

No. 24-154

In the Supreme Court of the United States

CATHOLIC CHARITIES BUREAU, INC., ET AL.,
Petitioners,

v.

WISCONSIN LABOR & INDUSTRY
REVIEW COMMISSION, ET AL.,
Respondents.

ON WRIT OF CERTIORARI TO
THE SUPREME COURT OF WISCONSIN

JOINT APPENDIX

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January 2025

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Petition for Writ of Certiorari Filed Aug. 9, 2024
Petition for Writ of Certiorari Granted Dec. 13, 2024

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JA 1

**Wisconsin Supreme Court and
Court of Appeals Case Access**

Catholic Charities Bureau, Inc. v. State of Wisconsin
Labor and Industry Review Commission

Appeal Number 2020AP002007

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	10-26- 2020		Order of Circuit Court
OCCD	CA	12-02- 2020		Notice of Appeal filed in Circuit Court
OCCD	CA	12-04- 2020		Other Appeal Filed In Circuit Court
				Comment: Co-
OCCD	CA	12-07- 2020		Docketing Statement from Appellant
OCCD	CA	12-07- 2020		Notice of Appeal & Circuit Court Docket Entries
OCCD	CA	12-07- 2020		Fee Waived
				Comment: Appeal filed by State entity
OCCD	CA	12-07- 2020		Docketing Statement from Appellant
				Comment: co-appeal

JA 2

OCCD	CA	12-09-2020	Notif. Sent-Filing of NAP & Ct. Record
OCCD	CA	12-14-2020	Notice of Additional/ Amended/Other Appeal Comment: Co-
OCCD	CA	12-14-2020	Fee Waived Comment: on co-appeal, filed by State entity
OCCD	CA	12-15-2020	Statement on Transcript Filed By: Christine Galinat Status: Ordered Comment: appellant (DWD)
OCCD	CA	12-16-2020	Notif. Sent - Filing of NOP & Ct. Rec.
OCCD	CA	01-13-2021	Delinquent Comment: re: cross-appeal New due date of connected SRT: 1-21-2021
OCCD	CA	01-19-2021	Transcript filed in Circuit Court
OCCD	CA	01-20-2021	Statement on Transcript Filed By: Christine Galinat Status: Other Comment: co-appellant (LIRC)
OCCD	CA	01-22-2021	Notice of Reporter RE: Filing of Transcript(s)

JA 3

Court Reporter Name: (Bennett, Tracy)

01-29-
OCCD CA 2021 Other Papers
Comment: Copy of motion to supp record
filed in circuit court

02-09-
OCCD CA 2021 Motion to Extend Time
Filed By: Michele Wick
Submit Date: 2-9-2021
Decision: (G) Grant
Decision Date: 2-10-2021
IT IS ORDERED that the time to transmit
the record is extended to February 22, 2021.
See REC event due on 2-22-2021

02-16-
OCCD CA 2021 Motion to Extend Time
Filed By: Michele Wick
Submit Date: 2-16-2021
Decision: (G) Grant
Decision Date: 2-17-2021
IT IS ORDERED that the time to transmit
the record is extended to March 1, 2021. See
REC event due on 3-1-2021 Comment: 2nd
request

03-01-
OCCD CA 2021 Record
Comment: 1-5 to 106-1,
ELECTRONICALLY FILED

04-12- Brief & Appendix of
OCCD CA 2021 Appellant(s)

Brief of Respondent-
Appellant State of
Wisconsin Department of
Workforce Development

Filed By: Christine Galinat

04-12-
OCCD CA 2021 No Brief to Be Filed

Comment: Letter from Atty Molitor joining
brief of appellant on behalf of DWD (co-
appellant).

04-28-
OCCD CA 2021 Motion to Extend Time

Filed By: Kyle Torvinen
Submit Date: 4-28-2021
Decision: (G) Grant
Decision Date: 4-29-2021

IT IS ORDERED that the time to file the
respondent's brief is extended to May 26,
2021.

See BRS event due on 5-26-2021

05-21-
OCCD CA 2021 Motion to Extend Time

Filed By: Kyle Torvinen
Submit Date: 5-24-2021
Decision: (G) Grant
Decision Date: 5-25-2021

IT IS ORDERED that the time to file the
respondents' brief is extended to June 2,
2021.

JA 5

See BRS event due on 6-2-2021

Comment: 2nd request

OCCD	CA	06-02-2021	Brief of Respondent(s) Brief of Petitioner- Respondents
Filed By: Kyle Torvinen			
OCCD	CA	06-17-2021	Reply Brief Reply Brief of Respondent- Appellant State of Wisconsin Department of Workforce Development
Filed By: Christine Galinat			
OCCD	CA	06-17-2021	No Brief to Be Filed
Comment: Per Letter from Atty Molitor LIRC will not file reply brief.			
OCCD	CA	06-18-2021	Record and Briefs Sent to District 3
OCCD	CA	07-13-2021	Additional Authorities
Comment: filed by Atty Galinat			
OCCD	CA	07-23-2021	Response to Additional/Supplemental Authorities
Comment: filed by Atty Torvinen			
OCCD	CA	09-14-2021	Submitted on Briefs
OCCD	CA	11-04-2021	Notice of Appearance

Comment: Notice of Substitution of Counsel
for Labor and Industry Review Commission

12-07-
OCCD CA 2021 Opinion/Decision

Judge Panel: Stark, Hruz, Gill
Opinion: Certification
Decision: Certification Filed Pages: 18
Order Text: Certification filed

12-07-
OCCD SC 2021 Certification

Filed By: Unassigned District 3
Submit Date: 12-7-2021
Decision: (D) Deny
Decision Date: 2-16-2022

IT IS ORDERED that certification is
refused.

ANNETTE KINGSLAND ZIEGLER, C.J.,
PATIENCE DRAKE ROGGENSACK and
REBECCA GRASSL BRADLEY, JJ.,
dissent.

See DEC event filed on 12-7-2021

02-16-
OCCD CA 2022 Hold Status

02-28-
OCCD CA 2022 Fee Paid

Comment: Receipt No: 22R 000469

03-29-
OCCD CA 2022 Assigned for Oral Argument

03-29-
OCCD CA 2022 Other Papers

JA 7

Comment: OA Confirmation Receipt (Atty Galinat)

03-29-
OCCD CA 2022 Other Papers

Comment: OA Confirmation Receipt (Atty Shampo)

03-30-
OCCD CA 2022 Other Papers

Comment: OA Confirmation Receipt (Atty Torvinen)

04-04-
OCCD CA 2022 Letter/Correspondence

Comment: Letter to counsel regarding oral argument; amended letter issued 4/5/22

06-29-
OCCD CA 2022 Letter/Correspondence

Comment: Letter to counsel regarding oral argument issues

07-06-
OCCD CA 2022 Letter/Correspondence

Comment: Letter regarding August 3 oral argument

07-07-
OCCD CA 2022 Letter/Correspondence

Comment: Letter to Counsel from Judge Stark re OA Presentation

08-03-
OCCD CA 2022 Oral Argument

Comment: 9:00 a.m., in the Douglas County
Courthouse, 1313 Belknap Street, Branch 2
courtroom, Superior, Wisconsin

12-13-
OCCD CA 2022 Opinion/Decision

Judge Panel: Stark, Hruz, Gill

Opinion: Opinion

Decision: Reversed Pages: 38

Written by: Stark, Lisa K.

Order Text: Order reversed

Petition for Review

Brief of Amici Curiae
(Catholic Conferences of
Illinois, Iowa, Michigan,
and Minnesota)

Brief of Amici Curiae
(Maranatha Baptist
University, Maranatha
Baptist

Academy, Concordia
University Wisconsin, the
Wisconsin Family

Council, and the Wisconsin
Association of Christian
Schools)

Brief of Amicus Curiae
(Wisconsin Catholic
Conference)

01-12-
OCCD SC 2023 Response to Petition for
Review of the State of
Wisconsin Department

of Workforce Development
Petition for Review

Filed By: Kyle Torvinen
Submit Date: 1-26-2023
Decision: (G) Grant
Decision Date: 4-18-2023

IT IS ORDERED that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6), the petitioners-respondents-petitioners may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court;

IT IS FURTHER ORDERED that pursuant to Wis. Stat. (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the petitioners-respondents-petitioners must file a brief in this court; that within 20 days of filing the respondent-appellant, State of Wisconsin Department of Workforce Development, and respondent-co-appellant, State of Wisconsin Labor and Industry Review Commission, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the respondent-appellant and/or the respondent-co-appellant, within 10 days of filing of each brief the petitioners-respondents-petitioners must file either a reply brief or a statement that no reply brief will be filed;

IT IS FURTHER ORDERED that in any brief filed in this court the parties shall not incorporate by reference any portion of their

court of appeals' brief or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court;

IT IS FURTHER ORDERED that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and,

IT IS FURTHER ORDERED that the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.

Motion Response

Filed By: Christine Galinat

Submit Date: 1-26-2023

Motion Response

Filed By: Jeffrey Shampo

Submit Date: 1-26-2023

Motion Response

Filed By: Bradley Hubbard

Submit Date: 2-1-2023

Motion Resp

Comment: see pending SUA...

OCCD	SC	01-12-2023	Motion for Pro Hac Vice Admission
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Filed By: Kyle Torvinen

Submit Date: 1-13-2023

Decision: (G) Grant

Decision Date: 1-17-2023

IT IS ORDERED that the motions are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, can be found at the following link:

<https://www.wicourts.gov/sc/rules/chap10.pdf>

Comment: 3 separate motions filed (re: Eric C. Rassbach, Nicholas R. Reaves & Daniel M. Vitagliano)

01-13-
OCCD SC 2023 Fee Paid

Comment: Receipt No: 23R 000122

01-19- Motion for Pro Hac Vice
OCCD SC 2023 Admission

Filed By: Jason Muehlhoff
Submit Date: 1-19-2023
Decision: (G) Grant
Decision Date: 1-20-2023

IT IS ORDERED that the motions are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, can be found at the following link: <https://www.wicourts.gov/sc/rules/chap10.pdf>

01-19- Motion for Pro Hac Vice
OCCD SC 2023 Admission

Filed By: Bradley Hubbard
Submit Date: 1-19-2023
Decision: (G) Grant
Decision Date: 1-20-2023

IT IS ORDERED that the motions are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, can be found at the following link: <https://www.wicourts.gov/sc/rules/chap10.pdf>

OCCD SC 01-19-2023 Motion for Pro Hac Vice Admission

Filed By: Elizabeth Kiernan
Submit Date: 1-19-2023
Decision: (G) Grant
Decision Date: 1-20-2023

IT IS ORDERED that the motions are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, can be found at the following link: <https://www.wicourts.gov/sc/rules/chap10.pdf>

OCCD SC 01-19-2023 Motion for Pro Hac Vice Admission

Filed By: Zachary Faircloth
Submit Date: 1-19-2023
Decision: (G) Grant
Decision Date: 1-20-2023

IT IS ORDERED that the motions are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, can be found at the following link: <https://www.wicourts.gov/sc/rules/chap10.pdf>

OCCD CA 01-25-2023 Opinion Ordered Published

Comment: Opinion Ordered Published -
Decision; Opinion Ordered Published -
Order

OCCD SC 01-26-2023 Motion for Miscellaneous
Relief

Filed By: Daniel Suhr
Submit Date: 1-26-2023
Decision: (D) Deny
Decision Date: 2-1-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, is attached to the moving party's and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that only the Wisconsin Catholic Conference's amicus brief submitted with the accompanying motion is accepted as filed;

IT IS FURTHER ORDERED that the briefs submitted by Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota, and Maranatha Baptist University, Maranatha Baptist Academy, Concordia University Wisconsin, The Wisconsin Family Counsel,

and the Wisconsin Association of Christian Schools are rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until February 15, 2023, to file corrected briefs;

IT IS FURTHER ORDERED that the motion for supplemental oral argument time is denied as premature. This court has not yet rendered a decision on the petition for review.

Comment: Motion for Supplemental Argument Time by Maranatha Baptist University, Maranatha Baptist Academy, Concordia University Wisconsin, The Wisconsin Family Counsel, and the Wisconsin Association of Christian Schools

OCCD SC 01-26-2023 Motion to File Amicus/Non-Party Brief

Filed By: Daniel Suhr
Submit Date: 1-26-2023
Decision: (O) Other
Decision Date: 2-1-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro

hac vice, is attached to the moving party's and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that only the Wisconsin Catholic Conference's amicus brief submitted with the accompanying motion is accepted as filed;

IT IS FURTHER ORDERED that the briefs submitted by Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota, and Maranatha Baptist University, Maranatha Baptist Academy, Concordia University Wisconsin, The Wisconsin Family Counsel, and the Wisconsin Association of Christian Schools are rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until February 15, 2023, to file corrected briefs;

IT IS FURTHER ORDERED that the motion for supplemental oral argument time is denied as premature. This court has not yet rendered a decision on the petition for review.

Comment: Maranatha Baptist University, Maranatha Baptist Academy, Concordia University Wisconsin, the Wisconsin Family Counsel, and the Wisconsin Association of Christian Schools

OCCD SC 01-26-2023 Motion to File Amicus/Non-Party Brief

Filed By: Robert Driscoll

Submit Date: 1-26-2023

Decision: (O) Other

Decision Date: 2-1-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, is attached to the moving party's and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that only the Wisconsin Catholic Conference's amicus brief submitted with the accompanying motion is accepted as filed;

IT IS FURTHER ORDERED that the briefs submitted by Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota, and Maranatha Baptist University, Maranatha Baptist Academy, Concordia University Wisconsin, The Wisconsin Family Counsel, and the Wisconsin Association of Christian Schools are rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until February 15, 2023, to file corrected briefs;

IT IS FURTHER ORDERED that the motion for supplemental oral argument time is denied as premature. This court has not yet

rendered a decision on the petition for review.

Comment: Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota (Catholic Conferences)

OCCD SC 01-26-2023 Motion to File Amicus/Non-Party Brief

Filed By: David Earleywine

Submit Date: 1-26-2023

Decision: (O) Other

Decision Date: 2-1-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, is attached to the moving party's and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that only the Wisconsin Catholic Conference's amicus brief submitted with the accompanying motion is accepted as filed;

IT IS FURTHER ORDERED that the briefs submitted by Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota, and Maranatha Baptist University, Maranatha Baptist Academy, Concordia University Wisconsin, The Wisconsin Family Counsel, and the Wisconsin Association of Christian

Schools are rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until February 15, 2023, to file corrected briefs;

IT IS FURTHER ORDERED that the motion for supplemental oral argument time is denied as premature. This court has not yet rendered a decision on the petition for review.

Comment: Wisconsin Catholic Conference

OCCD	SC	01-30-2023	Motion for Pro Hac Vice Admission
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Filed By: Robert Driscoll
Submit Date: 1-31-2023
Decision: (O) Other
Decision Date: 2-1-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, is attached to the moving party's and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that only the Wisconsin Catholic Conference's amicus

brief submitted with the accompanying motion is accepted as filed;

IT IS FURTHER ORDERED that the briefs submitted by Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota, and Maranatha Baptist University, Maranatha Baptist Academy, Concordia University Wisconsin, The Wisconsin Family Counsel, and the Wisconsin Association of Christian Schools are rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until February 15, 2023, to file corrected briefs;

IT IS FURTHER ORDERED that the motion for supplemental oral argument time is denied as premature. This court has not yet rendered a decision on the petition for review.

Comment: re: Tiernan B. Kane

OCCD SC 01-30-2023 Motion for Pro Hac Vice Admission

Filed By: Robert Driscoll

Submit Date: 1-31-2023

Decision: (G) Grant

Decision Date: 2-1-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident

attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, is attached to the moving party's and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that only the Wisconsin Catholic Conference's amicus brief submitted with the accompanying motion is accepted as filed;

IT IS FURTHER ORDERED that the briefs submitted by Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota, and Maranatha Baptist University, Maranatha Baptist Academy, Concordia University Wisconsin, The Wisconsin Family Counsel, and the Wisconsin Association of Christian Schools are rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until February 15, 2023, to file corrected briefs;

IT IS FURTHER ORDERED that the motion for supplemental oral argument time is denied as premature. This court has not yet rendered a decision on the petition for review.

Comment: re: Stephen M. Judge

02-09-
OCCD CA 2023 Order

IT IS ORDERED that the opinion issued by this court on December 13, 2022, is hereby

JA 21

withdrawn. A revised opinion will be forthcoming.

IT IS FURTHER ORDERED that the publication order issued by this court on January 25, 2023, shall be amended to remove this case from the publication list.

OCCD CA 02-09-2023 Decision Withdrawn/Vacated

OCCD CA 02-14-2023 Opinion/Decision

Judge Panel: Stark, Hruz, Gill
Opinion: Opinion
Decision: Reversed Pages: 38
Written by: Stark, Lisa K.
Order Text: Order reversed

OCCD SC 02-14-2023 Order

IT IS ORDERED that petitioners inform this court in writing within ten days of the date of this order whether they intend to stand on the previously filed petition for review or file a new petition.

OCCD SC 02-14-2023 Sua Sponte

Filed By: Supreme Court Supreme Court
Submit Date: 2-14-2023
Decision: (O) Other
Decision Date: 2-15-2023

IT IS ORDERED that, by February 24, 2023, the State of Wisconsin Department of Workforce Development and the State of

JA 22

Wisconsin Labor and Industry Review Commission shall either: (1) inform this court in writing that they intend to stand on their previously filed response/letter-response to the petition for review; or (2) file supplemental responses.

Comment: Letter, filed by Atty Rassbach, responding to Court Order of 2/14/23

03-29-
OCCD CA 2023 Public Domain Citation

Comment: PDC No: 2023 WI App 12

03-29-
OCCD CA 2023 Opinion Ordered Published

Comment: Opinion Ordered Published -
Decision; Opinion Ordered Published -
Order

03-29-
OCCD CA 2023 Published Opinion Citation
406 Wis. 2d 586

03-29-
OCCD CA 2023 Published Opinion Citation
987 N.W.2d 778

04-06-
OCCD CA 2023 Final Publication

04-18-
OCCD SC 2023 Court Changed to Supreme
Court

04-18-
OCCD SC 2023 Caption Amended

JA 23

OCCD SC 05-18-2023 First Brief-Supreme Court
First Brief-Supreme Court

Filed By: Kyle Torvinen

OCCD SC 06-07-2023 Response Brief-Supreme Court
Response Brief- Supreme Court

Filed By: Christine Galinat

OCCD SC 06-13-2023 Fee Paid

Comment: Receipt No: 23R 001413

OCCD SC 06-13-2023 Fee Paid

Comment: Receipt No: 23R 001414

OCCD SC 06-16-2023 Reply Brief-Supreme Court
Reply Brief-Supreme Court

Filed By: Kyle Torvinen

OCCD SC 06-19-2023 Motion to File Amicus/Non-Party Brief

Filed By: Jonathan Judge

Submit Date: 6-20-2023

Decision: (G) Grant

Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy

of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes

time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Catholic Charities USA; see cto of 7/11/23...

OCCD SC 06-20-2023 Motion to File Amicus/Non-Party Brief

Filed By: David Earleywine

Submit Date: 6-20-2023

Decision: (G) Grant

Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief,

Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Wisconsin Catholic Conference

OCCD SC 06-20-2023 Motion to File Amicus/Non-Party Brief

Filed By: Jon Axelrod
Submit Date: 6-21-2023
Decision: (G) Grant
Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.
Comment: re: Jewish Coalition for Religious Liberty

OCCD SC 06-20-2023 Motion for Pro Hac Vice Admission

Filed By: Jon Axelrod
Submit Date: 6-21-2023
Decision: (G) Grant
Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the

requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed

to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Howard Slugh

OCCD SC 06-21-2023 Motion to File Amicus/Non-Party Brief

Motion to File Amicus/Non-Party Brief

Filed By: Gregory Heinen

Submit Date: 6-21-2023

Decision: (G) Grant

Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors

Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: International Society for Krishna Consciousness and Sikh Coalition

OCCD SC 06-21-2023 Motion to File Amicus/Non-Party Brief

Filed By: Ryan Walsh
Submit Date: 6-21-2023
Decision: (G) Grant
Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Wisconsin State Legislature

OCCD SC 06-21-2023 Motion to File Amicus/Non-Party Brief

Filed By: Timothy Feldhausen

Submit Date: 6-22-2023

Decision: (G) Grant

Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the

requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed

to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Professors Douglas Laycock & Thomas C. Berg

OCCD SC 06-21-2023 Motion for Pro Hac Vice Admission

Filed By: Timothy Feldhausen

Submit Date: 6-22-2023

Decision: (G) Grant

Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors

Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Mark Storslee, Sarah Harris & Rohit Asirvatham

OCCD SC 06-21-2023 Motion to File Amicus/Non-Party Brief

Filed By: Matthew Fernholz

Submit Date: 6-21-2023

Decision: (G) Grant

Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Minnesota-Wisconsin Baptist Convention, Lutheran Church - Missouri Synod, National Association of Evangelicals, American Islamic Congress, The Church of Jesus Christ of Latter-day Saints, General Council on Finance and Administration of the United Methodist Church, Ethics and Religious Liberty Commission, and Islam and Religious Freedom Action Team

OCCD SC 06-21-2023 Motion to File Amicus/Non-Party Brief

Filed By: Robert Driscoll
Submit Date: 6-21-2023
Decision: (G) Grant
Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral

argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota

OCCD SC 06-21-2023 Motion to File Amicus/Non-Party Brief

Filed By: Samuel Grover
Submit Date: 6-21-2023
Decision: (G) Grant
Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the

parties are or are not willing to cede any argument time.

Comment: re: Freedom From Religion Foundation

OCCD SC 06-21-2023 Motion to File Amicus/Non-Party Brief

Filed By: Daniel Suhr
Submit Date: 6-21-2023
Decision: (G) Grant
Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin

Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Maranatha Baptist University, Maranatha Baptist Academy, Concordia University Wisconsin, the Wisconsin Family Counsel, and the Wisconsin Association of Christian Schools

06-22-
OCCD SC 2023 Order

IT IS ORDERED that the above-referenced motions shall be held in abeyance pending

compliance with the pro hac vice admission procedure. See SCR 10.03(4).

OCCD SC 06-23-2023 Motion for Pro Hac Vice Admission

Filed By: Matthew Fernholz

Submit Date: 6-23-2023

Decision: (G) Grant

Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall

be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: James C. Phillips

OCCD	SC	06-23-2023	Motion for Pro Hac Vice Admission
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Filed By: Matthew Fernholz

Submit Date: 6-23-2023

Decision: (G) Grant

Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in

addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Gene C. Schaerr

OCCD SC 07-05-2023 Motion for Pro Hac Vice Admission

Filed By: Gregory Heinen

Submit Date: 7-7-2023

Decision: (G) Grant

Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa,

Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Benjamin Hayes

OCCD SC 07-05-2023 Motion for Pro Hac Vice Admission

Filed By: Gregory Heinen

Submit Date: 7-7-2023

Decision: (G) Grant

Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici

parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Dina Ljekperic

OCCD SC 07-05-2023 Motion for Pro Hac Vice Admission

Filed By: Gregory Heinen

Submit Date: 7-7-2023

Decision: (G) Grant

Decision Date: 7-13-2023

IT IS ORDERED that all motions submitted for leave to file non-party briefs amici curiae are granted;

IT IS FURTHER ORDERED that all motions for admission for non-resident

attorneys, pro hac vice, are granted. A copy of SCR 10.03(4), setting forth the requirements for attorneys appearing pro hac vice, are attached to the moving parties' and the non-resident attorneys' orders;

IT IS FURTHER ORDERED that The Jewish Coalition For Religious Liberty's brief, the International Society for Krishna Consciousness and the Sikh Coalition's brief, Catholic Conferences of Illinois, Iowa, Michigan, and Minnesota's brief, the Freedom From Religion Foundation's brief, Maranatha et al.'s brief, and Professors Douglas Laycock's and Thomas C. Berg's brief, are accepted as filed;

IT IS FURTHER ORDERED that the brief submitted by the Minnesota-Wisconsin Baptist Convention et al. is rejected due to formatting defects, the nature of which shall be explained in a separate communication from the clerk of this court. The amici parties shall have until July 28, 2023, to file a corrected brief;

IT IS FURTHER ORDERED that the amici briefs not already filed must be filed by July 28, 2023;

IT IS FURTHER ORDERED that the motion of Maranatha et al. to participate in oral argument is held in abeyance pending further order of the court. Amicus are generally not granted oral argument time in addition to the argument time allotted to the parties, but amicus are generally allowed to

speak at oral argument if either party cedes time. Maranatha et al. are therefore directed to: (1) ask the parties if they would be willing to cede any of their oral argument time to Maranatha et al.; and (2) inform this court in writing by July 28, 2023, on whether the parties are or are not willing to cede any argument time.

Comment: re: Levi Swank

OCCD	SC	07-07- 2023	Assigned for Oral Argument
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OCCD	SC	07-11- 2023	Order
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IT IS ORDERED that Catholic Charities USA's amicus motion will continued to be held in abeyance pending its compliance with the pro hac vice admission procedure; and,

IT IS FURTHER ORDERED that on or before July 21, 2023, Catholic Charities USA shall either comply with SCR 10.03(4) or inform this court, in writing, of the status of its compliance.

