

Case# 110176237

Date = 6/28/11

From = email from Tina Nedolf

June 14, 2011, 11 a.m.

Chief Justice stopped at my office and asked if I had spoken with J. Bradley the previous evening (Monday, June 13). I replied that I had not, but did have a missed call on the work cell phone. The Chief confirmed that the missed call from number [REDACTED], which had been received at 6:36 p.m., had been placed by J. Bradley. The Chief suggested that I see J. Bradley regarding the call.

I met with J. Bradley at about 8:15 a.m. in her chambers. She was visibly upset. J. Bradley stated: *During the early evening on Monday, June 13, she was in her chambers meeting with the Chief. They were joined by Justices Prosser, Roggensack, Ziegler, and Gableman. Those four stood in the doorway and office of Bradley's assistant, who was not present. The discussion involved an order pending release, and during the discussion J. Prosser became angry, raising his voice. J. Bradley said J. Prosser should calm down and that she would not tolerate that behavior in her chamber. The discussion continued and J. Prosser again began yelling at the Chief Justice for not agreeing to do what he wanted (re releasing the aforementioned order). J. Bradley walked swiftly toward J. Prosser and while standing close to him said he needed to calm down. J. Prosser then put his hands around J. Bradley's neck; he did not squeeze it. J. Roggensack pulled J. Bradley away from J. Prosser, while saying, "Ann [Bradley], calm down, you're not acting like yourself. You didn't have to rush at Dave [Prosser]." J. Gableman escorted J. Prosser out of the room, and Justices Roggensack and Ziegler then left.*

J. Bradley and I discussed her options. She noted that she had been in telephone contact with Capitol Police Chief Charles Tubbs. Atty James Bradley, the justice's husband, has urged her to get a restraining order. The Justice has also considered discussing the incident during the next court conference. The Justice has not made a decision re incident report, restraining order, discussion. Justice Bradley said that she feared for her and the Chief's safety.

After meeting with the Justice I spoke with her law clerk, Rachel Graham, who was present during the incident. Rachel said she did not see what happened, but she did hear the discussion. Rachel said she will write a statement.

I met again with the Chief Justice. The Chief's statement did not differ from J. Bradley's. The Chief did show me how close (about 6 inches) J. Bradley stood to J. The Chief will write a statement about her observations. The Chief did express concern re her safety. When working evenings or weekends, the Chief said she does keep her door closed [and locked] unless her clerk is present.

Case# 110176237  
Received From: Rachel Graham  
Memorandum

Date: 6/29/11

STATE OF WISCONSIN  
SUPREME COURT



DATE: June 14, 2011

TO: {Enter To}

FROM: {Enter From}

SUBJECT: Events of Monday, June 13, 2011, approx 6 pm

AKZ and DTP come into the office and AKZ asks me whether AWB is here. I indicate that she is. She notes that SSA is in AWB's office and says, 'oh good.' All members of the court except NPC are present in or near AWB's office. As far as I can tell, DTP, PDR, SSA, and AWB are in the office near AWB's desk. MJG is in Sherie's office, standing by the chair with the briefs and rustling a paper in his left hand. I am unsure where AKZ is.

I am at my computer, which faces away from my office door. I can hear most of what is discussed.

The justices discuss logistics. AKZ requests that the court issue a press release. SSA says she is not going to do that, that she has been working on revisions, and that the order will go out when the writing is done, that she has circulated a revision to NPC and to AWB, that she will be working on it all night long, and that she will circulate it to the court the next morning.

PDR says that the court agreed that the order would go out today.

AWB says that DTP circulated an 18-page concurrence, causing a need to respond. That there was no indication last week that he was going to write, and his concurrence was circulated at 1 p.m. The dissent must be revised accordingly.

DTP is taking umbrage. He says he has been working all weekend on the concurrence without a clerk. His voice is dramatic. His clerk has been gone all weekend because [REDACTED]. His tone of voice is escalating. I recognize this tone of voice from when DTP gets angry in open conference.

Cassett # 110176237  
Received From = Rachel Graham

Date = 6/29/11

AWB says something to the effect that everyone should know she is not going to put up with David's tantrums and that he should cut it out.

AKZ asks what about a press release. More conversation.

SSA says that she has been working on this all weekend and that she has distributed revisions to NPC and AWB. She says I will circulate revisions to the court tomorrow, but David, can you be sure you won't want to respond? How can you guarantee that the order will be ready to go?

DTP: I expect you to call me a fascist pig but I will not revise.

AKZ or PDR ask again what about a press release?

AWB asks what is the urgency in all of this? All day, pundits have been making predictions about when this court will release an order. They said 9 in the morning an order would come out, and then when it didn't, they said well maybe at noon. Now they are saying well, it will come out tomorrow. Why do you need a press release? We work on court time, not the legislature's time. The court allows justices time to make their opinions say what it needs to say. Why do you need a press release? Are you making promises to someone?

Denials. PDR: No of course not. There are four of us who wanted to get this order out today and a press release would be like a consolation prize. There are four of us who want to do this.

DTP emphatically: I have lost confidence in your leadership, chief justice, and I am not going to stand for it. I am not going to let you prevent four members of the court from getting this press release out.

AWB something to the effect of that is enough, don't come in my office and issue threats.

DTP: I am being very measured about this. (petulant tone)

MJG pipes in: Dave is being more measured than reasonable.

[DTP continued--I don't remember what exactly he said. He and AWB were arguing about whether DTP's tone was appropriate and whether he was having a temper tantrum. His voice is escalating again.]

Cassette # 110176237

Date = 6/29/11

Received From = Rachel Graham  
AWB says strongly: You get out of my office.

Then I heard AWB yell something like don't put your hands around my neck. There is no dialog. I am not sure whether to call cap police or to come into the office.

AWB is talking about not tolerating Dave putting his hands around her neck. She says: You saw it, Pat Roggensack. You saw him do it.

PDR: Ann, you are not being yourself. I had to hold you back. You provoked him.

This is repeated. AWB says: you all saw him put his hands around my neck in a chokehold. PDR says you charged at him, Ann. You are not being yourself.

At some point, AWB stops talking. The conversation transitions back to the original subject matter, but I do not hear anything more from DTP or MJG.

AKZ, PDR, and SSA continue to discuss whether Tom Sheehan should be called to issue a press release. AKZ says that this is not the highest and best use of anyone's time. She and PDR leave.

Case # 110176237

Date = 7/4/11

Received From = Justice Roggensack

June 13, 2011, 6:15p.m.

Memo to PDR



Today we had an unfortunate incident between AWB and DTP. DTP, MJG, AKZ and I went to AWB's office about 6:00 to ask AWB and SSA (who was in AWB's office) when we might expect SSA's revised concurrence/dissent in Ozanne/Dane Co. because we had had an agreement among all members of the court that our decision and all separate opinions would be released today. SSA said she had just finished her revisions at about 5:45, and she was not sure when she would be ready to circulate them.

DTP then said that 4 of us would like to issue a press release that the opinion would be coming down tomorrow. SSA refused, saying that tomorrow was soon enough to let the public know. I said that we had had an agreement to release the opinions to the public today and that it would be helpful to those who were finished with their writings and were disappointed that the opinion could not be released today to at least issue a press release saying that the court "anticipated" releasing its opinion tomorrow.

