

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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|                               |   |                          |
|-------------------------------|---|--------------------------|
| IN THE MATTER OF DISCIPLINARY | : |                          |
| PROCEEDINGS AGAINST           | : | ORDER FIXING COSTS       |
|                               | : | LS0910061NUR             |
| MELINDA J. JULEEN, L.P.N.,    | : | DHA Case No. DRL-09-0102 |
| RESPONDENT.                   | : | DOE Case No. 06 NUR 303  |

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On March 25, 2010, the Board of Nursing filed its Final Decision and Order in the above-captioned matter by which the board ordered that pursuant to sec. 440.22, Wis. Stats., the costs of this proceeding be assessed against respondent. Pursuant to sec. RL 2.18 (4), Wis. Admin. Code, on or about April 6, 2010, the Board of Nursing received the Affidavit of Costs of the Division of Enforcement in the amount of \$1,085.08, filed by Attorney James Polewski. On or about April 1, 2010, the Board of Nursing received the Affidavit of Costs of the Division of Hearings and Appeals in the amount of \$122.00, filed by Administrative Law Judge Patrick T. Currie. The Board of Nursing considered the Affidavits of Costs on June 3, 2010, and orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that pursuant to sec. 440.22, Wis. Stats., the costs of this proceeding in the amount of \$1,207.08, set forth in the Affidavits of Costs of Attorney James Polewski and Administrative Law Judge Patrick T. Currie, which are attached hereto and made a part hereof, are hereby assessed against respondent, and shall be payable by respondent to the Department of Regulation and Licensing. **Failure of respondent to make payment on or before July 3, 2010, shall constitute a violation of the Order unless respondent petitions for and the board grants a different deadline.** Under sec. 440.22 (3), Wis. Stats., the Department of Regulation and Licensing may not restore, renew or otherwise issue any credential to the respondent until respondent has made payment to the department in the full amount assessed.

Payment shall be made payable to the Wisconsin Department of Regulation and Licensing and mailed to:

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

Dated this 3<sup>rd</sup> day of June, 2010.

BOARD OF NURSING

By: Marilyn Kaufmann  
Member of the Board



**Before The  
State Of Wisconsin  
BOARD OF NURSING**

In the Matter of the Disciplinary Proceedings  
Against **MELINDA J. JULEEN, L.P.N.**,  
Respondent

AFFIDAVIT OF COSTS  
DHA Case No. DRL-09-0102

Division of Enforcement Case No. 06 NUR 303

Patrick T. Currie, affirms the following before a notary public for use in this action, subject to the penalties for perjury in Wis. Stat. § 946.31:

1. I am an administrative law judge/attorney licensed to practice law in the State of Wisconsin, and am employed by the Wisconsin Division of Hearings and Appeals. I served as the Administrative Law Judge in the above-captioned matter.

2. This affidavit sets forth the costs and expenses incurred in this matter based upon my contemporaneous time keeping entries in connection with the hearing.

|          |                                    |                    |
|----------|------------------------------------|--------------------|
| 10/06/09 | File Review                        | 15 minutes         |
| 11/09/09 | Draft Prehearing Conference Notice | 15 minutes         |
| 11/24/09 | Prehearing Conference              | 15 minutes         |
| 02/04/10 | Decision Drafting                  | 1 hour, 15 minutes |
|          |                                    |                    |

3. That upon information and belief the total assessable costs for the Division of Hearings and Appeals are as follows:

A. Administrative Law Judge: 2 hours at \$61.00 per hour = \$122.00.

Dated this 1st day of April, 2010.

By: Patrick T. Currie  
Patrick T. Currie  
Administrative Law Judge  
Division of Hearings and Appeals

Subscribed and sworn to before me this  
1st day of April, 2010

Jane L. Kucharski  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION EXPIRES ON JUNE 26, 2011.

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

MELINDA JULEEN  
RESPONDENT

AFFIDAVIT OF COSTS

06 NUR 303

STATE OF WISCONSIN )  
 ) ss.  
COUNTY OF DANE )

Being duly on affirmation, the undersigned employee of the Department of Regulation and Licensing, upon information and belief, deposes and states as follows:

That set out below are the costs of the proceeding accrued to the Division of Enforcement in this matter, based upon Division of Enforcement records compiled in the regular course of agency business in the above-captioned matter.