OCCD	SC	07-12- 2023	Motion for Miscellaneous Relief
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Filed By: Daniel Suhr
Submit Date: 7-13-2023
Decision: (D) Deny
Decision Date: 8-28-2023

IT IS ORDERED that the motion is denied.

JA 53

REBECCA GRASSL BRADLEY, J.,
dissents.

Motion Response
Filed By: Christine Galinat
Submit Date: 7-20-2023

Motion Response
Filed By: Caleb Gerbitz
Submit Date: 7-27-2023

Motion Response
Filed By: Kyle Torvinen
Submit Date: 7-27-2023

Comment: Motion for Oral Argument Time
of Maranatha Baptist University,
Maranatha Baptist Academy, Concordia
University Wisconsin, the Wisconsin Family
Council, and the Wisconsin Association of
Christian Schools

07-12-
OCCD SC 2023 Sua Sponte

Filed By: Jonathan Judge
Submit Date: 7-13-2023
Decision: (N) No Action
Decision Date: 7-13-2023 no action

Comment: Catholic Charities USA's
Response to 7-11-2023 Court Order, filed by
Atty Judge

Brief of Amicus Curiae/Non-
Party
Brief of Amicus Curiae
(Maranatha Baptist
University et al.)
07-13-
OCCD SC 2023

Filed By: Daniel Suhr

Comment: Maranatha Baptist University,
Maranatha Baptist Academy, Concordia
University Wisconsin, the Wisconsin Family
Counsel, and the Wisconsin Association of
Christian Schools

			Brief of Amicus Curiae/Non- Party
			Brief of Amicus Curiae (Catholic Conferences of Illinois, Iowa, Michigan and Minnesota)
OCCD	SC	07-13- 2023	

Filed By: Robert Driscoll

Comment: Catholic Conferences of Illinois,
Iowa, Michigan, and Minnesota

			Brief of Amicus Curiae/Non- Party
			Brief of Amicus Curiae (Minnesota-Wisconsin Baptist Convention et al.)
OCCD	SC	07-13- 2023	

Filed By: Matthew Fernholz

Comment: Minnesota-Wisconsin Baptist
Convention, Lutheran Church - Missouri
Synod, National Association of Evangelicals,
American Islamic Congress, The Church of
Jesus Christ of Latter-day Saints, General
Council on Finance and Administration of
the United Methodist Church, Ethics and
Religious Liberty Commission, and Islam
and Religious Freedom Action Team

Brief of Amicus Curiae/Non-Party
Brief of Amicus Curiae
(Professors Douglas Laycock
& Thomas C. Berg)
OCCD SC 07-13-2023

Filed By: Timothy Feldhausen
Comment: Professors Douglas Laycock & Thomas C. Berg

Brief of Amicus Curiae/Non-Party
Brief of Amicus Curiae (Sikh
Coalition and International
Society for Krishna
Consciousness)
OCCD SC 07-13-2023

Filed By: Levi Swank
Comment: International Society for Krishna
Consciousness and Sikh Coalition

Brief of Amicus Curiae/Non-Party
Brief of Amicus Curiae (The
Jewish Coalition For
Religious Liberty)
OCCD SC 07-13-2023

Filed By: Jon Axelrod
Comment: Jewish Coalition for Religious
Liberty

Brief of Amicus Curiae/Non-Party
Brief of Amicus Curiae
(Freedom From Religion
Foundation)
OCCD SC 07-13-2023

Filed By: Samuel Grover

Comment: Freedom From Religion
Foundation

Brief of Amicus Curiae/Non-Party
Brief of Amicus curiae
OCCD SC 07-14-2023 (Wisconsin Catholic
Conference)

Filed By: David Earleywine

Comment: Wisconsin Catholic Conference

Brief of Amicus Curiae/Non-Party
Brief of Amicus Curiae
OCCD SC 07-14-2023 (Catholic Charities USA)

Filed By: Jonathan Judge

Comment: Catholic Charities USA

OCCD SC 07-26-2023 Invoice Issued

Comment: Invoice No: 20716 VOIDED on 7-26-2023 - entered in error

OCCD CA 07-26-2023 Fee Paid

Comment: Receipt No: 23R 001770

Brief of Amicus Curiae/Non-Party
Brief of Amicus Curiae
OCCD SC 07-28-2023 (Wisconsin State
Legislature)

Filed By: Ryan Walsh

Comment: Wisconsin State Legislature

09-11-
OCCD SC 2023 Oral Argument

Comment: 2nd case, 9:45 a.m. (State Capitol SC Hearing Room). Eric Rassbach for Petitioners-Respondent-Petitioners, Jeffrey J. Shampo for Respondent-Co-Appellant.

03-13-
OCCD SC 2024 Public Domain Citation

Comment: PDC No: 2024 WI 13

03-14-
OCCD SC 2024 Opinion/Decision

Judge Panel: Ziegler, Bradley, Bradley, Dallet, Hagedorn, Karofsky, Protasiewicz
Opinion: Opinion
Decision: Affirmed Pages: 50
Written by: Bradley, Ann Walsh
Bradley, Rebecca Grassl Wrote Dissenting Opinion 73 pages.
Ziegler, Annette K. Joined Dissenting Opinion
Hagedorn, Brian K. Wrote Dissenting Opinion 1 pages.
Order Text: The decision of the court of appeals is affirmed.

Comment: Opinion/Decision

04-24-
OCCD SC 2024 Remittitur

05-14-
OCCD SC 2024 Letter/Correspondence
Comment: Returned Mail (Remittitur
Notice for Atty Suhr)

06-03-
OCCD SC 2024 Other Papers
Comment: Notice from US Supreme Court
(extension to file petition granted)

08-16-
OCCD SC 2024 Other Papers
Comment: Notice from US Supreme Court
(Petition filed with SCOTUS)

12-19-
OCCD SC 2024 Notice of Appearance
Comment: AAG Roth for Labor and
Industry Review Commission and
Department of Workforce Development

12-19-
OCCD SC 2024 Notice of Appearance
Comment: AAG Gibson for Labor and
Industry Review Commission and
Department of Workforce Development

12-20-
OCCD SC 2024 Other Papers
Comment: SCOTUS notice writ granted.

**Douglas County Case Number 2019CV000324
Headwaters, Inc. vs. State of Wisconsin Labor
and Industry Review Commission et al.**

Case summary

Filing date	Case type	Case status
11-07-2019	Civil	Closed - Electronic filing
Class code description	Responsible official	Branch ID
Administrative Agency Review	Thimm, Kelly J	1

Party summary

Party type	Party name	Party Status
Plaintiff	Headwaters, Inc.	
Defendant	State of Wisconsin Labor and Industry Review Commission	
Defendant	State of Wisconsin Department of Workforce Development	

Parties

Plaintiff: Headwaters, Inc.

Date of birth:	Sex:	Race:
Address (last updated 11-07-2019)		
1441 East Timber Drive, P.O. Box 618, Rhineland, WI 54501 US		
Attorneys		

JA 60

Attorney name Torvinen, Kyle Hoff	Guardian ad litem No	Entered 11-07-2019
--	------------------------------------	------------------------------

**Defendant: State of Wisconsin Labor and
Industry Review Commission**

Date of birth:	Sex:	Race:
Address (last updated 11-07-2019) 3319 West Beltline Highway, Madison, WI 53713 US		
Attorneys		
Attorney name Molitor, Ann Marie	Guardian ad litem No	Entered 11-12-2019

**Defendant: State of Wisconsin Department of
Workforce Development**

Date of birth:	Sex:	Race:
Address (last updated 11-07-2019) 201 E. Washington Avenue, Madison, WI 53703 US		
Attorneys		
Attorney name Galinat, Christine L	Guardian ad litem No	Entered 11-25-2019

Court Activities

Date: 08-03-2022

Time: 08:30 am

Location: Room 308

Description: Oral arguments

Type: Court

Court official: Thimm, Kelly J.

Court record

Date	Event	Court official	Court reporter	Amount
11-07-2019	Summons and complaint			
11-07-2019	Case initiated by electronic filing			
11-07-2019	Filing fee paid Additional text: Adjustment Number: 19A 212654, Payable Number: 120867, Receipt Number: 19R 021518, Amount: \$20.00			
11-07-2019	Summons and complaint Additional text: Summons and complaint from #19CV325			
11-07-2019	Summons and complaint Additional text: Summons and complaint from #19CV326			
11-07-2019	Summons and complaint Additional text: Summons and complaint from #19CV327			
11-07-2019	Summons and complaint Additional text:			

JA 62

Summons and complaint from
#19CV328

- 11-12-2019 Electronic Notice Update
- 11-12-2019 Notice of retainer
- 11-12-2019 Notice of retainer
Additional text:
Notice of retainer #19CV325
- 11-12-2019 Notice of retainer
Additional text:
Notice of retainer #19CV326
- 11-12-2019 Notice of retainer
Additional text:
Notice of retainer #19CV327
- 11-12-2019 Notice of retainer
Additional text:
Notice of retainer #19CV328
- 11-24-2019 Notice of retainer
Additional text:
Notice of retainer #19CV326
- 11-24-2019 Notice of retainer
Additional text:
Notice of retainer #19CV324
- 11-24-2019 Certificate of service
Additional text:
Certificate of service #19CV328

JA 63

- 11-25-2019 Notice of retainer
- 11-25-2019 Answer
Additional text:
Answer of State of Wisconsin
Department of Workforce Development
- 11-25-2019 Certificate of service
Additional text:
Certificate of service of notice of
appearance and answer
- 11-25-2019 Request for substitution
- 11-25-2019 Certificate of service
Additional text:
Certificate of service for request for
substitution
- 11-25-2019 Affidavit/Declaration of Service
Additional text:
Affidavits of Service on LIRC and
DWD
- 11-25-2019 Notice of retainer
Additional text:
Notice of retainer from #19CV325
- 11-25-2019 Certificate of service
Additional text:
Certificate of service #19CV325
- 11-25-2019 Answer
Additional text:
Answer #19CV325

- 11-25-2019 Affidavit/Declaration of Service
Additional text:
Affidavit of service on LIRC and DWD
#19CV325
- 11-25-2019 Request for substitution
Additional text:
Request for substitution of Judge
#19CV326
- 11-25-2019 Certificate of service
Additional text:
Certificate of service #19CV326
- 11-25-2019 Certificate of service
Additional text:
Certificate of service #19CV326
- 11-25-2019 Request for substitution
Additional text:
Application and Order for specific
Judicial Assignment #19CV326
- 11-25-2019 Answer
Additional text:
Answer of State of WI DWD #19CV326
- 11-25-2019 Affidavit/Declaration of Service
Additional text:
Affidavit of servive on LIRC and DWD
#19CV326
- 11-25-2019 Notice of retainer
Additional text:

JA 65

Notice of Retainer #19CV327

- 11-25-2019 Certificate of service
Additional text:
Certificate of Service #19CV327
- 11-25-2019 Answer
Additional text:
Answer of State of WI DWD #19CV327
- 11-25-2019 Affidavit/Declaration of Service
Additional text:
Affidavit of service #19CV927
- 11-25-2019 Certificate of service
Additional text:
Certificate of service #19CV328
- 11-25-2019 Application for specific judicial
assignment
Additional text:
ASJA #19CV328
- 11-25-2019 Answer
Additional text:
Answer #19CV328
- 11-26-2019 Notice of Appearance
- 11-26-2019 Answer
Additional text:
Answer of Department of Workforce
Development
- 11-26-2019 Certificate of service

JA 66

Additional text:

Certificate of Service notice of appearance and answer

- 11-26-2019 Request for substitution
- 11-26-2019 Certificate of service
Additional text:
certificate of service request for substitution
- 11-26-2019 Application for specific judicial assignment
- 11-27-2019 Letters/correspondence
Additional text:
Letter Filing LIRC's Answer
- 11-27-2019 Answer
Additional text:
Answer of Defendant Labor and Industry Review
- 11-27-2019 Letters/correspondence
Additional text:
Letter filing LIRC's Answer
- 11-27-2019 Answer
Additional text:
Answer #19CV325
- 11-27-2019 Letters/correspondence
Additional text:
Letter filing LIRC Answer

JA 67

- 11-27-2019 Answer
Additional text:
Answer of Defendant Labor and
Industry Review #19CV326
- 11-27-2019 Letters/correspondence
Additional text:
Letter filing LIRC's Answer #19CV327
- 11-27-2019 Answer
Additional text:
Answer of Defendant Labor and
Industry Review #19CV327
- 12-04-2019 Order assigning judge/judicial
assignment
order
Additional text:
Application and Order for Specific
Judicial Assignment
Court official: Thimm, Kelly J
- 01-29-2020 Stipulation
Additional text:
Stipulation for Consolidation of
Actions
- 01-29-2020 Proposed Order
Additional text:
Proposed Order for Consolidation of
Actions
- 01-30-2020 Order
Additional text:
for consolidation of actions

JA 68

Court official: Thimm, Kelly J

- 01-30-2020 Record as received from
Additional text:
Administrative Record part 1 of 2
- 01-30-2020 Record as received from
Additional text:
Administrative Record part 2 of 2
- 01-30-2020 Exhibit
Additional text:
1-14
- 01-30-2020 Exhibit
Additional text:
Exhibit 15, part 1 of 2
- 01-30-2020 Exhibit
Additional text:
Exhibit 15, part 2 of 2
- 01-30-2020 Exhibit
Additional text:
Exhibits 16 - 25
- 01-30-2020 Exhibit
Additional text:
Exhibits 26 - 30
- 01-30-2020 Exhibit
Additional text:
Exhibits 31 - 37 (pp. 1-14)
- 01-30-2020 Exhibit

JA 69

Additional text:
Exhibit 37 (pp. 15-37)

- 01-30-2020 Exhibit
Additional text:
Exhibits 38 - 42
- 01-30-2020 Exhibit
Additional text:
Exhibits 43 - 47
- 01-30-2020 Exhibit
Additional text:
Exhibits 48 - 54
- 01-30-2020 Exhibit
Additional text:
Exhibits 55 - 64
- 01-30-2020 Transcript
Additional text:
Transcript of Administrative Hearing
on April 10, 2018
- 01-30-2020 Transcript
Additional text:
Transcript of Administrative Hearing
on March 6, 2018
- 01-30-2020 Letters/correspondence
Additional text:
Cover letter with Administrative
Record, Transcripts, and Hearing
Exhibits

JA 70

- 03-03-2020 Notice of hearing
Additional text:
Status conference on May 4, 2020 at 11:30 am.
- 05-04-2020 Status conference
Additional text:
Attorney Christine L Galinat appeared by phone means for Defendant State of Wisconsin Department of Workforce Development. Attorney Kyle Hoff Torvinen appeared by phone means for Plaintiff Headwaters, Inc ..

Att Galinet: Couldn't conference both Att Molitor and Att Torvinen, will message Att Molitor with results of hearing

Court- Will set briefing schedule, Plaintiff files by 7/6/20, defendant replies by 8/10/20, rebuttal by 8/24/20. Will have argument and decision on 9/4/20 at 3:00 by phone Oral arguments scheduled for September 4, 2020 at 03:00 pm.

Court official: Thimm, Kelly J

Court reporter: Bennett, Tracy
- 07-02-2020 Stipulation
Additional text:
Stipulation of the Parties for Extension

JA 71

- 07-02-2020 Letters/correspondence
Additional text:
Letter to Judge Thimm re: stipulation
of parties
- 07-20-2020 Brief
Additional text:
Brief in Support of Judicial Review
- 08-28-2020 Letters/correspondence
Additional text:
Letter from Labor and Industry
Review Commission Regarding Joint
Brief with Co-Defendant
DWD
- 08-28-2020 Notice of hearing
Additional text:
Oral arguments on October 1, 2020 at
01:30 pm.
- 08-28-2020 Letters/correspondence
Additional text:
DWD Letter to Circuit Court re Joint
LIRC & DWD Brief and Appendix
- 08-28-2020 Brief
Additional text:
Brief of Defendants Labor and
Industry Review Commission and
Department of Workforce
Development with Appendix
- 09-11-2020 Brief
Additional text:

Reply Brief in Support of Judicial
Review

- 10-01-2020 Oral arguments
Additional text:
01:43 PM Attorney Parrish Jones appeared by video means for Plaintiff Headwaters, Inc. Attorney Ann Marie Molitor appeared by video means for Defendant State of Wisconsin Labor and Industry Review Commission. Attorney Christine L Galinat appeared by video means for Defendant State of Wisconsin Department of Workforce Development. Court calls case via Zoom with all parties. Attorney Jones asking to have matter rescheduled so Attorney Torvinen can be present. Attorney Molitor does not have issue rescheduling matter. Attorney Galinat asking if decision can be made based on briefs. Court to reset the oral arguments hearing. Oral arguments scheduled for October 22, 2020 at 03:30 pm.

Court official: Thimm, Kelly J
Court reporter: Bennett, Tracy
- 10-01-2020 Video conferencing
Court official: Thimm, Kelly J
- 10-01-2020 Notice of hearing
Additional text:
Oral arguments on October 22, 2020 at 03:30 pm.

- 10-01-2020 Notice of hearing
Additional text:
Oral arguments on October 22, 2020 at 03:30 pm.
- 10-22-2020 Oral arguments
Additional text:
03:30 PM Attorney Christine L Galinat appeared by video means for Defendant State of Wisconsin Department of Workforce Development. Attorney Ann Marie Molitor appeared by video means for Defendant State of Wisconsin Labor and Industry Review Commission. Attorney Kyle Hoff Torvinen appeared by video means for Plaintiff Headwaters, Inc.. Court calls case via zoom. Court notes it has reviewed the file in its entirety. Attorney Torvinen makes argument. Attorney Molitor makes argument. Court has questions for Attorney Molitor. Attorney Molitor responds. Attorney Galinat makes argument. Attorney Torvinen makes rebuttal argument. The Court applies plain meaning of the statute. Court finds for the Plaintiffs and reverses the decision of the Labor and Industry Review Commission.

Court official: Thimm, Kelly J
Court reporter: Bennett, Tracy
- 10-22-2020 Video conferencing
Court official: Thimm, Kelly J

JA 74

- 10-23-2020 Proposed Order
Additional text:
Order on Petition for Judicial Review
- 10-26-2020 Order
Additional text:
Order on Petition for Judicial Review
Court official: Thimm, Kelly J
- 10-26-2020 Judgment after motion
Court official: Thimm, Kelly J
- 10-27-2020 Notice of entry of judgment
- 11-24-2020 Request for substitution
Additional text:
Request for substitution #19CV324
- 11-24-2020 Letters/correspondence
Additional text:
Letter filing LIRC answer #19CV328
- 12-02-2020 Notice of appeal
Additional text:
DWD Notice of Appeal
- 12-02-2020 Other papers
Additional text:
DWD Court of Appeals Docketing
Statement w. Copy of Court Order
- 12-02-2020 Letters/correspondence
Additional text:
DWD Cover letter

JA 75

- 12-02-2020 Letters/correspondence
Additional text:
Letter to Court of Appeals Re: Notice of Appeal
- 12-04-2020 Notice of appeal
- 12-04-2020 Other papers
Additional text:
LIRC CA Docketing Statement with Order
- 12-04-2020 Letters/correspondence
Additional text:
Letter from LIRC to Circuit Court Clerk re Appeal Documents
- 12-07-2020 Letters/correspondence
Additional text:
Letter to Court of Appeals re: Notice of Appeal
- 12-14-2020 Acknowledgment from Court of Appeals
- 12-15-2020 Statement on transcript
- 12-21-2020 Notice
Additional text:
Notice of Additional/Amended (other) Appeal and Circuit Court Record
- 01-15-2021 Letters/correspondence
Additional text:

JA 76

from Court of Appeals re: delinquent
statement on transcript

- 01-19-2021 Transcript
Additional text:
Transcript of Oral Arguments and
Decision on October 22, 2020
Court official: Bennett, Tracy
- 01-19-2021 Notice of compilation of record
- 01-19-2021 Notice
Additional text:
Notice of Filing Transcript on January
19, 2021
- 01-29-2021 Notice of motion, motion
Additional text:
DWD Notice of Motion and Motion (to
Court of Appeals) to Supplement the
Record w/
Certificate of Service
- 01-29-2021 Affidavit/Declaration of Service
Additional text:
Affidavit of service #19CV328
- 02-01-2021 Motion
Additional text:
Clerk's motion for extension of time to
compile and submit the record to Court
of Appeals
- 02-02-2021 Statement on transcript

JA 77

- 02-16-2021 Motion
Additional text:
Clerks 2nd motion for extension of time
- 02-16-2021 Notice of compilation of record
- 02-16-2021 Index
Additional text:
Appeals Document Index saved for: 2020AP002007 by: Sharie O'Brien
- 02-16-2021 Order of Court of Appeals
Additional text:
Order granting first extension to transmit appellate record
- 02-19-2021 Order of Court of Appeals
Additional text:
2nd motion to extend time to send in the record is granted
- 03-01-2021 Certificate of transmittal
- 03-01-2021 Transmittal of record to court of appeals
Additional text:
Appeals Document Index: 2020AP002007 sent to Court of Appeals by: Sharie O'Brien
- 03-04-2021 Acknowledgment from Court of Appeals
- 12-07-2021 Opinion

JA 78

02-16-2022 Order of the Supreme Court
Additional text:
02-16-2022 Order

03-29-2022 Notice
Additional text:
Notice of Oral Argument

12-13-2022 Court of Appeals decision & order

01-12-2023 Acknowledgment from Supreme Court

01-20-2023 Order of the Supreme Court

01-20-2023 Order of the Supreme Court

02-01-2023 Order of the Supreme Court

02-09-2023 Order of Court of Appeals

02-14-2023 Court of Appeals decision & order
reversing

02-15-2023 Order of the Supreme Court

04-18-2023 Order of the Supreme Court

06-23-2023 Order of the Supreme Court

07-11-2023 Order of the Supreme Court

07-13-2023 Order of the Supreme Court

08-28-2023 Order of the Supreme Court

JA 79

- 03-14-2024 Supreme Court decision & order affirming
- 04-24-2024 Remittitur
Additional text:
Remittitur - Petition for Review Case
Supreme Court
- 05-03-2024 Supreme Court decision & order
Additional text:
Certified copy of decision
- 08-21-2024 Supreme Court decision & order affirming

JA 80

**CATHOLIC CHARITIES BUREAU
DIOCESE OF SUPERIOR**

* * *

October 6, 1978

Mr. James D. Wilson
Employment Security Division
Unemployment Compensation
201 East Washington Avenue
P.O. Box 644
Madison, WI 53701

Re: Phoenix Villa, Inc.

Dear Mr. Wilson:

Your letter dated May 17, 1978 addressed to Philip J. Heslin, 1209 Hughitt Avenue has been referred to myself for reply.

Please be advised:

1. Phoenix Villa, Inc. intends to provide housing for the elderly in Douglas County Wisconsin pursuant to terms and conditions of Section 202/8 of the National Housing Act. That activity will not commence until such time as the U.S. Department of Housing and Urban Development has approved all plans currently under review.
2. Phoenix Villa, Inc. is exempt under Section 501 C3 of the Internal Revenue Code as evidenced by the attached letter of determination.
3. The corporation mailing address shall be that of its registered agent; to wit, Dr. Philip J. Heslin, 1209 Hughitt Avenue, Superior Wisconsin.

4. Should you require additional information on the project I urge you to address your questions to myself, David W. Elnes, Administrator, Phoenix Villa, Inc. 12.09 Hughitt Avenue. Superior, WI 54880.
5. Phoenix Villa, Inc. is beginning a new activity in that it is a Corporation formed by the Catholic Charities Bureau of the Diocese of Superior for the purposes of providing housing and being the mortgage entity for the Department of Housing & Urban Development.
6. Phoenix Villa, Inc. has a purchase option for a portion of the assets of Holy Family Hospital, Inc. a Wisconsin Corporation. Such assets include a block and one-half of land in the City of Superior including six buildings of which four will be demolished and the remainder will be rehabilitated through the assistance of a direct loan from the U.S. Department of Housing and Urban Development.
7. The current owners of the land is Holy Family Hospital, Inc. They may be reached by writing Sister Margaret Mary, Pres. Holy Family Hospital, 1017 Clough Avenue, Superior, WI 54880

Should you require additional information, please feel free to write or call Area Code 715-394-6617.

Very truly yours,

/s/ David W. Elnes

David W. Elnes, Administrator

Phoenix Villa, Inc.

1209 Hughitt Avenue

JA 82

Superior, WI 54880

Enclosure

RECEIVED
OCT 9 1978

LEAVE BLANK	NONPROFIT ORGANIZATION EMPLOYER'S REPORT FOR 1981	Covered _ _ _
NP·6-1 NP·10-1 NP·12-1 NP·NS NP·Excluded NP·OOB	Required to determine your employer status under the Wisconsin Unemployment Compensation Act. Complete one copy and return within 10 days to: Job Service Division Box 7905 Madison, Wisconsin, 53707	4 in 20 _ _ _ _
		VE _ _ _ _

1. If Name and Address are not correct give Correct Name and Address in space at right;

M

Phoenix Villa, Inc.
1209 Hughitt Avenue
Superior, WI 54880

TRADE NAME _____
LEGAL NAME _____
MAILING ADDRESS—
c/o (IF REQUIRED FOR
CORRECT DELIVERY) _____
STREET OR P.O. BOX _____
CITY & STATE ZIP
CODE _____

2. Federal Identification Number is XXXXXXXXXX

3. Name and telephone number of individual able to furnish additional information.

William Anderson 7 1 5 3 9 4 6 6 1 7
 Name (area code) (phone number)

4. Is your organization a "nonprofit organization" described in sec. 501 (c) (3) of the Internal Revenue Code which is exempt from federal income tax under sec. 501 (a) of said code?