SSA refused. DTP said that she had no right to refuse and that he had hoped she would understand the importance of letting the press know in advance, as Amanda had asked us to do last week. DTP became angry and said to SSA that he would not permit her to prevent a press release and he would find Tom Sheehan and do one himself.

AWB then rushed up to DTP, coming very close in a sort of face to face. DTP put his hands up near AWB's neck and she continued to rush him saying, "Don't put your hands on my neck." I then got between AWB and DTP telling her to stop and this was not like her. I said that several times, all the while she was trying to get to DTP. He then left the office and AWB calmed down.

Case# 110176237

Date = 7/1/11

Received From = Justice Roggensack

On June 15, 2011 at approximately 8:45a.m., Chief Tubbs, who heads the State Capital Police, came to closed conference. Margaret Brady, HR director of the court, also came to the conference. All justices were in attendance.

Chief Tubbs came at the request of AWB. She said that she wanted the court's guarantee that she would have a safe work environment. She based her concern on the altercation between her and DTP on June 13. Apparently, she had contacted Chief Tubbs on the 13th.

At the June 15 meeting, AWB said that DTP had his hands on her neck in a "choke hold." I said that he did not attempt to squeeze her neck. AWB said that is "because you stopped him." I responded that I did not stop him from anything. I said that I stopped AWB from hitting DTP in the face with her closed fist that she had raised in the air as she tried to get to him. I said that both DTP and AWB were out of line in my view; both were very angry.

AWB said she knew meeting with the court was a waste of time, but she wanted DTP to be ordered by the court to take anger management counseling. She said that she had hoped the court would do something and that if it did not, she would seek another avenue to get what she wanted.

Margaret Brady took written notes at the meeting. Some other members of the court took notes too. I did not. The meeting ended with Chief Tubbs telling us that the court needed to reduce the levels of hostility among the members.

Case # 110176237

6/29/14

Received From: Justice Patrick Crooks

Justice Crooks' notes for 2/22/10 meeting

Oct. 29, 2009 rules hearing	Attack from the bench on Mike McCabe (Wis. Democracy Campaign)  Very angry, animated
Dec. 7, 2009, open administrative conf.	Comments on other justices in open administrative conference
Feb. 10, 2010, closed conference	Comments directed at Chief: "You are a terrible chief." "If you do not withdraw you are going to be destroyed."  Chief: "Are you threatening me?" "Yes, . . . you are a bitch." "There will be a war against you and it will not be a ground war."
February 2010 closed conference discussion of <u>Allen</u> decision and per curiam drafted by Chief	Comments to Chief: "There will be repercussions if it goes out [if you send it out]"
Email to justices dated 2/17/10	"This fiasco points up deficiencies in our own procedures that will have to be addressed. Increasingly, I have come to believe that third party review of the court by a group whose objectivity cannot reasonably be questioned has become necessary. The members of the court should anticipate that I will be acting on this belief."

\*CASE# 11-0176237  
Received from Margaret Brady \*

ST. CAP.  
8:30 AM  
6-15-11

7+ Falls, me

AB: ~~Deal~~ Deal? Internally

We place priority

No physical - Verbal abuse

events of Mon night

I called Chief PD, not filed formal  
complaint

Date: Monday night - it's about you?

me; Verbal abuse - threats

2 days ago - put my hands around

neck in a chokehold

Need assurances from Court or I will  
take other outside actions

Mark wants me to get RO

"If I daughters called, could put hands  
around neck in chokehold"

Law does not talk about what provokes -  
it talks about behavior

Mark says if we talk about this -  
Not Emmit Atty

Verb / Phys Abuse - safety  
Commitment from G  
Progressive Abuse

Case # 11-0176237  
Received from Margaret Brady

(2)

I want Dave to get meaningful help from Colorado  
Court  
Commitment I don't have to be subject  
to workplace abuse; violence  
No threats

Mon. report

PDR: Committed

I had to get in better - you were as  
out of control

You went berserk  
I had to get in better you  
I wasn't putting pressure on

I want in the middle

MG: All should be heard.

PDR: Don't agree w/ behavior

MG: My notes

PDR: Frustrated angry

issues  
agree w/ safe w/

safe - no harassment - agree  
express anger not using swear words

See: All facts

Case # 11-0176237  
Received from Margaret Brady

(3)

AD: No way - check hold  
Commitment this is going to  
happen  
What happens next  
Let someone else decide final

PDR: We agree not okay to have  
physical

DP: What did she say?

Tables: As reported this morning  
Confidential - personal  
Gy hands or is unacceptable  
Unless self defense

Internal - best interest of all  
Mount of file, lots of attention  
Internal handling  
All the concerning the AR

AZ: Notes? Reports?

Tables: Explain report writing  
Designed already for policy  
Detail - explain dealing with  
Should be used to invest part

Case #11-0176237  
Received from Margaret Brady

(4)

J. Clark: There should be no guests  
any more - there should  
be no guests about safety

Ty to C. Tubbs

MG: One person  
More to the story than what has  
been spoken in and that's  
all

Tubbs: Notes important  
Need some document

Dale:

SSA: What say

DP: Letter to ply - put in writing 2X  
Note to issue petition time  
please

please

C) denied ply.

Report of op - Clerk/SA/Part of

Never been in op

Indicates about a yard per  
down

hard words, I was accused of  
deceiving court

A refusal to issue notes - thing of  
trust - willful I said "lost faith  
had in you"

AB reached a me of fist in my face

Case #11-0176237  
Received from Margaret Brady

(5)

DR: Inductive, instantaneous action to protect  
self - had 4 options to  
lot of talk of abuse -  
Demanding - intellectual job;  
2 members of court for years  
Make job unpleasant as possible  
Calculated scheme of intentional  
abuse. I will testify to what  
I saw & facts are I did not  
move toward him did not squeeze

Tables: want privacy, worked out  
foster - intelligent, smarter  
than me  
Work with team, ~~keep~~ no  
hostile we know out

AB: Issue is chokehold, hands on  
my neck in anger

Tables: Perception of Workplace, hands  
around neck

AR: Inductively function at its best  
to my ~~work~~ work - took moral  
strength, ~~integrity~~ integrity at its best  
Don't see it as a ~~pleasure~~ pleasure, 7 to 10 deep,  
unfortunate - doesn't work as well. I know how

Case # 11-0176237

Received from Margaret Brady

(6)

AZ: smartest people I've ever worked with  
larger issues - we all need to think  
about - what's best for institute?

