

22428/22429

STATEMENT OF THE ISSUES

Whether the trial court in CIV. 00-3643<sup>1</sup> and CIV. 01-194<sup>2</sup> erred as a matter of law in granting summary judgment in favor of Jeff Senst and Mervin Bultje based on the doctrine of sovereign immunity.

Whether the trial court erred in refusing to permit CIV. 01-194 and CIV. 00-3643 to be consolidated and joined for trial.