Check X yes, or ___ no

If "yes", submit a copy of your determination letter from the Internal Revenue Service establishing your "nonprofit" status, if you have not already done so with earlier reports and correspondence to this Division. (Failure to submit a copy will mean your organization cannot be treated as a "nonprofit organization.")

5. Date of first Wisconsin employment _____

6. Enter in the following table your total number of employees in Wisconsin

	1980	1981
CALENDAR QUARTER	No. of Employees	No. of Employees
Jan. — Mar. 1st		
Apr. — June 2nd		
July — Sept. 3rd		
Oct. — Dec. 4th		

7. In 1980 we had four employees on a day (in Wisconsin) in _____ different weeks of the year.
(number)

<p>Nature of operation (check):</p> <p><input type="checkbox"/> Religious <input type="checkbox"/> Testing for public safety</p> <p><input checked="" type="checkbox"/> Charitable <input type="checkbox"/> Literary</p> <p><input type="checkbox"/> Scientific <input type="checkbox"/> Educational</p> <p><input type="checkbox"/> Other (specify) <input type="checkbox"/> Prevention of cruelty to children or animals</p>	<p><u>FOR BUREAU USE</u></p> <p>YR__ YR__ YR__</p> <p>Qtr 1__ Qtr 1__ Qtr 1__</p> <p>Qtr 2__ Qtr 2__ Qtr 2__</p> <p>Qtr 3__ Qtr 3__ Qtr 3__</p>
<p>Location of Activity (if different than mailing address)</p> <p>_____</p> <p>Street Address City</p>	<p>Qtr 4__ Qtr 4__ Qtr 4__</p>

(Please Complete Reverse side of this Form)

Additional Data

Software ID: 15000352
Software Version: v1.00
EIN: [REDACTED]
Name: Catholic Charities
Bureau Inc

**Form 990, Schedule R, Part II – Identification of
Related Tax-Exempt Organizations**

[The information below was originally compiled in a
23x7 chart but has been recreated for readability
below.]

(a) Name, address, and EIN related organization:

Challenge Center Inc.

39 N 25 St E
Superior, WI 54880
[REDACTED]

- (b) Primary activity: programs for the developmentally disabled
- (c) Legal domicile (state or foreign country): WI
- (d) Exempt Code section: 501(c)(3)
- (e) Public charity status (of section 501(c)(3)):
170(b)(1)(A)(vi)
- (f) Direct controlling entity: Catholic Charities
Bureau Inc.
- (g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Diversified Services Inc.

7649 Tower St

JA 87

Siren, WI 54872
[REDACTED]

- (b) Primary activity: programs for the developmentally disabled
 - (c) Legal domicile (state or foreign country): WI
 - (d) Exempt Code section: 501(c)(3)
 - (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
 - (f) Direct controlling entity: Catholic Charities Bureau Inc.
 - (g) Section 512(b)(13) controlled entity? Yes
-

(a) Name, address, and EIN related organization:

Black River Industries Inc.

650 Jensen Drive
Medford, WI 54451
[REDACTED]

- (b) Primary activity: programs for the developmentally disabled
 - (c) Legal domicile (state or foreign country): WI
 - (d) Exempt Code section: 501(c)(3)
 - (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
 - (f) Direct controlling entity: Catholic Charities Bureau Inc.
 - (g) Section 512(b)(13) controlled entity? Yes
-

(a) Name, address, and EIN related organization:

Headwaters Inc.

1441 E Timber Drive
Rhineland, WI 54501
[REDACTED]

- (b) Primary activity: programs for the developmentally disabled
- (c) Legal domicile (state or foreign country): WI

- (d) Exempt Code section: 501(c)(3)
- (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
- (f) Direct controlling entity: Catholic Charities Bureau Inc.
- (g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

United Day Care Inc.

824 4th St
Hudson, WI 54016



- (b) Primary activity: children's day care
- (c) Legal domicile (state or foreign country): WI
- (d) Exempt Code section: 501(c)(3)
- (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
- (f) Direct controlling entity: Catholic Charities Bureau Inc.
- (g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Blue Valley Inc.

1416 Cumming Ave
Superior, WI 54880



- (b) Primary activity: housing for low income chronically mentally ill people
- (c) Legal domicile (state or foreign country): WI
- (d) Exempt Code section: 501(c)(3)
- (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
- (f) Direct controlling entity: Catholic Charities Bureau Inc.
- (g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Phoenix Villa of Superior Inc.

1416 Cumming Ave
Superior, WI 54880
[REDACTED]

- (b) Primary activity: housing for low income chronically mentally ill people
(c) Legal domicile (state or foreign country): WI
(d) Exempt Code section: 501(c)(3)
(e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
(f) Direct controlling entity: Catholic Charities Bureau Inc.
(g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Apple River Inc.

1416 Cumming Ave
Superior, WI 54880
[REDACTED]

- (b) Primary activity: housing for low income chronically mentally ill people
(c) Legal domicile (state or foreign country): WI
(d) Exempt Code section: 501(c)(3)
(e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
(f) Direct controlling entity: Catholic Charities Bureau Inc.
(g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Westbay Inc.

1416 Cumming Ave

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Superior, WI 54880
[REDACTED]

- (b) Primary activity: housing for low income chronically mentally ill people
- (c) Legal domicile (state or foreign country): WI
- (d) Exempt Code section: 501(c)(3)
- (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
- (f) Direct controlling entity: Catholic Charities Bureau Inc.
- (g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Sumac Trail Apartments Inc.

1416 Cumming Ave
Superior, WI 54880
[REDACTED]

- (b) Primary activity: housing for low income chronically mentally ill people
- (c) Legal domicile (state or foreign country): WI
- (d) Exempt Code section: 501(c)(3)
- (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
- (f) Direct controlling entity: Catholic Charities Bureau Inc.
- (g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Northfield Apartments of Duluth Inc.

1416 Cumming Ave
Superior, WI 54880
[REDACTED]

- (b) Primary activity: housing for low income physically disabled adults
- (c) Legal domicile (state or foreign country): MN

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- (d) Exempt Code section: 501(c)(3)
 - (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
 - (f) Direct controlling entity: Catholic Charities Bureau Inc.
 - (g) Section 512(b)(13) controlled entity? Yes
-

(a) Name, address, and EIN related organization:

Dove Inc.
1416 Cumming Ave
Superior, WI 54880
[REDACTED]

- (b) Primary activity: home health care services
 - (c) Legal domicile (state or foreign country): WI
 - (d) Exempt Code section: 501(c)(3)
 - (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
 - (f) Direct controlling entity: Catholic Charities Bureau Inc.
 - (g) Section 512(b)(13) controlled entity? Yes
-

(a) Name, address, and EIN related organization:

Dove Agency Inc.
1416 Cumming Ave
Superior, WI 54880
[REDACTED]

- (b) Primary activity: home health care services
- (c) Legal domicile (state or foreign country): WI
- (d) Exempt Code section: 501(c)(3)
- (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
- (f) Direct controlling entity: Catholic Charities Bureau Inc.
- (g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Eastwood Inc.
1416 Cumming Ave
Superior, WI 54880
[REDACTED]

- (b) Primary activity: housing for low income developmentally disabled adults
(c) Legal domicile (state or foreign country): WI
(d) Exempt Code section: 501(c)(3)
(e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
(f) Direct controlling entity: Catholic Charities Bureau Inc.
(g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Winterhaven Apartments Inc.
1416 Cumming Ave
Superior, WI 54880
[REDACTED]

- (b) Primary activity: housing for low income senior citizens
(c) Legal domicile (state or foreign country): WI
(d) Exempt Code section: 501(c)(3)
(e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
(f) Direct controlling entity: Catholic Charities Bureau Inc.
(g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Lilac Grove Apartments Inc.
1416 Cumming Ave

JA 93

Superior, WI 54880
[REDACTED]

- (b) Primary activity: housing for low income senior citizens
- (c) Legal domicile (state or foreign country): WI
- (d) Exempt Code section: 501(c)(3)
- (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
- (f) Direct controlling entity: Catholic Charities Bureau Inc.
- (g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Phoenix Villa Inc.
1416 Cumming Ave
Superior, WI 54880
[REDACTED]

- (b) Primary activity: housing for low income senior citizens
- (c) Legal domicile (state or foreign country): WI
- (d) Exempt Code section: 501(c)(3)
- (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
- (f) Direct controlling entity: Catholic Charities Bureau Inc.
- (g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Catholic Community Services Inc.
1416 Cumming Ave
Superior, WI 54880
[REDACTED]

- (b) Primary activity: Volunteer coordination, housing counseling services
- (c) Legal domicile (state or foreign country): WI

- (d) Exempt Code section: 501(c)(3)
- (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
- (f) Direct controlling entity: Catholic Charities Bureau Inc.
- (g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Catholic Diocese of Superior

1201 Hughitt Ave
Superior, WI 54880

- (b) Primary activity: religious
- (c) Legal domicile (state or foreign country): WI
- (d) Exempt Code section: 509(a)(1)
- (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(1)
- (f) Direct controlling entity: N/A
- (g) Section 512(b)(13) controlled entity? No

(a) Name, address, and EIN related organization:

Challenge Center Foundation Inc.

1416 Cumming Ave
Superior, WI 54880

- (b) Primary activity: Generation of capital
- (c) Legal domicile (state or foreign country): WI
- (d) Exempt Code section: 501(c)(3)
- (e) Public charity status (of section 501(c)(3)): 170(b)(1)(A)(vi)
- (f) Direct controlling entity: Catholic Charities Bureau Inc.
- (g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Headwaters Foundation Inc.

1441 E Timber Drive
Rhineland, WI 54501
[REDACTED]

- (b) Primary activity: Capital generation
(c) Legal domicile (state or foreign country): WI
(d) Exempt Code section: 501(c)(3)
(e) Public charity status (of section 501(c)(3)):
170(b)(1)(A)(vi)
(f) Direct controlling entity: Catholic Charities
Bureau Inc.
(g) Section 512(b)(13) controlled entity? Yes

(a) Name, address, and EIN related organization:

Barron County Developmental Services Inc.

175 N Lake Street
Barron, WI 54812
[REDACTED]

- (b) Primary activity: Programs for the develop-
mentally disabled
(c) Legal domicile (state or foreign country): WI
(d) Exempt Code section: 501(c)(3)
(e) Public charity status (of section 501(c)(3)):
170(b)(1)(A)(vi)
(f) Direct controlling entity: Catholic Charities
Bureau Inc.
(g) Section 512(b)(13) controlled entity? Yes

efile GRAPHIC print – DO NOT PROCESS	As Filed Data -	DLN: 934931240 09327
Form 990 Department of the Treasury Internal Revenue Service	<p style="text-align: center;">Return of Organiza- tion Exempt from In- come Tax</p> Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private founda- tions) ► Do not enter social se- curity numbers on this form as it may be made public ► Information about Form 990 and its in- structions is at <i>www.irs.gov/ form990.</i>	OMB No. 1545-0047 <hr/> <p style="text-align: center;">2016</p> Open to Public Inspection

A For the calendar year, or tax year beginning 01-01-2016, and ending 12-31-2016

<p>B Check if applicable</p> <p><input type="checkbox"/> Address change</p> <p><input type="checkbox"/> Name change</p> <p><input type="checkbox"/> Initial return</p> <p><input type="checkbox"/> Final return /</p>	<p>C Name of Organization</p> <p>CATHOLIC CHARITIES BUREAU INC</p> <hr/> Doing business as	<p>D Employer identification number</p> <p>██████████</p> <hr/> <p>E Telephone number (715) 394-6617</p> <hr/> <p>G Gross</p>
	Number and street (or	

JA 97

terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	P.O. box if mail is not delivered to street address) 1416 Cumming Ave Room/Suite	receipts \$3,685,808
	City or town, state or province, country, and ZIP or foreign postal code Superior, WI 54880	H(a) Is this a group return for subordinates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	F Name and address of principal officer Alan Rock Catholic Charities Bureau, 1416 Cumming Ave Superior, WI 54880	H(b) Are all subordinates included? <input type="checkbox"/> Yes <input type="checkbox"/> No
I Tax-exempt status <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c)() ◀insert no. <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527		<input type="checkbox"/> Yes <input type="checkbox"/> No If "No," attach a list (see instructions)
J Website: ccbsuperior.org		H(c) Group exemption number ► 0928
K Form of organization <input checked="" type="checkbox"/> Corporation	L Year of formation: 1958	M State of legal domicile: WI

<input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ►		
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Part I	Summary
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Activities & Governance	1 Briefly describe the organization’s mission or most significant activities. <i>To meet the clinical needs of our society through the use of our gifts and resources by mobilizing the Christian community in partnership with private and public enterprise.</i>		
	2 Check this box ► <input type="checkbox"/> if the organization discontinued or disposed of more than 25% of its net assets		
	3 Number of voting members of the governing body (Part VI, line 1a)	3	10
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	10
	5 Total number of individuals employed in calendar year 2016 (Part V, line 2a)	5	901

JA 99

	6 Total number of volunteers (estimate if necessary)	6	10
	7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
	7b Net unrelated business taxable income from Form 990-T, line 34	7b	0

Revenue		Prior Year	Current Year
8 Contributions and grants) Part VIII, line 1h)		13,201	19,107
9 Program service revenue (Part VIII, line 2g)		2,686,830	3,040,002
10 Investment Income (Part VIII, column (A), lines 3, 4, and 7d)		73,191	90,954

JA 100

	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	17,154	3,545
	12 Total revenue – add lines 8 through 11 (must equal Part VIII, column (A), line 12)	2,790,366	3,153,608
Expenses	13 Grants and similar amounts paid (Part IX, column (A), lines 1–3)	1,561,433	0
	14 Benefits paid to or for members (Part IX, column (A), line 4)	0	1,428,219
	15 Salaries, other compensation, employee	796,366	775,190

	benefits (Part IX, column (A), line 4)		
	16a Profes- sional fundraising fees (Part IX, column (A), line 11e)	0	0
	16b Total fundraising expenses (Part IX, column (D), line 25) ▶ 0		
	17 Other ex- penses (Part IX, column (A), lines 11a- 11d, 11f- 24e)	287,769	272,232
	18 Total ex- penses. Add lines 13-17 (must equal Part IX, column (A), line 25)	2,645,568	2,475,641

	19 Revenue less expenses Subtract line 18 from line 12	144,798	677,967
Net Assets of Fund Balances		Begin-ning of Current Year	End of Year
	20 Total assets (Part X, line 16)	4,485,442	5,429,735
	21 Total liabilities (Part X, line 26)	716,756	905,329
	22 Net assets or fund balances Subtract line 21 from line 20	3,768,686	4,524,406

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge

Sign Here	Signature of officer _____		
	Date: 2017-04-18		
Paid Preparer Use Only	Type or print name and title: Alan Rock Executive Director and Treasurer		
	Print/Type preparer's name		
	Preparer's signature		
	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ▶		Firm's EIN ▶
Firm's address ▶		Phone no	

May the IRS discuss this return with the preparer shown above? (see instructions) Yes No

For Paperwork Reduction Act Notice, see the separate instructions.

Cat No 11282Y
Form **990** (2016)

Part III	Statement of Program Service Accomplishments
	Check if schedule O contains a response or note to any line in this Part III <input type="checkbox"/>

1 Briefly Describe the organization's mission

To alleviate human suffering by sponsoring direct service programs for the poor, the disadvantaged, the disabled, the elderly, and children with special needs

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? Yes No

If "Yes," describe these new services on Schedule O

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? Yes No

If "Yes," describe these changes on Schedule O

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

4a (Code) (Expenses \$2,243,517 including grants of \$0) (Revenue \$3,053,608)

Catholic Charities Bureau provided oversight services for 18 affiliated agencies in 2016 Services includes payroll processing for over 700 employees and consumers, assurance for provision of sound business practices, resource development to enhance funding opportunities, and administration of employee benefit plans which includes health, dental, long term disability, and retirement Each administrator of our affiliates is a member of our management team that meets throughout the year to share ideas and talents Our combined efforts provide for a more dynamic organization that has the impact of more effective delivery of service to the people we serve A listing of our affiliates is provided in Schedule R of this Form 990 report A separate Form 990 is filed by each of our affiliates

4b (Code) (Expenses \$_____ including grants of \$) (Revenue \$_____)

4c (Code) (Expenses \$_____ including grants of \$) (Revenue \$_____)

JA 105

4d Other program services (Describe in Schedule O)
(Expenses \$0 including grants of \$0) (Revenue \$0)

4e Total program service expenses ▶ 2,243,517

Form 990 (2016)

efile GRAPHIC print – DO NOT PROCESS	As Filed Data -	DLN: 934931240 09327
Form 990 Department of the Treasury Internal Revenue Service	<p style="text-align: center;">Return of Organiza- tion Exempt from In- come Tax</p> Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private founda- tions) ► Do not enter social se- curity numbers on this form as it may be made public ► Information about Form 990 and its in- structions is at <i>www.irs.gov/ form990.</i>	OMB No. 1545-0047 <hr/> <p style="text-align: center;">2016</p> <div style="background-color: black; color: white; padding: 5px; text-align: center;"> Open to Public Inspection </div>

A For the calendar year, or tax year beginning 01-01-2016, and ending 12-31-2016

<p>B Check if applicable</p> <p><input type="checkbox"/> Address change</p> <p><input type="checkbox"/> Name change</p> <p><input type="checkbox"/> Initial re- turn</p> <p><input type="checkbox"/> Final re- turn /</p>	<p>C Name of Organiza- tion</p> <p>HEADWATERS INC</p> <hr/> Doing business as <hr/> Number and street (or	<p>D Em- ployer identifica- tion num- ber</p> <div style="background-color: black; width: 100px; height: 15px;"></div> <hr/> <p>E Tele- phone number (715) 369- 1337</p> <hr/> <p>G Gross</p>
--	--	--

terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	P.O. box if mail is not delivered to street address) 1441 Timber Drive City or town, state or province, country, and ZIP or foreign postal code Rhinelander, WI 54501 F Name and address of principal officer Nick Cirilli	receipts \$2,269,350 H(a) Is this a group return for subordinates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
I Tax-exempt status <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c)() ◀ insert no. <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527		H(b) Are all subordinates included? <input type="checkbox"/> Yes <input type="checkbox"/> No If "No," attach a list (see instructions)
J Website: headwatersinc. org		H(c) Group exemption number ▶ ██████
K <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ▶	L Year of formation: 1981	M State of legal domicile: WI

Part I	Summary		
Activities & Governance	1 Briefly describe the organization’s mission or most significant activities.		
	<i>We exist for the purpose of providing individualized services that are designed to maximize each person’s daily living and vocational skills in order to be integrated into the community to the fullest extent possible</i>		
	2 Check this box <input checked="" type="checkbox"/> if the organization discontinued or disposed of more than 25% of its net assets		
	3 Number of voting members of the governing body (Part VI, line 1a)	3	7
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	7
	5 Total number of individuals employed in calendar year 2016 (Part V, line 2a)	5	145
6 Total number of volunteers (estimate if	6	7	

	necessary)		
7a	Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
7b	Net unrelated business taxable income from Form 990-T, line 34	7b	0

Revenue		Prior Year	Current Year
8	Contributions and grants) Part VIII, line 1h)	1,658,904	1,976,320
9	Program service revenue (Part VIII, line 2g)	243,327	275,728
10	Investment Income (Part VIII, column (A), lines 3, 4, and 7d)	0	16,086
11	Other revenue (Part	8,635	1,216

JA 110

	VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e		
	12 Total revenue – add lines 8 through 11 (must equal Part VIII, column (A), line 12)	1,910,866	2,269,350
Expenses	13 Grants and similar amounts paid (Part IX, column (A), lines 1–3)	0	0
	14 Benefits paid to or for members (Part IX, column (A), line 4)	0	0
	15 Salaries, other compensation, employee benefits (Part IX,	1,381,075	1,783,372

	column (A), line 4)		
	16a Profes- sional fundraising fees (Part IX, column (A), line 11e)	0	0
	16b Total fundraising expenses (Part IX, column (D), line 25) ▶ 0____		
	17 Other ex- penses (Part IX, column (A), lines 11a- 11d, 11f- 24e)	591,409	619,277
	18 Total ex- penses. Add lines 13-17 (must equal Part IX, column (A), line 25)	1,972,484	2,402,649
	19 Revenue less ex- penses	-61,618	-133,299

	Subtract line 18 from line 12		
Net As- sets of Fund Balances		Begin- ning of Current Year	End of Year
	20 Total as- sets (Part X, line 16)	922,634	836,733
	21 Total lia- bilities (Part X, line 26)	117,281	164,679
	22 Net assets or fund bal- ances Sub- tract line 21 from line 20	805,353	672,054

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge

Sign Here	Signature of officer _____ Date: 2017-06-19
----------------------	--

	Type or print name and title: Jennifer Felty Director		
Paid Pre- parer Use Only	Print/Type preparer's name		
	Preparer's signature		
	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ▶		Firm's EIN ▶
	Firm's address ▶		Phone no

May the IRS discuss this return with the preparer shown above? (see instructions) Yes No

For Paperwork Reduction Act Notice, see the separate instructions.

Cat No 11282Y
Form **990** (2016)

Part III	Statement of Program Service Accomplishments
	Check if schedule O contains a response or note to any line in this Part III <input checked="" type="checkbox"/>

- 1 Briefly Describe the organization's mission
Serving developmentally disabled citizens of Onieda, Forest and Vilas counties, Wisconsin
- 2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? Yes No
If "Yes," describe these new services on Schedule O
- 3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? Yes No
If "Yes," describe these changes on Schedule O
- 4 Describe the organization's program service accomplishments for each of its three largest program

services, as measured by expenses Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

4a (Code) (Expenses \$887,840 including grants of \$0)
(Revenue \$1,024,295)

Our services to adults with disabilities include life skills training, community integration and connecting, work/prevocational services, and sensory integration Life skills training include cooking, personal hygiene and appearance, and healthy lifestyle activities Community inclusion services are comprised of supporting individuals to learn more about community activities such as museums, parks, and other community places, and to connect people to those activities and places Individuals are also supported in giving back to their communities through volunteer activities for local non-profit organizations Our sensory integration component adapts Montessori concepts to teaching adaptive behaviors to persons with sensory input disorders Our work/prevocational services are designed to give individuals an opportunity to earn a paycheck while developing the necessary skills and work habits to obtain competitive employment in the community Work options in the work/prevocational program include industrial sub-contracts, assembly, packaging, manufacturing and distribution of products, mailing services, confidential document shredding, janitorial, ground maintenance and rest area maintenance The Youth in Transition Program partners with school staff, human services case managers, and the Wisconsin Division of Vocational Rehabilitation to assist youth in

transition to develop work and life skills, with the ultimate goal of improving post school outcomes There is specific focus on skill development that will improve a student's ability to obtain and maintain a job in the community, or to pursue post-secondary education goals

4b (Code) (Expenses \$292,022 including grants of \$0)
(Revenue \$322,775)

In April we began providing community supported living (residential) services These are customized residential support services for individuals who live in their own apartments in the community, but also need support in those apartments in order to be successful The specific types of support provided for each person can vary in scope and frequency, and can include anything from drop in support several times a week to ongoing support 24 hours per day, 7 days per week Community supported living includes whatever is necessary to support the life of one's choosing For example, these services may include 1) assist in finding a home that meets the individual's needs; 2) assist in managing living in one's own home; 3) help develop community involvement and relationships that promote full citizenship; 4) coordinate education and assistance related to finances, health care, and other needs; 5) assist with day to day planning and problem solving; 6) train and support people who assist the individual; 7) flexibly responds to the needs of an individual, including emergency situations

4c (Code) (Expenses \$274,575 including grants of \$0)
(Revenue \$312,182)

Our Birth to Three program in an early intervention program serving children birth to three years of age and their families of our three county service area

Staff work in partnership with parents to plan an individual program for each child Learning experiences are developed to enhance parent/child bonding and encourage development of speech/language, thinking, self-help, social and motor skills Services take place in the child's home or in other community settings

(Code) (Expenses \$213,296 including grants of \$0)
(Revenue \$254,366)

Our community employment training and job placement programs are designed to provide people with the opportunity to work in regular jobs for community employers at minimum wage or higher These services assist individuals in acquiring the necessary job skills to be hired by an employer and maintain the job Components of the program include vocational assessment, developing an individualized employment plan, job development, training and job coaching, and follow along support when necessary. Individuals are also counseled on soft skills such as communication, enthusiasm and attitude, teamwork, networking, problem solving and critical thinking, and professionalism Work Incentives Benefits Analysis is a service we began offering in 2014, and it assists people with disabilities in knowing how the income earned from working will affect any public benefits they receive

(Code) (Expenses \$236,455 including grants of \$0)
(Revenue \$355,732)

Our enterprise activities offer people served a job and a paycheck while working on skills to gain employment in the community Activities include packaging and sewing for one of the largest pet supplies

companies in the world-Petco, and sorting and packaging feathers for Trueflight We also provided maintenance at several boat landings in the area for the Wisconsin Department of Natural Resources, and we maintained green space near dams along the Wisconsin River for Wisconsin Valley Improvement In addition, we have an annual contract to do spring cleanup for our local hospital Our confidential shredding business provided steady work for program participants throughout the year

4d Other program services (Describe in Schedule O)
(Expenses \$449,751 including grants of \$0) (Revenue \$610,098)

4e Total program service expenses ► 1,904,188

JA 118

Headwaters, Inc.
Empowering Lives

Empowering Lives – Creating Independence

* * *

HEADWATERS, INC. is a not-for-profit community based services agency with almost 50 years of experience providing services to people with intellectual disabilities, autism spectrum disorders, serious and persistent mental illness, brain injuries, physical disabilities, and children with special needs throughout northern Wisconsin. We provide a variety of support services that can be customized to fit someone's specific needs, and we specialize in supporting people to live the kind of life they want in the communities where they want to live. Current counties being served include Ashland, Bayfield, Florence, Forest, Iron, Langlade, Lincoln, Oneida, and Vilas.