AB: Not study issue  
R.O. @ Court  
I have answers

AZ: I'm talking larger issue

PDR: Overweight - get some counseling  
conduct - out of line  
not my field  
plan - have got counseling  
both need help

AB: stop making

Tables: This is not gonna work  
fill the park  
Not your need, you need  
Needs to be addressed  
↑ this is soon - fresh as Mark's  
Needs to be address  
Not going away! HR plan  
Work to correct

Smarter major wrong  
I said I was your's party

Case #11-0176237

Received from Margaret Brady

(7)

My intent are not to harm anyone  
We'll all be made, witnesses  
and public scrutiny

Not cleaned up ~~the~~<sup>home</sup> ~~base~~ base

SA: Issues can, disagreement  
Whitman Jones - do not threaten  
physical threats or physical  
violence

Not good at regulating ourselves  
Something untoward, no email  
address

Anti-printer comments not addressed  
Not like many

I had verbal threat of destruction  
I am worried about my steps  
9 out of 100 ~~things~~ things  
papers

Talk about press release doesn't matter  
People don't want to be ~~interviewed~~ led, they  
don't want to be interviewed

Case # 11-0176237  
Received from Margaret Brady

(8)

SSA: DP if you're not with the  
you are against the

AB: I hope

AZ: safe good way ~~to~~ from  
Not allow behavior - not make  
Counseling - DP  
Pressure cooker - pull off stove  
WR AR

Tables: No threats  
No violence  
I'll not tolerate  
More this alone  
Issue: if not oppressed, need to  
be oppressed now

MG: If what is truth, different  
perspectives, center your public, all of us  
until all facts heard, no alternative  
judgments should be made, I  
despise truthfulness - this is not  
truth - I greater; I more system

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Case # 11-0176237  
Received from Margaret Brady

(9)

AZ: Margaret come up w/ ideas  
I hear you

We can do  
Thoughtful advice - heal -

PRR: You have all of our commitment  
Replace safety

AZ: Sandbox -  
Some countries not view  
Safety is fundamental

Fables/ Threats: Purpose stuff is over  
It won't happen  
Need that commitment on HR  
has ~~not~~ <sup>not</sup> much <sup>to</sup> work with

We will <sup>not</sup> conduct ourselves  
this way.

PCables: No progress w/o commitment

SSA: Denial - until group  
accepts that we go back  
he said she said

AZ: I've said that -

Fables:

MG:

Case # 11-0176237

Received From Margaret Brady

10

PDR

- swear - no
- Never physical
- NO hand of fist

DP:

Never part of problem - AB - SSA  
Patient

PDR:

Have Margaret put something together

Tables: Accept resp for holes  
Nothing more w/ apology  
Yes I feel strongly to  
commitment today

No threats or physical harm

CASE# 11-176237  
07-01-11

MEYER LAW OFFICE

10 EAST DOTY STREET  
SUITE 507

MADISON, WISCONSIN 53703

STEPHEN J. MEYER  
ATTORNEY AT LAW

TELEPHONE (608) 255-0911  
FACSIMILE (608) 255-2927

July 1, 2011

[VIA FAX 267-2545]

District Attorney Ismael Ozanne  
Dane County District Attorney  
215 S. Hamilton Street  
Madison, WI 53703

RE: Dane County Sheriff's Department Investigation of June 13, 2011 incident at the  
Wisconsin Supreme Court

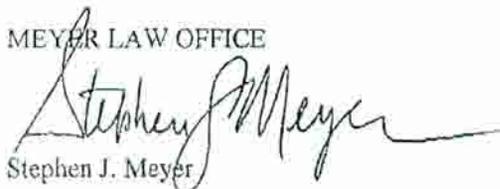
Dear District Attorney Ozanne:

This letter is a follow up to my phone call advising you that I represent Justice David Prosser in reference to the above investigation. Justice Prosser has exercised his right to counsel and I request that you direct law enforcement representatives not to have any contact directly with Justice Prosser without my express permission. All individuals involved in the above investigation should contact me directly at my office number rather than contacting my client.

If you have any questions please feel free to give me a call.

Sincerely,

MEYER LAW OFFICE



Stephen J. Meyer

ah

cc: Detectives Hanson and Simms (via fax 284-6858)

CASE # 11-176237

07-01-11

**MEYER LAW OFFICE**

**FACSIMILE TRANSMITTAL**

---

to: DA Ismael Ozanne  
fax #: 267-2545  
from: Stephen J. Meyer  
re: Sheriff's Department Investigation at Supreme Court  
date: July 1, 2011  
cc: Detectives Hanson and Simms (284-6858)  
pages: 2, including this cover sheet.

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From the desk of

**Stephen J. Meyer**

Meyer Law office  
10 East Doty St., Ste. 507  
Madison, WI 53703

608-255-0911  
608-255-2927 (Fax)  
defender6@aol.com

Case# 110176237

Received From: Justice David Prosser

Page 1 of 1

Date: 7/8/11

**David Prosser - Re: Huebsch**

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**From:** Denise Croake  
**To:** Shirley Abrahamson; Supreme Court Assistants; Supreme Court Justices  
**Date:** 6/13/2011 5:46 PM  
**Subject:** Re: Huebsch

---

Per Justice Prosser:

Chief, thank you for your email message on the state of your concurrence/dissent. I wonder if we couldn't put out a notice this evening, through Tom Sheehan, that the court will issue an opinion tomorrow. This would be in line with Amanda's request last week.

Thank you.

Dave

>>> Shirley Abrahamson 6/13/2011 5:39 PM >>>

I am just about finished with my modifications. Frankly I have not read what I have written. I do not know whether it flows, whether it is repetitive etc.

Nevertheless my plan is to give the draft to AWB and NPC who were willing to join the earlier version. I hope they can give me any feedback this evening or very early tomorrow so I can make repairs and circulate a draft with which we all agree. I will then submit "our" version to DTP, PDR, AKZ and MJG..

I am sorry it took so long but I felt I had to add a fair amount.

shirley s. abrahamson

Case# 110176237

7/8/11

Received From: Justice David Prosser

Abrahamson Speaks First

Working on it

Chief, Did you see my email?

No -

You said you would not be ready until tomorrow

Must wait  
until  
tomorrow

My email suggested that we put out an announcement that the court would issue a decision tomorrow

The staff has gone home

Tom Sheehan is a professional  
We can get a hold of Tom Sheehan and we can put out an announcement tonight

No, that is not possible

We can get a hold of Tom Sheehan & the court can put me out to the media

Need more time to discuss the committee

shift  
the court

Casett# 110176237 Received From = Justice David Prosser

7/8/11

Justice Bradley got up

I've been waiting all weekend  
did not know you were writing a

lawrence.

