

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

THOMAS P. PONIK,
RESPONDENT.

:
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:
:
:

ORDER FIXING COSTS
Order 0000208
DOE Case No. 09APP070

On May 19, 2010, the Real Estate Appraisers Board 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 May 26, 2010, the Real Estate Appraisers Board received the Affidavit of Costs of the Division of Enforcement in the amount of \$396.42, filed by Attorney Angela Arrington. On or about June 8, 2010, the Real Estate Appraisers Board received the Affidavit of Costs of the Division of Hearings and Appeals in the amount of \$506.30, filed by Administrative Law Judge Amanda Tollefsen. The Real Estate Appraisers Board considered the Affidavits of Costs on November 10, 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 \$902.72, set forth in the Affidavits of Costs of Attorney Angela Arrington and Administrative Law Judge Amanda Tollefsen, 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. Payment shall be due in the event that respondent seeks to renew or reinstate his license, or seeks to obtain any other license issued by the department. 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 10th day of November, 2010.

REAL ESTATE APPRAISERS BOARD

By:


Member of the Board

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

AFFIDAVIT OF COSTS

THOMAS PONIK

09 APP 070

RESPONDENT

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.

PARALEGAL EXPENSE --- Cortney Keo

DATE		HOURS	MINUTES
04/28/2010	Locate file, discuss with Thompson	0	10
03/01/2010	Email and mailing to ALJ; mailing to Respondent	0	20
01/22/2010	Draft cover letter to ALJ and mailing	0	20
12/16/2009	Mailed originals to ALJ	0	30
12/07/2009	Drafted Aff of Service	0	30
12/03/2009	Filed Notice of Hearing and Complaint	1	0
11/30/2009	Revised complaint/notice	0	15
11/16/2009	Drafted Notice of Hearing and Complaint	1	30
10/08/2009	Discussion with Atty Herman	0	5
09/14/2009	Sent stip/fdo to respondent	0	10
09/09/2009	Revisions to fdo	0	15
09/09/2009	Draft cover letter, stip, fdo	1	45

TOTAL PARALEGAL EXPENSE --- 6 HOURS AND 50 MINUTES
(Based on their average salary and benefits at the Division of Enforcement)

TOTALS 6 50

AT \$29.00 PER HOUR = \$198.17

PROSECUTING ATTORNEY EXPENSE --- Angela Arrington

DATE		HOURS	MINUTES
03/08/2010	call from ALJ	0	5
03/01/2010	revise docs; file to CK	1	0
02/23/2010	work on supplemental info for hearing	1	0
01/22/2010	cc w/C.K.	0	5
01/21/2010	send recommendation to ALJ	0	10
01/20/2010	pre-hearing conf	0	5
01/20/2010	draft ALJ recommendation	0	30
01/19/2010	review of file	0	15

TOTAL PROSECUTING ATTORNEY EXPENSE --- 3 HOURS AND 10 MINUTES
(Based on their average salary and benefits at the Division of Enforcement)

TOTALS 3 10

AT \$61.00 PER HOUR = \$193.17

PROSECUTING ATTORNEY EXPENSE --- Mark Herman

DATE		HOURS	MINUTES
11/18/2009	review complaint	0	5

TOTAL PROSECUTING ATTORNEY EXPENSE --- 0 HOURS AND 5 MINUTES

(Based on their average salary and benefits at the Division of Enforcement)

HOURS MINUTES

TOTALS

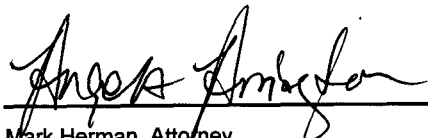
0

5

AT \$61.00 PER HOUR = \$5.08

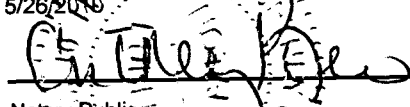
EXPENSE SUMMARY

PARALEGAL EXPENSE	Cortney Keo	\$198.17
PROSECUTING ATTORNEY EXPENSE	Mark Herman	\$5.08
PROSECUTING ATTORNEY EXPENSE	Angela Arrington	\$193.17
TOTAL ASSESSABLE COST >>>		\$396.42



Mark Herman, Attorney
Angela Arrington, Attorney

Subscribed and affirmed to before me this
5/26/2010



Notary Public

My commission

expires 3/25/12



**Before The
State Of Wisconsin
DIVISION OF HEARINGS AND APPEALS**

In the Matter of the Disciplinary Proceedings
Against **THOMAS P. PONIK**, Respondent

AFFIDAVIT OF COSTS
DHA Case No. DRL-09-0125

Division of Enforcement Case File # 09 APP 070

Amanda Tollefsen, 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.

01/05/10	Schedule Prehearing Conference	6 Minutes
01/20/10	File Review, Prehearing Conference	18 Minutes
01/25/10	Draft Default Order, Research	30 Minutes
02/24/10	File Review, Research, Draft Proposed Decision	30 Minutes
03/1/10	E-mail Receipt, Response	6 Minutes
03/08/10	File Review, Research, Draft Proposed Decision	78 Minutes
03/09/10	File Review, Research, Draft Proposed Decision	42 Minutes
03/15/10	File Review, Research, Draft Proposed Decision	2 Hours
03/16/10	File Review, Research, Draft Proposed Decision	2 Hours, 30 Minutes
3/17/10	Completed Draft Proposed Decision	18 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: 8.3 hours at \$61.00 per hour = \$506.30.

Dated this 8 day of June, 2010.

By: Amanda Tollefsen
Amanda Tollefsen
Administrative Law Judge
Division of Hearings and Appeals

Subscribed and sworn to before me this
8th day of June, 2010

Jane K. Richards
NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION EXPIRES ON 06/26/11.

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