Each person referred for Headwaters Services will participate in a person-centered planning process that will include family and friends of the person so the information gathered will provide a more complete picture of the person. The information will be condensed into a person-centered profile and plan that will guide an of the activities we do with the person going forward. The profile and plan become living documents that will be updated on a regular basis to reflect the learning and progress of the person being served.

For more information call us at 715-369-1337, or fill out the information on our contact page and we'll get back to you right away.

* * *

JA 119

Headwaters, Inc.
Empowering Lives

Empowering Lives – Creating Independence

* * *

About Us

Our Mission

We believe all people deserve the right to achieve their fullest potential, Therefore, we exist for the purpose of providing individualized services that are designed to maximize each person's daily living and vocational skills in order to be integrated into the community to the fullest extent possible.

Our Board of Directors

The following are the current members on the Board of Directors for Headwaters, Inc and Headwaters Foundation, Inc.

Headwaters, Inc.

Officers

Nick Cirilli, President
Joseph Brauer, Vice President
Steven Agnoli, Secretary / Treasurer

Directors

Lonnie Sherman, Director
Eileen Persike, Director
Jim Levandoski , Director
Norma Johnson, Director

Headwaters Foundation, Inc.

Officers

R. Dennis Hermann, President

Ron Bosi, Vice President
Andy McMillion, Treasurer
Kasha Hermann Flanders, Secretary

Directors

Marquart Patrick, Director
Karla Jackson, Director
Jennifer Felty, Director
Joseph Brauer, Director
Joe Duchac, Director
Tom Peterson, Director
John Stauner, Director

Our Partners

Catholic Charities:

Catholic Charities Bureau, Inc. - SERVING THE NEEDS OF PERSONS IN 16 COUNTIES OF NORTHWESTERN WISCONSIN Since 1917 the Catholic Charities Bureau has been providing services to the poor, the disadvantaged, the disabled, the elderly and children with special needs as an expression of the social ministry of the Catholic Church in the Diocese of Superior. With more than 50 programs serving more than 10,500 people, Catholic Charities Bureau provides comprehensive health and human services for those in need regardless of race, color, national origin or religion. It is the mission of Catholic Charities: Under the pastoral leadership of our Diocesan Bishop, to carry on the redeeming work of our Lord by reflecting gospel values and the moral teachings of the church. To meet the critical needs and issues of our society through the use of our gifts and resources, by mobilizing the Christian community in partnership with private and public enterprise. To collaborate with all people of goodwill to alleviate human suffering, by

sponsoring direct service programs for the poor, the disadvantaged, the disabled, the elderly, and children with special needs. To create an environment of human dignity based on mutual respect, understanding, and trust. We profess the dignity of each person as a creation of God. This truth becomes the foundation of our great respect and love of each individual. To translate our mission and vision into goals, commitments, and action.

Challenge Center - SUPERIOR, WI: CHALLENGE CENTER, INC. 39 N. 25th Street East Superior, WI 54880 Serving Superior and Douglas County for over 40 years, over 135 adults with developmental disabilities or special needs are provided training in vocational, social leisure, and independent living skills through Adult Day, Work and Residential programs, including evening and weekend recreation. Employment and training opportunities offered in the community and through Marathon Industries and Bay Produce Greenhouses. Director: Eugene Chuzles (715) 394-2771 FAX (715) 394-2100 Toll Free: (888) 429-0914 E mail: gchuzles@challenge-center.org Website: www.challenge-center.org Services Coordinator: Katie Geistfeld (715) 394-2771 FAX/TDD: (715)394-2100 E mail: kgeistfeld@challenge-center.org

Black River Industries - BLACK RIVER INDUSTRIES, INC. 650 Jensen Drive Medford, WI 54451 Established in 1973, serves 100 people with mental, physical and developmental disabilities in Taylor County: provides vocational and residential training, job placement services and transportation; on-site employment specializes in packaging, product assembly, mail handling and food service. Director: Paul

Thornton (715) 748-2950 FAX (715) 748-6363 Email:
Web Site: www.blackriverindustries.org

Diversified Services, Inc. - Diversified Services Incorporated is in business to provide meaningful employment opportunities to persons with disabilities. DSI is an important part of its local economy, providing jobs to over 95 people in northern Wisconsin. DSI is helping businesses realize a relatively untapped employee resource. Over 50 percent of DSI employees are individuals with disabilities. In DSI's competitive industrial environment, these Individuals prove they can make valuable contributions to business success. Director: Joseph Wacek (715) 349-5724 FAX (715) 349-5505 E mail: dsidir@sirenteninet

Other Partners:

ADRC of the Northwoods- The ADRC of the Northwoods is a regional organization which serves the elderly and disabled citizens in Forest, Oneida, Taylor and Vilas Counties as well as the Lac du Flambeau Tribe, the Sokaogon Chippewa Tribe and the Forest County Potawatomi Tribe.

Please visit www.adrcofthenorthwoods.org to see information regarding services available to the Elderly and/or Disabled residents in our service area. You may also call 1-800-699-6704 for more Information and Assistance.

Northwoods United Way- Serving Forest, Oneida and Vilas Counties. Northwoods United Way, Inc, Administrative Office P.O. Box 177 7-A North Brown Street Rhinelander, WI 54501 (715) 369-0440 Northwoods United Way, Inc. P.O. Box 1348 Minoqua, WI 54548-1348 Northwoods United Way, Inc. P.O. Box 215 Eagle River, WI 54521

The Human Service Center- It is the mission of the Human Service Center to provide citizens with services and supportive assistance that will foster self-reliant, and productive Individuals and families. We believe that all individuals and families who endure the hardships of illness, disability or alcohol/drug dependency, can find fulfillment and genuine happiness through services that: Promote Independence Strengthen Families Encourage Healthy Behaviors Promote Community Responsibility Protect Vulnerable Children, Adults, and Families Provide Service of Value to Taxpayers Manage Public Resources Responsibly Demonstrate Integrity and Commitment Focus on Individual Needs.

* * *

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Headwaters, Inc.
Empowering Lives

Empowering Lives – Creating Independence

* * *

Day Services

This program is designed to maximize an individual's independent functioning in self-care, emotional growth, socialization, communication, and education in a non-residential setting. There is also a focus on community integration for participants to be involved in activities in the community on a regular basis.

Included in the Day Services Program:

- Community Integration
- Life Skills/Independent Living
- Social, Emotional, and Personal Development
- Communication
- Sensory Stimulation Program

The Day Services Program provides support and training in practical activities such as: clothing care, personal grooming, shopping, socialization, community access, home maintenance, food preparation, academics, computer use, life safety, and daily living skills.

* * *

Employment & Vocational Services

Individuals are assisted in seeking employment and maintaining integrated employment in competitive community settings. Includes individually tailored and preference based job development, training, and support to recognize each person's employability and potential contributions to the labor market. It is assumed that funding from Wisconsin Division of

Vocational Rehabilitation (DVR) will be accessed for Initial Assessment and Job Development Services before other long-term care funding would be accessed. It is assumed that every effort will be made to fade job coaching to the least amount needed to ensure the supported employee is successful, and also fully integrated at his/her place of employment.

BENEFITS ANALYSIS -

Benefits Analysis, Work Incentives Benefits Planning and Work Incentives Benefits Planning Follow-up are a set of services intended to assist persons with disabilities, who receive Social Security disability benefits and other public benefits, in negotiating benefit, entitlement, and economic assistance programs with issues relating to work and earnings.

JOB DEVELOPMENT AND PLACEMENT -

Job Development and Placement is the process of assisting Individuals in finding a community based job that matches their skills and interests. Activities included in this process may include: - Assessment processes to determine job readiness, job interests, and job skills. - Assistance with resume development. - Contacting employers regarding potential jobs. - Interview preparation and support. - Initial on-the-job training support when hired.

JOB COACHING -

This service includes supporting individuals at their place of work to be successful at their job, and to become increasingly independent in their job duties and integrated into their work setting.

DVR -

We work with the Wisconsin Department of Vocational Rehabilitation providing job experience and job coaching to find and maintain a community job.

Our Partners:

- Al's Furniture
- Bad Bones BBQ
- CCL Gardens
- Coffee Beans
- Corner of the Woods
- Dan's Dog eared books
- Dandy Dog
- Days Inn Claridge
- Detail Pro's
- East Side Auto
- Foster and Smith
- Golden Harvest
- Goodwill
- Kleenmark
- National Guard Armory
- Nicolet College
- Northland Music Center
- Oneida Village Inn
- Paws-N-Claws
- Phillip's Cafe
- Rhinelander District Library
- Rhinelander Ice Arena
- Rusty Nall
- Snow River Products
- Sportsman's Cafe
- St. Augustine's Church
- Stifel Nicolaus
- Thunder lake Cranberry Marsh
- Trig's
- Trig's Smokehouse
- Tula's
- Wal-Mart
- Wayne Nasi Construction
- Western Connection
- YMCA

And in the Florence and Marinette County Area:

- Appearance Plus
- Florence library
- Goodman High School
- Marcoulliers
- Marinette Marine
- Maryhill Manor
- NWTC/Job Center
- Pembine Food Depot

JA 127

- Pembine/Dunbar/Beecher High School
- Precision Lumber
- Town of Armstrong Creek

* * *

JA 128

Headwaters, Inc.
Empowering Lives

Empowering Lives – Creating Independence

* * *

Children & Family Services

HEAD START PROGRAM:

Head Start is a federal program that provides comprehensive services to enrolled children and their families that include health, nutrition, social and other services determined to be necessary by family needs assessments.

Our program promotes school readiness for children ages birth to five. The programs provide a learning environment that supports children's growth in the following domains:

- Language and Literacy
- Cognitive, Social and Emotional Development
- Physical Development and Health
- Approaches to learning

Our services provide weekly home visits and bi-weekly socialization activities for families from pregnancy through age 5.

OUR MISSION:

To provide quality programming for children and families that promotes school readiness, develops leadership and advances economic self-sufficiency. Head Start emphasizes the role of parents as their child's first and most important teacher.

ELIGIBILITY:

Families with children ages birth to five that meet the Federal low-income guidelines. No child shall be discriminated against because of race, creed, religion, ancestry, national origin, color, handicap or disability.

NOW ENROLLING:

It is never too early to start a bright future for you and your family. Our program provides comprehensive prenatal and post-birth education; parenting preparation; education and support for infants and toddlers; preparation for preschool and so much more. We promote healthy lifestyles and parent involvement in program planning.

HEADWATERS, INC. is a partner with Family & Child Learning Centers (FCLC) of Northeast Wisconsin, Inc.

* * *

Transition Services

The Youth in Transition Program at Headwaters partners with school staff, human services case managers, and the Division of Vocational Rehabilitation to assist youth in transition to develop work and life skills, with the ultimate goal of improving post school outcomes.

There is specific focus on skill development that will improve a student's ability to obtain and maintain a job in the community, or to pursue post secondary education goals. This includes skill development in the areas of employability and soft skills, self-advocacy and decision making, and life skills.

Services also include in-depth assessment and discovery to determine possible career paths based on the

students' strengths and preferences. This may include job shadowing and work experiences, and internships to support students in exploring their career interests.

Through Headwaters' Transition Services, students will also participate in regular community experiences to help identify community settings for community-based activities that align with the students' interests.

In addition, Headwaters is a partner in the Jump!Start Program, along with Nicolet College and local school districts, to develop and provide transitional post-secondary education opportunities for students with intellectual disabilities. These opportunities include classes at Nicolet College or at other community locations.

* * *

Community Living Services

Headwaters provides flexible, customized Community Living Services to a number of individuals who live in their own apartments in the community, but also need support in those apartments in order to be successful. The specific types of support provided for each person can vary in scope and frequency, and can include anything from drop in support several times a week to ongoing support 24 hours per day, 7 days per week.

Headwaters' Community Living Services are based on the concept of Community Supported Living, which is a flexible partnership between any person needing support to live in their own home and an entity (such as Headwaters) providing individualized assistance.

Community Supported Living:

- Recognizes interdependence and community participation are part of everyone's life;

- Respects and honors informed decision making of people, and supports people to build and sustain relationships;
- Supports informed decision making and risk taking while always endeavoring to ensure safety and security, recognizing that all people have the right to make mistakes;
- Can be customized to support people at any level of need for assistance.

Community Supported Living includes whatever is necessary to support the life of one's choosing. For example, Community Supported Living may:

- Assist in finding a home that meets the individuals' needs;
- Assist in managing living in one's own home;
- Help develop community involvement and relationships that promote full citizenship;
- Coordinate education and assistance related to finances, healthcare, and other needs;
- Assist with day to day planning and problem solving;
- Train and support people who assist the individual;
- Flexibly responds to the needs of an individual, including emergency situations.

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Designed and Powered by Web Monger

Services/Programs

Our Services

Confidential Shredding - WE PROVIDE ... Complete Confidentiality - Cross-cut shredding for added security - Mobile lockable containers - Document Tracking through complete process - Fully Bonded and Insured - Certificate of Destruction with each invoice.

Direct Mailing - Our full-service mailing business provides speed, reliability and accuracy to meet your mailing requirements. We have trained personnel using state-of-the-art equipment and computer programs to process your mailing from start to finish. From personalizing your date and printing, folding, inserting, metered first class, and standard rate mailing, "WE DO IT ALL."

Building and Lawn Maintenance - WE PROVIDE ... Dependable and Motivated workers to maintain buildings and lawns through contracts with area businesses and communities.

Packaging and Assembly - WE OFFER ... Reliability, Confidentiality, Competitive Rates, Deliveries on Schedule. YOUR COMPANY BENEFITS THROUGH ... Additional labor without increased payroll costs, bookkeeping and fringe benefit costs. Knowledge of exact job cost. Relief from production bottlenecks. Product quality is guaranteed. THE COMMUNITY BENEFITS THROUGH ... Increased employment for the disabled. Reductions of rehabilitation costs through profits. Additional productive workers. THE DISABLED BENEFIT THROUGH ... Opportunities to move toward independence. Valuable training and work experience. Improvement of self-confidence and self-respect.

Digital Scanning/Document Imaging - We now offer digital scanning or document imaging. This service converts paper documents to a digital format including .jpeg (usually for pictures) and .pdf (Adobe Reader compatible). Other format options are available. A wide range of files can be scanned and archived for future reference: Historical, Customer Records, Legal Documents, Association Records, and Education Records. The options are endless and can be customized to your need.

Our Partners: - Drs. Foster & Smith Pet Supplies - Trueflight, Inc. - RFW - Rehab for Wisconsin - Wisconsin Dept. of Corrections - Wisconsin Dept. of Transportation - Wisconsin Dept. of Natural Resources - City of Rhinelander

Our Programs

CHILDREN'S SERVICES - HEAD START PROGRAM:

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- Approaches to learning

Our services provide weekly home visits and bi-weekly socialization activities for families from pregnancy through age 5.

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NOW ENROLLING:

It is never too early to start a bright future for you and your family. Our program provides comprehensive prenatal and post-birth education; parenting preparation; education and support for infants and toddlers; preparation for preschool and so much more. We promote healthy lifestyles and parent involvement in program planning.

HEADWATERS, INC. is a partner with Family & Child Learning Centers (FCLC) of Northeast Wisconsin, Inc.

COMMUNITY LIVING - Headwaters provides flexible, customized Community Living Services to a number of individuals who live in their own apartments in the community, but also need support in those apartments in order to be successful. The specific types of support provided for each person can vary in scope and

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- Assist with day to day planning and problem solving;

- Train and support people who assist the individual;
- Flexibly responds to the needs of an individual, including emergency situations.

DAY SERVICES - This program is designed to maximize an individual's independent functioning in self-care, emotional growth, socialization, communication, and education in a non-residential setting. There is also a focus on community integration for participants to be involved in activities in the community on a regular basis. Included in the Day Services Program:

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TRANSITION SERVICES - The Youth in Transition Program at Headwaters partners with school staff, human services case managers, and the Division of Vocational Rehabilitation to assist youth in transition to develop work and life skills, with the ultimate goal of improving post school outcomes.

There is specific focus on skill development that will improve a student's ability to obtain and maintain a job in the community, or to pursue post secondary education goals. This includes skill development in the areas of employability and soft skills, self-advocacy and decision making, and life skills.

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In addition, Headwaters is a partner in the Jump!Start Program, along with Nicolet College and local school districts, to develop and provide transitional post-secondary education opportunities for students with intellectual disabilities. These opportunities include classes at Nicolet College or at other community locations.

VOCATIONAL SERVICES -

WORK SERVICES - This program provides a variety of jobs on our production floor that will develop the necessary work skills for competitive employment. Jobs include shredding, packaging, assembly, collating/mailing, quality control and janitorial. This program gives participants an opportunity to earn a paycheck while developing work skills that showcase their talents and abilities.

COMMUNITY CONTRACTS - This program provides work experience in the community in a group setting. This experience could include building and lawn maintenance, cleaning and working in our Rest Area Maintenance program.

COMMUNITY EMPLOYMENT SERVICES - Individuals are assisted in seeking employment and

maintaining integrated employment in competitive community settings. Includes individually tailored and preference based job development, training, and support to recognize each person's employability and potential contributions to the labor market. It is assumed that funding from Wisconsin Division of Vocational Rehabilitation (DVR) will be accessed for Initial Assessment and Job Development Services before other long-term care funding would be accessed. It is assumed that every effort will be made to fade job coaching to the least amount needed to ensure the supported employee is successful, and also fully integrated at his/her place of employment.

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independent in their job duties and integrated into their work setting.

DVR - We work with the Wisconsin Department of Vocational Rehabilitation providing job experience and job coaching to find and maintain a community job.

OUR PARTNERS:

- Al's Furniture
- Bad Bones BBQ
- CCL Gardens
- Coffee Beans
- Comer of the Woods
- Dan's Dog eared books
- Dandy Dog
- Days Inn Claridge
- Detail Pro's
- East Side Auto
- Foster and Smith
- Golden Harvest
- Goodwill
- Kleenmark
- National Guard Armory
- Nicolet College
- Northland Music Center
- Oneida Village Inn
- Paws-N-Claws
- Phillip's Café
- Rhinelander District Library
- Rhinelander Ice Arena
- Rusty Nail
- Snow River Products
- Sportsman's Café
- St. Augustine's Church
- Stifel Nicolaus
- Thunder lake Cranberry Marsh
- Trig's
- Trig's Smokehouse
- Tula's
- Wal-Mart
- Wayne Nasi Construction
- Western Connection
- YMCA

And in the Florence and Marinette County Area:

- Appearance Plus
- Florence Library
- Goodman High School
- Marcoulliers

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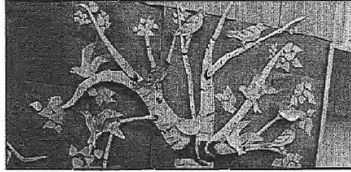
- Marinelle Marine
- Maryhill Manor
- NWTC/Job Center
- Pembine Food Depot
- Pembine/Dunbar/Beecher High School
- Precision Lumber
- Town of Armstrong Creek

TRANSPORTATION SERVICES - We provide transportation on a daily basis, Monday through Friday, from Forest, Oneida and Vilas counties to our Rhineland location.

* * *

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Welcome to Barron County DSI... An Affiliate of
Catholic Charities.



[Home](#)

Our Mission...

The mission of BCDSI is to provide person-centered services to adults based on the needs of each individual so that they are able to live their lives to the fullest.

History of the Organization...

In the Spring of 1967, the Barron County Association for Retarded Children saw a need for services that did not exist within the County. They established the Barron County Day Care Services Board, hiring Olga Hamack as the first Director.



The program started at Faith Lutheran Church in Cameron and soon expanded into Rice Lake, Cumberland, Turtle Lake and Chetek. In 1969 all programs combined and moved into the Barron County Center School with activities centered on social, recreational and basic learning skills. In 1974, the program became incorporated as the Barron County Developmental Disabilities Services inc. Over the next 30 years, many partnerships were made including Department of Transportation to manage the Rest Areas, Barron County Waste to Energy

Recycling, Parker Hanniflin Corporation, Wright Products, Artisan and Sanimina-SCI along with a woodworking shop.

In December, 2014, the BCDDS Board reached out to the Catholic Charities Bureau of Superior (CCB) to consider an affiliation. This was approved by Bishop Peter



Christinsen in late December and become the 5th Community Rehabilitation Program under the CCB umbrella. The new Corporation name became Barron County Developmental Services Inc. (BCDSI). Joe Wacek was appointed as the Director of the organization overseeing the operation.

Today, BCDSI offers several programs including Day Services, Work Center employment training, Enclaves and Community Employment Services. Future expansion is planned to re-develop volunteer opportunities and community integration.

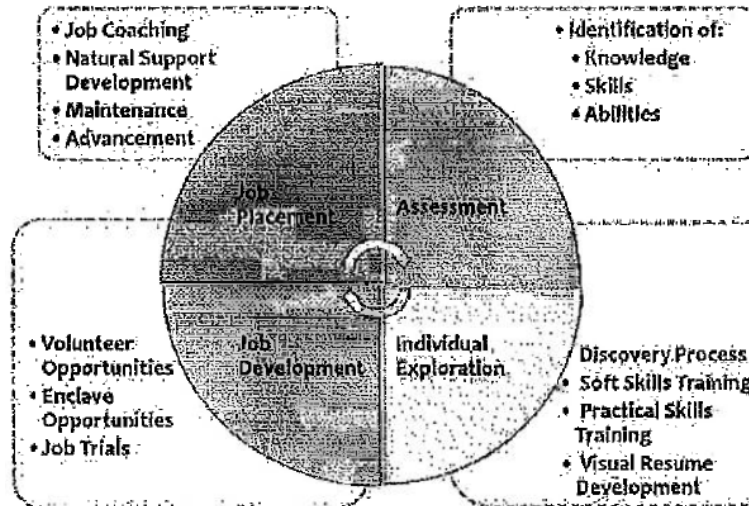


Barron County Developmental Services Inc.

Our Services

A. Prevocational Program:

Prevocational Program Philosophy



i. Facility based setting that provides individuals with disabilities the opportunity to develop skills that will prepare them to work in a competitive employment setting.

ii. Contract with Parker-Hannifin Quick Coupling Division of Chetek, WI to assemble and package components.

B. Enclave Opportunities:

i. Parker-Hannifin; assembly.

- ii. Rest Area Maintenance; janitorial.
- iii. Barron Electric Cooperative; janitorial, lawn care.
- iv. Barron County Waste-to-Energy and Recycling Facility; sorting materials.