Of course she  
knew

● Chief was writing

● Pat Coote, was writing

Logansack

Cas# 110176237

June 15<sup>th</sup> meeting  
Conference Room  
Court Chambers

A

X

Chief  
Tabor

B

C

D

E

6

in

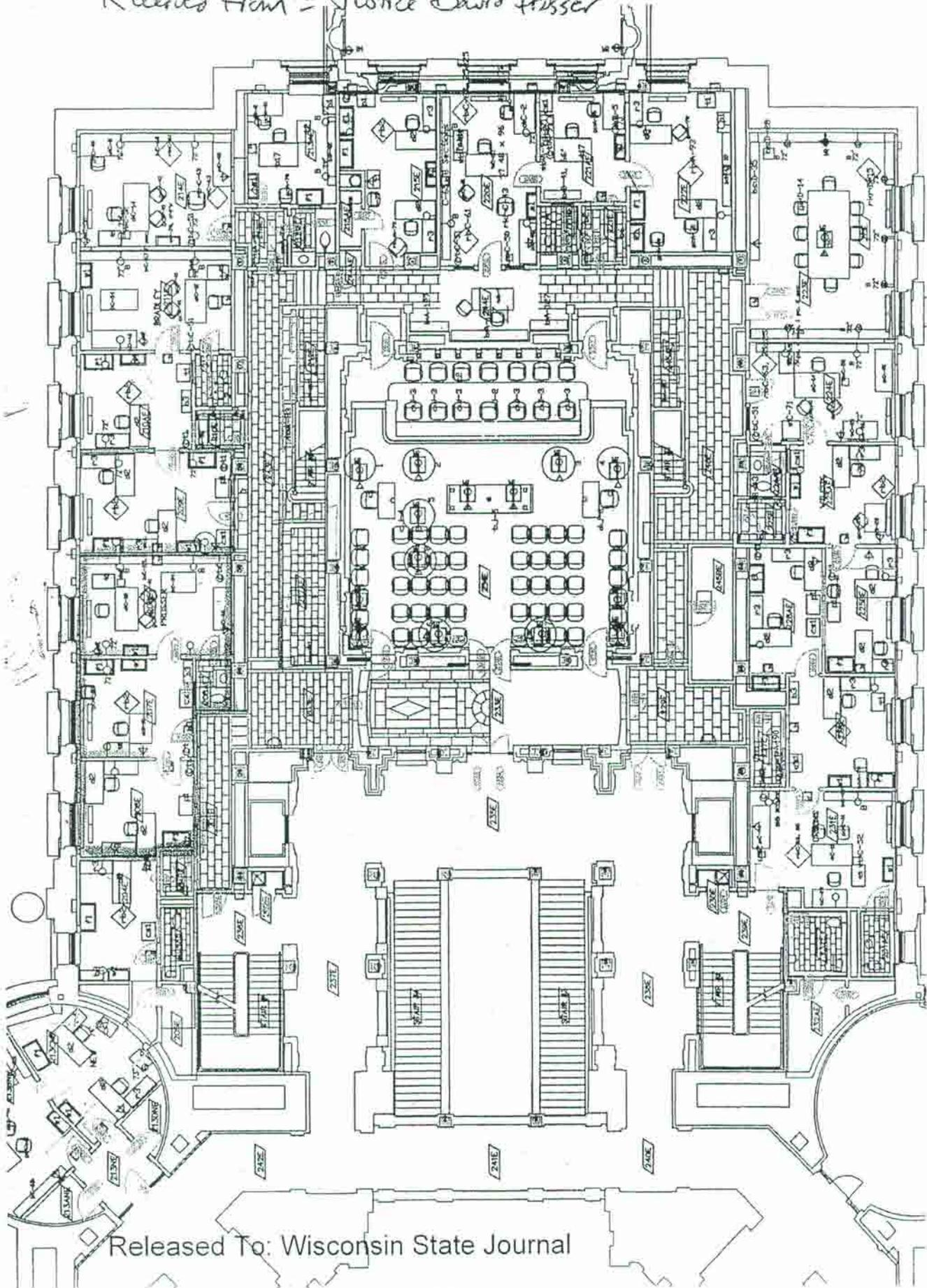
X

Justice  
Tabor

Case# 110176237

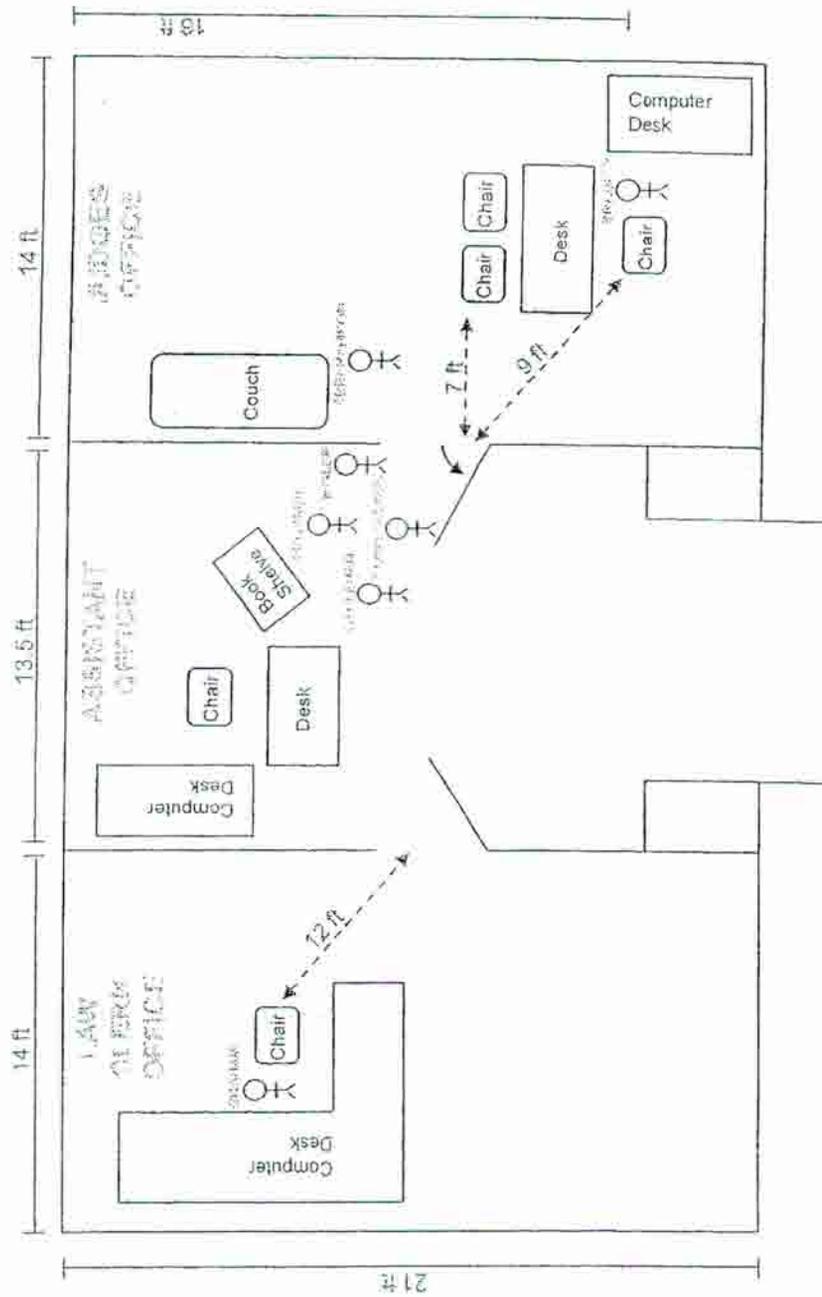
7/8/11

Received From = Justice David Prosser



Released To: Wisconsin State Journal

For Reference Only



FOR REFERENCE ONLY - NOT TO SCALE

Case# 110176237

From = Chief Charles Tubbs  
Date = 6/28/11



CONFIDENTIAL

Case#: 1-11-005102

WISCONSIN STATE CAPITOL POLICE INCIDENT REPORT			
Occurrence Date/Time: 6/28/2011 6:04 / 6/28/2011 6:04	Classification: POLICE INFORMATION	Status:	Day of week: Tuesday
Location: 2 E MAIN ST MADISON	Common Name: CAPITOL		
Location Type:	Beat:	Zone:	
District:	Alcohol Related:	Drug Related:	
Dispatch Date / Time: 6/28/2011 6:04	Respond Date / Time: 6/28/2011 6:05	Arrive Date / Time: 6/28/2011 6:05	Clear Date / Time: 6/28/2011 6:05

