or cross defendants who are in default for the amount demanded  
9 in the complaint. Leaving the summons at the abode of a defendant is not personal  
10 service within the meaning of this subsection.”

11

(END)