C. Day Services:

- i. Skill Building; pet therapy, art therapy, nutrition, monetary, sensory, literacy.
- ii. Daily Living Skills Training; communication, cooking, personal hygiene, fitness and range of motion
- iii. Community Activities; shopping, swimming, trips to the library, Coffee Club, BINGO.
- iv. Special Events; casino trips, fishing, seasonal activities.

efile GRAPHIC print – DO NOT PROCESS	As Filed Data -	DLN: 934932150 07826
Form 990 Department of the Treasury Internal Revenue Service	<p style="text-align: center;">Return of Organization Exempt from Income Tax</p> Under section 501(c), 527, or 4947(a)(1) of the Inter- nal Revenue Code (except private foundations) ► Do not enter social secu- rity numbers on this form as it may be made public ► Information about Form 990 and its instructions is at <i>www.irs.gov/ form990</i> .	OMB No. 1545- 0047 <hr/> 2015 Open to Public Inspec- tion

A For the calendar year, or tax year beginning 01-01-2016, and ending 12-31-2016

<p>B Check if applicable</p> <p><input type="checkbox"/> Address change</p> <p><input type="checkbox"/> Name change</p> <p><input checked="" type="checkbox"/> Initial re- turn</p> <p><input type="checkbox"/> Final</p>	<p>C Name of Organiza- tion</p> <p style="text-align: center;">BARRON COUNTY DEVELOPMENTAL SERVICES INC</p> <hr/> Doing business as	<p>D Employer identi- fication number</p> <p style="text-align: center;">[REDACTED]</p> <hr/> <p>E Tele- phone number (715) 394-6617</p>
--	--	--

return / terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Applica- tion pend- ing	Number and street (or P.O. box if mail is not delivered to street ad- dress) 1416 Cumming Ave Room/Suite	G Gross re- ceipts \$856,577
	City or town, state or province, country, and ZIP or foreign postal code Superior, WI 54880	H(a) Is this a group re- turn for sub-ordi- nates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
I Tax-exempt status <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c)() ◀insert no. <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527	F Name and address of principal officer Carolyn Verhulst	H(b) Are all subordi- nates in- cluded? <input type="checkbox"/> Yes <input type="checkbox"/> No If “No,” at- tach a list (see instr- uctions)
J Website:		H(c) Group exemption number ► 0928

K <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ►	L Year of formation: 2014	M State of legal domicile: WI
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Part I	Summary
---------------	---------

Activities & Governance	1 Briefly describe the organization’s mission or most significant activities.		
	<i>To meet the clinical needs of our society through the use of our gifts and resources by mobilizing the Christian community in partnership with private and public enterprise.</i>		
	2 Check this box ► <input type="checkbox"/> if the organization discontinued or disposed of more than 25% of its net assets		
	3 Number of voting members of the governing body (Part VI, line 1a)	3	5
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	5
5 Total number of individuals employed in calendar year 2016 (Part V, line 2a)	5	80	

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	6 Total number of volunteers (estimate if necessary)	6	5
	7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
	7b Net unrelated business taxable income from Form 990-T, line 34	7b	0

Revenue		Prior Year	Current Year
	8 Contributions and grants (Part VIII, line 1h)		465,108
	9 Program service revenue (Part VIII, line 2g)		374,984
	10 Investment Income (Part VIII, column (A), lines 3, 4, and 7d)		4,520

	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)		11,965
	12 Total revenue – add lines 8 through (must equal Part VIII, column (A), line 12)	0	856,577
Expenses	13 Grants and similar amounts paid (Part IX, column (A), lines 1–3)		0
	14 Benefits paid to or for members (Part IX, column (A), line 4)		0
	15 Salaries, other compensation, employee		562,593

	benefits (Part IX, column (A), line 4)		
	16a Profes- sional fundraising fees (Part IX, column (A), line 11e)		0
	16b Total fundraising expenses (Part IX, column (D), line 25) ▶ 0		
	17 Other ex- penses (Part IX, column (A), lines 11a- 11d, 11f- 24e)		260,458
	18 Total ex- penses. Add lines 13-17 (must equal Part IX, column (A), line 25)	0	823,051

	19 Revenue less expenses Subtract line 18 from line 12	0	33,526
Net Assets of Fund Balances		Beginning of Current Year	End of Year
	20 Total assets (Part X, line 16)	0	863,355
	21 Total liabilities (Part X, line 26)	0	54,153
	22 Net assets or fund balances Subtract line 21 from line 20	0	809,202

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge

Sign Here	Signature of officer _____		
	Date: 2016-08-02		
Paid Preparer Use Only	Type or print name and title: Clint Thursby Chief Financial Officer		
	Print/Type preparer's name		
	Preparer's signature		
	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ▶		Firm's EIN ▶
Firm's address ▶		Phone no	

May the IRS discuss this return with the preparer shown above? (see instructions) Yes No

For Paperwork Reduction Act Notice, see the separate instructions.

Cat No 11282Y
Form **990** (2015)

Part III	Statement of Program Service Accomplishments
	Check if schedule O contains a response or note to any line in this Part III <input checked="" type="checkbox"/>

1 Briefly describe the organization's mission

*Community rehabilitation program providing services to individuals with developmental disabilities
We focus on the development of vocational and social skills that allow a person to reach their highest potential within the community*

2 Did the organization undertake any significant program services during the year which were not listed

on the prior Form 990 or 990-EZ? Yes No

If "Yes," describe these new services on Schedule O

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? Yes No

If "Yes," describe these changes on Schedule O

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

4a (Code) (Expenses \$381,704 including grants of \$ 0)
(Revenue \$ 462,747)

Day services provides services to 17 individuals that assists them to maintain and expand their skills which enables them to function more independently in the community

4b (Code) (Expenses \$ 140,628 including grants of \$ 0)
(Revenue \$ 201,379)

We provide prevocational services to 43 individuals Most of these services are provided in our sheltered facility, however we have 10 individuals who participate in enclave settings throughout the community

4c (Code) (Expenses \$ 147,324 including grants of \$0)
(Revenue \$ 192,452)

Our Rest Area Maintenance program provides janitorial and maintenance requirements of three highway rest areas

4d Other program services (Describe in Schedule O)
(Expenses \$0 including grants of \$0) (Revenue \$ 0)

JA 154

4e Total program service expenses ▶ 669,656

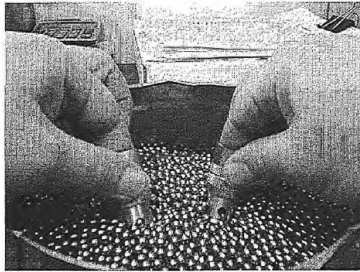
Form 990 (2015)

JA 155

DSI: Diversified Services Inc.

An Agency of Catholic Charities Bureau of Superior

HOME	ABOUT US	CONTACT US
OUR PEOPLE	PROGRAMS/SERVICES	



Providing quality industrial services to the business community.



We take pride in our commitment to our customers.



DSI provides much needed jobs for individuals with disabilities.



By working with DSI,
businesses receive the
services of our trained
force.

Our Quality Commitment

DSI has earned a solid reputation for producing customer product with a high degree of quality workmanship and on-time delivery. We are committed to continual improvement in the handling of your product and strive to meet or exceed your expectations.

Our commitment includes a documented Quality Management System in compliance with ISO9001 (2000). DSI is recognized as a valuable business partner in manufacturing outsourcing decisions to the businesses we serve.

Contact Us

Phone: (715) 349-5724

FAX: (715) 349-5505

info@dsisiren.com

Visitors Welcome!

Please stop in at the front desk.

* * *

DSI: Diversified Services Inc.

An Agency of Catholic Charities Bureau of Superior

HOME	ABOUT US	CONTACT US
OUR PEOPLE	PROGRAMS/SERVICES	



Learning something
new everyday.

About Diversified Services, Inc.

DSI has an innovative philosophy in providing work opportunities to persons with disabilities. We do not have “clients”, “job coaches”, or “social workers.” We have employees. Over 60 percent of our work force is made up of adults with disabilities. The rest of our employees are called lead workers. Employees are intermingled, and the lead workers serve as role models. They model proper work behavior, proper inter-personal behavior and set the work pace.

Everyone is expected to do the work to the best of their abilities. Everyone works side-by-side with everyone else. Everyone performs real work for real pay. It's called having a job. In DSI's competitive industrial environment, these individuals prove they can make valuable contributions to business.



* * *

DSI: Diversified Services Inc.

An Agency of Catholic Charities Bureau of Superior

HOME	ABOUT US	CONTACT US
OUR PEOPLE	PROGRAMS/SERVICES	



Diversified Services, Inc offers unique opportunity for businesses to solve difficult problems.

What We Can Do For You.

Without investing in a new plant or additional labor, your business can explore and develop new product lines. By out-sourcing your work to DSI, your business will receive:

- The services of a trained, competent work force.
- The use of a modern, 30,000 square foot production and warehouse facility.
- A 10,000 square foot facility that can be modified to meet your needs.
- Our commitment to outstanding quality and service.
- A finished product which meets or exceeds your expectations.
- On-time delivery of your product.

Our List of Services:

LIGHT ASSEMBLY AND PACKAGING:

JA 159

Diversified Services, Inc. (DSI) has established a reputation for providing the highest quality service in the following areas of light assembly and packaging:

- Product Assembly
- Packaging to Customer Specifications
- Shrink Wrapping
- Warehousing

We take pride in our commitment to our customers!

PLACEMENT SERVICE:

Why should you choose our placement service?

- There is no cost to you for our service. No Fee, it's FREE!
- We can help you foster a positive community image by helping you hire the job searchers most in need of employment.
- We will save you time and money spent on employee recruitment by reducing advertising costs and reducing time used searching for applicants.
- We pre-screen applicants for you to find those with skills matching the needs of your position.
- We can help you find the federal tax benefits offered to businesses that hire people with disabilities.

Tax Benefits? There are tax benefits!

By hiring people with disabilities, businesses can take advantage of a variety of benefits offered by the federal government.

- Work Opportunity Tax Credit - up to a \$2400.00 tax credit for hiring people with disabilities.

JA 160

- Disabled Access Credit - up to a \$5,000.00 tax credit to small businesses for building accessibility issues.
- Barrier Removal Tax Deduction - deduction of up to \$15,000 per year for expenses related to removal of architectural and transportation barriers.

Still not sure? We offer these additional services.

We can offer additional services to your business at no charge. If needed, we are willing to:

- Help identify any adaptations and modifications the employee may need to perform the job.
- Support you and the employee in solving any concerns that may arise during the training period.
- Provide sensitivity training to your company staff to ensure that the working situation is comfortable for everyone.

If you have any questions or would like more information about our service, please contact one of our placement specialists at (715) 349-8811.

* * *

DSI: Diversified Services Inc.

An Agency of Catholic Charities Bureau of Superior

HOME	ABOUT US	CONTACT US
OUR PEOPLE	PROGRAMS/SERVICES	



Providing Job
Opportunities
for Adults

About Our Employees

Diversities Services Inc. is in business to provide meaningful employment opportunities to persons with disabilities. DSI is an important part of the local economy, providing jobs to around 75 people in northern Wisconsin. DSI is helping businesses realize a relatively untapped employee resource. Over 60 percent of DSI employees are individuals with disabilities. In DSI's competitive industrial environment, these individuals prove they can make the same valuable contributions to business as other employees.

By working with Diversified Services Inc, your business will receive the services of our trained work force to eliminate the need to recruit, interview, hire, train, do payroll or provide employee benefits. This allows you to focus on other important aspects of running your business.

* * *

efile GRAPHIC print – DO NOT PROCESS	As Filed Data -	DLN: 934931319 16147
Form 990 Department of the Treasury Internal Revenue Service	<p style="text-align: center;">Return of Organization Exempt from Income Tax</p> Under section 501(c), 527, or 4947(a)(1) of the Inter- nal Revenue Code (except private foundations) ► Do not enter social secu- rity numbers on this form as it may be made public ► Information about Form 990 and its instructions is at <i>www.irs.gov/ form990</i> .	OMB No 1545 - 0047 <hr/> <p style="text-align: center;">2016</p> <div style="background-color: black; color: white; padding: 5px; text-align: center;"> Open to Public Inspec- tion </div>
<p>A For the calendar year, or tax year beginning 01-01-2016, and ending 12-31-2016</p>		
<p>B Check if applicable</p> <p><input type="checkbox"/> Address change</p> <p><input type="checkbox"/> Name change</p> <p><input type="checkbox"/> Initial re- turn</p> <p><input type="checkbox"/> Final</p>	<p>C Name of Organiza- tion</p> <p style="text-align: center;">DIVERSIFIED SER- VICES CENTER INC</p> <hr/> Doing business as	<p>D Employer identi- fication number</p> <div style="background-color: black; width: 100px; height: 15px; margin-top: 5px;"></div> <hr/> <p>E Tele- phone number (715) 394-5724</p>

return / terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Applica- tion pend- ing	Number and street (or P.O. box if mail is not delivered to street ad- dress) 7649 Tower Street Room/Suite	G Gross re- ceipts \$ 1,295,513
	City or town, state or province, country, and ZIP or foreign postal code Siren, WI 54972	H(a) Is this a group re- turn for sub-ordi- nates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	F Name and address of principal officer David Grindell Diversified Services Center 7649 Tower Street Siren, WI 54872	H(b) Are all subordi- nates in- cluded? <input type="checkbox"/> Yes <input type="checkbox"/> No If "No," at- tach a list (see instr- uctions)
I Tax-exempt status <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c)() ◀insert no. <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527		H(c) Group exemption number ▶ 0928
J Website:		

K <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ►	L Year of formation: 1981	M State of legal domicile: WI
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Part I	Summary
---------------	---------

Activities & Governance	1 Briefly describe the organization's mission or most significant activities.		
	<i>Our mission is fulfilled by providing work opportunities to individuals with disabilities. This is achieved by offering work within the Community Rehabilitation Program with our partner, Parker Hannifin Corporation, and by the State of Wisconsin Department of Vocational Rehabilitation which provides community work experience and job placement services.</i>		
	2 Check this box ► <input type="checkbox"/> if the organization discontinued or disposed of more than 25% of its net assets		
	3 Number of voting members of the governing body (Part VI, line 1a)	3	6
4 Number of independent voting members of the governing body (Part VI, line 1b)	4	6	

JA 165

	5 Total number of individuals employed in calendar year 2016 (Part V, line 2a)	5	126
	6 Total number of volunteers (estimate if necessary)	6	7
	7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
	7b Net unrelated business taxable income from Form 990-T, line 34	7b	0

Revenue		Prior Year	Current Year
	8 Contributions and grants (Part VIII, line 1h)	393,999	390,262
	9 Program service revenue (Part VIII, line 2g)	924,111	897,277
	10 Investment Income (Part VIII, column (A),	6,349	6,782

JA 166

	lines 3, 4, and 7d)		
	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	8,071	1,192
	12 Total revenue – add lines 8 through (must equal Part VIII, column (A), line 12)	1,332,533	1,295,513
Expenses	13 Grants and similar amounts paid (Part IX, column (A), lines 1–3)	0	0
	14 Benefits paid to or for members (Part IX, column (A), line 4)	0	0
	15 Salaries, other	1,038,441	957,218

	compensa- tion, employee benefits (Part IX, column (A), line 4)		
	16a Profes- sional fundraising fees (Part IX, column (A), line 11e)	0	0
	16b Total fundraising expenses (Part IX, column (D), line 25) ▶ 0____		
	17 Other ex- penses (Part IX, column (A), lines 11a- 11d, 11f- 24e)	243,632	206,519
	18 Total ex- penses. Add lines 13-17 (must equal Part IX, column	1,282,073	1,163,737

	(A), line 25)		
	19 Revenue less expenses Subtract line 18 from line 12	50,460	131,776
Net Assets of Fund Balances		Beginning of Current Year	End of Year
	20 Total assets (Part X, line 16)	1,329,603	1,426,726
	21 Total liabilities (Part X, line 26)	109,220	74,575
	22 Net assets or fund balances Subtract line 21 from line 20	1,220,375	1,352,151

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is

based on all information of which preparer has any knowledge

Sign Here	Signature of officer _____		
	Date: 2017-04 -27		
Paid Preparer Use Only	Type or print name and title: Joe Wacek Executive Director		
	Print/Type preparer's name		
	Preparer's signature		
	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ▶		Firm's EIN ▶
Firm's address ▶		Phone no	

May the IRS discuss this return with the preparer shown above? (see instructions) Yes No

For Paperwork Reduction Act Notice, see the separate instructions.

Cat No 11282Y
Form **990** (2016)

Part III	Statement of Program Service Accomplishments
	Check if schedule O contains a response or note to any line in this Part III <input type="checkbox"/>

1 Briefly Describe the organization's mission

The mission of Diversified Services, Inc is to provide employment opportunities to individuals with disabilities The goal is to help each individual achieve their highest level of independence in a facility based and/or community based setting

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? Yes No

If "Yes," describe these new services on Schedule O

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? Yes No

If "Yes," describe these changes on Schedule O

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

4a (Code) (Expenses \$707,440 including grants of \$ 0)
(Revenue \$810,903)

Our work services program served 45 people with disabilities in 2016 All have barriers to employment with limited or non existent employment history prior to participating in our program, and have limited cognitive, emotional, physical and/or social skills These people assembled and/or packaged 5 45 million units in 2016. They were also involved in confidential record shredding, producing 6,000 pounds of shredded paper 30 employees without disabilities worked side by side with our disabled employees to reinforce employment related skills, social skills, and adaptive behaviors in a work setting

4b (Code) (Expenses \$233,680 including grants of \$)
(Revenue \$484,610)

Our clients achieved 58,205 hours of pre vocational-training in 2016 in an effort to learn transferable

skills that could potentially be used in a job within the community The enclave within the Parker Hannifin plant in Grantsburg, Wisconsin achieved 5,828 hours of training

4c (Code) (Expenses \$_____ including grants of \$)
(Revenue \$_____)

4d Other program services (Describe in Schedule O)
(Expenses \$0 including grants of \$0) (Revenue \$ 0)

4e Total program service expenses ► 941,120

<p>Form 990 Department of the Treasury Internal Revenue Service</p>	<p>Return of Organization Exempt from Income Tax Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations) ▶ Do not enter social security numbers on this form as it may be made public ▶ Information about Form 990 and its instructions is at <i>www.irs.gov/form990</i>.</p>	<p>OMB No 1545 - 0047 2016 Open to Public Inspection</p>
--	---	---

A For the 2016 calendar year, or tax year beginning 01/01, 2016, and ending 12/31 ,2016

<p>B Check if applicable</p> <p><input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Final</p>	<p>C Name of Organization</p> <p>BLACK RIVER INDUSTRIES INC</p>	<p>D Employer identification number</p> <p>[REDACTED]</p>
	<p>Doing business as</p>	<p>E Telephone number</p> <p>715-748-2950</p>

return / terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Applica- tion pend- ing	Number and street (or P.O. box if mail is not delivered to street address) 650 Jenson Drive Room/Suite	G Gross re- ceipts \$ 3,138,957
	City or town, state or province, country, and ZIP or foreign postal code Medford, WI, 54451	H(a) Is this a group re- turn for sub-ordi- nates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	F Name and address of principal officer Terry Nau 650 Jenson Drive, Med- ford, WI 54451	H(b) Are all subordi- nates in- cluded? <input type="checkbox"/> Yes <input type="checkbox"/> No
I <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c)() ◀insert no. <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527	<input type="checkbox"/> Yes <input type="checkbox"/> No If "No," at- tach a list (see instr- uctions)	
J Website: ▶ www.blackriverindus- tries.org	H(c) Group exemption number ▶ ██████████	

K <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ►	L Year of formation: 1981	M State of legal domicile: WI
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Part I	Summary
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Activities & Governance	1 Briefly describe the organization’s mission or most significant activities. Black River Industries provides vocational, residential training and support services, supported employment, as well as day services/community integration programs to (Continued on Schedule O, Statement 1)		
	2 Check this box ► <input type="checkbox"/> if the organization discontinued or disposed of more than 25% of its net assets		
	3 Number of voting members of the governing body (Part VI, line 1a)	3	9
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	9
	5 Total number of individuals employed in calendar year	5	96

JA 175

	2016 (Part V, line 2a)		
6	Total number of volunteers (estimate if necessary)	6	15
7a	Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
7b	Net unrelated business taxable income from Form 990-T, line 34	7b	0

Revenue		Prior Year	Current Year
8	Contributions and grants (Part VIII, line 1h)	975,634	1,060,852
9	Program service revenue (Part VIII, line 2g)	1,384,970	2,066,822
10	Investment Income (Part VIII, column (A), lines 3, 4, and 7d)	4,597	4,505

	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	7,691	2,165
	12 Total revenue – add lines 8 through (must equal Part VIII, column (A), line 12)	2,372,892	3,134,344
Expenses	13 Grants and similar amounts paid (Part IX, column (A), lines 1–3)	0	0
	14 Benefits paid to or for members (Part IX, column (A), line 4)	0	0
	15 Salaries, other compensation, employee	865,210	994,043

	benefits (Part IX, column (A), line 4)		
	16a Profes- sional fundraising fees (Part IX, column (A), line 11e)	0	0
	16b Total fundraising expenses (Part IX, column (D), line 25) ▶ 0		
	17 Other ex- penses (Part IX, column (A), lines 11a- 11d, 11f- 24e)	1,399,457	1,985,968
	18 Total ex- penses. Add lines 13-17 (must equal Part IX, column (A), line 25)	2,264,667	2,980,011

	19 Revenue less expenses Subtract line 18 from line 12	108,225	154,333
Net Assets of Fund Balances		Beginning of Current Year	End of Year
	20 Total assets (Part X, line 16)	1,944,328	2,059,255
	21 Total liabilities (Part X, line 26)	250,264	210,859
	22 Net assets or fund balances Subtract line 21 from line 20	1,694,064	1,848,396

Part II Signature Block

Under penalty of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge

Sign Here	Signature of officer Date: 2017-04 -27		
	Amber Fallos, Director Type or print name and title:		
Paid Preparer Use Only	Print/Type preparer's name		
	Preparer's signature		
	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ▶		Firm's EIN ▶
	Firm's address ▶		Phone no

May the IRS discuss this return with the preparer shown above? (see instructions) Yes No

For Paperwork Reduction Act Notice, see the separate instructions.

Cat No 11282Y
Form **990** (2016)

Part III	Statement of Program Service Accomplishments
	Check if schedule O contains a response or note to any line in this Part III <input type="checkbox"/>

1 Briefly Describe the organization's mission

In partnership with the community, to provide people with disabilities opportunities to achieve the highest level of independence.

2 Did the organization undertake any significant program services during the year which were not listed

on the prior Form 990 or 990-EZ? Yes No

If "Yes," describe these new services on Schedule O

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? Yes No

If "Yes," describe these changes on Schedule O

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

4a (Code) (Expenses \$824,506 including grants of \$ 0) (Revenue \$855,905)

Human Services: Black River Industries (BRI) served 93 persons with disabilities in 2016 under five program areas: Vocational Services, Day Services/Community Integration, Independent Living, Residential, Supported Employment, and Transportation. We employ an average of 27 staff members to assist in providing opportunities. Our services are mainly provided to Taylor County residents, however several individuals from surrounding counties also partake in our services. 72 of these individuals used our transportation services to access work and personal needs services. Over 75,000 hours of vocational training were offered to 72 participants who chose this service. In addition, 12 clients received supported employment services in the form of job placement, coaching and/or ongoing support. The Day Services/Community Integration program offered over 10,000 hours of care giving and meaningful community programming to 15 individuals. 17 individuals received in home services to promote independence and safe living skills.

4b (Code) (Expenses \$1,840,218 including grants of \$) (Revenue \$2,018,420)

Production (Work Services): In 2016, our Production Department provided diverse employment opportunities to 71 persons with disabilities. Vocational opportunities in the areas of: light assembly and packaging, collating, confidential document shredding, recycling, collating, and commercial sewing were offered to persons with disabilities and others in the community. Our contract with the Department of Corrections for embellishing prison

guard uniforms doubled from 2015 to well over 34,000 items. 62,500 pounds of confidential documents were shredded. In addition, custodial/lawn care services were provided to two National Guard armories for the Dept. of Military Affairs, and four waysides within the county for the Wisconsin Dept. of Transportation (DOT). BRI also operated a commercial lawn care service for private residence and local business. BRI's external work contracts employed 12 persons with disabilities.

4c (Code) (Expenses \$110,659 including grants of \$)
(Revenue \$158,333)

Food Service Industries: Our Food Services Industries component has been providing meals for seniors and children since 1981. Food Services provides commercial kitchen experience for individuals with disabilities in preparation for community employment. The majority of meals were provided under contract with the Taylor County Commission on Aging at two Senior Centers in the county, as well as the Meals-on-Wheels Program. In addition, our passenger routes for the elderly and persons with disabilities routinely deliver meals to many homebound seniors in outlying areas who would not otherwise be able to access the congregate meals sites. In 2016, BRI prepared and delivered over 14,000 meals to over 400 seniors. We also provided daily hot meals to 25 children at the Medford Headstart Program; 1,400 catered meals to local businesses and civic organizations; and over 4,900 hot lunches to clients and staff at BRI throughout the year. BRI also catered meals to over 500 seniors for the annual Senior Health and Wellness Fair.

4d Other program services (Describe in Schedule O)

JA 183

See Schedule O, Statement 2
(Expenses \$ 50,552 including grants of \$0) (Revenue
\$ 77,449)

4e Total program service expenses ► 2,825,935

Form 990 (2016)

**Excerpts from Hearing Transcript:
March 6, 2018**

**BEFORE THE DEPARTMENT OF
WORKFORCE DEVELOPMENT DIVISION
ON UNEMPLOYMENT INSURANCE**

In the matter of the Unemployment Tax Liability of	Hearing Nos.
HEADWATERS, INC.;	S1700133MW
DIVERSIFIED SERVICES, INC.;	S1700134MW
THE CATHOLIC CHARITIES BUREAU, INC.;	S1700135MW
BLACK RIVER INDUSTRIES, INC. and	S1700136MW
BARRON COUNTY DEVELOPMENTAL SERVICES	S1700137MW

TRANSCRIPT

* * *

Pursuant to notice, this matter came on for hearing before the Division of Unemployment Insurance of the Department of Workforce Development at the Milwaukee Hearing Office, Milwaukee, Wisconsin on March 6, 2018.

APPEAL TRIBUNAL:

Heidi Galvan, Administrative Law Judge

APPEARANCES:

The appellants appeared in person through their attorney, Kyle Torvinen.

The respondent appeared in person through its Attorney, Christine Galinat.

