

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

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STATE OF WISCONSIN  
BEFORE THE COSMETOLOGY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JOHN G. ENDRIES AND  
HAIR EXPERIENCE,  
RESPONDENTS.

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FINAL DECISION AND ORDER

ORDER 0003150

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Division of Legal Services and Compliance Case No. 13 BAC 048

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

John G. Endries  
2215 S. Kinnickinnic Ave.  
Milwaukee, WI 53207

Hair Experience  
2215 S. Kinnickinnic Ave.  
Milwaukee, WI 53207

Wisconsin Cosmetology Examining Board  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

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 Cosmetology 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. Respondent John G. Endries (dob April 8, 1951) is licensed in the State of Wisconsin as a barbering or cosmetology manager, having license number 22749-81, first issued on September 15, 1980 and current through March 31, 2015. John G. Endries' most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2215 S. Kinnickinnic Ave., Milwaukee, WI 53207.

2. Respondent Hair Experience is licensed in the State of Wisconsin as a barbering or cosmetology establishment, having license number 18916-80, first issued on September 15, 1980 and current through March 31, 2015. Hair Experience's most recent address on file with the Department is 2215 S. Kinnickinnic Ave., Milwaukee, WI 53207.

3. Respondent Endries is the owner and manager of Respondent Hair Experience.

4. From April 1, 2011 through March 24, 2013, Respondent Endries' license was expired.

5. Respondent Endries practiced as a cosmetology manager at Respondent Hair Experience while his license was expired.

6. Respondent Hair Experience operated as a cosmetology establishment without a licensed manager of record while Respondent Endries' license was expired.

7. Respondents have cooperated with the Department throughout the investigation and are now in compliance.

8. In resolution of this matter, Respondents consent to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, John G. Endries violated Wis. Stat. § 454.04(1)(a) by engaging in cosmetology when he did not hold a current cosmetology manager license.

3. By the conduct described in the Findings of Fact, John G. Endries and Hair Experience violated Wis. Admin. Code § BC 2.04(1)<sup>1</sup> by participating in the unauthorized or unlicensed practice of barbering and cosmetology.

4. By the conduct described in the Findings of Fact, John G. Endries violated Wis. Stat. § 454.08(6) by failing to employ at least one person as a manager who held a cosmetology manager license and managed the establishment on a full-time basis.

5. By the conduct described in the Findings of Fact, John G. Endries violated Wis. Admin. Code §§ BC 2.06(5)<sup>2</sup> and BC 3.02(1)<sup>3</sup> by operating Hair Experience when no licensed manager was employed by the establishment.

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<sup>1</sup> Wis. Admin. Code § BC 2.04(1) was renumbered as Wis. Admin. Code § Cos 2.04(1) as of March 1, 2013.

<sup>2</sup> Wis. Admin. Code § BC 2.06(5) was renumbered as Wis. Admin. Code § Cos 2.06(5) as of March 1, 2013.

<sup>3</sup> Wis. Admin. Code § BC 3.02(1) was renumbered as Wis. Admin. Code § Cos 3.02(1) as of March 1, 2013.

6. As a result of the above violations, John G. Endries and Hair Experience are subject to discipline pursuant to Wis. Stat. § 454.15(2)(i) and (3).

ORDER

1. The attached Stipulation is accepted.
2. Respondent John G. Endries is REPRIMANDED.
3. Respondent Hair Experience is REPRIMANDED.
4. Within 90 days from the date of this Order, John G. Endries shall pay a FORFEITURE in the amount of \$1,000 and one half of the COSTS of this matter in the amount of \$210.96.
5. Within 90 days from the date of this Order, Hair Experience shall pay a FORFEITURE in the amount of \$1,000 and one half of the COSTS of this matter in the amount of \$210.96.
6. Payment of forfeitures and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondents to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

7. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondents' licenses. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondents fail to timely submit payment of the forfeitures and costs as ordered, Respondents' licenses (no. 22749-81 and no. 18916-80) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with payment of the forfeitures and costs.

8. This Order is effective on the date of its signing.

WISCONSIN COSMETOLOGY EXAMINING BOARD

by:

  
A Member of the Board

Date

4-15-2014

STATE OF WISCONSIN  
BEFORE THE COSMETOLOGY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JOHN G. ENDRIES AND  
HAIR EXPERIENCE,  
RESPONDENTS.

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STIPULATION

*ORDER 000315D*

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Division of Legal Services and Compliance Case No. 13 BAC 048

Respondents John G. Endries and Hair Experience and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondents consent to the resolution of this investigation by Stipulation.

2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive the following rights:

- the right to a hearing on the allegations against Respondents, 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 Respondents;
- the right to call witnesses on Respondents' behalf and to compel their attendance by subpoena;
- the right to testify on Respondents' own behalf;
- 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 Respondents under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondents are aware of Respondents' right to seek legal representation and have been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondents are represented by Attorney Steven J. Slawinski.

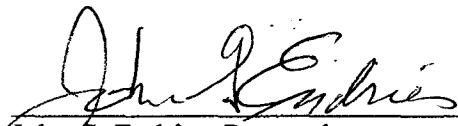
4. Respondents agree to the adoption of the attached Final Decision and Order by the Wisconsin Cosmetology Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondents waive all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

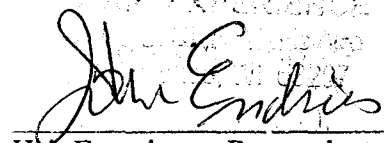
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondents or Respondents' attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondents are informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

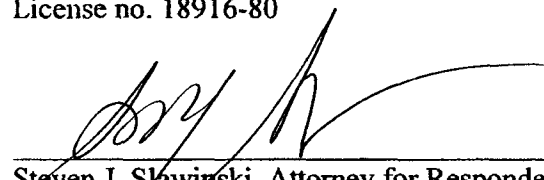
8. The Division of Legal Services and Compliance joins Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
John G. Endries, Respondent  
2215 S. Kinnickinnic Ave.  
Milwaukee, WI 53207  
License no. 22749-81

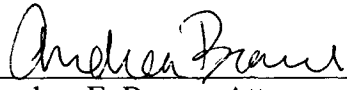
3-12-14  
Date

  
Hair Experience, Respondent  
by John G. Endries  
2215 S. Kinnickinnic Ave.  
Milwaukee, WI 53207  
License no. 18916-80

3-12-14  
Date

  
Steven J. Slawinski, Attorney for Respondents  
O'Neil, Cannon, Hollman, DeJong & Laing  
111 E. Wisconsin Ave., Suite 1400  
Milwaukee, WI 53202

3-13-14  
Date



Andrea E. Brauer, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

2/28/14  
Date