

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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8002

STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : Case No. LS 0109241 PSY
ITZHAK MATUSIAK, PH.D., :
RESPONDENT. :

FINAL DECISION AND ORDER

The parties to this action for the purposes of § 227.53, Stats., are:

Itzhak Matusiak, Ph.D.
7670 N. Port Washington Road, Suite 103
Milwaukee, WI 53217

Wisconsin Psychology Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Psychology Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Itzhak Matusiak, Ph.D., Respondent, date of birth March 25, 1944, is licensed by the Wisconsin Psychology Examining Board as a psychologist in the state of Wisconsin pursuant to license number 650, which was first granted November 17, 1977.
2. Respondent's last address reported to the Department of Regulation and Licensing is 7670 N. Port Washington Road, Suite 103, Milwaukee, WI 53217.
3. This matter was scheduled for hearing on February 26 and 27, 2002. Testimony was taken and evidence admitted during the morning of February 26. At that point, the attorney for the

Complainant moved for the dismissal of this action with prejudice. Attorney for the Complainant stated that based upon the evidence which had been admitted, and the evidence which he anticipated being admitted if the hearing continued, he did not believe that Complainant could prove by a preponderance of the evidence that Respondent had violated the rules of the Board as alleged in the complaint in this matter.

4. The parties have agreed that this matter be dismissed with prejudice.

CONCLUSIONS OF LAW

1. The Psychology Examining Board has jurisdiction over this matter pursuant to § 455.09, Stats.
2. The Wisconsin Psychology Examining Board has authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.

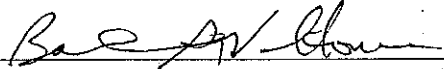
ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That this disciplinary proceeding against the Respondent, Itzhak Matusiak, Ph.D., is hereby DISMISSED, with prejudice.

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin this 27th day of February, 2002.


Barbara A. Van Horne, M.B.A., Ph.D.
Chairperson
Psychology Examining Board

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2002

STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

Case No. LS 0109241 PSY

ITZHAK MATUSIAK, PH.D., :
RESPONDENT. :

STIPULATION FOR DISMISSAL

It is hereby stipulated and agreed, by and between Itzhak Matusiak, Ph.D., Respondent; Ted M. Warshafsky of Warshafsky, Rotter, Tarnoff, Reinhardt & Bloch, S.C., attorneys for Respondent; and, John R. Zwieg, attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending disciplinary proceeding against Respondent by the Department of Regulation and Licensing, Division of Enforcement before the Psychology Examining Board.


2. The parties agree that this stipulated resolution may be submitted directly to the Psychology Examining Board at its regularly scheduled meeting on February 27, 2002, and need not be submitted to the administrative law judge assigned to hear the matter.

3. This matter was scheduled for hearing on February 26 and 27, 2002. Testimony was taken and evidence admitted during the morning of February 26. At that point, the attorney for the Complainant moved for the dismissal of this action with prejudice. Attorney for the Complainant stated that based upon the evidence which had been admitted, and the evidence which he anticipated being admitted if the hearing continued, he did not believe that Complainant could prove by a preponderance of the evidence that Respondent had violated the rules of the Board as alleged in the complaint in this matter.

4. The parties agree that this matter be dismissed with prejudice.

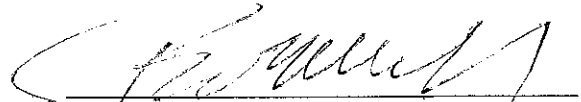
5. The parties agree that the attorney for the Division of Enforcement may appear before the Board on February 27, 2002, for the sole purposes of speaking in support of this agreement and for dismissal of this action.

Dated this 26th day of February, 2002.



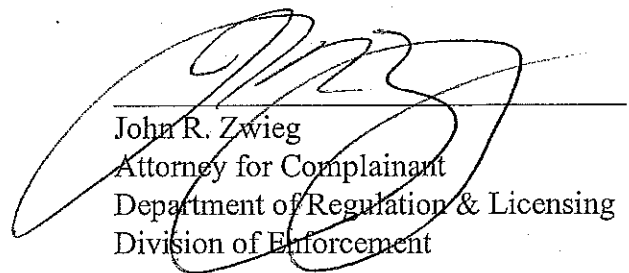
Itzhak Matusiak, Ph.D.
Respondent

Dated this 27 day of February, 2002.



Ted M. Warshafsky
Warshafsky, Rotter, Tarnoff, Reinhardt
& Bloch, S.C.
Attorneys for Respondent

Dated this 26 day of February, 2002.



John R. Zwieg
Attorney for Complainant
Department of Regulation & Licensing
Division of Enforcement

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STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARDIN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINSTITZHAK MATUSIAK, PH.D.,
RESPONDENT.

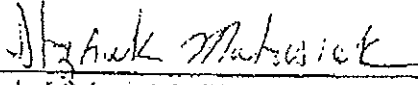
Case No. LS 0109241 PSY

STIPULATION FOR DISMISSAL

It is hereby stipulated and agreed, by and between Itzhak Matusiak, Ph.D., Respondent; Ted M. Warshafsky of Warshafsky, Rotter, Tarnoff, Reinhardt & Bloch, S.C., attorneys for Respondent; and, John R. Zwieg, attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, as follows:

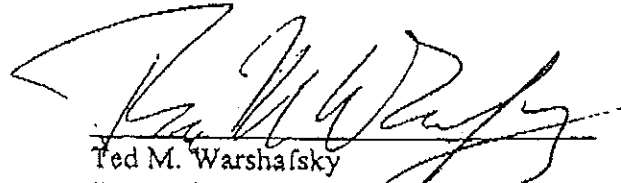
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2. The parties agree that this stipulated resolution may be submitted directly to the Psychology Examining Board at its regularly scheduled meeting on February 27, 2002, and need not be submitted to the administrative law judge assigned to hear the matter.
3. This matter was scheduled for hearing on February 26 and 27, 2002. Testimony was taken and evidence admitted during the morning of February 26. At that point, the attorney for the Complainant moved for the dismissal of this action with prejudice. Attorney for the Complainant stated that based upon the evidence which had been admitted, and the evidence which he anticipated being admitted if the hearing continued, he did not believe that Complainant could prove by a preponderance of the evidence that Respondent had violated the rules of the Board as alleged in the complaint in this matter.
4. The parties agree that this matter be dismissed with prejudice.
5. The parties agree that the attorney for the Division of Enforcement may appear before the Board on February 27, 2002, for the sole purposes of speaking in support of this agreement and for dismissal of this action.

Dated this ____ day of February, 2002.



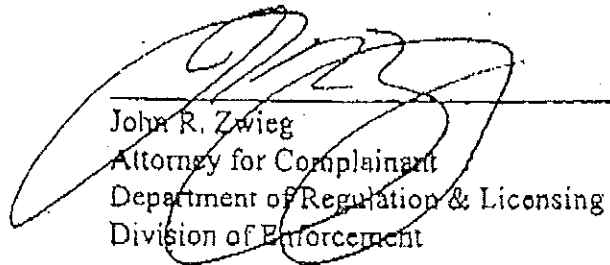
Itzhak Matusiak, Ph.D.
Respondent

Dated this 2 day of February, 2002.



Ted M. Warshafsky
Warshafsky, Rotter, Tisnoff, Reinhardt
& Bloch, S.C.
Attorneys for Respondent

Dated this 26 day of February, 2002.



John R. Zwieg
Attorney for Complainant
Department of Regulation & Licensing
Division of Enforcement

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