

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

NORTHLAND PINES EDUCATION ASSOCIATION, Complainant,

vs.

NORTHLAND PINES SCHOOL DISTRICT, Respondent.

Case 54
No. 62113
MP-3522

Decision No. 30602-C

Appearances:

Steven M. Lucareli, Lucareli Law Office, P.O. Box 1357, Eagle River, Wisconsin 54521, appearing on behalf of the Complainant.

Joel S. Aziere, Davis & Kuelthau, S.C., 111 East Kilbourn Avenue, Suite 1400, Milwaukee, Wisconsin 53202, appearing on behalf of the Respondent.

ORDER DISMISSING RESPONDENT'S MOTION FOR PROTECTIVE ORDER

On April 30, 2003, Complainant filed a prohibited practice complaint with the Wisconsin Employment Relations Commission alleging that Respondent had violated Secs. 111.70(3)(a)1 and 5, Stats., by failing to reinstate Complainant to his teaching position on January 20, 2002 and continuing Complainant's suspension without pay. On April 17, 2003, Lauri A. Millot was appointed by the Commission to act as Examiner in this case. Respondent on March 19, 2004, filed a Motion for Protective Order seeking to prevent the disclosure of the post-hearing briefs by the parties. On that same date, Complainant filed a response to Respondent's Motion.

ORDER

Respondent's Motion for Protective Order is denied.

Dated at Rhinelander, Wisconsin, this 18th day of June, 2004.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Lauri A. Millot /s/

Lauri A. Millot, Examiner

Dec. No. 30602-C

NORTHLAND PINES SCHOOL DISTRICT

**MEMORANDUM ACCOMPANYING ORDER DENYING
RESPONDENT'S MOTION SEEKING A PROTECTIVE ORDER**

Respondent filed a Motion For Protective Order after learning that Complainant intended to voluntarily provide the editor of the Villa News Review with a copy of its post-hearing brief prior to submission to the Wisconsin Employment Relations Commission on the basis that the brief contained sealed testimony and that it would prejudice the Respondent since the Respondent's brief was not similarly requested. In response to Respondent's Motion, Complainant advised that he had not provided a copy of his post-hearing brief to the media and "to avoid any further problem" indicated he would not be furnishing any member of the media with a copy of Complainant's post-hearing brief. As a result of Complainant's voluntary compliance with Respondent's Motion, the issue is moot and the Motion is dismissed.

Dated at Rhinelander, Wisconsin, this 18th day of June, 2004.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Lauri A. Millot /s/

Lauri A. Millot, Examiner