

STATE OF WISCONSIN	:	CIRCUIT COURT	:	MILWAUKEE COUNTY

EVERBRITE ELECTRIC SIGN CO.,	:		:	
	:		:	
Plaintiff,	:		:	
	:		:	
vs.	:	Case No. 437-115	:	
	:		:	
UNITED ELECTRICAL, RADIO AND	:		:	
MACHINE WORKERS OF AMERICA (UE)	:		:	
LOCAL 1172, WISCONSIN EMPLOYMENT	:		:	
RELATIONS COMMISSION and	:		:	
STANLEY H. MICHELSTETTER,	:	Decision No. 13440	:	
	:		:	
Defendants.	:		:	
	:		:	

MEMORANDUM DECISION ON MOTION

This case was originally before the court on a motion for summary judgment brought by the plaintiff and the defendants' motion asking for dismissal. Thereafter, the court rendered a written memorandum decision, dated the 24th day of February, 1976.

After receipt of the memorandum decision in this case counsel for the plaintiff requested of the court an opportunity to reargue the motion inasmuch as, while the court did include a ruling that the plaintiff was not entitled to the transcripts, it does appear that the judge previously assigned to this case, to-wit, Hon. Louis J. Ceci, had already decided that issue and there is an order to that effect in the file.

The court has had an opportunity to peruse the file and, having in mind the arguments made by counsel on April 5, 1976, concludes that the memorandum decision heretofore rendered on the 24th day of February, 1976, should in all respects stand except as to that portion dealing with the transcripts, and that portion is by this memorandum decision deleted.

No additional costs are allowed.

Dated, at Milwaukee, Wisconsin, this 14th day of April, 1976.

BY THE COURT

ROBERT M. CURLEY

Robert M. Curley
Circuit Judge

EVERBRITE ELECTRIC SIGN CO.,

Plaintiff,

F I L E D

v.

APR 14, 1976

UNITED ELECTRICAL, RADIO AND
MACHINE WORKERS OF AMERICA (UE)
LOCAL 1172, WISCONSIN EMPLOYMENT
RELATIONS COMMISSION and
STANLEY H. MICHELSTETTER,Francis X. McCormack
Clerk

Defendants.

ORDER OF DISMISSAL

The motions of the defendants Wisconsin Employment Relations Commission and Stanley H. Michelstetter for an order of dismissal having come before the court for hearing on February 16, 1976; said defendants having appeared by Charles D. Hoornstra, Assistant Attorney General; the defendant United Electrical, Radio and Machine Workers of America (UE) Local 1172 having appeared by Sidney D. Podell, Esq., for Podell and Ugent; and the above-named plaintiff having appeared by John H. Wessell, Esq; and the court having heard the parties and having issued a memorandum decision on February 24, 1976, and on the record and file herein,

IT IS ORDERED that the complaint against the defendants Wisconsin Employment Relations Commission and Stanley H. Michelstetter be, and the same hereby is, dismissed with prejudice and with costs.

Dated this 14 day of April, 1976.

BY THE COURT:

Robert M. Curley /s/
Robert M. Curley
Circuit Judge