DOCUMENT: Transcript of Hearing

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WITNESSES

Witnesses	Judge	Direct	Cross	Re-direct	ReCross
Kim Wadas	28	29	50		
Bill Anderson	53/123	54	87	116/ 123	
Alan Rock	125	126	160	178	
Jennifer Baldese	184	193	199	215	219
Joseph Waysek	220	221	232	247	
Amber Falos	252	257	269	289	

* * *

[TR 42]

[KIM WADAS: A.] * * * contracted providers that they might be subcontractors under or they have

programming fees. So those are their various sources of revenue.

[ATTORNEY TORVINEN:] Q. All right. And do you know how Catholic Charities, uh, that accompanies the Diocese of Superior is funded?

A. Yes, I'm familiar, yep.

Q. All right. And how is that?

A. Um, I think the Diocese of Superior receives the majority of their funding from like public or government contracts or grants.

Q. Okay. And then in comparison to, um, other entities, uh, is that unusual?

A. Yes, the Diocese of Superior would be, I think, somewhat unique among the five dioceses of Wisconsin. For example, La Crosse gets about, I think, 18 percent of their funding from government grants. Uh, Diocese of Green Bay I think gets lower, I think it's like 16 percent, they're probably one of the lowest in the state, actually.

Um, Diocese of Madison is higher, they just recently got purchase for service contracts with the county here, so they, um, I think have a higher percentage of theirs. I have to go back **[TR 43]** and look to see what percent but I --- it's more I think --- it's more (unintelligible). And then, um, uh, I think they're like more like 70 --- 70 or 80 percent. And then the archdiocese, uh, is more like 31 percent government grants, then the rest is through fundraising, contributions, request. And then the dio --- and in all, almost all, of the other dioceses, there's some sort of contribution by the diocesan offices, meaning it comes out of the diocesan payroll or account.

Q. Okay. And do you personally know how, uh, the various funding mechanisms developed over time?

A. Um, I could guess. Uh, one, I mean, I think Madison might not have as established of a donor base because they're the newest of the diocese. They actually broke away from the archdiocese of Milwaukee due to population. So they're the --- the youngest diocese. The older more established diocese, which would be La Crosse and Green Bay and the archdiocese, um, probably have more established donor bases, so they probably have just a history of doing private fundraising to a greater extent because that's kind of how it shakes out. Uh, but that would just be my guess.

Q. All right. Um, in --- in your position and in [TR 44] your discussions with the bishops and, uh, Catholic Charities directors that you deal with, do you, uh, understand or believe that the funding sources for, um, Superior would cause, for example, the archbishop to believe that Catholic Charities and Superior does not fulfill the same purpose as the other Catholic Charities entities that are funded more directly by their diocese?

A. No.

ATTORNEY GALINAT: I'm going to object, that seems to call for speculation.

JUDGE GALVAN: I will sustain the objection. I believe you're asking for what Ms. Wadas believes that the archbishop would feel. I don't know if she would be able to testify as to what another person's opinion or feelings would be, so if you could, um, move forward and ask another question, Counsel.

ATTORNEY TORVINEN: Sure.

BY ATTORNEY TORVINEN:

Q. Um, based on your interaction, um, with the archbishop, have you had any interactions, uh, with him where the funding source, uh, was discussed as being dispositive of the mission?

A. No, in fact, I just, based on conversations with [TR 45] the archbishop that I've had, if we had to somehow alter our mission as an entity, I'm not certain we would engage in that funding mechanism, I guess is --- would be the way to say it. Um, in other words, it might be a consideration on whether or not to accept grant funding if it --- it manifestly changed how we had to operate as an institution. And that's occurred in other diocese with other Catholic Charities entities.

Q. Okay. Can --- can --- do you have any examples of that?

A. Um, for example, Illinois, uh, Catholic Charities there and the di --- um, and one of their diocese stopped doing adoptions because, uh, it's a --- it's a state-controlled operation and they would not continue because they had to change or alter the manner in which they provided adoptions to couples. Same is true in the archdiocese of Boston, uh, they stopped doing it. So that --- that would be examples of because of certain non-discrimination policies that they were required to comply with, they stopped doing adoptions in those areas and receiving the state funds.

Q. Okay. Um, from, uh, your experience, uh, with the various diocese and --- and the, uh, Catholic [TR 46] Charities entities, what effects does the funding

source have on the external presentation of services to the public if any?

A. Um, I think the public sometimes thinks because we receive a --- a state grant or government grant that we are not --- we don't have to be religious in that instance. Um, and obviously, the whole idea of being non-discriminatory comes up in that context. Um, I think that's probably the most common perception is that when you receive state funds, there's certain requirements that come with it.

Q. And --- and that's true; correct?

A. The --- yes. No, there are usually contractual requirements that we'd have to adhere to. We've--- we've had to restructure, for example, how we do our, um, benefits to employees sometimes to comply with those requirements, um, so that our benefits are distributed in a non-discriminatory manner. That's one example.

Q. Sure. All right and then do you yourself in your position consider, um, Catholic Charities entities to be the social ministry arm of the Catholic Church?

A. Absolutely, yes.

[TR 47]

Q. Um, are you surprised, uh, that Catholic Charities Bureau and Superior or Catholic Charities entities in general do not spend a great deal of their time or funding prospectising (unintelligible) for example?

A. Um, no because that's not their purpose. Um, the saying that we use in the church for a lot of our services, this would apply even in Catholic schools context is, we serve because we are Catholic, not because those whom we minister to are. Um, so it has

more to do with what we believe as Catholics than who we're serving.

Q. All right and, um, is that consistent with Catholic social teachings?

A. That is. I mean, um, for example, Catholic teaching has a --- a heavy emphasis on free will and free choice, so if like for example, we were to force people to attend mass, um, that would be inappropriate in our teaching, uh, and we believe in the real presence of Christ at the mass in the form of the Eucharist, so if you don't really think that that the Eucharist is actually Christ in front of you, um, to force someone to --- to partake of that would be I guess a kind of blasphemy is the best way to put it. Um and we **[TR 48]** wouldn't ---

Q. Okay.

A. --- we wouldn't do that.

Q. All right and I --- I mean, just to give you a couple of other examples, I --- you talked about, um, attendance at mass, uh, is it --- would it be proper or are you surprised, um, that the Catholic Charities entities do not discriminate against non-Catholics in the context of say employment or the delivery of services?

A. No, I --- I wouldn't say that. Um, I mean, I know state law protects the right for us to adhere to creed, so sometimes there's a --- an employment, for example, we can still favor someone who's Catholic and I think that's important and we utilize it at times for say picking particularly the executive director. Um, but just because we have, for example, a non-Catholic employee, that person still wouldn't be allowed to,

under the terms of employment, like for example, we do --- our Catholic Charities do advocacy. We could have someone who could openly advocate to reinstate the death penalty in Wisconsin as an employee and they probably then would not remain an employee because they're operating counter to the mission of **[TR 49]** Catholic Charities. Um, the same with delivery of services. Uh, our teaching says, you know, visit the imprisoned, not visit the imprisoned who are Catholic and who haven't sinned. So like our teaching doesn't require that the people we serve be Catholic.

Q. All right. Um, then just a couple final follow-up questions. Uh, in your position, are you familiar with whether the church has its own unemployment program?

A. I am. Actually, we operate, uh, the program out of our offices for four of the five dioceses.

Q. And to the best of your knowledge, would the entities, um, that we're discussing that have been consolidated in this hearing be eligible for it if they were released by the state?

A. They would but because again, they --- they're affiliated with the diocese. We --- there is a restriction, we have self aw --- or the organization itself is based on membership, so you have to be affiliated with a diocesan entity, so that's schools, parishes or affiliated ministries. For example, certain religious order have asked to be part of the program, they're not permitted, they --- because they can establish their own, um, **[TR 50]** as their religious order, which those are generally housed maybe in outside of the state as their mother house and things like that. So we exist solely for diocesan operations.

Q. Very good. I don't have any additional questions, thank you.

* * *

[TR 60]

BY ATTORNEY TORVINEN:

Q. Um, can you tell me what, uh, R3 is?

[BILL ANDERSON:] A. This is an internal chart of organization which represents how we are organized.

Q. All right and ---

A. And position.

Q. I'm sorry, I referred to it as R3 again, Exhibit Number 7. Um, so it --- an organizational chart, so to speak?

A. Yes.

Q. And it reflects on the --- the, uh, top tier, **[TR 61]** obviously, the bishop of the Diocese of Superior?

A. Yes.

Q. Are these, uh, types of internal organizational charts, uh, something that have been, um, part of I guess the documentation that have been affiliated with your position to understand how things work during the time that you've been employed?

A. Yes.

Q. And it --- is it your understanding and has it always been your understanding, um, that the bishop, uh, of Diocese of Superior does in fact hold the top spot in that organizational chart?

A. Yes.

Q. Um, does the bishop have the ability to control, uh, all of the various organizations, entities, um, membership, uh, items that are underneath the bishop's position on R3?

A. Yes.

Q. Have there been occasions, um, in the real world, um, similar to what Ms. Wadas talked about that you're aware of when, um, the existence or an option was put on the table that perhaps Catholic Charities might no longer exist?

A. Yes.

[TR 62]

Q. Can you give us, uh, an example of that that would reflect the bishop's authority?

A. Uh, a few years ago when the Affordable Care Act was, uh, was put out there by the previous administration, there was a provision that required inclusion of abortions in all group health policies that were, uh, sponsored by every employ --- employing unit in the United States and the bishop took exception to that.

Q. And when that happened, uh, um, what occurred; what --- what options were looked at?

A. There was the thought that the bishops might dissolve the Catholic Charities if we had to comply with that because it defies the, uh, social teachings of the --- of the Catholic church.

Q. And, uh, just in terms of putting a --- a bookend on that, did that issue ultimately resolve itself in some fashion?

A. It did.

Q. Do you know how?

A. Um, provision did not apply to those organizations that had a deep belief that it should not be present.

Q. All right. Um, let's see, I'm going to --- if you can refer back to Exhibit 7 at --- at your --- at **[TR 63]** your leisure, which is also marked R3, however, I'm going to move on to Exhibit 4 or --- or R4, sorry, Exhibit 8

JUDGE GALVAN: R4 is being marked then as Exhibit Number 8, a single-page document. (Exhibit 8 marked for identification)

BY ATTORNEY TORVINEN:

Q. And we look at R4, um, it talks about the role of the Catholic Charities Bureau membership and with reference back to Exhibit Number 7, the organizational chart, uh, that appears directly underneath the bishop.

A. Yes.

Q. Um, tell us, uh, what is the membership?

A. The membership is comprised of, uh, the bishop, who is the president, and the vicar general of the diocese, the judicial vicar of the diocese and the executive director of Catholic Charities, all of whom are appointed by the bishop.

Q. All right. And in terms of the, uh, the membership, you have the bishop as the president.

A. Yes.

Q. And then the vicar general and the judicial vicar, uh, positions, are those dio --- uh, diocesan officers and positions that belong under canon law **[TR 64]** only to religious individuals?

A. Yes.

Q. And so those positions would be filled by definition of canon law, by, uh, priests or Monsignors or fathers?

A. That's correct.

Q. All right. And has that been, uh, consistently the case, uh, since the time that you were employed?

A. Yes.

Q. These are positions that cannot be held by a layperson.

A. That's right.

Q. And then, um, I realize that there's been some modification, but historically, uh, another reference is the moderator of the curia of the diocese, is that another person who historically, uh, must be, is required to be under canon law a religious individual?

A. Yes.

Q. And has that been true since the time that you started

A. Yes.

Q. --- 42 years ago? Uh, and then it talks about the executive director, who I think you said was your **[TR 65]** boss; is that true?

A. Yes.

Q. And, um, that person, uh, serves also on the membership, that is currently Alan Rock, that person does not have to be religious; is that fair?

A. That's right.

Q. So they're the single person in the membership that does not need to be a father or a priest of some type?

A. Yes.

Q. All right. Continuing on, uh, with Exhibit Number 4 or I'm sorry, uh. Exhibit --- Exhibit Number 8, which is labeled R4 on your packet, um, when does the membership meet?

A. It meets when the bishop decides that he should have a meeting.

Q. And if the bishop had concerns or required input, uh, he can set a meeting?

A. That's right.

Q. And his --- is that how things have worked during the time that you've been employed with Catholic Charities?

A. Yes.

Q. Um, see under, uh, I guess it would be Exhibit 8, * * * .

* * *

[TR 92]

[BY ATTORNEY GALINAT:] Q. Is it still correct that the participants in the Catholic Charities programs are not required to be of the Roman Catholic faith?

[BILL ANDERSON:] A. That's correct.

Q. Are they required to believe in any Christian doctrine?

A. No.

Q. Are the participants required to attend any religious training?

A. No.

Q. Are they required to attend any religious orientation?

A. No.

Q. I don't have any further questions with respect to Exhibit 20.

JUDGE GALVAN: All right. Is there any further redirect for this witness ---

ATTORNEY GALINAT: Oh, no, I meant I don't have any questions with respect to Exhibit 20.

JUDGE GALVAN: Exhibit 20 is ---

BY ATTORNEY GALINAT:

Q. I'm going to direct you to what was pre-marked as exhibit D37. Can that be marked as an Exhibit please?

JUDGE GALVAN: It will be marked as Exhibit

* * *

[TR 96]

[BY ATTORNEY GALINAT:] Q. And then after you filed the report, did Phoenix Villa, Inc., become subject to Wisconsin unemployment insurance law?

[BILL ANDERSON:] A. Yes.

Q. And then you indicated about 60 percent of Phoenix Villa funding is provided by, um, the federal Department of Housing and Urban Development, where does the other 40 of revenue come from?

A. Tenants.

Q. Are you familiar with the grant or the terms of the grants that you, Catholic Charities, received from Department of Housing and Urban Development?

A. Yes.

Q. Isn't it correct that recipients of federal grants are prohibited from using direct federal financial assistance to support or engage in explicitly religious activities?

A. Yes.

Q. And isn't it correct that staff carrying out programs supported by direct federal financial assistance must be neutral in their treatment of religion; isn't that correct?

A. Yes.

Q. And isn't it true that materials disseminated by staff persons in programs supported by direct **[TR 97]** federal financial assistance must be neutral in the treatment of religion?

A. Yes.

Q. And Phoenix Villa, Inc., is a recipient of direct federal financial assistance, isn't it?

A. Yes.

Q. Does Catholic Charities Bureau or any of the other organizations at issue today engage in any devotional exercises with participants?

A. No.

Q. Does it en --- do any of the organizations engage in any devotional exercises with employees?

A. No.

Q. Does Catholic Charities Bureau or any of the other organizations at issue today disseminate any religious materials to participants?

A. No.

Q. Does it disseminate any religious materials to employees?

A. No.

ATTORNEY TORVINEN: You ---- you mean other than those that we've already discussed?

JUDGE GALVAN: Maybe if there's some more clarification, Ms. Galinat, what do you mean by religious materials; can you provide a little bit [TR 98] more specificity as to what sort of religious materials are not provided or --- or whether or not they're provided?

BY ATTORNEY GALINAT:

Q. Well there were documents that were identified earlier and it was indicated that those were provided to the employees. Are there any 8 materials beyond those that have already been discussed that contain -- - that are religious materials that are provided to employees?

JUDGE GALVAN: Thank you.

A. No.

BY ATTORNEY GALINAT:

Q. Do any of the workers for Catholic Charities Bureau or any of the other organizations introduce religious content in their conversations with participants?

A. I wouldn't have knowledge of that but, um, I would guess no.

Q. Do you know if Catholic Charities Bureau or any of the affiliate organizations try to inculcate the Catholic faith with program participants?

A. No.

Q. No, they do not try to inculcate the faith?

A. Correct.

* * *

[TR 101]

BY ATTORNEY GALINAT:

Q. Mr. Anderson, are the first two pages of Exhibit 23 a form that you completed for the Department of Workforce Development?

[BILL ANDERSON:] A. Yes.

Q. And this was a report of business transfer form from Catholic Charities Bureau, Inc., to Diversified Services Center, Inc.; is that correct?

A. Yes.

Q. And can you explain what happened with respect to the transfer? **[TR 102]**

A. I'm not quite sure the gist of it though but I believe it was done in a spirit of Diversified Services Center becoming incorporated in the spirit of our constant moving or progress of subsidiary and moving our program's, uh, delivery of service to the local level.

Q. And why was the program moved to the local level?

A. Again, it's in the spirit of, uh, of subsidiarity, on of the concepts of Catholic social teachings.

JUDGE GALVAN: I'm sorry, in the concept of what, you --- I couldn't hear what you stated, sir; repeat yourself.

A. Catholic social teachings.

JUDGE GALVAN: Thank you.

BY ATTORNEY GALINAT:

Q. And what does Diversified Services Center, Inc., what do they do?

A. They provide services to the developmentally disabled of, uh, of the local county.

Q. And then if we turn to page three of this document, at some point, was the name changed from The Services --- Services, Inc., to The Service --- [TR 103] excuse me. Diversified Services, Incorporated?

A. Yes.

Q. I'm going to direct you to what was marked, pre-marked as exhibit D38. Can that be marked as an exhibit please?

JUDGE GALVAN: Pardon me, 38?

MR. THURSBY: Yes.

JUDGE GALVAN: Okay. Okay, I'll mark Exhibit 24, the letter ---- the first page shows a letter dated August 21st, 1996.

(Exhibit 24 marked for identification)

BY ATTORNEY GALINAT:

Q. Mr. Anderson, do you have ---

A. Okay, I have it.

Q. And page one of this exhibit is a letter that you sent to Unemployment Comp --- Unemployment Compensation requesting that Dove, Inc., um, be covered by Catholic Charities or be covered for UC purposes under the group account of Catholic Charities; is that correct?

A. Yes.

Q. And what exactly is Dove, Inc.?

A. Dove provides home healthcare services.

Q. Is it still in existence?

A. Yes.

[TR 104]

Q Does Dove Inc., refer --- receive any federal funding?

A. Yes.

Q. And what ---

A. (unintelligible)

JUDGE GALVAN: I'm sorry, I didn't hear what you were saying, sir.

A. They receive funding by virtue of their clientele being eligible for Medicare funding.

JUDGE GALVAN: Thank you.

BY ATTORNEY GALINAT:

Q. So are some of the revenues for Dove, Inc., um, Medicare payments?

A. Yes.

Q. And what is the source of the other revenue?

A. Uh, private and private insurance.

Q. And are the recipients required to be affiliated with the Catholic church?

A. No.

Q. I'm going to turn you or direct you to the second page of this exhibit.

A. Okay.

Q. And this is a letter that you sent to Unemployment Insurance requesting that Blue Valley, Inc., and Apple River, Inc., be covered for unemployment [TR 105] compensation purposes under the group account belonging to Catholic Charities; is that correct?

A. Yes.

Q. What is Blue Valley, Inc.?

A. Blue Valley, Inc., is an eight-unit apartment building in Rice Lake that serves the chronically mentally ill

Q. And are any of its revenues received from federal grants?

A. Yes.

Q. From which agency?

A. HUD.

Q. And what percentage of its funding is received from HUD?

A. Again, I don't have the figure on that.

Q. And where do where does the other revenue come from?

A. The tenants qualify for federal funding. It's, uh, no more than their --- their portion of their funding is 30 percent of their income. The remainder comes from the federal grants.

Q. And is Blue Valley, Inc., still in existence?

A. Yes.

Q. And then what is Apple River, Inc.?

A. Apple River is a similar facility located in **[TR 106]** another community.

Q. And are its revenue sources similar to that of Blue Valley, Inc.?

A. Yes.

Q. And then if I direct you to the next page, uh, that's a Department determination that Dove Agency, Inc., was approved to join the group reimbursement account for ---

A. Yes.

Q. Catholic Charities Bureau; is that correct?

A. Yes.

Q. And then the next page, that's an initial determination directed to you that United Daycare, Inc., was allowed to join the group reimbursement account of Catholic Charities; is that correct?

A. Yes.

Q. Is United Daycare, Inc., still in existence?

A. Yes.

Q. And what does United Daycare, Inc., do?

A. Provides daycare services to children in the city of Hudson.

Q. And what are the sources of revenue for United Daycare, Inc.?

A. Private.

Q. When you say private, does that mean that it's **[TR 107]** from the individuals or the parents of the individuals who are receiving the services pay?

A. Yes. Yes.

Q. Are the families required to be affiliated with the Catholic church?

A. No.

Q. Are there any devotional services that take place at the daycare?

A. No.

Q. And then the final two pages of this exhibit. these were initial determinations that were sent to your attention regarding New Valley, Inc., and Apple River, Inc., allowing the organizations to join the group reimbursement; correct?

A. Yes.

Q. I'm going to direct you to what was marked, pre-marked, as exhibit D25. Can that be marked as an exhibit please?

JUDGE GALVAN: Yes. D25 is a two-page document marked Number 25. It's a report of business transfer. (Exhibit 25 marked for identification)

BY ATTORNEY GALINAT:

Q. Mr. Anderson, do you recognize what has been marked as Exhibit 25?

[TR 108]

A. Yes.

Q. And can you identify this document?

A. It's a report of business transfer of Barron County - -- County Developmental Services, Inc., county development, I'm sorry, from Barron County Developmental Disabilities Services, Inc.

Q. And what services does --- what services did Barron County Developmental Disabilities Services, Inc., provide?

A. Sheltered employment to developmentally disabled.

Q. And when there was a transfer to Barron County Developmental Services, Inc., did the business activity change in any way?

A. No.

Q. Was Barron County Developmentally --- Developmental Disabilities Services, Inc., affiliated with Catholic Charities Bureau?

A. No.

Q. To the best of your knowledge, was it affiliated with any religious organizations?

A. I don't know.

Q. All right. I'm going to direct you to what was pre-marked as exhibit D26. Can that be marked as an exhibit please?

A. Which one?

* * *

[TR 125]

JUDGE GALVAN: All right, Mr. Rock.

ALAN ROCK, SWORN

EXAMINATION

BY JUDGE GALVAN:

Q. Mr. Rock, would you please state your full name for the record?

A. Alan Rock.

Q. And Mr. Rock, uh, where are you employed?

A. I'm employed by Catholic Charities Bureau, Diocese of Superior.

Q. And what position do you hold at Catholic Charities Bureau, Diocese of Superior?

A. I'm the Executive Director and Treasurer.

Q. And how long have you held that position?

A. This position, uh, a little over five years and, um, about 21 with the organization.

Q. And as the, uh --- in holding this position, you oversee, uh, the different entities that are subject to today's hearing such as Barron County Developmental Services, Headwaters Diversified Services as well as Black River Industries?

A. They fall under my, uh, role, yes.

Q. Okay. And how often do you have direct contact with these entities, that is, how often do you go to visit the different sites?

* * *

[TR 135]

[BY ATTORNEY TORVINEN:] Q. I'm going to turn to, uh, page three of Exhibit Number 2, which has, uh, got a small 2 on the bottom, probably from the manual in which it is derived. What is this letter?

[TR 136]

[ALAN ROCK:] A. This is a letter for myself, um, again, lining out, uh, uh, Catholic Charities, uh, Bureau. Uh, it starts out, um, mentioning that we're

celebrating 100 years of service. Um, really, uh, I think the last sentence in that first paragraph, uh, kind of sums it up. We believe that our daily work is a visible sign of the love of Christ for all people. Um, I then go on and --- and, uh, reference the principles of Catholic social teachings and that our work is directed to achieving the common good and that we're to strictly adhere to the church's teachings when it comes to, um, how we provide our services.

Q. Uh, in the, uh, in the, uh, second paragraph of that letter, uh, one of those principles that appears elsewhere and is capitalized and so forth, it talks about the principle of subsidiarity; do you see that?

A. Yes.

Q. And you heard, um, Mr. Anderson's testimony, that term came up; what is the principle of subsidiarity and what does it mean in this context?

A. Well in this context, um, sub --- the principles of subsidiarity has been around for a long time. **[TR 137]** Um, we use it in the common world with a parent subsidiary corporation but, uh, from the church's perspective, it --- the meaning goes back to being handled at its lowest common level. So with that, uh, each of our organizations are made up of individuals from the local community because they know the needs of that community better than we may here in Superior. So all of our boards are made up of --- of individuals from that local community to help reflect the needs.

Q. All right. And then I see in the third paragraph of that document, there's several references there to other principles but common good is the first one that's

mentioned, it also is capitalized. Uh, what is the common good?

A. Well, um, we realize that, uh, there are many social conditions that are put upon individuals through their struggles in life. Um, and, uh, in order to, uh, help lift up each person, um, that's part of what we're there to do and giving them human dignity.

Q. That can be done in a variety of ways?

A. We believe so through the services that we provide.

Q. And, uh, is that, uh, if we were, without * * * .

* * *

[TR 155]

[BY ATTORNEY TORVINEN:] Q. All right. I want to talk a little bit about funding. There's been some discussion about that.

Um, it varies from program to program but where does the majority of the funding come from?

[ALAN ROCK:] A. The vast majority of our funding comes from, uh, purchase service contracts with, uh, government, uh, whether that's at the federal level, the state level and even local grants that we have. There is some, uh, private, um, dollars as well but by and large, the vast majority is --- is government contracts.

