

No. 98-2643

STATE OF WISCONSIN

IN COURT OF APPEALS
DISTRICT IV

STEPHEN V. HANNIGAN,

FILED

PLAINTIFF-APPELLANT,

September 13, 1999

v.

CLERK OF
COURT OF APPEALS
OF WISCONSIN

LIBERTY MUTUAL INSURANCE COMPANY, RELIANCE
NATIONAL INSURANCE COMPANY, BORGELT, POWELL,
PETERSON & FRAUEN, S.C., A WISCONSIN SERVICE
CORPORATION, ERIC B. JENSEN AND VIRGINIA NEWCOMB,

DEFENDANTS-RESPONDENTS.

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PLEASE TAKE NOTICE that the attached page 33 is to be substituted for page 33 in the above-captioned opinion which was released on August 26, 1999.

No. 98-2643

STATE OF WISCONSIN

IN COURT OF APPEALS
DISTRICT IV

STEPHEN V. HANNIGAN,

FILED

PLAINTIFF-APPELLANT,

August 30, 1999

v.

CLERK OF
COURT OF APPEALS
OF WISCONSIN

LIBERTY MUTUAL INSURANCE COMPANY, RELIANCE
NATIONAL INSURANCE COMPANY, BORGELT, POWELL,
PETERSON & FRAUEN, S.C., A WISCONSIN SERVICE
CORPORATION, ERIC B. JENSEN AND VIRGINIA NEWCOMB,

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PLEASE TAKE NOTICE that the attached pages 1 and 33 are to be substituted for pages 1 and 33 in the above-captioned opinion which was released on August 26, 1999.

**COURT OF APPEALS
DECISION
DATED AND FILED**

August 26, 1999

Marilyn L. Graves
Clerk, Court of Appeals
of Wisconsin

NOTICE

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See § 808.10 and RULE 809.62, STATS.

No. 98-2643

STATE OF WISCONSIN

**IN COURT OF APPEALS
DISTRICT IV**

STEPHEN V. HANNIGAN,

PLAINTIFF-APPELLANT,

v.

**LIBERTY MUTUAL INSURANCE COMPANY, RELIANCE
NATIONAL INSURANCE COMPANY, BORGELT, POWELL,
PETERSON & FRAUEN, S.C., A WISCONSIN SERVICE
CORPORATION, ERIC B. JENSEN AND VIRGINIA
NEWCOMB,**

DEFENDANTS-RESPONDENTS.

APPEAL from a judgment of the circuit court for Dane County:
RICHARD J. CALLAWAY, Judge. *Affirmed in part; reversed in part and cause
remanded with directions.*

Before Dykman, P.J., Eich and Vergeront, JJ.

VERGERONT, J. Stephen Hannigan appeals a summary judgment
dismissing his claims under §§ 146.81-84 and 51.30, STATS., regarding the

have also decided that the bringing of a personal injury lawsuit putting one's health in issue does not, in itself, mean that there can be no claim under § 895.80, STATS., with respect to one's health care or treatment records.¹

We therefore reverse the court's determination regarding frivolousness, and remand for an evidentiary hearing and such other proceedings as the court may consider appropriate consistent with this opinion.

By the Court.—Judgment affirmed in part; reversed in part and cause remanded with directions.

Not recommended for publication in the official reports.

¹ We do not decide whether there are other grounds for concluding that the claims had no reasonable basis in law or equity.