OFFENSE INFORMATION # 1			
Federal Classification:	State Classification:	Statute:	Att/Complete:
Weapons:	Criminal Activity:		
State Disposition:	Federal Disposition:	Exceptionally Cleared:	

REPORTING PERSON INFORMATION 1					
Name: tubbs, charles			Address: 2 E MAIN ST MADISON WI 53702		
Phone: 0/000-0608	Driver's License #:	SSN:	Date of Birth:	Sex:	Race:

Supplement: OFFICERS REPORT

Confidential

Justice Ann Walsh Bradley

On Monday, June 13, 2011, I received a voice message from Justice Ann Walsh Bradley requesting that I call her. I responded by text due to the lateness of the hour and left a text message for Justice Ann Walsh Bradley. Tuesday, June 14, 2011, I received a phone call from Justice Ann Walsh Bradley. She stated that she had an encounter with Justice David Prosser, which took place in one of the Supreme Court offices at the State Capitol. Justice Ann Walsh Bradley stated that she heard Justice David Prosser shouting and screaming at Chief Justice Shirley Abrahamson about a press release. Justice Ann Walsh Bradley stated that Justice David Prosser was out of control in a threatening manner and very verbally abusive. Justice Walsh Bradley stated that she told Justice Prosser to leave Justice Abrahamson alone, she attempted to direct Justice David Prosser anger away from Chief Justice Abrahamson. Justice Walsh Bradley stated that she has had enough of the verbal abuse and the bullying behavior of Justice David Prosser. Justice Walsh Bradley stated, In anger he put his hands around my neck in a choke hold, he did not apply pressure but his behavior is not acceptable. This was witnessed by Chief Justice Shirley Abrahamson and other Justices were present. Justice Walsh Bradley stated that, Mark was at our condo on Monday night when I finally returned after 8. I told him what had happened. He wants me to go into court and get a restraining order against Dave.

I offered immediately to meet with Justice Ann Walsh Bradley to initiate a police report and begin a police investigation into this

Released To: Wisconsin State Journal

incident. Justice Ann Walsh Bradley stated, I do not want a police report, an investigation, or this incident documented at this time or communicated with anyone. I am not filing a formal police report. This is confidential. This is an internal matter that needs to be addressed by the Court. I agreed to her request and did not begin an investigation but I advised her that was an option that would remain open. She then said, What I want Chief Tubbs, I want safety in the workplace. Dave, at times, is a wonderful person, who has done good things for the court. But there is another side that I have seen. Dave engages in verbal abuse. This is the first time that I have known Justice David Prosser to use physical abuse. What's next the next step, Chief Tubbs, in this progression, he puts pressure on my throat and keeps me from breathing? I again immediately offered to initiate a police report and police investigation. Justice Walsh Bradley declined stating, I want this handled internally. I am not going public. This in some ways is simple. It is about workplace safety. Chief Tubbs, I have the right as a state employee to enter my workplace without any fear of verbal or physical abuse. All I want is to get a commitment from the Court that his behavior is not acceptable. That I will not be subject to verbal or physical abuse from Dave and I want Dave to get meaningful counseling to address his problem.

I was invited to a meeting on Wednesday, June 15, 2011, at 9:00 a.m. by Chief Justice Abrahamson. The purpose of the meeting was to meet with all seven Supreme Justices; Abrahamson, Walsh Bradley, Prosser, Crooks, Ziegler, Roggensack, Gableman, and the State of Wisconsin Supreme Court Human Resources Officer Margaret Brady, Office of Management Services. We met in the Supreme Court offices conference room to discuss the incident that occurred on Monday, June 13, 2011. Justices Ziegler, Roggensack, Gableman and Roggensack asked me who had I spoken to about this incident and who was aware of this situation? At that point, everyone present discussed this incident and other issues. I informed the group that due to the multiple request for confidentiality by Justice Ann Walsh Bradley, I had not communicated with any one regarding this matter. Justice Bradley stated that she wanted this matter resolved internally. Justice Walsh Bradley read a statement about the incident and once again asked for safety in the workplace and for Justice Prosser to get meaningful counseling. Justice Roggensack said to Justice Walsh Bradley, You are not innocent, you came out of your office shaking your fist and shouting at Justice David Prosser. Justice Prosser stated, I could have extended my arms out and placed my hands on your head, or placed my hands as I did on your shoulders or do nothing. Justice Walsh Bradley stated, Your hands were around my neck, not my shoulders. Justice David Prosser did not respond. Justice Walsh Bradley repeated that statement and there was no response by Justice Prosser. Chief Justice Abrahamson stated, Your hands were around her neck, Dave. There was no response from Justice Prosser. Justice Prosser looked at me directly and said, Chief, he then turned to Justice Walsh Bradley and stated, I should not have put my hands on you. Justices Prosser, Ziegler, Roggensack and Gableman, all asked me, if there was an investigation who would know about this incident and what could be the results. I advised them that if a criminal investigation were to take place, we would collect all physical evidence, statements would be taken from everyone involved or who had knowledge of this incident, to determine if a crime had been committed and if there was probable cause a decision would be made to make a lawful arrest or forward the report to the Dane County D.A. None of the Justices supported this course of action. Justice Gableman turned to Justice Bradley and asked her if she could write something up to address this incident. This was discussed briefly however it was not clear as to whether or not this could be done. Justice Walsh Bradley stated, We do not have the time for a study or committee on this behavior. All I want is workplace safety for all of us and for Dave to get meaningful counseling. Justice Walsh Bradley stated, I can see this is going nowhere, you cannot coddle Dave, he needs help with his behavior. If I cannot get that internally, then I am prepared to try a different avenue and to get help externally. Justice Roggensack, Ziegler and other Justices stated, We all need help with controlling our emotions. Chief Justice Abrahamson stated that, Justice Prosser has a problem, he has been abusive before and it will not stop until he admits he has a problem and gets help dealing with his anger. Justice Abrahamson said that the clerks who work in the courts are aware of this incident as well as others and they will not leave to go home until they know that Chief Justice Abrahamson and Justice Walsh Bradley are safe. As I left the meeting with Justice Bradley and Supreme Court Marshal, Tina Nodolf, both stated that there is a problem with Justice Prosser's behavior, that it has been an ongoing problem and they were doubtful that it was going to get better.

June 22, 2011, I spoke by phone with Justice Walsh Bradley. She stated that she wanted to be clear that she is no longer requesting no written documentation regarding this incident. She stated, Chief, you do what you need to do, which may include written documentation. I informed her that I was considering initiating a criminal investigation. She responded, Chief, do what you have to do, you know how to handle these cases. Justice Bradley became emotional and tearful. She said, This incident and the previous months have been traumatizing for me and at this time I don't know if I am thinking clearly as to how I want to proceed with this situation. I stand by what I said from the beginning, Dave placed his hands around my neck. All I want is workplace safety for all of us and for Dave to get meaningful counseling. She stated, Chief, Justice Abrahamson will be back about 3:45 and I need to speak with her about this matter and we will call you back. Justice Bradley asked, Can we wait and see what happens in the Commission meeting on Friday before you launch an investigation? They may come up with a workable solution. I told her that I would not proceed with the investigation until we spoke later in the day. I told them that I would not be attending the Commission meeting on Friday. I also said that I would wait until I heard back from Justice Bradley or Mr. Alexander before contacting the Dane County Sheriff's Dept.

