

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

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

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

RECEIVED

FEB 11 2021

DIV LEGAL SERVICES & COMPLIANCE
DEPT SAFETY & PROFESSIONAL SERVICES

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

DWAIN A. ZICH AND COON CREEK.
INVESTIGATIONS INTERNATIONAL LLC,
RESPONDENTS.

ADMINISTRATIVE INJUNCTION

ORDER 0007283

Division of Legal Services and Compliance Case No. 18 UNL 119 (RAL)

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

Dwain A. Zich
Mondovi, WI 54755

Coon Creek Investigations International LLC
Eau Claire, WI 54701

Wisconsin Department of Safety and Professional Services
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Wisconsin 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 Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Dwain A. Zich, of Mondovi, Wisconsin, is not and has never been permitted as a private detective in the State of Wisconsin.
2. Respondent Coon Creek Investigations International LLC is not and has never been licensed as a private detective agency in the State of Wisconsin.

3. On September 5, 2018, the Department received a complaint alleging that Respondents had represented themselves as a private detective and a private detective agency. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 18 UNL 119 (RAL) for investigation.

4. On November 8, 2018, the Department sent a letter to Respondent Dwain A. Zich to request his response to the complaint.

5. On November 21, 2018, Respondent Dwain A. Zich stated that he had assisted an individual with investigating the tax implications of a vehicle accident and had handed out a business card from Respondent Coon Creek Investigations International LLC which contained Respondent Dwain A. Zich's name and contact information.

6. On January 31, 2020, Respondent Dwain A. Zich stated that Respondent Coon Creek Investigations International LLC was not a private detective agency.

7. On February 3, 2020, the Department received a letter from Respondent Dwain A. Zich stating that because of health reasons, he was disabled and no longer able to work.

8. Respondents agree to resolve this matter with the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21, and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 440.26(1)(a)2., no person may act as a private detective, investigator, special investigator or private security person unless he or she has a license or permit issued under this section.

3. Pursuant to Wis. Stat. § 440.26(1)(a)1., no person may advertise, solicit or engage in the business of operating a private detective agency unless he or she has been issued a license under this section.

4. The conduct described above constitutes unlicensed practice as a private detective and private detective agency, contrary to Wis. Stat. § 440.26(1)(a)1., 2. and Wis. Admin. Code §§ SPS 31.01(1)(a)1., 2. and SPS 31.01(2)(a).

ORDER

1. The attached stipulation is accepted.

2. Unless and until Respondents are properly licensed as a private detective and/or private detective agency by the Department, Respondents are enjoined and prohibited from practicing as a private detective and/or private detective agency, or using any title or designation

which represents or may tend to represent that Respondents are licensed as a private detective and/or private detective agency in the State of Wisconsin.

3. Respondents shall provide a copy of this Administrative Injunction with any application submitted by either Respondent for a credential issued by the Department.

4. If the Department determines that there is probable cause to believe that Respondents have violated any terms of this Administrative Injunction, the Department may refer the violations to the appropriate prosecutorial unit for review for criminal charges.

5. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 4th day of April, 2021.

By: A. Rohmeyer
Aloysius Rohmeyer, Chief Legal Counsel
On behalf of the Department

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

DWAIN A. ZICH AND COON CREEK
INVESTIGATIONS INTERNATIONAL LLC,
RESPONDENTS.

STIPULATION

ORDER 0007288

Division of Legal Services and Compliance Case No. 18 UNL 119 (RAL)

Respondents Dwain A. Zich and Coon Creek Investigations International LLC, and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

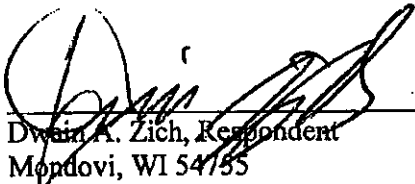
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondents consent to the resolution of this investigation by Stipulation.
2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive 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.
4. Respondents agree to the adoption of the attached Administrative Injunction by the Department. The parties to the Stipulation consent to the entry of the attached Administrative Injunction without further notice, pleading, appearance or consent of the parties. Respondents waive all rights to any appeal of the Department's Administrative Injunction, if adopted in the form as attached.

5. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

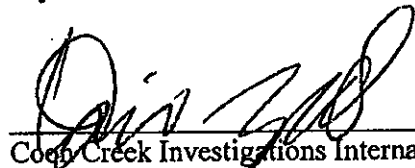
6. The parties to this Stipulation agree that the attorney for the Department of Safety and Professional Services may appear before the Department for the purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on this Stipulation.

7. Respondents are informed that should the Department adopt this Stipulation; the Department's Administrative Injunction is a public record and will be published in accordance with standard Department procedure.

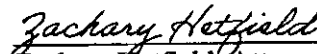
8. The Division of Legal Services and Compliance joins Respondents in recommending the Department adopt this Stipulation and issue the attached Administrative Injunction.


Dwain A. Zich, Respondent
Mondovi, WI 54755

02/08/21
Date


Cotton Creek Investigations International LLC, Respondent
By: Dwain A. Zich, Responsible Licensee
Eau Claire, WI 54701

02/08/21
Date


Zachary Hetfield, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

02/11/21
Date

Would get my own lic. BUT
Dew to Health Reasons can't