

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 :
STAR OF DAVID FUNERAL SERVICE, LLC, : FINAL DECISION AND ORDER
RESPONDENT. : **ORDER 0000736**

Division of Enforcement Case No. 08 FDR 035

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Star of David Funeral Service, LLC
15250 W. National Avenue
New Berlin, WI 53151

Wisconsin Funeral Directors Examining Board
P.O. Box 8935
Madison, WI 53708

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

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Funeral Directors Examining Board ("Board"). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Star of David Funeral Service, LLC ("Respondent"), is licensed in the State of Wisconsin as a funeral establishment pursuant to license number 78-2351, which was first issued on July 23, 1992.

2. Respondent's most recent address on file with the Wisconsin Department of Regulation and Licensing ("Department") is 15250 W. National Avenue, New Berlin, WI 53151.

3. On or about December 3, 2008, the Department received a complaint against Respondent from Terry Kleinmann alleging, in part, that Respondent's advertising constituted a violation of Wis. Admin. Code § FD 2.05(1) and (2).

4. Respondent has elected to cease business operations as a funeral establishment and voluntarily surrender its funeral establishment license effective December 31, 2010.

5. Respondent wishes to resolve the complaint filed in Division of Enforcement Case No. 08 FDR 035 via said cessation of business operations and the surrender of its license as a funeral establishment. Respondent does not admit to any of the alleged violations, but does not wish to contest them.

CONCLUSIONS OF LAW

1. The Wisconsin Funeral Directors Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. §445.13.

2. The Wisconsin Funeral Directors Examining Board has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

ORDER

NOW, THEREFORE, IT IS ORDERED that:

1. The **VOLUNTARY SURRENDER** of the funeral establishment license of Star of David Funeral Service, LLC (license #78-2351) is hereby **ACCEPTED**.

IT IS FURTHER ORDERED that:

2. Respondent shall, on or before December 31, 2010, return all license cards, certificates and/or other indicia of licensure to the Wisconsin Funeral Directors Examining Board.
3. Respondent may not renew its Wisconsin funeral establishment license (#78-2351).
4. Respondent shall not seek to reapply for a funeral establishment license for a period of 3 years following the date of this order. Should Respondent reapply for a funeral establishment license, Respondent shall meet all requirements set forth for new applicants at the time of application. Further, before a license can be issued, Respondent shall appear before the Board to answer any questions that the Board may have regarding the pending application.

5. If Respondent ever reapplies for a Wisconsin funeral establishment's license at some point in the future, then Respondent shall pay the costs of investigating and prosecuting this matter in the amount of SIX HUNDRED DOLLARS (\$600.00), before any such application may be considered by the Department and/or the Board. Payment of costs shall be made payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 261-7904, Fax (608) 266-2264

6. Should Respondent reapply for Wisconsin licensure and pay the required costs, the Wisconsin Funeral Directors Examining Board may, in its sole discretion, determine whether, and under what circumstances, this license may be issued
7. This Order is effective on the date of its signing.

WISCONSIN FUNERAL DIRECTORS EXAMINING BOARD

by: /s/ David Olsen ss 3/22/11
A Member of the Board Date