

STATE OF WISCONSIN
CIRCUIT COURT
BROWN COUNTY
BRANCH 1

PREMONTRE EDUCATION ASSOCIATION,
Plaintiff,

vs.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION,
Defendant.

Case No. 92CV1309
Decision Nos. 26762-B and 26763-B

DECISION ON MOTION TO DISMISS

This is a petition to review an order of the Wisconsin Employment Relations Commission. The petitioner is the Premontre Education Association, and they do not appear before me represented by licensed legal counsel.

I considered the motion to dismiss at a hearing here in my courtroom on the 13th day of November, 1992, and counsel for the Premonstratensian Fathers have filed a brief and made oral argument regarding the motion to dismiss. I agree with their position.

I am satisfied that this action was brought and maintained on behalf of an association by an individual not licensed to practice law. Therefore, the petition for review is the product of an unauthorized act which is legally ineffective. Accordingly, this matter must be dismissed.

Neither of the purported representatives of the petitioner, the Premontre Education Association, namely, Paul F.X. Schwartz and Eugene Lundergan, has a license to practice law. This was admitted to me at the time of oral argument on the motion. Accordingly, by virtue of W.S. 757.30(2), which requires an individual to have a license in order to have standing before a court to practice law, this action is dismissed.

Dated at Green Bay, Wisconsin, this 1st day of December, 1992.

BY THE COURT:

/s/ Richard G. Greenwood
Richard G. Greenwood
Circuit Judge, Br. I