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STATE OF WISCONSIN
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST:

JORDAN D. CHADWICK,	FINAL DECISION AND ORDER
RESPONDENT	LS0205142FDR

Jordan D. Chadwick
209 Laurel Avenue
South Milwaukee, WI 53172

Division of Business Licensure and Regulation
Funeral Directors 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 Funeral Directors Examining Board having considered the Stipulation Agreement annexed-hereto of the parties, in resolution of the captioned-matter makes the following:

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED pursuant to jurisdiction and authority granted to the Board, that the Stipulation Agreement annexed-hereto, filed by Complainant's Attorney, shall be and hereby is incorporated, made and ordered the Final Decision and Order of the State of Wisconsin, Funeral Directors Examining Board.

Let a copy of this Order be served on Respondent by certified mail.

Dated this 14th day of May, 2002.

Roy T. Pfeffer
Member of the Funeral Directors Examining Board

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

JORDAN D. CHADWICK,

STIPULATION

RESPONDENT

01 FDR 023

Respondent Jordan D. Chadwick (Respondent), Respondent's Attorney, David P. Geraghty, and Complainant's Attorney, Henry E. Sanders, Division of Enforcement, having reached agreement for disposition of the captioned matter, stipulate and agree as follows:

1. Respondent Chadwick (77-4548), 209 Laurel Avenue, South Milwaukee, Wisconsin was at all time material to the complaint licensed as a funeral director, and has been so licensed under the provisions of Ch. 445, Wis. Stats., since March 25, 1981.

2. The Stipulation shall be submitted to the Funeral Directors Examining Board (Board) for approval and disposition of the matter. If the terms of the Stipulation are not acceptable to the Board, then the parties shall not be bound by any of the provisions of the Stipulation.

a. This Stipulation is dispositive of investigative complaint # 01 FDR 023.

3. Respondent has been advised of his right to a public hearing on each and every allegation of the complaint, but hereby freely and voluntarily waives his right to a hearing in this matter, on the condition that all provisions of the Stipulation be acceptable to and approved by the Board.

a. Respondent further agrees to waive any appeal of the Board's Final Decision and Order adopting the Stipulation Agreement.

4. A letter dated July 31, 2001, was received from Complainant, Respondent's employer, Area Manager, SCI Wisconsin Funeral Services, Inc., indicating that Respondent was no longer an employee of Molthen-Bell Funeral Home, Milwaukee, Wisconsin, and that Respondent had been terminated on July 9, 2001, for suspected theft.

5. An investigation into the complaint determined that on June 15, 2001, a telephone call was received by Complainant's "Care Line" from an anonymous caller alleging that Respondent had stolen and or misappropriated funds, and property belonging to Complainant. After receipt of the telephone call, an audit was commenced on July 2, 2001, which did not uncover any unusual findings. However, with information and documentation supplied by others, it was determined that:

a. Damage to company vehicle occurred and Respondent filed a claim. Respondent received a check On June 8, 2000, from the company's insurer in the amount of \$1,198.56, and subsequently, sent the office manager to a bank with a letter authorizing the bank to cash the check. The office manager turned over the cash to Respondent who did not deposit the funds into the company's account, and the company's vehicle was never repaired.

b. Respondent gave Precision Frame and Alignment a company check in the amount of \$814.73 for work that was supposedly done on the company's 1994 Plymouth van, but in fact, the work was done on a 1991 Oldsmobile that was owned by Respondent's son.

c. Respondent had nine service invoices from September 1999 through April 2001, which he had never placed onto the corporation's contracts. The total amount of those invoices was \$8,024.00, but from a refund of \$390.00 and an unpaid invoice of \$209.00, the adjusted total of these funds that were not placed on contracts amounted to \$7,425.00.

d. Respondent paid Corporate Limo Service \$287.50 for limo (van) service to O'Hare airport on March 3, 2001, and for a return trip to South Milwaukee on March 10, 2001, for his vacation.

e. During August 1995, sewage damage in the amount of \$12,094.10 occurred at Schramka Rembowski Funeral Home owned by the corporation, and a claim was filed. On January 30, 2001, Respondent approved settlement of the claim in the amount of \$6,926.03, and on January 31, 2001 a check was issued to Respondent who did not deposit the check into the company's account.

f. A \$600.00 lawnmower had been purchased by Molthen-Bell Funeral Home, but it had never been at

the facility, as it was at Respondent's home. On July 9, 2001, Respondent returned the lawnmower to the facility.

6. On July 9, 2001, Complainant and the area Vice President, North Chicago/Wisconsin Cluster met with Respondent to discuss the allegations and Respondent was given an opportunity to respond. Respondent admitted to the fact that he had not deposited funds into the company's account and that he had used some of the funds to pay for items at the funeral home. Respondent had also indicated that he was trying to save up enough funds to have new carpeting installed at Molthen-Bell Funeral Home. The corporation terminated Respondent at that point.

7. The Department received a responsive letter dated October 15, 2001, from Investigator Rotter, South Milwaukee Police Department (SMPD), along with the related documentation, which indicated "Dear Investigator Garrette: Enclosed you will find the information you requested regarding the allegations against Jordan Chadwick. The case has been closed. Per an agreement between Michael Cornelius, his superiors and Jordan Chadwick, if restitution was made, then no criminal charges would be pursued. On August 28, 2002, SMPD received a letter with copies of the checks for restitution made payable to SCI."

8. By virtue of the acts, allegations, and documentation, Respondent is deemed to have violated Secs. FD 3.02 (1)(9), Wis. Adm. Code. Unprofessional conduct. (1) Violating or aiding and abetting a violation of any state or federal law substantially related to the practice of funeral directing, (9) Engaging in misleading or deceptive conduct in the conduct of business or the profession.

9. Based upon the above and in settlement of these matters, Respondent hereby consents, accepts and agrees to be reprimanded, and to pay \$500.00 as part assessment of costs in resolving these matters.

a. This decision is effective ten (10) days following adoption of the Final Decision and Order adopting the Stipulation agreement by the Board.

10. The \$500.00 part assessment of costs shall be payable by cashier's check or money order, made payable to the Department of Regulation and Licensing, and shall be paid no later than 60 days after the adoption of Final Decision and Order by the Funeral Directors Examining Board, and submitted to:

Marlene Meyer, Monitor
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

11. If Respondent shall fail to pay the part assessment of costs as ordered, or fail to obtain a written extension from the Board to pay same, then he shall be considered to be in violation of the Board's Order, and may be subjected to further discipline.

12. Respondent and his attorney further agree that this Stipulation Agreement may be incorporated into the Board's Final Decision and Order adopting the Stipulation Agreement.

13. Respondent further agree that Complainant's Attorney Sanders and the Case Advisor assigned to the complaint, may appear at any closed-deliberative meeting of the Board with respect to the Stipulation, but those appearances shall be limited solely to clarification, justification, and to statements in support of the Stipulation and for no other purpose.

Jordan D. Chadwick,	4-26-02
Respondent	Date
David P. Geraghty,	5-1-02
Respondent's Attorney	Date
Henry E. Sanders,	5-3-02
Complainant's Attorney	Date