

FILED UNDER SEAL

STATE OF WISCONSIN

CIRCUIT COURT

MANITOWOC COUNTY

STATE OF WISCONSIN,

Plaintiff,

v.

STEVEN A. AVERY,

Defendant.

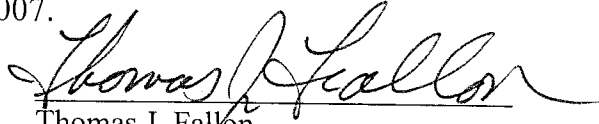
NOTICE OF MOTION AND MOTION
TO PRECLUDE THIRD PARTY LIABILITY EVIDENCE

PLEASE TAKE NOTICE that the State of Wisconsin, by Special Prosecutors Kenneth R. Kratz, Thomas J. Fallon and Norman A. Gahn will move the Court on January 19, 2007, or soon thereafter as counsel may be heard, for an order precluding third party liability evidence.

As basis for said motion, the State relies on §§ 904.01, 904.03, *State v. Scheidell*, 227 Wis. 2d 285, 595 N.W.2d 661 (1999), *State v. Denny*, 120 Wis. 2d 614, 357 N.W.2d 12 (Ct. App. 1984), and the attached memorandum.

175
(1)

Dated this 8th day of January, 2007.



Thomas J. Fallon,
Assistant Attorney General
And Special Prosecutor
State Bar No. 1007736

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