

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF A PETITION FOR :
AN ADMINISTRATIVE INJUNCTION :
INVOLVING :
 : FINAL DECISION AND ORDER
DONNA ANDREWS , : LS0706142UNL
RESPONDENT. :
 :
 :

Division of Enforcement Case File No. 07UNL047

The parties to this action for the purposes of Section 227.53 of the Wisconsin statutes are:

Donna Andrews
3717 Egge Road
De Forest, Wisconsin 53 532

Department of Regulation and Licensing
Post Office Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

PROCEDURAL HISTORY

A Petition for Injunction and Notice of Hearing was filed in this matter on June 14, 2007. A Hearing in this matter was scheduled for July 16, 2007.

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 Department of Regulation and Licensing. The Department of Regulation and Licensing has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department of Regulation and Licensing in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Donna Andrews (Date of Birth: June 30, 1953) currently resides at 3717 Egge Road, De Forest, Wisconsin 53532.

2. Donna Andrews was licensed by the Department of Regulation and Licensing as a barbering or cosmetology manager in the state of Wisconsin (license number 81-13937). That license was first granted on May 2, 1977, and expired on July 1, 1999. That license cannot be renewed since more than five years has elapsed from the expiration of Ms. Andrews' last license.

3. On May 3, 2007, Department of Regulation and Licensing Investigator Douglas Austin

inspected Trendsetters, a licensed barbering or cosmetology establishment located at 1438 North Sherman Avenue, Madison, Wisconsin, 53704. Investigator Austin observed Donna Andrews providing barbering or cosmetology services to patrons while unlicensed.

4. In resolution of this matter, Donna Andrews consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing is authorized to enter into the attached stipulation pursuant to Wis. Stat. Sec. 227.44(5).

2. By conduct referred to in the above Findings of Fact, Donna Andrews has violated:

- a. Wis. Stat. sec., 454.04(1)(a). Except as permitted under pars. (b) and (d), no person may engage in barbering or cosmetology unless the person has received training in the areas of service provided and holds a current barbering or cosmetologist, manager license or training permit issued by the examining board or is an apprentice under s. 454.10 or a student in a barbering or cosmetology course of instruction.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Donna Andrews shall not practice barbering or cosmetology until and unless she possesses a current barbering or cosmetology license in the state of Wisconsin.

This Order shall become effective upon the date of its signing.

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

By: Celia Jackson, Secretary

3/4/08

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF A PETITION FOR :
AN ADMINISTRATIVE INJUNCTION :
INVOLVING :

STIPULATION
LS #0706142UNL

DONNA ANDREWS , :
RESPONDENT. :

Division of Enforcement Case File No. 07UNL047

It is hereby stipulated between Donna Andrews and Claudia Berry Miran, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a petition for injunction and notice of hearing by the Division of Enforcement (07 BAC 047). Ms. Andrews consents to the resolution of this matter by stipulation.

2. Ms. Andrews understands that by the signing of this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.

3. Ms. Andrews is aware of her right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this Stipulation.

4. Ms. Andrews agrees to the adoption of the attached Final Decision and Order by the Wisconsin Department of Regulation and Licensing (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Ms. Andrews waives all rights to any appeal of the attached order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement may appear before the Department, without the presence of Ms. Andrews or her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Department may have in connection with the Department's deliberations on the Stipulation.

7. Ms. Andrews is informed that should the Department adopt this stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Departmental policy.

8. The Division of Enforcement joins Donna Andrews in recommending the Department adopt this Stipulation and issue the attached Final Decision and Order.

Donna Andrews

Respondent

3717 Egge Road

De Forest, Wisconsin 53532

Date

Claudia Berry Miran

Attorney

Division of Enforcement

Post Office Box 8935

Madison, Wisconsin 53708-8935

Date