Chief Justice Abrahamson and Justice Walsh Bradley said, We trust that you will do the right thing and you know more about these situations than we do. Chief Justice Abrahamson and Justice Bradley stated that nothing had changed since the incident. They reminded me, That all that they want is workplace safety for all of them and for Dave to get meaningful counseling. Both stated that that they had no intention of harming or causing any problems for Justice Prosser. Chief Justice Abrahamson and Justice Walsh Bradley were made aware through the many conversations that took place, that a full police investigation was always an option.

6-13-11 6:20 pm

Incident in Bradley's office.

Discussed fact that court agreed that the opinion would release today and it has not. When will SSA have her opinion? When will we see it?

It asked that Tom (Shelton) issue a press release today that opinion was imminent. Not done. Little communication from SSA re: her timing.

Discussed wanting a press release issued tonight that opinion coming out tomorrow.

At one point, AWB walked by me toward DTP - I was looking toward Chief. Turned around and she was going toward DTP + he had hands near front neck area. PDR had just said "Ah, stop it. This is not like you!" Then it looked like PDR tried to intervene but I could not see exactly what happened.

Anette KZ

Case # 110176237

Received From: Justice Ann Bradley  
Sherie Sasso - Fwd: Information

Date = 6/28/11

From: Tina Nodolf  
To: Abrahamson, Shirley; Bradley, Ann  
Date: 4/8/2011 9:19 AM  
Subject: Fwd: Information  
CC: Sasso, Sherie

Below are a variety of telephone numbers for Chief Tubbs...

>>> "Tubbs, Charles A - DOA" <Charles.Tubbs@Wisconsin.gov> 4/8/2011 9:14 AM >>>

608-266-7546 - Office



608266-7840 - Executive Assistant  
[charles.tubbs@wisconsin.gov](mailto:charles.tubbs@wisconsin.gov)



Charles A. Tubbs Sr.  
Chief of Police  
Wisconsin Capitol Police  
State Capitol  
Room B2 North  
2 East Main Street  
Madison, WI 53702  
Office 608-266-7546 Fax 608-267-9343  
E-mail [charles.tubbs@wisconsin.gov](mailto:charles.tubbs@wisconsin.gov)



Case # 110176237  
Received From Justice Bradley

From: Ann Bradley  
To: Shirley.Abrahamson@wicourts.gov; patrick.Crooks@wicourts.gov  
Date: 2/18/2010 8:54 AM  
Subject: draft response to Prosser's email of yesterday afternoon re [REDACTED]

SSA and NPC. As you both know, I am no longer willing to tolerate Prosser's abusive behavior. I have been at a loss just how to proceed. This response is one way of trying to stop it. I would appreciate your thoughts before I send it. Ann

Dave,

As both Justice Crooks and I previously voiced, we agree that the court would look silly vacating the order under the circumstances. Thus, I am glad you made the decision to hold the [REDACTED] order. I don't quite understand, however, the comment that you made your initial vote before the court was informed that the amicus was raising a new issue, [REDACTED]. As I recall, we first voted on this on Thursday, the 11th. In Coleen's memo on this motion, dated Tuesday, Feb 9, two days before our initial vote, she told us that the amicus wanted to address [REDACTED].

Additionally, I agree that this whole [REDACTED] motion has become a fiasco. It is quite clear that the court has become dysfunctional. That harms both those within the system as well as the public at large. You indicate that you intend to take action by contacting an outside third party. I agree with you that something must be done, but I differ from you as to what is the next step.

Last week when we first discussed the [REDACTED] motion, in a fit of temper, you were screaming at the Chief, calling her a "bitch"; threatening her with "I will destroy you"; and describing the means of destruction as a war against her "and it won't be a ground war". In my view, a necessary step to address the dysfunction is to end these abusive temper tantrums. No one brought in from the outside is going to cure this aspect of the dysfunction.

Ann  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Case# 110176237  
Received From: Justice Bradley

From: Patience Roggensack  
To: Ann Bradley  
Date: 2/21/2010 9:38 PM  
Subject: Re: Fwd: State v [REDACTED] order

I do not excuse it, but you do participate in it. Think about why you copied the JAs and Coleen on your e-mail.

Pat

-----Original Message-----

From: Ann Bradley  
To: Patience Roggensack <Patience.Roggensack@wicourts.gov>

Sent: 2/21/2010 4:56:47 PM

Subject: Re: Fwd: State v [REDACTED]

Pat,

Dave's escalating temper tantrums, and his threats against a member of the court, constitute abusive behavior in the workplace. Regardless of our disagreements, there is no justification for this abusive behavior. Blaming his abusive behavior on others, merely enables it. Ann

>>> Patience Roggensack 02/21/10 1:00 PM >>>

Ann,

You seem not to understand the active role you played in David's exasperation at the way the court is operating and your personal repeated participation in the dysfunctional operation of Wisconsin Supreme Court.

Just consider -- why did you relay all that happened in closed conference to the JAs and Coleen as well as to the justices? You were trying to make David look bad in the eyes of others, as a person who uses language that we all find offensive -- and I include David in that "we." Do you think that copying others on your e-mail increased the collegiality of the court or decreased it?

Your unspoken reasoning seems to be that if David is the problem, then of course you must not be a part of problem. However, you are a very active participant in the dysfunctional way we carry-on. (As am I.) You often goad other justices by pushing and pushing in conference in a way that is simply rude and completely nonproductive. That is what happened when David lost his cool. He is not a man who attacks others without provocation. Until you realize that you are an active part of the provocation, not much will change. Perhaps a third party will help you realize that you are not part of the solution; you are part of the problem.

PDR

>>> Ann Bradley 2/18/2010 10:20 AM >>>

Dave,

As both Justice Crooks and I previously voiced, we agree that the court would look silly vacating the order under the circumstances. Thus, I am glad you made the decision to hold the [REDACTED] order.

I don't quite understand, however, the comment that you made your initial vote before the court was informed that the amicus was raising a new issue, [REDACTED]. As I recall, we first voted on this on Thursday, the 11th. In Coleen's memo on this motion, dated Tuesday, Feb 9, two days before our initial vote, she told us that the amicus wanted to address [REDACTED].

Released To: Wisconsin State Journal

Case# 110176-237

Received From: Justice Bradley

Additionally, I agree that this whole [REDACTED] motion has become a fiasco. It is quite clear that the court has become dysfunctional. That harms both those within the system as well as the public at large. You indicate that you intend to take action by contacting an outside third party. I agree with you that something must be done, but I differ from you as to what is the next step.

Last week when we were first discussing the [REDACTED] motion, in a fit of temper, you were screaming at the Chief, calling her a "bitch"; threatening her with "...I will destroy you"; and describing the means of destruction as a war against her "and it won't be a ground war". In my view, a necessary step to address the dysfunction is to end these abusive temper tantrums. No one brought in from the outside is going to cure this aspect of the dysfunction.

