

LITIGATION REPORT AND CASE SUMMARY

RE1651 10/2018

To: Office of General Counsel, 9th Floor South, Hill Farms
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Attorney-Client Privilege

Section 1 CASE DETAILS

Date	Region	Litigation Agent		
Parties of Interest/Type of Interest (owner, mortgagor, etc.)		County		
Project ID and Termini	Parcel #	Federal Money in Right of Way <input type="checkbox"/> Yes <input type="checkbox"/> No	Project Highway	
Interests Acquired [Fee, TLE, PLE, etc. (ac./s.f.)]	Amount Of Award	\$ Conveyance	Recording Date	

Commission/Court

Appeal Date	Appealed to	Appellant
Date of Service	Docket/Case #	Date of Hearing/Trial
<input type="checkbox"/> Dismissed <input type="checkbox"/> Judgment <input type="checkbox"/> Settlement	Date Amount \$ \$	Attorney(s) (Name, Address & Telephone Number for each) For Owner For Condemnor
<input type="checkbox"/> Commission Chair <input type="checkbox"/> Circuit Court Judge	Name	

Briefly describe the property in the before condition (size, type, present use, etc.)

Briefly describe the property in the after condition (size, type, use changes, etc.)

ATTACH a property sketch (property lines red, fee acquisition yellow, temporary interests blue).

ATTACH a copy of the plat page and plan/profile if appropriate.

ALSO HELPFUL: additional pictures that are not in the appraisal taken either before or after construction; video before and after; any other charts, plats, diagrams, etc.

SUMMARY OF THE CASE IN DETAIL

Consider the complexities of the case. Include such items as severance damages; special benefits (can be used to offset \$); problems with highest and best use (what's probable, legally possible, local/county zoning trends, zoning change, etc.); access issues; appraiser competency; appraisal review; procedural problems; owner's problems during negotiations; potential appeal reasons; new issues with owner after condemnation not in diary; market conditions now; new area sales; thoughts about the main issue(s) of property owner; identify issue(s) most important in court; what's good/not good with our appraisal/owner's appraisal; note errors or misconceptions; did owner's appraisal include points we didn't; is a motion in limine in order to keep out non-compensable issues; note any new information/hearsay about owner or property; list any potential witnesses and why they'd be good; and, list any other notable points.

SAMPLE

(Continue additional pages, as necessary)

Section 2 - WITNESSES/TESTIMONY (completed by litigation coordinator after hearing/court)

