

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH IV

DANE COUNTY

MAURICE VAN SUSTEREN,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF
NATURAL RESOURCES,

and

WISCONSIN STATE BUREAU OF PERSONNEL,

and

WISCONSIN STATE PERSONNEL BOARD,

Defendants.

NOTICE OF ENTRY
OF JUDGMENT

Case No. 160-437

RECEIVED

FEB 10 1978

STATE PERSONNEL BOARD

To: Jenswold, Studt, Hanson, Clark & Kaufmann
Attorneys at Law
Suite 900, 16 North Carroll Street
Madison, Wisconsin 53703
Attorneys for Plaintiff
Attention: Bruce K. Kaufmann

PLEASE TAKE NOTICE that JUDGMENT, a copy of which is attached,
was entered in the office of Clerk of Courts for Dane County,
Madison, Wisconsin, on the 8th day of February, 1978.

Dated this 10th day of February, 1978.

BRONSON C. LA FOLLETTE
Attorney General

BY: 

ROBERT J. VERGERONT
Assistant Attorney General

Attorneys for Defendants

P.O. Address:
114 East, State Capitol
Madison, Wisconsin 53702

MAURICE VAN SUSTEREN,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF
NATURAL RESOURCES,

and

WISCONSIN STATE BUREAU OF PERSONNEL,

and

WISCONSIN STATE PERSONNEL BOARD,

Defendants.

JUDGMENT

Case No. 160-437

This action against the defendant state agencies to enjoin them from holding examinations and/or selecting a person to fill the position of "Attorney 13-Supervisor" at the Department of Natural Resources and for court determination of whether Maurice Van Susteren, plaintiff, was demoted by reason of his job transfer in August, 1972, having come on for hearing before the court on the 5th day of January, 1978, in the City-County Building, Madison, Wisconsin, Hon. William F. Eich, Circuit Judge presiding, on the motion of the defendants to dismiss on grounds of lack of jurisdiction over the subject matter and persons of the defendants, res judicata, statute of limitations and failure of the complaint to state a claim upon which relief can be granted; and

The plaintiff having appeared by Jenswold, Studt, Hanson, Clark & Kaufmann, by Bruce K. Kaufmann, his attorneys, and being

present himself; and the defendants having appeared by Bronson C. La Follette, Attorney General for Wisconsin, by Robert J. Vergeront, Assistant Attorney General; and

The court, having heard the arguments of counsel, having reviewed the pleadings filed and, being advised in the premises having made and filed its memorandum decision dated January 25, 1978, granting the defendants' motion to dismiss the complaint for the reason that it fails to state any claim upon which any relief can be granted because the issue of whether plaintiff was demoted by reasons of his job transfer in August, 1972, was determined in administrative proceedings upon which court review and determination was had in the circuit court for Dane County in Voigt v. Wisconsin State Personnel Board, Case No. 145-300, Reserve Judge George Currie, presiding, judgment dated May 8, 1975; and in Maurice H. Van Susteren v. Wisconsin State Personnel Board, Case No. 149-435, Circuit Judge William C. Sachtjen, presiding, order of dismissal dated December 1, 1976.

NOW ON MOTION OF BRONSON C. LA FOLLETTE, Attorney General, by ROBERT J. VERGERONT, Assistant Attorney General, attorneys for the defendants:

IT IS HEREBY ORDERED AND ADJUDGED that the action be and hereby is dismissed with prejudice and with ^{no} costs. ~~to the defendants in the sum of _____ dollars.~~

Dated this 7th day of February, 1978.

BY THE COURT:

s/William F. Fick
Circuit Judge

filed: 2/8/78