Q. And the fact that you're receiving a governmental contract, does that, um, in your day to day operations, does that burden the Catholic social teachings, uh, in any way?

A. Actually, they're --- they're congruent. They're --- they can go hand in hand. Um, much of what we --- we

do, I think we spoke to it earlier, um, you know, many of our regulators ask us things such as, not to discriminate or proselytize and so do our Catholic social teachings.

Q. To the extent that, uh, a governmental regulator, um, were to ask one of the entities or Catholic [TR 156] Charities Bureau itself, uh, to engage in actions that were inconsistent with Catholic social teachings, what would happen?

A. Um, we could not and, um, I guess if it was, uh, came to an end of a discussion, we would have to, um, remove ourselves.

Q. And, uh, has that happened in the real world?

A. That concern?

Q. That concern.

A. Absolutely. Um, you know, the last --- last major one that I was a part of was --- was back with the Affordable Care Act. Um, I think, uh, that was discussed briefly earlier but, uh, it was a very large, uh, concern of mine for well over a year and took a substantial amount of time. There were certain mandates around con --- contraception and, uh, abortion procedures that were --- were not, um, consistent with our social teachings. Uh, the administration at the time had asked the U.S. Catholic Conference of Bishops to consider changing their stance on some of that. They spent quite a bit of time energy to that end. Um, and it was just something that the --- the bishops, uh, just couldn't change their theology after that many years, you know, literally centuries and [TR 157] centuries. So as it turns out, we did not have to withdraw from that.

Um, there were, uh, exemptions put in place that allowed us to continue and, um, so I'm --- I'm pleased for that and pleased for the people that --- that we're able to serve.

* * *

[TR 173]

JUDGE GALVAN: Are you ready, sir?

[ALAN ROCK:] A. Yes.

BY ATTORNEY GALINAT:

Q. Mr. Rock, Exhibit 38 consists of copies of Catholic Charity Bureau's website; is that correct?

A. Yes.

ATTORNEY TORVINEN: What what exhibit do you did we have?

JUDGE GALVAN: I think that Ms. Galinat just misspoke. Exhibit Number 33 is D12.

ATTORNEY GALINAT: Yes, I apologize.

ATTORNEY TORVINEN: Thank you.

ATTORNEY GALINAT: Thirty-three.

ATTORNEY TORVINEN: Thank you.

BY ATTORNEY GALINAT:

Q. Mr. Rock, does Exhibit 33 consist of copies of CCB's web page?

A. Seems to be an excerpt of that.

Q. Can you explain what the CCB housing management program is?

A. That is, uh, an acting arm of ours. Um, it's a way that we refer to in general our housing that we offer to both, or I should say not both but, uh, seniors, uh, people with disabilities, uh, families, um, what used to be referred to at the time that they were put up, uh, CMI, chronically mentally ill.

Q. Are there employees who perform services for the CCBC housing management program who are reported to Wisconsin Unemployment Insurance under the group account?

A. Yes.

Q. Is this program funded in part by HUD grants?

A. Um, the --- the different entities that are under that, yes, HUD would be one of potential funders.

Q. I'm going to direct you to what was pre-marked as exhibit D13. Can this be marked as an exhibit please?

JUDGE GALVAN: D13 is marked as Exhibit Number 34. (Exhibit 34 marked for identification)

BY ATTORNEY GALINAT:

Q. Mr. Rock, does Exhibit 34 consist of copies of web pages of CCB's website?

A. From the housing end of it, yes.

Q. Are there a number of buildings for senior citizens?

A. There are.

Q. And those buildings are listed on the first, um,
* * * .

* * *

[TR 177]

[BY ATTORNEY GALINAT:] Q. And can you explain what the home healthcare program is?

[ALAN ROCK:] A. Um, we provide, um, home health-related services, uh, along with the associated, uh, nursing and therapies on behalf of home-bound individuals, uh, I believe the radius is about a 50-mile or 60-mile radius from Superior.

Q. Do you know if there are other agencies in Superior that provide home healthcare services?

A. In Superior. I don't know if they're in Superior. I know that there are others that provide home health but I don't know if they're in Superior.

Q. Do they provide services in the location in around Superior?

A. Um, in the city, yes, but none of them go out into the county, which is why we're providing much of the services we do. All of the other home health providers do not provide it outside of the city proper. We're the only provider.

Q. And I'm going to direct you to page seven.

A. Okay.

Q. And can you explain what the senior daycare program is?

A. These are for individuals, uh, with intellectual disabilities that, uh, either have decided no **[TR 178]** longer to be part of a vocational program or --- or, uh, are, uh, have other age-related, uh, medical needs that they no longer can. And they, uh, uh, participate in our senior program.

Q. Is the senior program part of Challenge Center, incorporated, or is it just located there?

A. Both.

Q. All right.

ATTORNEY GALINAT: I don't have any further questions for Mr. Rock.

JUDGE GALVAN: All right, uh, Mr. Torvinen, any further redirect of, uh, Mr. Rock?

ATTORNEY TORVINEN: Uh, just a few.

REDIRECT EXAMINATION

BY ATTORNEY TORVINEN:

Q. Um, overall, having now reviewed the exhibits that I showed you and the exhibits that were gone through just moments ago on cross examination, do you find, uh, anything that is, uh, inconsistent between Catholic social teachings and the requirements of regulators, whether it be, uh, as to forms or otherwise?

A. I believe as I've stated earlier, uh, often times, they --- they're --- they're ----- go hand in hand and our regulators are very pleased with, uh, the * * * .

* * *

[TR 184]

BY JUDGE GALVAN:

Q. Ms. Beldese, would you please state your full name for the record?

A. Jennifer Beldese.

Q. And Ms. Beldese, where are you employed?

A. I'm employed by Catholic Charities Bureau for Headwaters, Incorporated.

Q. And where is Headwaters, Incorporated, located?

A. Their main office is located in Rhineland.

Q. Okay. Is that where you work out of then, that location in Rhineland?

A. Most of the time, yes.

Q. Okay. And what's your title?

A. My title is Director.

Q. Okay. And, um, what is the focus of Headwaters, Incorporated?

A. We provide, uh, various support services for individuals with disabilities, um, all kinds of, uh, training services related to activities of daily living, um, employment related training services, um, and we also, um, support people to work in various ways.

Q. And how do the clients is there an echo in --- in the ---

ATTORNEY TORVINEN: Not that we can hear on * * * .

* * *

[TR 187]

[BY JUDGE GALVAN:] * * * Headwaters, Incorporated?

[JENNIFER BELDESE:] A. Uh, it's about 70 individuals.

Q. And those employees of Headwaters, Incorporated, do they receive, um, a copy of Exhibit Number 2, R8,

the guiding principles of governance for the social ministry of Catholic Charities Bureau?

A. No, they do not.

Q. Okay. What about some of the documents that are contained in Exhibit Number 2 or R8, do they receive the 10 principles of Catholic social te --- teachings?

A. They do not.

Q. Do they receive anything in written form regarding Catholic --- the Catholic church and how that's organized or Catholic teachings?

A. They, uh, receive, uh, copies of the Catholic Charities Bureau, uh, mission and code of ethics and philosophy, which, um, contains some of the information that you're referring to.

Q. Okay. And as part of their employment with Headwaters, Incorporated, are they required to be Catholic?

A. They are not.

Q. What about a --- are they required to be affiliated with any church?

* * *

[TR 188]

[JENNIFER BELDESE:] A. No ---

[BY JUDGE GALVAN:] Q. Or religion?

A. ---they aren't. No.

Q. Um, at I believe it was one of the earlier witnesses who testified that the start of board meetings with --- the board members pray at the start of the board --- board meetings; do the employees at Headwaters,

Incorporated, at the start of their shift, are they required to partake in any sort of praying or any sort of, uh, church services?

A. No.

Q. And with regard to the clients that are served by Headwaters, Incorporated, are they as part of their training, um, offered any sort of courses or programming focused on, uh, Catholicism?

A. Um, we would certainly support them if that's what they wanted to do but no, they are not required to.

Q. And are there any specific employee --- is there a specific employee handbook that's, uh, given to the employees of Headwaters, Incorporated?

A. Yes.

Q. Do you know if that's included within the exhibits that were marked?

* * *

[TR 190]

[BY JUDGE GALVAN:] * * * located; is that correct?

[JENNIFER BELDESE:] A. Correct.

Q. Second set of photographs, there's a fourth photograph with a photograph and it lists the mission statement, code of ethics, Catholic Charities Bureau statement of philosophy, where is that posted?

A. That is located in our entryway.

Q. Bear with me, I'm still trying to mark a few things while I ask questions. Um, as far as --- as the rules are listed under the table of contents, can you direct me to

where --- where the rules would start? I see job review development plan; would that be under termination of employment or?

A. I'm --- I'm not sure what you're referring to.

Q. Let me ask this in a more, uh, specific way. Is there any sort of policy or rule contained within the table of contents or your handbook that Headwaters, Incorporated, uh, keeps that, uh, indicates that if the employees were to violate, um, any of the policies set out in the code of ethics or statement of philosophy --- philosophy through your mission statement that they would be disciplined or discharged from their employment?

[TR 191]

A. Not, I mean, our handbook starts out with the code of ethics and mission statement. We do have rules of employment, um, that follow the, you know, what's delineated in the, uh, mission statement and ethics policy. Um, I mean, I guess it doesn't specifically relate back to it, but there are disciplinary procedures if an employee violates work --- work rules.

Q. Okay. And then, um, as the Director, Ms. Beldese, do you handle the actual disciplinary, um, whether it be hearings or meetings that, uh, take place of employees of Headwaters?

A. I do.

Q. Can you point out an example in the past where you've had to discharge an employee for violating the code of ethics per say? I know you indicated you don't have a specific rule saying you must adhere to the code of ethics but if there's something that you would say was in these rules that is part of the code of ethics,

would you say that you've discharged somebody for that?

A. Yes and actually, um, if you look to page 13 of the handbook, it does, uh, specifically talk about, um, breach of ethics under 4a.

Q. Under 4a, I appreciate that. Uh, have you --- can **[TR 192]** you point out an example where you've had to discharge an employee for unprofessional conduct or breach of professional ethics?

A. Um, yes. Uh, we had a situation recently where, uh, an employee, um, mistreated, uh, one of our program participants and was discharged for that.

Q. And do you take part in the inter --- interview process when employees are hired?

A. Most of the time, yes.

Q. Um, do you or whoever is conducting the interviews inquire as to the person's, uh, religious background or affiliation?

A. No, we are not allowed to do that by law.

Q. So you don't know what the religious affiliation if any are of --- of those employees you hire; is that correct?

A. We --- I do not.

Q. Uh, I don't have any other questions for you.

JUDGE GALVAN: Um, Mr. Torvinen.

ATTORNEY TORVINEN: Thank you.

JUDGE GALVAN: Sure.

ATTORNEY TORVINEN: Um, let's see. Give me just a second here, I'm going to try to narrow it down based on some of the questioning that you did, Judge.

* * *

[TR 200]

[JENNIFER BELDESE:] A. Sure, I could tell you are, uh, our primary, uh, funding agencies currently, um, are part of the Wisconsin Family Care system and so people, I mean, it's a --- it's a complicated system but, uh, people begin that journey by going to a local aging and disability resource center, which, uh, then they are offered, uh, a choice of between self-directing their funding and going through a managed care entity if they are deemed eligible for service. And from there, we have contracts with, uh, those managed care entities and with, uh, self-directed funding sources in the state who, uh, then, you know, may make a direct referral for specific services for individuals.

[BY ATTORNEY GALINAT:] Q. Do you also work with Department of Vocational Rehabilitation?

A. We do.

Q. And can you provide a bit of an overview as to what work you do with Department of Vocational Rehabilitation?

A. I can. Uh, we are a contracted vendor, um, we're currently working in two WDA service areas, uh, that would be six and seven and, um, we receive referrals from DVR, Division of Vocational Rehabilitation to provide a front-end, um, **[TR 201]** employment assessment and, uh, job development services for individuals with var --- various employment that could include a lot of things, um, not necessarily individuals with a disability diagnosis.

Q. You said, um, sectors six and seven, I may have misunderstood you?

A. Yes, uh, Workforce Development areas. They're regions of the state that various regional offices, uh, are directed to cover for DVR.

Q. Do you know if DVR contracts with any other service providers in sections six and seven to provide services?

A. Um, I mean, I'm I have a little bit of knowledge, not necessarily a lot. I think, um, uh, I'm told that we don't have a lot of competition, I guess in terms of DVR services. Um, I think there are other providers that do a minimum amount but I'm not sure to the degree.

Q. And then with respect to the services that you provide through the Family Care system, do you know if there are other service providers who provide services in your geographical area, um, to managed care recipients?

A. Uh, there are certainly other service providers
* * *

* * *

[TR 204]

[BY ATTORNEY GALINAT:] Q. Does this page reflect the revenue that was received by Headwaters, Inc., in 2016?

[JENNIFER BELDESE:] A. As far as I know, yes.

Q. Is most of the funding for Headwaters, Inc., provided by government grants?

A. Yes, it is.

Q. Would you be able to estimate the percentage that is provided by government grants?

A. I mean, uh, it would be purely an estimate, but I would say 75 percent, 80 percent possibly.

Q. What are the other revenue sources for Headwaters, Inc.?

A. Um, we do receive some contributions. Um, I am not sure what exactly is contained in, um, a couple of these lines.

Q. Based on your general knowledge as the Director, what are some other revenue sources besides contribution and govern --- government grants for Headwaters, Inc.?

A. I mean, that's really the majority. I --- yeah.

Q. Do you receive any funding from the Diocese of Superior?

A. We do not.

Q. I'm going to direct you to page 30 of this document.

* * *

[TR 206]

[JENNIFER BELDESE:] A. I can. It is some, uh, printed out, uh, screen shots of our web site. Again, I wish it was more updated and looked nicer.

[BY ATTORNEY GALINAT:] Q. I'm going to direct you to, um, the bottom of page four of this exhibit.

A. Okay.

Q. And is the portion at the bottom, it says, other partners.

A. Yes.

Q. These organizations provide any services that are similar to any of the services that are provided by Headwater, Inc. --- Headwater, Inc., excuse me.

A. No.

Q. I'm going to direct you to page six.

A. Okay.

Q. And can you explain what the day services program is?

A. I mean, it's a lot of things, um, you know, the --- there is a brief description here but it is, um, essentially, um, teaching, uh, individuals with disabilities various, uh, skills, um, including those listed here, community integration, life skills, communication, um, you know, it includes a lot of things, so I guess, um, and more so in the * * * .

* * *

[TR 208]

[JENNIFER BELDESE:] * * * family care when I said it's a fairly new system for us.

[BY ATTORNEY GALINAT:] Q. All right. So prior to the integration, what was the funding source for the day services?

A. Uh, mostly through the Tri-County Human Service Center.

Q. All right. And I'm going to direct you to page seven.

A. Okay.

Q. Can you explain the employment and vocational services program?

A. Yeah, so, um, we do provide, uh, pre-vocational services in --- in house. And so we have work contracts, uh, for folks to learn work skills while earning a paycheck. And then we also, um, have a vendor agreement with the Wisconsin Division of Vocational Rehabilitation where, again, as I described earlier, we provide a number of front-end, um, employment assessment and job development services.

Q. And you indicated that you have work contracts; who are those contracts with?

A. Uh, we, um, have contracts with, uh, Drs. Foster and Smith, which is now Petco, um, an organization called True Flight. Um, we have a number of, uh, **[TR 209]** lawn maintenance contracts with, uh, the, uh, Wisconsin DNR and then also, um, an entity called Wisconsin Valley Improvement and then we also maintain the area, uh, rest areas. For the, um, Department of Transportation.

Q. And I'm going to direct you to page nine. And can you explain the children and family services program?

A. So currently, um, we have a very small head start home visitation service that we provide. We partner with our local head start, um, and we, um, visit with families, um, who have kids, uh, who are eligible for head start services and we do some in-home work with them around, um, skill development, nutrition, um, ma --- make referrals for other services.

Q. And how is this program funded?

A. Um, it's funded directly, um, by head start. So they have a --- a federal contract that they administer and they subcon --- subcontract with us for these services.

Q. And I'm going to direct you to page 10; can you explain what the transition services program is?

A. And then this was, uh, more of a --- a service in development really. Um, we're trying to market, **[TR 210]** um, more of our services to youths, um, with disabilities in high school. And, um, so I can tell you, I mean, even though we have the description of services here, they're, um, are not a --- a lot of people that we provide these specific services to.

Q. And for the people that you do provide those services for, how is that funded?

A. Um, sometimes it's funded by the school. Um, for some of these individuals, we do receive a referral from DVR for, um, pre-employment and employment services. Um, if they are, at this point, if they are over the age of 18, they may be referred through one of the managed care organizations that we contract with.

Q. And then finally, I'm directing you to page 11 of this exhibit. Can you explain what the community living services program is?

A. Yeah, currently there are, um, five individuals for whom we provide in-home support services to. Um, mostly, uh, kind of 24/7 residential support in their own home. And it's, you know, helping them to live successfully in their home, helping them cook, clean, access the community, uh, maintain their house, all those sorts of things.

[TR 211]

Q. And how is this program funded?

A. Uh, all of these services are currently funded through, uh, the managed care organization with whom we contract.

Q. I'm going to what was --- a document pre-marked as Exhibit D21. Can this be marked as an exhibit please?

JUDGE GALVAN: Okay, D21, that is marked as Exhibit Number 40. (Exhibit 40 marked for identification)

BY ATTORNEY GALINAT:

Q. Ms. Beltese, can you review what has been marked as Exhibit 40?

A. Yeah, I did speak briefly about this when I was talking about our employment and vocational services. These more specifically des --- describe the, um, work-related contracts that we have that provide work for individuals that we serve so that they can earn a paycheck while learning skills.

Q. And with respect to services on the first page, how are those programs funded?

A. Um, we are paid for providing work training services, um, through again, either managed care or some sort of direct funding for --- for the * * * .

* * *

[TR 218]

[BY ATTORNEY TORVINEN:] Q. All right. And it talks about funding sources there. Um, these services that, uh, there was some questions on cross about, are these meant to, um, favor individuals who are disadvantaged. suffer from a disability, suffer from, uh, uh, decreased financial resources or in some other fashion are marginalized for lack of a better term?

[JENNIFER BELDESE:] A. Yes, they are that.

Q. And to your understanding, is that consistent with the mission and philosophy of Catholic Social teachings?

A. Yes, it is.

[TR 219]

Q. Is it consistent with the 10 principles of Catholic social teachings that are brought about and discussed during the course of your orientation?

A. Yes, very much so.

ATTORNEY TORVINEN: I don't have any further questions.

JUDGE GALVAN: Any other cross examination of this witness, um, Ms. Galinat?

RECROSS EXAMINATION

BY ATTORNEY GALINAT:

Q. Ms. Beltese, are the board of directors for Headwaters, Inc., required to have any religious affiliation?

A. No, they are not.

Q. All right.

ATTORNEY GALINAT: I don't have any further questions.

JUDGE GALVAN: All right, um, who's your next witness then, Mr., uh, Torvinen?

ATTORNEY TORVINEN: Uh, would call Joe Waysek.

JUDGE GALVAN: Okay. I don't know if there needs to be any sort of musical chairs, so just let me know once, uh ---

[TR 220]

ATTORNEY TORVINEN: We're doing that, uh, as we speak, Judge.

JUDGE GALVAN: Okay.

ATTORNEY TORVINEN: And we are prepared to proceed. Your Honor.

JOSEPH WAYSEK, SWORN

EXAMINATION

BY JUDGE GALVAN:

Q. Would you please state your full name for the record?

A. Joseph M. Waysek.

Q. Thank you, Mr. Waysek. Where are you employed?

A. Um, I am employed with the Catholic Charities Bureau.

Q. And what is your position there?

A. Uh, I am the director over two programs, one located in Siren and one located in Barron.

Q. And what are the two programs?

A. Um, the first program is, uh, Diversified Services, Incorporated, and, um, the second one is Barron County Developmental Services, Incorporated.

Q. And, um, what sort of population does Diversified Services serve?

A. It primarily serves individuals with developmental **[TR 221]** disabilities, um, so.

Q. Okay. And what about Barron County then?

A. Uh, very similar, uh, same population.

Q. Is it the same population just a different geographical area?

A. Correct.

Q. All right, I'll let, uh, Attorney Torvinen take over. Go ahead.

DIRECT EXAMINATION

BY ATTORNEY TORVINEN:

Q. Mr. Waysek, who do you directly report to?

A. Uh, the Executive Director, Alan Rock.

Q. And, um, are both of these entities separate non-profit exempt religious entities as far as you know for purposes of the IRS?

A. Yes, they are separate corporations.

Q. Do you know why they --- they are separate companies or LLCs?

A. Yes, I do.

Q. Why?

A. Uh, well that allows us to, um, have some representation of the board of directors from the communities that that particular program serves.

Q. All right. And, um, if you know, do you know, is that also, uh, something that's been legally

* * *

[TR 224]

[JOSEPH WAYSEK:] A. Okay, um, on the front page is a picture of our **[TR 225]** facility. Our facility is actually very long, so this does gi --- picture does not

give it justice. Um, but it is located in Siren, Wisconsin, and we cover primarily, um, our front entryway. Second page is, uh, the three documents that have been discussed today, uh, including the code of ethics, um, which is right out for everyone to see, um, as they enter and leave our building, page is a picture of the membership of Catholic Uh, the Uh, the next Charities that is in our conference room. following page is our employee handbook. And you know, as you as I look at the handbook, the first, um, page is just a letter to new employees and I'm very aware that in conjunction with this handbook, the em ---- new employee would be given the packet from, uh, Alan Rock, which includes, um, very similar information related to the code of ethics and the other Catholic Charity documents, um, along with the annual report for Catholic Charities. Um, and then, you know, you go into, uh, the se ---- the next page of the handbook and towards the bottom, uh, we have, uh, listed under Catholic Charities Bureau, more information, um, which again delineates out the, uh, mission statement and code of ethics, uh, and **[TR 226]** such.

[BY ATTORNEY TORVINEN:] Q. Okay. And in terms of in terms of the inclusion of that into the employee handbooks, do you expect the employees to pay attention to that?

A. Yes, I do.

Q. Do you expect them to follow that?

A. Yes.

Q. If they were violative of those preliminary components in your employee handbook, would you consider that to be disciplinary?

A. Yes.

Q. Um, all right. Now do you have occasion to meet with Mr. Rock, uh, regularly?

A. Yes, I do.

Q. All right. And I assume you discussed day to day operations and so forth?

A. Correct.

Q. Is it run through the screen of the mission statement and the code of ethics and the other documents that we've discussed?

A. Yes.

Q. So is it fair to say that those are real or working documents?

A. They are real.

Q. Um, you mentioned, um, the population of clients **[TR 227]** that you served, uh, and I guess we're still right now on the first exhibit there, which is Exhibit Number 43 for OSI, is --- do you view those services as duplicitous?

A. No.

Q. And again. I'll ask you a similar question, um, recognizing that it requires some speculation but what do you think would happen to these folks if your organization just disappeared off the planet right now?

A. Um, I don't know for sure, but I can tell you that that program is located in a --- in an extremely rural part of Wisconsin. Um, and my guess is that those individuals would --- would probably not be served.

Q. And --- and that's another question that I have. Just in general, when we talk about the landscape as person's been doing for a while, are there people lined up to provide services to these folks?

A. Not at all.

Q. You're kind of the only show in town.

A. That's right.

Q. Um, what are your funding sources?

A. Um, our funding sources primarily come from, uh, **[TR 228]** the long-term care program, uh, family care and from private contracts.

Q. Okay. And so would that be similar to the situation, uh, that was described for Headwaters, to a degree?

A. Yes.

Q. Uh, when you receive public or governmental funding, um, are there strings attached?

A. Yes.

Q. What are the strings that are attached to governmental funding?

A. Well they list out a number of very basic things such as, um, equal opportunity, um, non-discrimination, those kinds of things.

Q. All right. And so, uh, in the provision of services, you don't favor Catholics; is that right?

A. That's right.

Q. If you could, because the government said it was okay, um, if funding protocols allowed it, uh, would --- would it be your understanding that then you would

be able to, uh, favor Catholics with the provision of services?

A. No.

Q. Why not?

[TR 229]

A. Well because, uh, you know, in our, um, in the 10 principles of Catholic ---- Catholic social teaching, um, that is one of the provisions that, um, we are to treat everybody the same no matter their race, religion, creed.

Q. Okay. And is that something that you've always understood?

A. Yes.

Q. So it didn't require, um, the federal government to provide those regulations in order for you to understand that?

A. That's right.

Q. Um, is profit, uh, a primary motivation for the existence of this, uh, organization?

A. No, it is not. However, um, you know, it is difficult to run a business if you're not at least breaking even.

Q. Sure. It's difficult to provide services if you are consistently operating at a loss.

A. That's correct.

Q. Um, is profit and profit margin part of the mission or philosophy that you follow?

A. No.

Q. Um, to the extent that you made a profit, whether it be nominal or just beyond break even, what does

[TR 230] that mean in the real world to an organization like yours? What ---- what happens to whatever there might be for profit?

