

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	ORDER FIXING COSTS
	:	Order0000377
SYLVIA A. ROBERSON, L.P.N.,	:	08NUR383
RESPONDENT.	:	

On September 2, 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 September 9, 2010, the Board of Nursing received the Affidavit of Costs in the amount of \$1,223.35, filed by Attorney Sandra L. Nowack. On or about September 8, 2010, the Board of Nursing received the Affidavit of Costs of the Division of Hearings and Appeals in the amount of \$341.60, filed by Administrative Law Judge Amanda Tollefsen. The Board of Nursing considered the Affidavits of Costs on November 4, 2010, and orders as follows:

ORDER

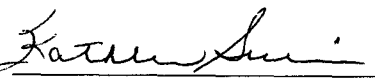
NOW, THEREFORE, IT IS ORDERED that pursuant to sec. 440.22, Wis. Stats., the costs of this proceeding in the amount of \$1,564.95, set forth in the Affidavits of Costs of Attorney Sandra L. Nowack and Administrative Law Judge Amanda Tollefsen, which are attached hereto and made a part hereof, are hereby assessed against respondent, and shall be payable by respondent to the Department of Regulation and Licensing. **Failure of respondent to make payment on or before December 4, 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 4th day of November, 2010.

BOARD OF NURSING

By: 
Member of the Board

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

SYLVIA ROBERSON

RESPONDENT

AFFIDAVIT OF COSTS

08 NUR 383

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 -- Tara Albedyll		HOURS	MINUTES
DATE			
06/01/2009	rec'd call from R about status, explained that the next meeting is in July	0	12
05/26/2009	rev'd eval, updated summary, fm, gave to Sandy with note	1	42
05/08/2009	rec'd rev'd pt profile from Walgreens	0	24
05/07/2009	rec'd consent form, ltr to facility for treatment records, fm	0	54
04/30/2009	prep, travel, drop off packet of docum to psych, returned to office.	1	12
04/29/2009	rec'd call from R, researched call dr, ltr to dean dr about assessm, copied info that Atty said to, put packet together, need to hand deliver tom	2	12
04/28/2009	TC with R, agreed to get pysch eval and will call me when she sets it up, Walgreens, ltr for patient profile, fm	1	0
04/23/2009	rev'd file, called R left mess on house and cell	0	42
03/20/2009	status check, rev'd file, for mental records, etc.	0	24
02/19/2009	rec'd eval report/rev, summary, gave to greg, events, OLA, gave file to Sandy.	2	12
01/20/2009	rec'd vm from Kate, returned call and left mess to call back, spoke with rec left mess with her to	0	18
01/06/2009	status check, rev'd, left mess for C inquiring about the materials I requested on Nov. 20	0	30
12/29/2008	email from CA, email from Sandy, printed off, letter to R, fm	1	12
12/17/2008	contacted C, rec'd fax, email to CA and ATTY	0	54
12/10/2008	status, left mess for C for add info request. I previously made on 11-20-08	0	36
11/20/2008	rec'd rev'd file, ltr to C more info, ltr to R, task, fm	1	54
TOTAL INVESTIGATOR EXPENSE -- 16 HOURS AND 18 MINUTES			
(Based on their average salary and benefits at the Division of Enforcement)			
AT \$29.00 PER HOUR = \$472.70			
		TOTALS	16 18

MISCELLANEOUS EXPENSE -- Jane Brischke		COST
DATE		
04/23/2009	copy charge - Dean Clinic Fish Hatchery (Roberson)	\$18.90

PARALEGAL EXPENSE -- Lori Graf		HOURS	MINUTES
DATE			
06/16/2010	Draft affidavit of contacts; review w/ SN; revise affidavit.	1	0
06/14/2010	Review SN notes; research all DOE contacts w/ R; draft motion for disc and costs; draft summary of contacts; em to SN.	2	0
06/09/2010	Disc. w/ SN re default docs and next step.	0	10
06/02/2010	Draft affidavit; notarize; revise docs for SN review.	0	30
05/17/2010	Draft motion for default; draft notice of motion for default; draft affidavit for SN.	1	30
05/07/2010	Sign affidavit w/ Notary.	0	10
05/06/2010	Draft affidavit of service; file complaint with DHA; copies; prepare mailings; mail complaint to R.	0	45
05/03/2010	Disc w/ SN; convert order into complaint; draft notice of hearing.	1	0
04/14/2010	check status of stip; em to SN; reset tickler	0	10
03/26/2010	draft offer letter; revise order; mail copies to R	0	35

02/22/2010 complete fdo
02/19/2010 Review case; draft skel fdo

1 30
1 0

TOTAL PARALEGAL EXPENSE — 10 HOURS AND 20 MINUTES
(Based on their average salary and benefits at the Division of Enforcement)

	HOURS	MINUTES
TOTALS	10	20

AT \$29.00 PER HOUR = \$299.67

PROSECUTING ATTORNEY EXPENSE — Sandra Nowack

DATE		HOURS	MINUTES
09/08/2010	em to lg and file to lg for costs memo	0	15
07/15/2010	recv and review decision, em to lg, files to lg	0	25
06/15/2010	review motion, edit, disc w/lg, file to lg	1	10
06/14/2010	review docs	0	25
06/10/2010	ALJ ORDER FOR DEFAULT REV, ASSIGN TO LG	0	35
03/26/2010	Disc w/lg, file to lg, req correspondence and send.	0	15
03/17/2010	Review, revise, discuss w/ca, em to lg, file to lg	1	15
02/04/2010	case tracking, keep, ready to draft	0	10
02/04/2010	review file, to bc for impaired stip	0	50
04/14/2009	REV FILE, EM TO INV	1	45

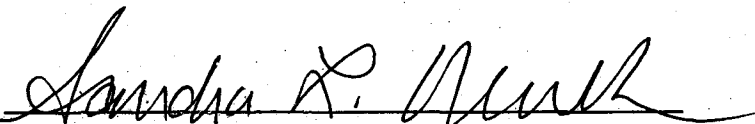
TOTAL PROSECUTING ATTORNEY EXPENSE — 7 HOURS AND 5 MINUTES
(Based on their average salary and benefits at the Division of Enforcement)

	HOURS	MINUTES
TOTALS	7	5

AT \$61.00 PER HOUR = \$432.08

EXPENSE SUMMARY

PARALEGAL EXPENSE	Lori Graf	\$299.67
INVESTIGATOR EXPENSE	Tara Albedyll	\$472.70
MISCELLANEOUS EXPENSE	Jane Brischke	\$18.90
PROSECUTING ATTORNEY EXPENSE	Sandra Nowack	\$432.08
TOTAL ASSESSABLE COST >>>		\$1,223.35



Sandra Nowack, Attorney

Subscribed and affirmed to before me this
9/9/2010

Notary Public

My commission

is permanent



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

In the Matter of the Disciplinary Proceedings
Against **SYLVIA A. ROBERSON, LPN**,
Respondent

AFFIDAVIT OF COSTS
DHA Case No. DRL-10-0030

Division of Enforcement Case No. 08 NUR 383

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.

May 10, 2005	File Review	.1 hours
May 24, 2010	File Review, Draft Prehearing Conference Notice	.2 hours
June 9, 2010	File Review, Prehearing Conference, Draft Default Order	.4 hours
June 23, 2010	File Review, E-mail	.2 hours
July 12, 2010	File Review, Research	3 hours
July 13, 2010	Draft Proposed Order	1.7 hours

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

A. Administrative Law Judge: 5.6 hours at \$61.00 per hour = \$341.60.

Dated this 8th day of September 2010.

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

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

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