Ann

[REDACTED]

Casett 110176237

Date = 6/28/41

Received From = Justice Ann Bradley

6-15-41 Conversation w/ Margaret Brady

It is a classic abuser  
complex & minimize

"You are nowhere close" to  
coming to terms w/ this

They get value from an abuser  
like the classic - victim was  
betrayed + made me do it

No one is at a pt where they  
are willing to agree that there is  
a significant problem that needs  
to be addressed.

I can come up w/ idea - but  
you I am powerless. I am dealing  
w/ elected officials.

There is much -

Could you make clear to  
to state at a pt he wants a  
recount of facts -

Case# 110176237

Date = 6/28/11

Received From: Justice Ann Bradley

Tebb has - - -

I have great concern for anyone

Travis  
More than push or shove  
for someone involved in  
Felony —

Case # 110176237

Date: 6/28/11

Received From: Justice Ann Bradley

June 13, 2011.....At 6:10 p.m.

PDR, Prosser, Annette and Gableman came into my office. SSA was in my office. Her opinion revisions had just been delivered. She said she had not yet had a chance to even read them. The four wanted a press release out tonight saying we would release an opinion tomorrow. SSA did not want to do that.

As the conversation unfolded, Dave started raising his voice and I told him that I was no longer putting up with his yelling. He then quieted down. I was sitting in the chair at my desk, the others were all standing at the entry way between my office and my assistant's office. The Chief was at the entry way, but inside my office. Annette was in the entryway. Behind Annette, was Dave, then PDR and Gableman.

We had a discussion about whether he, Prosser, had advised us on Friday that he was going to write. He was disappointed that the opinion did not go out today. I told him from my perspective that he had not told us he was writing. Crooks had been hopeful, as recently as early this morning that no one else was going to write other than PDR, Crooks and the Chief. I said it wasn't until later this morning that Dave told us that he was writing and I did not get the 18 page opinion he wrote until 1:30. Now we had to respond. It is not our fault this is getting bogged down.

(I looked at my computer at my desk re: the email exchange from last Friday that indicated to me, that PDR said she was going to write but did not know about others in the majority. No one else responded that they were writing.)

I went back to the entry way and I think in response to them again wanting a press release to go out from Tom Sheehan, I said something like: why do you need it to go out now? Pundits have talked like they know when it is coming out. Some have said it will be out by noon. Some have said the opinion will be out at the end of today. We do not release opinions on pundit time, or on legislative time, but on court time.

Shortly after that Prosser started yelling and raising his voice at me and the Chief. He said he has lost confidence in her leadership and was yelling. I came up to him face to face.. and told him buddy don't raise his voice at me again and pointed at the door and told him to get out of my office. He then put his hands around my throat, both hands...I told him to get his hand off from around my neck... and PDR said Ann that is not like you charging him. I indicated that I did not touch him and that I was not going to put up with anyone putting his hands around my neck. I think PDR was trying to protect Dave when she said she had to pull me away from him. That isn't quite accurate. It is accurate, however, that she part way got in between us and separated us. Gableman and Dave then left my chambers.

I was quite surprised that he actually put both hand around my neck. I was in his face like a coach can get in the face of a player, yet did not touch him. I would expect a response would be to back away. In fact, I wanted him to back away and get out of the

Case# 110176237

Received From: Justice Ann Bradley

Date = 6/28/11

office. I suppose another response would be to push or shove me away from him. But, to put both hands around my neck is a bit errie.

I returned to my desk to write of this incident. SSA, Annette and PDR were still talking for a short time.

I called Crooks right after this happened. He said that I should call Tina Nodolf to let her know what happened.

I told the Chief that I had called Crooks and that he said I should call Tina. I asked the Chief for Tina's home phone, which she got for me. I called her mobile phone, but no answer. I left a message on her home phone.

Addendum: I tried to pick up and start reading the opinion that the Chief had circulated for my review. I went over parts of it with my clerk, Rachel, but my powers of concentration were gone. I sent an email to the Chief (who had left for dinner) and the rest of the justices around 8:00 p.m. telling them that I was not going to be able to get my comments to the Chief yet tonight and that I would continue with my efforts in the morning. I would plan to meet with the Chief around 8:00 a.m.

I went back to the condo, talked with my husband, and tried contacting Chief Tubbs.

Case# 110176237

Received From: Justice Ann Bradley

Page 1 of 1

Date: 6/28/11

**Sherie Sasso - Re: wednesday at 8:30**

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**From:** Patience Roggensack  
**To:** Ann Bradley; Shirley Abrahamson; Supreme Court Justices  
**Date:** 6/14/2011 4:18 PM  
**Subject:** Re: wednesday at 8:30

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I am very concerned. What problems have you been having, AWB? I see the capital police, and other officers, every day, but I have never felt unsafe, nor have they cautioned me on coming and going from my office in a different manner.

PDR

>>> Ann Bradley 6/14/2011 4:14 PM >>>

yes

>>> Patience Roggensack 6/14/2011 4:07 PM >>>

What is the need for the meeting with Chief Tubbs? Have you had problems with security?

PDR

>>> Ann Bradley 6/14/2011 4:05 PM >>>

Chief,

We are currently scheduled to begin the day, tomorrow, at 8:30 a.m. with pictures. Instead, I want to begin the day in the conference room at 8:30 with a meeting about workplace security. I have asked Capitol Chief of Police Tubbs to also be present.

Pictures can be taken after that or some other time during the day as is convenient for all.

Thanks, Ann

Case# 110176237

Date = 6/28/11

Received From = Justice Ann Bradley

I have brought this to the attention to all of you as my colleagues to see if we can deal with this internally.

In some ways this is simple. It is about workplace safety.

I have the right to go to my workplace without fear of verbal abuse or physical abuse.

Dave, at times you are a wonderful person. But there is another side. I have seen Dave engage in verbal abuse, threats and two days ago in anger he put his hands around my neck in a choke hold.

What's next.

I have the right as a state employee to enter my workplace without any fear of verbal or physical abuse

That is what the law says.

If I cannot get any assurances from you, the court, that this problem is going to be addressed, then I will go to the outside and take other means.

Case # 110176237

Date: 6/28/11

Received From: Justice Ann Bradley

Mark was at our condo on Monday night when I finally returned after 8. I told him what had happened.

He wants me to go into court and get a restraining order against Dave.

Monday night he said to me, if one of our daughters called and said a co-worker had just in anger put his hands around her neck in a choke hold, that I would be on her to do everything possible that it did not happen again...And he is right.

He said, I cannot care for myself any less in response than I would care for my daughters.

I told him that I want to try to address it internally first. He thinks this meeting this morning is going to be useless. That you will

Be in denial

Circle the wagons to protect Dave

And say it is all my fault for goading him.

The law does not talk about what provokes the abuser.  
The law talks about the behavior of the abuser

Casett# 110176237

Date: 6/28/11

Received From: Justice Ann Bradley

Mark was asking me: what do you need? What's the next step in this progression.?

That he puts pressure on your throat and keeps you from breathing?

Mark said if I went to an employment law attorney: If I told the attorney of episodes of shouting and out of control behavior including threats, and then if I told my employment law attorney that then he put his hands around my throat. There is not an employment law attorney who would think it is ok...

This is pretty simple.

