

ASSOCIATED BUILDERS AND  
CONTRACTORS OF WISCONSIN, INC.

A Wisconsin corporation  
5330 Wall Street  
Madison, WI 53718,

REESMAN'S EXCAVATING AND GRADING, INC.

A Wisconsin corporation  
28815 Bushnell Road  
Burlington, WI 53105,

WONDRA CONSTRUCTION, INC.

A Wisconsin corporation  
W. 2874 Graylog Road  
Iron Ridge, WI 53035,

and

CARROLL ELECTRIC, INC.

A Wisconsin corporation  
1312 Barberry Drive, Suite 110  
Janesville, WI 53545,

Plaintiffs,

vs.

DEPARTMENT OF WORKFORCE DEVELOPMENT

An Agency of the State of Wisconsin  
201 E. Washington Avenue  
Madison, WI 53703,

and

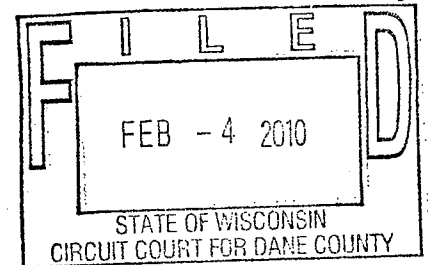
ROBERTA GASSMAN, SECRETARY

Department of Workforce Development  
201 E. Washington Avenue  
Madison, WI 53703,

Defendants.

Case No. 10-CV-496  
Code No. 30701, 30704

DECLARATORY JUDGMENT  
INJUNCTIVE RELIEF

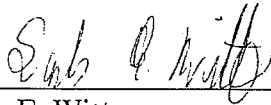


**STIPULATION AND INTERIM ORDER**

It is hereby STIPULATED AND AGREED, by and between Plaintiffs, Associated Builders and Contractors of Wisconsin, Inc., Reesman's Excavating & Grading, Inc., Wondra

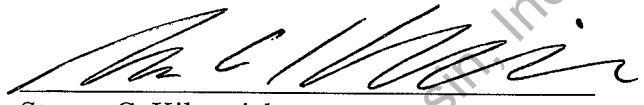
Construction, Inc., and Carroll Electric, Inc. and Defendants, Department of Workforce Development and Roberta Gassman, through their undersigned attorneys who state that they have been authorized to enter into this Stipulation, that the Court may enter the proposed interim Order which is attached, without further hearing.

Dated this 4<sup>th</sup> day of February, 2010.



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Attorneys for Defendants

### INTERIM ORDER


It is hereby ORDERED based on the foregoing stipulation that:

1. During the pendency of *Associated Builders and Contractors of Wisconsin, et al. v. Department of Workforce Development, et al.*, Dane County Circuit Court Case No. 10-CV-496, any contractor, subcontractor, or agent who does not report in accordance with Wis. Stat. sec. 66.0903(10)(am) will not be subject to penalties or forfeitures by the Department for not reporting.
2. During the pendency of the referenced circuit court litigation, the Department will not impose penalties against, or seek to recover forfeitures from, any contractor, subcontractor or agent who chooses not to report. The Department may provide education and assistance to those contractors, subcontractors, and agents who choose to use the current reporting system.
3. Upon the issuance of a decision by the Court on the merits of the litigation, the Department will expect retroactive reporting to commence by any of those contractors, subcontractors, or agents who did not report. However:
  - a) in the event Defendants prevail, the Department will not begin full, and standard, enforcement action until 45 days after issuance of the court's decision.

b) in the event the Plaintiffs prevail, in whole or in part, the Department will not begin full, and standard, enforcement action until 45 days after the Department makes available a revised form or other reporting system.

Dated: 2-4-10

By the Court:

  
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Hon. John W. Markson  
Dane County Circuit Court Judge, Branch 1

Provided by Associated Builders & Contractors of Wisconsin, Inc.