**INVESTIGATOR EXPENSE -- Elyse Horak**

| DATE  |  | HOURS              | MINUTES           |
|---|--|--------------------|-------------------|
| 01/21/2009  | review file, disc w/ TA, enter data into spreadsheet | 0                  | 15                |
| <b>TOTAL INVESTIGATOR EXPENSE ---</b>                                       |  | <b>0 HOURS AND</b> | <b>15 MINUTES</b> |
| (Based on their average salary and benefits at the Division of Enforcement) |  |                    |                   |
|   |  | <b>TOTALS</b>      | <b>0 15</b>       |
| <b>AT \$29.00 PER HOUR = \$7.25</b>   |  |                    |                   |

**INVESTIGATOR EXPENSE -- Lynne Bass**

| DATE  |            | HOURS              | MINUTES          |
|---|------------|--------------------|------------------|
| 05/20/2008  | update cts | 0                  | 5                |
| <b>TOTAL INVESTIGATOR EXPENSE ---</b>                                       |            | <b>0 HOURS AND</b> | <b>5 MINUTES</b> |
| (Based on their average salary and benefits at the Division of Enforcement) |            |                    |                  |
|   |            | <b>TOTALS</b>      | <b>0 5</b>       |
| <b>AT \$29.00 PER HOUR = \$2.42</b>   |            |                    |                  |

**INVESTIGATOR EXPENSE --- Susan Swain**

| DATE  |  | HOURS               | MINUTES           |
|---|--|---------------------|-------------------|
| 10/06/2009  | file & Compl. rec'd from JEP, rev'd, signed, disc w JEP, fm  | 0                   | 20                |
| 06/08/2009  | amend cs re: action rec-reflect both CA & Atty rec to pursue indef. suspension, OLA, copies, filing, org file, file to JEP, fm | 0                   | 20                |
| 06/04/2009  | discs w JEP & CA, CA concurred w JEP for indef. susp, to be OLA'ed   | 0                   | 40                |
| 06/03/2009  | rev file for disc w CA on 06-04-09, fm   | 1                   | 10                |
| 05/19/2009  | rev file & disc w Gr @ monthly mtg, fm   | 0                   | 15                |
| 05/07/2009  | rev, complete cs, ltr to CA w file, copy entire file, filing, fm   | 2                   | 10                |
| 04/16/2009  | update cts notes, fm   | 0                   | 5                 |
| 04/15/2009  | disc w JEP- rec'd disc, assign CA Bahr, start org, rev & prep for CS, fm   | 1                   | 30                |
| 04/14/2009  | Cert. Ltr ret'ed-unclaimed, rev'd file for disc w JEP, filing, fm  | 0                   | 30                |
| 03/30/2009  | filing, fm   | 0                   | 5                 |
| 03/23/2009  | rev, reg & cert ltr to R, disc w atty, copies, filing, fm  | 1                   | 30                |
| 03/18/2009  | rev. for monthly mtg, update cts notes, fm   | 0                   | 15                |
| 02/23/2009  | new case assign, rev, disc w JEP, check ICE, CCAP, web searches, ltr to R, copies, file org, filing, fm                        | 2                   | 20                |
| <b>TOTAL INVESTIGATOR EXPENSE ---</b>                                       |  | <b>11 HOURS AND</b> | <b>10 MINUTES</b> |
| (Based on their average salary and benefits at the Division of Enforcement) |  |                     |                   |
|   |  | <b>TOTALS</b>       | <b>11 10</b>      |
| <b>AT \$29.00 PER HOUR = \$323.83</b>                                       |  |                     |                   |