Verbal abuse and physical abuse is what it is all about.  
Safety in the workplace

My goal today is to get a commitment from the court that this behavior is not acceptable. That I will not be subject to verbal or physical abuse from Dave

And I want Dave to get meaningful counseling to address this problem

If I cannot get that internally, then I am prepared to try a different avenue and to get help externally.

Case# 110176237

Date = 6/28/11

Received From = Justice Ann Bradley.  
Last comments of 6-15-11 meeting Dave Prosser

what I do not hear is that  
Justice Bradley does not realize  
they are part of problem

We have a threat that  
will go public -

Best way - trying to do  
internally if it is viewed as  
a threat. *JP*

~~No more from any of us -~~

Case# 110176237

Received From: Justice Ann Bradley

Date: 6/28/11

June 22, 2011

On Monday eve after conference, I returned the call of Chief Tubbs. From the background noise it seemed that he likely was already home. It was about 6:00 p.m. He told me that he had received a telephone message from a media person with a message asking something like whether he or a member of his department had been at a meeting with the supreme court last week. He could not remember who the media person represented, maybe news 3 or eye news or something like that he said.

During the conversation I told him that I was no longer requested that he refrain from an investigation. I had initially asked that because I hoped that my colleagues would try to address the problem when we had our Wednesday morning meeting. It was clear from that meeting that they were not willing or able. Tubbs had previously said to me that they just didn't get it, and he realized that they were minimizing.

He said normally he would have investigated right away but that I wanted to try getting it solved with my colleague first. He wondered how he should proceed now. I told him that that was his decision. Since it appeared that the news was on to this event, that if he did not follow his normal procedures that it may look bad for him. That thus far I thought what he had done in his efforts was good, but that it didn't work. He talked about normally sending an officer up to take a statement. I suggested that as an alternative, at this stage, I could just send him the notes that I spoke from when the court met in conference last Wednesday morning. He thought that a good idea. He gave me his email address where I should send the notes. Later that eve, I sent them from the condo to his [charles.tubbs@wisconsin.gov](mailto:charles.tubbs@wisconsin.gov) address.

Case# 110176237

Date= 6/28/11

Received From = Justice Ann Bradley

From: Ann Bradley  
To: Shirley.Abrahamson@wicourts.gov; patrick.Crooks@wicourts.gov  
Date: 2/18/2010 8:54 AM  
Subject: draft response to Prosser's email of yesterday afternoon re [REDACTED]

SSA and NPC. As you both know, I am no longer willing to tolerate Prosser's abusive behavior. I have been at a loss just how to proceed. This response is one way of trying to stop it. I would appreciate your thoughts before I send it. Ann

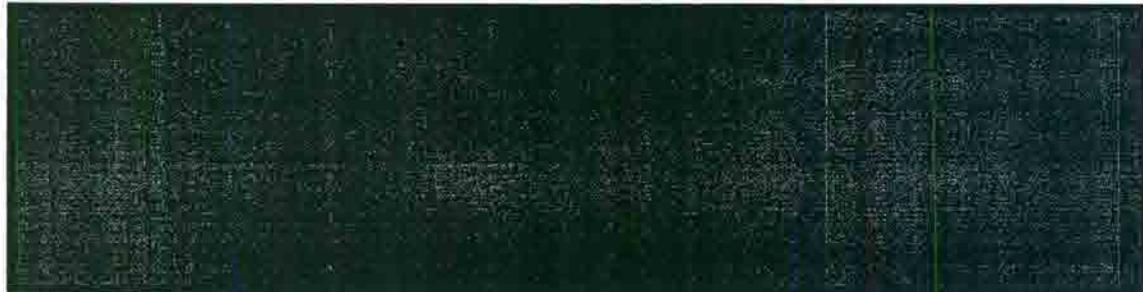
Dave,

As both Justice Crooks and I previously voiced, we agree that the court would look silly vacating the order under the circumstances. Thus, I am glad you made the decision to hold the [REDACTED] order.

I don't quite understand, however, the comment that you made your initial vote before the court was informed that the amicus was raising a new issue [REDACTED]. As I recall, we first voted on this on Thursday, the 11th. In Coleen's memo on this motion, dated Tuesday, Feb 9, two days before our initial vote, she told us that the amicus wanted to address [REDACTED]

Additionally, I agree that this whole [REDACTED] motion has become a fiasco. It is quite clear that the court has become dysfunctional. That harms both those within the system as well as the public at large. You indicate that you intend to take action by contacting an outside third party. I agree with you that something must be done, but I differ from you as to what is the next step.

Last week when we first discussed the [REDACTED] motion, in a fit of temper, you were screaming at the Chief, calling her a "bitch"; threatening her with "I will destroy you"; and describing the means of destruction as war against her "and it won't be a ground war". In my view, a necessary step to address the dysfunction is to end these abusive temper tantrums. No one brought in from the outside is going to cure this aspect of the dysfunction.



Case # 110176237

Date 6/28/14

Received From: Justice Ann Bradley

6-21-10

Prosser twice said "there will be consequences" - "There will be consequences" (in anger) ~~AT~~ w/ his face tight w anger & standing up pointing AT her.

This was during the discussion  
re: McConkey (The Consci Amendment  
re: gay marriage

Tues - 6/14  
*[Handwritten scribbles]*

HUEBSCH—DTP Memo to file— Memo started at 9 AM -finished at 11:30 AM with interruptions

Picked up later also--

At about 6PM (June 13) or so DTP, PDR, AKZ, and MJG came into AWB's office—I was there. AWB and I were making plans to get together that night to discuss my draft. The four wanted me to call Tom Sheehan and have him issue a press release stating that it is anticipated that the opinion will be released Tuesday. I said No I would not do that. Not our practice. I feared issues might arise on Tuesday. I expected the opinions to be ready Tuesday but I had also expected them to be ready Monday. My goal—stay with our usual procedure. Don't take chances and have to explain a flub—this case is being watched. We could give several hours notice on Tuesday if that worked out. They became furious—they have 4 votes (that's the end all for them). I have to do what they want, regardless of the wishes of the minority or my best judgment. They threatened to issue their own press release. I said that was their choice.

DTP—whose "surprise" writing held all this up—shouted, face taking on redness, He said the following kinds of things—SSA was holding everything up. SSA's leadership left much to be desired. He was voting no confidence in the chief. At DTP's first outburst AWB's asking him to quiet him down appeared to work. (She is usually good at quieting him down 'cause she speaks softly). When DTP started up again AWB walked right up to him and said something like the following - she was tired of his tantrums, he was to stop shouting. Our timetable is the court's, not the legislature's. DTP's unexpected response-- He put his hands around her neck. I do not think he tightened his grip on her neck. He might not have had a chance 'cause PDR started pulling at AWB's body to get her out of DTP's grasp. DTP and MJG then left the room.

According to news  
sources - even  
nonsense -  
had  
had  
released  
left  
pushed  
in

Handwritten marks in the top left corner, including a vertical line and a horizontal line.

Handwritten horizontal line in the top center.

Handwritten marks in the top right corner, including a vertical line and a horizontal line.

Handwritten vertical line on the left side.

Handwritten vertical line on the left side.

Handwritten vertical line on the right side.

Handwritten circular mark or scribble in the lower center.

Handwritten marks in the bottom right corner, including a vertical line and a horizontal line.