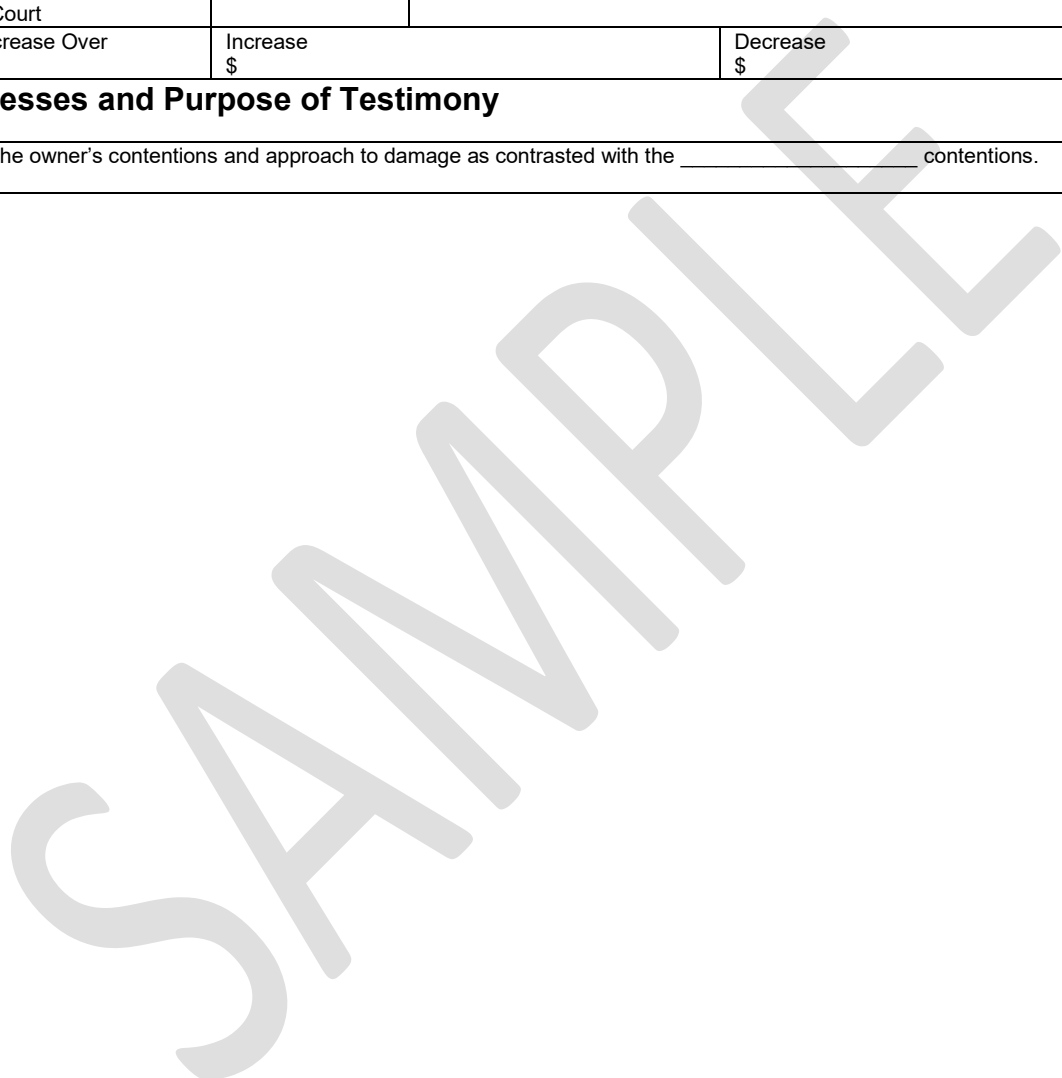
VALUATION WITNESSES FOR _____	BEFORE	AFTER	DAMAGES	REMARKS	TESTIFIED	
					YES	NO
	\$	\$	\$			
	\$	\$	\$			
FOR OWNER						
	\$	\$	\$			
	\$	\$	\$			

Award

<input type="checkbox"/> Condemnation Commission <input type="checkbox"/> Circuit Court <input type="checkbox"/> Appellate Court	\$
Increase or Decrease Over Award/Deed	Increase \$ _____ Decrease \$ _____

Other Witnesses and Purpose of Testimony

Briefly discuss the owner's contentions and approach to damage as contrasted with the _____ contentions.



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Section 3 - RECOMMENDATION OF COUNSEL (completed by Counsel)

Explain recommendation. Briefly describe any differences between the _____'s appraisal, which the offering price was based, and _____'s appraiser's testimony at trial. Explain if verdict/award should be appealed. Comment on witnesses and weight of evidence.

SAMPLE

X _____
_____ Counsel) (Date)

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Section 4 - _____ RECOMMENDATION (if disapproval is recommended, region shall return this form to counsel for rebuttal prior to forwarding to BTS-RE (central office))

Comments

X _____
Authorized Signature (Date)

Section 5 - FILE CLOSURE (Complete as applicable)

Date Payment Made		
Payable to		
Check #		
Date Judgment Entered		
Was a 1099 necessary for attorney's fees?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Date Satisfaction of Judgment Filed		
Date of Stipulation and Order for Dismissal		

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**Project Resources (Litigation Coordinator, Attorney(s), Appraiser(s), _____,
Construction Project Manager, Engineer, Permit Coordinator, etc.**

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