**PARALEGAL EXPENSE --- Steven Engelbrecht**

| DATE |  | HOURS | MINUTES |
|------|--|-------|---------|
|------|--|-------|---------|

**AFFIDAVIT OF COSTS**

|            |   |   |    |
|------------|---|---|----|
| 10/15/2009 | Have Affidavit of Service notarized. Original to ALJ, copy to Atty. Polewski.   | 0 | 15 |
| 10/14/2009 | Rec original, signed Certified Mail Return Rec. Original to ALJ, copy to Atty. Polewski.  | 0 | 15 |
| 10/07/2009 | Make Pleadings file.  | 0 | 15 |
| 10/06/2009 | File Complaint. Mail Complaint to Respondent via Cert Mail Return Rec Req w/ Restrict Del & reg US mail. Draft Affidavit of Service. Travel to PO and mail. | 1 | 0  |
| 09/23/2009 | Revise Notice of Hearing and Complaint.   | 0 | 30 |
| 07/29/2009 | Revise, proofread Notice of Hearing and Complaint.  | 2 | 0  |
| 07/27/2009 | Draft complaint.  | 1 | 0  |
| 07/17/2009 | Review case file. Draft Complaint.  | 2 | 0  |
| 07/16/2009 | Review case file. Draft Complaint.  | 2 | 0  |
| 07/15/2009 | Review case file. Draft complaint.  | 2 | 0  |
| 07/14/2009 | Review case file. Draft Complaint.  | 1 | 30 |
| 07/13/2009 | Review case file. Draft Notice of Hearing and Complaint.  | 1 | 30 |
| 07/10/2009 | Review case file. Draft Notice of Hearing and Complaint.  | 1 | 30 |

**TOTAL PARALEGAL EXPENSE --- 15 HOURS AND 45 MINUTES**  
 (Based on their average salary and benefits at the Division of Enforcement)

|               |              |                |
|---------------|--------------|----------------|
|               | <b>HOURS</b> | <b>MINUTES</b> |
| <b>TOTALS</b> | <b>15</b>    | <b>45</b>      |

**AT \$29.00 PER HOUR = \$456.75**

**PROSECUTING ATTORNEY EXPENSE --- James Polewski**

| <b>DATE</b> |  | <b>HOURS</b> | <b>MINUTES</b> |
|-------------|--|--------------|----------------|
| 12/03/2009  | complete motion, L for default, mail                 | 0            | 30             |
| 12/02/2009  | swear affidavit; transmittal letter to ALJ           | 0            | 45             |
| 12/01/2009  | motion, affidavit for default                        | 0            | 45             |
| 12/01/2009  | motion and affidavit for default                     | 0            | 45             |
| 11/24/2009  | PHNG   | 0            | 15             |
| 10/06/2009  | swear complaint, notice hearing to SE1 for service   | 0            | 20             |
| 09/24/2009  | review complaint; complaint and approval form to MER | 0            | 20             |
| 09/22/2009  | to SE1 for revisions                                 | 0            | 10             |
| 07/24/2009  | status check   | 0            | 10             |
| 06/09/2009  | file review, to SE1 for drafting                     | 0            | 15             |
| 04/15/2009  | C SMB, OLA ok  | 0            | 15             |
| 07/29/2003  | review SE1 complaint draft                           | 0            | 20             |

**TOTAL PROSECUTING ATTORNEY EXPENSE --- 4 HOURS AND 50 MINUTES**  
 (Based on their average salary and benefits at the Division of Enforcement)

|               |              |                |
|---------------|--------------|----------------|
|               | <b>HOURS</b> | <b>MINUTES</b> |
| <b>TOTALS</b> | <b>4</b>     | <b>50</b>      |

**AT \$61.00 PER HOUR = \$294.83**

**EXPENSE SUMMARY**

|                              |                    |            |
|------------------------------|--------------------|------------|
| PARALEGAL EXPENSE            | Steven Engelbrecht | \$456.75   |
| INVESTIGATOR EXPENSE         | Elyse Horak        | \$7.25     |
| INVESTIGATOR EXPENSE         | Lynne Bass         | \$2.42     |
| INVESTIGATOR EXPENSE         | Susan Swain        | \$323.83   |
| PROSECUTING ATTORNEY EXPENSE | James Polewski     | \$294.83   |
| TOTAL ASSESSABLE COST >>>    |                    | \$1,085.08 |

*James E Polewski*

James Polewski, Attorney

Subscribed and affirmed to before me this  
4/6/2010

*[Signature]*

Notary Public

My commission

*Permanent*

