

WISCONSIN EMPLOYMENT RELATIONS
COMMISSION,

Petitioner,

v.

SEBASTIANO FUGARINO
d/b/a Fugarino Excavating,

Respondent.

FINDINGS AND MEMORANDUM
OF BENCH ORDER

Circuit Court
Case No. 413-499
Decision No. 11846-B

The petition of the Wisconsin Employment Relations Commission dated November 7, 1974, that Sebastiano Fugarino be found in contempt of this court for failure to comply with this court's order and judgment of January 17, 1974, having come before the court on the 30th day of December, 1974, pursuant to an order to show cause dated November 8, 1974, and served on Sebastiano Fugarino on November 14, 1974;

The Wisconsin Employment Relations Commission appearing by Charles D. Hoornstra, Assistant Attorney General; and no appearance by or on behalf of Sebastiano Fugarino having been entered;

It appearing from the record that Sebastiano Fugarino was, on January 23, 1974, served with notice of entry of this court's order and judgment of January 17, 1974, and that he was, on June 12, 1974, served with a demand by the Wisconsin Employment Relations Commission that he comply with this court's order and judgment of January 17, 1974;

And the court, having taken evidence in open court, finds:

1. That Sebastiano Fugarino has failed to comply with the order of this court of January 17, 1974, to comply with the settlement agreement by paying \$360.80 to the first qualified operating engineer on the referral list; and
2. That Sebastiano Fugarino is in contempt of this court for failure to appear pursuant to the order to show cause dated November 8, 1974;

And the court having doubt as to whether it can punish as for contempt the failure to pay money pursuant to the settlement agreement and in the absence of the said Sebastiano Fugarino,

THEREFORE, this court did, on the 30th day of December, 1974, order that a capias issue for the person of the said Sebastiano Fugarino.

Dated this 6th day of January, 1975.

BY THE COURT:

/s/ Robert C. Cannon
Robert C. Cannon
Circuit Judge

WISCONSIN EMPLOYMENT RELATIONS
COMMISSION,

Petitioner,

NOTICE OF ENTRY OF
ORDER

v.

Case No. 413-499

Decision No. 11846-B

SEBASTIANO FUGARINO

d/b/a Fugarino Excavating,

Respondent.

TO: Mr. Sebastiano Fugarino
Fugarino Excavating
3350 East Bottsford
Cudahy, Wisconsin
Respondent.

PLEASE TAKE NOTICE that findings and memorandum of bench order, of which a true and correct copy is hereto attached, was duly entered in the above action in the Circuit Court for Milwaukee County, Wisconsin, on the 6th day of January, 1975.

Dated at Madison, Wisconsin, this 8th day of January, 1975.

BRONSON C. LA FOLLETTE
Attorney General

/s/ Charles D. Hoornstra
CHARLES D. HOORNSTRA
Assistant Attorney General

Attorneys for Petitioner,
Wisconsin Employment Relations
Commission.