

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
DOGS FOR INDEPENDENCE INC.,	:	LS0805232RCO
RESPONDENT.	:	

Division of Enforcement Case No. 04 RCO 007

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

Dogs for Independence Inc.
P.O. Box 71338
Shorewood, WI 53211

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

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 (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Dogs for Independence Inc. was granted registration as a charitable organization in the state of Wisconsin (registration number 800-6315) on June 12, 1998. That registration expired on July 31, 2007 and has not been renewed.
2. The most recent address on file with the Department of Regulation and Licensing for Dogs for Independence Inc. is P.O. Box 71338, Shorewood, WI 53211.
3. Dogs for Independence Inc. was not registered as a charitable organization in the state of Wisconsin From August 1, 2000, through June 10, 2004. During that time period, Dogs for Independence Inc.’s registration as a charitable organization was in expired status.
4. Dogs for Independence Inc. solicited contributions in excess of \$5,000.00 during the years 2000, 2001, 2002, and within the first three months of 2004.
5. Dogs for Independence Inc. failed to file an annual financial report with the Department for the year 2000.
6. Dogs for Independence Inc. is currently dormant and is not operating in any fashion and agrees to voluntarily

surrender the right to renew their registration.

7. In resolution of this matter, Dogs for Independence Inc. consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Department of Regulation and has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.42 and 440.475.

2. The Department is authorized to enter into the attached stipulation, pursuant to Wis. Stat. § 227.44(5).

3. By the conduct described in the above Findings of Fact 3. and 4., Dogs for Independence Inc. violated Wis. Stat. § 440.42(1) and Wis. Stat. §§ 440.42(5)(a)3. and (5)(b) by soliciting contributions in excess of \$5,000 without being duly registered as a charitable organization.

4. By the conduct described in the above Findings of Fact 5., Dogs for Independence Inc. violated Wis. Stat. § 440.42(3) by failing to file an annual financial report with the Department for the year 2000.

ORDER

1. **NOW, THEREFORE, IT IS HEREBY ORDERED** that the voluntary SURRENDER of the right to renew the charitable organization registration for Dogs for Independence Inc. (registration number 800-6315) is ACCEPTED, effective immediately.

2. **IT IS FURTHER ORDERED** that if Dogs for Independence Inc. ever seeks to renew its registration or reapplies for registration as a charitable organization, then it shall pay the costs of investigating and prosecuting this matter in the amount of EIGHT HUNDRED DOLLARS (\$800.00) before any such renewal or application may be considered.

3. Payment of costs shall be mailed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935
Telephone: (608) 261-7904

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

DEPARTMENT OF REGULATION AND LICENSING

By Celia M. Jackson, Secretary

5/23/08

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
	:	
DOGS FOR INDEPENDENCE INC.,	:	LS#08 _____ RCO
RESPONDENT.	:	

Division of Enforcement Case No. 04 RCO 007

It is hereby stipulated between Dogs for Independence Inc., by their attorney Norman L. Goeschko, and Lara M. Herman, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (04 RCO 007). Dogs for Independence Inc. consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Dogs for Independence Inc. understands that by the signing of this Stipulation it voluntarily and knowingly waives its rights, including: the right to a hearing on the allegations against it, 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 against it; the right to call witnesses on its behalf and to compel their attendance by subpoena; the right to testify itself; 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 him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.
3. Dogs for Independence Inc. is aware of its right to seek legal representation and is being represented in this matter by Attorney Norman L. Goeschko of Murray & Goeschko, 324 W. Broadway, Waukesha, WI 53186.
4. Dogs for Independence Inc. agrees to the adoption of the attached Final Decision and Order by Department of Regulation and Licensing. 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. Dogs for Independence Inc. waives all rights to any appeal of the Department’s 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 in open or closed session, without the presence of Dogs for Independence Inc. or its attorney, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with its deliberations on the Stipulation.
7. Dogs for Independence Inc. 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 accord with standard Department procedure.
8. The Division of Enforcement joins Dogs for Independence Inc. in recommending the Department of Regulation and Licensing adopt this Stipulation and issue the attached Final Decision and Order.

Dogs for Independence Inc., Respondent
P.O. Box 71338
Shorewood, WI 53211

Date

Norman L. Goeschko, Respondent’s Attorney
Lawton & Cates, S.C.
PO Box 2965
Madison WI 53701-2965

Date

Lara M. Herman
Attorney
Division of Enforcement
Wisconsin Department of Regulation and Licensing
Post Office Box 8935
Madison, Wisconsin 53708-8935

Date