A. Uh, well for example, there's a lot of, um, infrastructure we need that is are continuous expenses, such as buses to go pick up individuals throughout the county, um, and you know, more importantly, it allows us to reinvest in, um, you know, future programs, looking at expansion, um, uh, because in a very rural county, uh, the need is great. And so the more successful we can be. the more help we can bring to the individuals in that county.

Q. All right. With, um, CCBC as the parent organization, are you a member of the cabinet that's been discussed?

A. Yes, I am.

Q. And do you hold cabinet meetings?

A. Yes.

Q. Um, those meetings begin with prayer?

A. Yes .

Q. Um, if you know, aside from your program, are all of CCB's programs profitable?

A. I don't know. I don't think so.

Q. Okay. Does the Catholic Charities Bureau, uh, [TR 231] provide administrative services for your organization?

A. Yes, they do.

Q. And similar to the last, uh, go around when we were chatting with Ms. Beltese at Headwaters for example,

do you prepare, uh, do all of your own footwork to prepare your own 990s?

A. No, I don't.

Q. Somebody asked you to, would you know how?

A. I would not.

Q. All right. Um, let's see, just trying to move some items out of the way and cut to the end here. Bear with me.

JUDGE GALVAN: Okay.

BY ATTORNEY TORVINEN:

Q. Um, in the context of, uh, the cabinet meetings, uh, are you familiar with The Challenge Center?

A. Yes, I am.

Q. Is that a sister or brother, however you want to refer to it a sub-entity of Catholic Charities Bureau?

A. Yes.

Q. And what type of client base do they serve?

A. A very similar client base to us.

Q. In a different geographical area.

[TR 232]

A. That's right.

Q. Um, is Challenge Center and your organization and by that, again, I mean DSI in this context treated, uh, equally in terms of the mission statement, the statement of philosophy, the code of ethics, uh, letter being provided to all employees, organizational charts?

A. Yes.

Q. And you would be co-equal in all of those leadership and internal governance respects to The Challenge Center.

A. That's right.

Q. And I'll ask you the same question then that I asked Ms. Beltese, which is, can you think of any fact that you're aware of within your organization that makes it stand out as distinctly different or less religious than The Challenge Center?

A. No.

ATTORNEY TORVINEN: I don't have any further questions.

JUDGE GALVAN: All right. Attorney Galinat.

CROSS EXAMINATION

BY ATTORNEY GALINAT:

Q. Mr. Waysek, how often are the cabinet meetings?

A. Um, they're I would say quarterly.

[TR 233]

Q. Are employees of either Diversified Services, Incorporated, or Barron County Developmental Services, Incorporated, required to have any religious affiliation?

A. No.

Q. Are members of either organization required to have any religious affiliation?

A. No.

Q. Barron County Developmental Services, Incorporated, is a fairly recent organization; is that correct?

A. Yes, it is.

Q. And when was it when did it start?

A. Um, well the board of directors under the previous organization's name reached out to Alan Rock because they were having significant issues, um, and requested to become an affiliate agency and, I believe middle of December of '14, the, uh, Bishop Christiansen, uh, within the di --- Superior Diocese, uh, signed the paperwork to include that organization as an affiliate. And it was shortly thereafter that I was appointed as the Director, uh, over that program along with DSI.

Q. Did the prior organization have any religious affiliation?

[TR 234]

A. I --- I'm not sure, I --- I don't think so.

Q. Is there any religious doctrine provided as part of the daily program to the participants at either of either Barron County Developmental Services or Diversified Services?

A. No, there's not.

Q. Are the participants required to attain --- attend any religious training or --- or orientation as part of receiving services?

A. No.

Q. Is there any religious doctrine presented to the employees?

A. Um, well other than what they received from Catholic Charities as to the code of ethics and, you know, the welcome letter that's been discussed and,

uh, the, you know, what --- what information we have in our employee handbook.

Q. Is there any religious art or religious symbols, um, displayed in either of the organizations' facilities?

A. Um, not that I can think of.

Q. And Barron County, DSI has a website, doesn't it?

A. Yes, it does.

Q. I'm going to direct you to what was pre-marked as exhibit D2. Can this be marked as an exhibit **[TR 235]** please?

JUDGE GALVAN: All right, uh, D22 is marked as Exhibit Number 44. (Exhibit 44 marked for identification)

BY ATTORNEY GALINAT:

Q. Would you be able to identify Exhibit Number 44?

ATTORNEY TORVINEN: She said can you identify that?

A. Oh, I'm sorry. Um, yeah, that's the, um, uh, beginning of the website.

BY ATTORNEY GALINAT:

Q. And I'm going to direct you to what was marked as page or page three of this document.

A. Okay.

Q. Does this page provide an overview of the services that are provided by BCDSI?

A. Yes, it does.

Q. And then I'm going to direct you to page five of this exhibit. It indicates that the organization is a DVR provider; can you explain what is meant by that?

A. Uh, yes, we have a contract with the Department of Vocational Rehabilitation, um, to perform job placement, job coaching, um, you know, kind of a wide vary --- array of services to assist **[TR 236]** individuals with disabilities get employment in the community.

Q. And this is all funded by Department of Vocational Rehabilitation?

A. Yes, it is.

Q. You indicated earlier that there was a transfer from another organization to Barron County Developmental Services, um, when there was a transfer of business activity, was there any change in the programing that was provided?

A. Um, I would say that we --- I wouldn't say it changed but we've certainly expanded, um, the services, uh, since we took over. So and I --- and I think, you know, we've greatly improved the quality of services; that was a big issue before we took over. So we've --- we've --- we've provided, um, you know, a lot of changes but, um, but ultimately, it was very similar services.

Q. And was it similar clients as well?

A. Yes. Although, um, the previous organization didn't have a contract with DVR, so that was one of the first things that we did, um, and so I guess that would be part of the expanding of services.

Q. And did you retain the employees from the other **[TR 237]** organization?

A. Um, all but one.

Q. All right. Are you familiar with the form 990 that Barron County Developmental Service, Inc., filed?

A. I have a general understanding of it.

Q. Have you ever reviewed it?

A. Yes, every year.

Q. Could I direct you to what has been pre-marked as exhibit D1?

JUDGE GALVAN: D1 is being marked as Exhibit Number 45. (Exhibit 45 marked for identification)

A. Okay.

BY ATTORNEY GALINAT:

Q. Have you reviewed this document?

A. Yes.

Q. And so can you identify this document?

A. Um, this would be the 2015 990.

Q. And you were the director of Barron County Developmental Services, Incorporated, in 2015; is that correct?

A. Yes.

Q. I'm going to direct you to the second page of this exhibit.

[TR 238]

A. Okay.

Q. And question one, does that accurately describe your organization's mission?

A. Yes, it does.

Q. And then with respect to the answers to question four, does that accurately describe the services that the organization provides?

A. Yes.

Q. And then I believe you indicated that most of the funding that Barron County Developmental Services, Inc., receives is from government funding; is that correct?

A. I would say primarily.

Q. What are the other sources of funding?

A. Um, well we have a, um, work contract with A. company called Parker Hanison, um, so we do subcontract work for them. Um, and then we have some other types of, uh, we call it an enclave, so we do some work for the, um, electric company in town, Barron Electric Co-op, um, we also just developed A. supported home care program for, uh, through the ADRC, the, um, uh, adult and --- well the --- the starting point for individuals to go to determine if they're going to be, um, eligible for long-term care. So the Aging and Disability **[TR 239]** Resource Center, um, is actually contracting with us to serve some of other individuals they they work with. So it's kind of a variety of different funding but, um, the --- the lion's share of it is through, um, various, you know, government contracts including long-term care.

Q. Does the organization receive any funding from the Diocese of Superior?

A. No, we do not.

Q. And then you indicated that you're also the director of Diversified Services, Incorporated; is that correct?

A. Yes.

Q. And Diversified Services, Incorporated, also has a web page; is that correct? A website.

A. Yes.

Q. I'm going to direct you to what was pre-marked as exhibit D18. Can that be marked as an exhibit please?

JUDGE GALVAN: D18?

ATTORNEY GALINAT: D18, yes.

JUDGE GALVAN: All right D18 is marked then as Exhibit Number 46. (Exhibit 46 marked for identification)

BY ATTORNEY GALINAT:

[TR 240]

Q. Are you able to identify Exhibit 46?

A. Yeah.

Q. And what is Exhibit 46?

A. Um, that's the, um, various pages of DSI's web site.

Q. And I'm going to direct you to page five.

A. Okay.

Q. Do pages five and six explain the services that are offered by Diversified Services, Incorporated?

A. Sure, um, well like I mentioned before, uh, Siren is an extremely rural area of Wisconsin and we don't have a lot of different opportunities and different types of work, um, so and --- and other organizations of --- it's real, a lot of tourists, a lot of tourism types of businesses and so historically over time, uh, we developed a very close relationship with, uh, Parker

Hanison and, uh, a manufacturer that's been in that region for a long time and so, um, in order --- because we've had a limited, um, because of the --- we've not been able to successfully place individuals with disabilities in community jobs over time, um, we've tried to make sure we had the work in house to provide the training that we do, um, to help them learn appropriate work skills so that someday **[TR 241]** they can get into the community. So on page five is kind of a --- a page that talks about us always looking for other partners to increase the production, um, capacity and job experiences, um, for the folks that we serve. Um, over time, we've also hired individuals without disabilities to do production work and we find that those people, a lot of times in that area, are people of poverty.

So it's really important that we keep work in house to provide the training that allows us to achieve those goals. Um, so we do a lot of, um, you know, we --- we've got a significant amount of work that we do and about 12 years ago, we started to, uh, that was when we got our first DVR contract and so, um, over the last few years, we've really been putting a lot of effort into, um, focusing more on community-based services, um, community employment and that sort of thing. So, uh, historically, we've tried to keep a lot of work in house and this --- this web page goes back quite a number of years. It's probably, oh, I don't know, 12 ye --- or plus years old. Um, but since that time, we're putting a lot more focus into community integration and, um, uh, that sort of thing, so our web site has not been updated
* * *

* * *

[TR 246]

[JOSEPH WAYSEK: A.] * ** care. And --- well and DVR.

[BY ATTORNEY GALINAT:] Q. And with respect to 2a where it --- it states product assembly and revenue received from that, what does that refer to?

A. Um, that would be the subcontract work that we do for Parker Hanison.

Q. And then the service fees, what are those?

A. Um, I want to --- I --- I believe it's DVR. I could be wrong but I believe that it --- that is the DVR work. It's about the right number.

Q. All right. Does Diversified Services Center, Inc., receive any money from the Diocese of Superior?

A. No, we do not.

Q. And does Barron County Developmental Services, Inc., receive any money from the Diocese of Superior?

A. Nope.

ATTORNEY GALINAT: I don't have any further questions for this witness.

JUDGE GALVAN: All right. Um, Attorney Torvinen, any follow up questions for your witness, um, Mr. Waysek?

ATTORNEY TORVINEN: Just a couple.

REDIRECT EXAMINATION

* * *

[TR 252]

ATTORNEY TORVINEN: All right, uh, I think we are prepared.

JUDGE GALVAN: All right then, uh, is this Ms. Amber Falos?

ATTORNEY TORVINEN: It is.

JUDGE GALVAN: All right then.

AMBER FALOS, SWORN

EXAMINATION

BY JUDGE GALVAN:

Q. Please state your full name for the record.

A. Amber Falos.

Q. And Ms. Falos, where are you employed?

A. Catholic Charities Bureau, Diocese of Superior.

Q. And what is your position there?

A. I am the Director of Black River Industries.

Q. And what sort of services does Black River Industries provide?

A. We provide, um, meaningful services for people with developmental disabilities and, um, mental health disabilities as well as people who are low income.

Q. When you say meaningful, can you specify what – what that means?

A. Sure. Um, what we do is we receive, um, clients from different agencies around the county and **[TR 253]** surrounding counties and we do assessments with them to determine what services they need and

then we wrap services around them in order to make their day meaningful.

Q. Do you provide any sort of job training?

A. We do provide, um, job training at times when needed. We also provide in-home services, community-based services and facility-based services.

Q. And do you provide any sort of daily living services?

A. Yes, we provide those in, um, any setting that's appropriate.

Q. Okay. Does, uh, Black River Industries, do they own any sort of apartment or housing complex that it --- that serves these clients?

A. Black River Industries does not own any property. Catholic Charities Bureau, um, owns all property.

Q. Does Black River Industries place any of these individuals in housing owned by Ch --- Catholic Charities?

A. Uh, we're not a --- a placing agency. We're a, what I would call a receiving agency. We're a provider of service.

Q. Okay. So you do assessments send these * * * .

* * *

[TR 271]

[BY ATTORNEY GALINAT:] * * * of the mental health population. And what additional services have been added to Price County?

[AMBER FALOS:] A. Um, Price County had requested us due to a --- a lack of, um, service providers in their area, to provide, uh, similar services to those provided

in Taylor County such as community day services and pre-vocational services as well as Department of Vocational community integrated employment services.

Q. And are those services funded by the county?

A. Some of them, yes.

Q. And where is the funding for the other services provided by?

A. Um, funding for services comes from a variety of funding sources, including, uh, private pay, county services, Department of Health Services, Long-Term Care Division as well as the Department of Vocational Rehabilitation.

Q. I'm going to direct you to page nine. Does page nine reflect the revenues received by Black River Industries, Incorporated, in 2015?

A. As far as I'm aware, yes.

Q. And with respect to 1e, government grants, are those the DHS, DVR grant that you --- and the * * * .

* * *

[TR 273]

[AMBER FALOS: A.] * * * specific, uh, label as far as service goes.

[BY ATTORNEY GALINAT:] Q. And in 2a, where it talks about work services, do you know what that's a reference to?

A. I do not.

Q. Who prepared the document at Catholic Charities; do you know?

A. That would be Clint Thursby.

Q. All right. Do you know if Black River Industries, Incorporated, received any funding from the Diocese of Superior?

A. No, they do not. I would like to mention, you had said that, uh, you asked about the Diocese of Superior, um, the Knights of Columbus is a --- a Catholic organization that we do receive grants from. And that would be both through the Diocese of Superior and through the state of Wisconsin.

Q. I'm going to direct you to page 27 of this document.

A. Okay.

Q. And is this an accurate description of a program service that BRI has provided?

A. Our transportation program is a transportation program that provides solely to adults with disabilities and elderly population as well as children in the Catholic church. Uh, * * * .

* * *

[TR 275]

[BY ATTORNEY GALINAT:] * * * marked as Exhibit 51?

[AMBER FALOS:] A. Uh, these seem to be screen shots from our website. I'm not sure the date these were taken though.

Q. Is there a date on the bottom right-hand side?

A. Yes.

Q. Do these appear to be accurate screen shots of your website?

A. Yes. I'd like to mention, um, this, as like several of the others have mentioned, has not been updated in a very long time.

Q. I'm going to direct you to page 26 of this exhibit. Can you explain what the work services program is?

A. The program that is being referenced here is our pre-vocational facility-based program. This is a training program that is offered to meet the needs of individuals with disabilities in order to obtain job skills, learn how to work in a competitive environment and also to earn a paycheck when otherwise, um, they would not be able to.

Q. Are the individuals who receive services referred from anywhere?

A. Uh, they can come in privately, they can be **[TR 276]** referred from, uh, anywhere in the community. I do note on the bottom here, it does say that, uh, referrals must be authorized by Taylor County Human Services, however that is an old statement and no longer accurate.

Q. Does Taylor County Human Services Department still refer individuals to BRI?

A. They do still refer, however it's not necessary that the referrals come from them any longer.

Q. All right. I'm going to direct you to page nine of this document. And can you explain what the Supportive Employment Program is?

A. Um, Supportive Employment Program that's being referred to on this page is our program that offers job skills to individuals looking for community-based employment.

Q. And at the bottom, it indicates that referrals must be authorized by Human Service Agencies, DVR, Workman's Compensation; is that information still correct?

A. No, that is no longer current. Referrals may come from those sources but they may also come privately and, um, they may come from other sources as well.

Q. Is the program description that's contained on [TR 277] this web page still correct?

A. Yes.

Q. I'm going to direct you to page 12 of this exhibit. Can you explain what the supportive home care program is?

A. Uh, the supportive home care program referred to on this page is a home care program where we support individuals with disabilities or other individuals that are having difficulty living independently to learn independent living skills or also to support them with skills that they cannot learn.

Q. And is the program description on this page still correct?

A. Yes.

Q. And at the bottom, the referrals must be authorized by human service agencies; is that incorrect?

A. That is incorrect.

Q. And then I'll direct you to page 13. And can you explain what the re --- vocational rehabilitation program is?

A. This is actually an out --- very outdated but we do work with the Department of Vocational

Rehabilitation to provide all of their, um, their **[TR 278]** programming from resume building all the way up to supported employment services. So this specific page I would say is obsolete at this time.

Q. What services then do you provide with respect to, um, working with DVR?

A. Black River Industries provides the complete array of Department of Vocational Services through the Department of Vocational Rehab, um, including resume building all the way up to supportive employment in the community.

Q. Can you go into a little bit more detail? It'd be resume building and what else besides that?

A. We work with the Department of Vocational Rehabilitation counselor who do an assessment with each individual and once an assessment is completed by the counselor from the Department of Vocational Rehabilitation, we are then referred to as a service provider and as a service provider of those services, we provide things such as resume building, such as interview skills, uh, we take people out to employers to, um, receive applications, we take them to jobs, to interviews. We assist them in learning how to dress and appropriate hygiene as well as assist them on the job and on the job training all the way from **[TR 279]** housekeeping skills up to, uh, car detailing and anything else in between, uh, that an employer would require.

Q. All right, I'm directing you to page 15. And can you explain what the day services and community integration program is?

A. Our day services and community integration program is a meaningful day program where we assist individuals in understanding and learning what their life skills are that they have and also increasing those skills that they would like to increase in both the community and facility-based setting. This program is very much tailored to the individual in making sure that they are receiving a meaningful day.

Q. Is the program description contained on this page still accurate?

A. It is a baseline for what we do now. It is outdated.

Q. When you say baseline, do you mean this is the minimum of what you do but you do services in addition to what's listed in the program description?

A. That is correct.

Q. And then with respect to referrals must be **[TR 280]** authorized by Taylor County Human Services Department; is that accurate?

A. That is not accurate.

Q. I'm going to direct you to page 17. Can you explain what the supported apartment program is?

A. Supported apartment program is a service that we provide to individuals who are living in their homes independently, however need additional supervision or skills training to be safe in their apartment. This is something that we can provide on an hourly basis all the way up to a 24-hour basis and it's completely tailored to the individual and their needs.

Q. And how is this program funded?

A. The program can be funded by any of the sources that I had listed previously including private pay, um,

family care, uh, long-term care, funding through the Department of Health and Human Services as well as, uh, any other source that would choose to provide this funding for an individual.

Q. And is the program description contained on this page still accurate?

A. Again, this would be a --- a baseline for the services that we now provide, which would be a **[TR 281]** much higher level of service.

Q. And the who to contact information at the bottom is that accurate?

A. Again, the services do not need to be authorized by any agency, however the referral information, uh, is accurate. And I'm directing you to page 19 of this document.

Q. Can you explain what the transportation services program is?

A. This is the ---- the program that I had spoke about earlier on the 990. Our transportation program is solely for individuals with disabilities --- disabilities, elderly and the children at the Catholic church. We do not provide transportation to the general public and this program is provided in assistance with the rural DOT grant, um, in order to serve populations in rural Taylor County, uh, that are not served elsewhere.

Q. And is the program description contained on this page accurate?

A. Yes.

Q. And the referral no longer needs to be authorized by Taylor County Human Services Department; is that correct?

A. Correct.

[TR 282]

Q. I'm going to direct you to what was pre-marked as exhibit D5. Can it be marked as an exhibit please?

JUDGE GALVAN: Exhibit D5 is now marked as Exhibit Number 51. I'm sorry, number 52, I --- I apologize. Counsel, did you hear that clarification?

ATTORNEY TORVINEN: I did, thank you. (Exhibit 52 marked for identification)

BY ATTORNEY GALINAT:

Q. Ms. Falos, can you identify what has been marked as Exhibit 52?

A. This looks to me as if it's screen shots from our web site regarding the document shredding service as well as the commercial sewing service through Black River Industries and food service production.

Q. And can you explain what the subcontract services are?

A. These are services that individuals with disabilities provide to the community, um, through their job training programs as well as, um, as the --- a vocation.

Q. How is this program funded?

A. Again, our programs are funded through a variety **[TR 283]** of sources. Anyone who would like to fund these programs may, um, but they typically are private pay, um, Department of Health Services or county, uh. Department of, uh, Taylor County Human Services funded.

Q. Does Black River Industries receive any revenue from the companies with which it partners?

A. We have contracts with companies for services or for --- for work that is performed, however we do not receive grants.

Q. And then directing you to page three of this document. Can you explain what the food services program is?

A. The food services program is a --- a training program for individuals with disabilities to learn how to prepare food. Um, we employ, uh, several individuals with disabilities in our kitchen and they make, um, meals for the elderly as well as community organizations or other, um, other entities through contract.

Q. Is the description provided on this page still accurate?

A. The basic description is still accurate, however, um, the meals per year may change and we've added additional licensing.

[TR 284]

Q. What additional licensing have you added?

A. We are now a, uh, food services production facility.

Q. I'm going to direct you to what has been marked on page five. And can you explain what the facta disposal --- disposal program is?

A. What --- what page are you referring to?

Q. Page five.

A. Oh, the --- the confidential shredding, uh, facta is a --- is a rule in which confidential shredding must be followed in order to make sure that all of the documents are shredded to the point that they are not

able to be read and that the disposal of those documents are --- is done properly so that it app --- so that, um, HIPPA rules and other confidentiality rules are adhered to.

Q. And is the information contained on this webpage still accurate?

A. Yes.

Q. And then directing you to page six of this document. What is the mailing services program?

A. We --- individuals with disabilities work on collating mail for different businesses or individuals in the community who are doing bulk mailing. And so they are --- are learning job **[TR 285]** skills about the mailing system as well as appropriate folding, different things like that. And, um, this is an example of the mailing services at that time, however this is outdated as well.

Q. But this is a service that's still provided by BRI.

A. Correct.

Q. And directing you to page seven. The meal services program, can you explain what that is?

A. This is a service that individuals with disabilities provide for the community or residents of the community in their homes or, uh, businesses and it can be a variety of different things based on the skill level of the individuals with disabilities.

Q. Is the information provided on this web page still accurate?

A. Yes.

Q. I'm going to direct you to page eight of this document, commercial sewing; can you explain what that program is?

A. Black River Industries currently has a contract with the State Youth Department of Wisconsin to sew emblems on correction officer uniforms.

* * *

[TR 287]

[BY ATTORNEY GALINAT:] * * * here?

[AMBER FALOS:] A. We contract with work for people with disabilities regularly, so there are additional ones.

Q. Black River Industries, Incorporated, have an annual report?

A. Yes.

Q. I'm going to direct you to what was pre-marked as exhibit D7. Can this be marked as an exhibit please?

JUDGE GALVAN: Exhibit D7, the annual report, has been marked as Exhibit Number 54. (Exhibit 54 marked for identification)

BY ATTORNEY GALINAT:

Q. Ms. Falos, can you identify what has been marked as Exhibit 54 please?

A. This is a copy of the 2016 annual report from Black River Industries.

Q. Are you involved with the hiring of employees for Black River Industries?

A. Yes.

Q. Are the employees required to have any religious affiliation?

A. No.

Q. Are the board members required to have any religious affiliation?

[TR 288]

A. No.

Q. Is there any religious doctrine provided as part of any of the daily programs for participants?

A. No.

Q. Are the participants required to attend any religious training or orientation as part of receiving services?

A. The participants are not required to attend, however they are facilitated to attend upon request.

Q. Is there any religious doctrine that's presented to the employees?

A. The employees all received the information provided by Mr. Alan Rock that was Exhibit ----

ATTORNEY TORVINEN: 13 and 14.

A. 13 and 14, um, already mentioned by the others. Each employee within Black River Industries receives that as well as every other employee through Catholic Charities Bureau. They also receive our employee handbook for which they do sign saying that they have read and understand as well as we review that with them, um, in that, those --- those teachings and, uh, mission statements are included. We --- I also speak with them about the social ministry of the Catholic **[TR 289]** church, um, during the interview process

and upon hire and we talk about how the bishop is the overseer and, uh, the rule-maker for the Catholic Charities Bureau and Black River Industries.

BY ATTORNEY GALINAT:

Q. Does part of their daily work, do the employees receive any religious doctrine or religious, uh, services?

A. We have staffing, um, scheduled quarterly where they do receive information, again, regarding the mission of, uh, the Diocese of Superior and our social ministry that, um, so that they are reminded that the work we are doing is mission-based work.

ATTORNEY GALINAT: I don't have any other questions for this witness.

JUDGE GALVAN: All right, uh. Attorney Torvinen, any follow up questions for your witness, Ms. Falos?

ATTORNEY TORVINEN: Um, just a few.

REDIRECT EXAMINATION

BY ATTORNEY TORVINEN:

Q. You were asked a number of questions about the --
-what services are provided and we went through
multiple exhibits including Exhibit Number 52 and
* * * .

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