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Winnebago County, WI
2021CX000001



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

Josh Kaul
Attorney General

17 W. Main Street
P.O. Box 7857
Madison, WI 53707-7857
www.doj.state.wi.us

Sarah C. Geers
Assistant Attorney General
geerssc@doj.state.wi.us
608/266-3067
FAX 608/294-2907

January 15, 2021

Winnebago County Circuit Court
Winnebago County Courthouse
415 Jackson Street
Post Office Box 2808
Oshkosh, Wisconsin 54903-2808

Re: *State of Wisconsin v. Alliance Construction and Design, Inc., Amerco Real Estate Company, and U-Haul Co. of Wisconsin, Inc.*

Dear Judge:

I am one of the attorneys representing the State of Wisconsin in the matter of *State of Wisconsin v. Alliance Construction and Design, Inc., Amerco Real Estate Company, and U-Haul Co. of Wisconsin, Inc.* The parties reached a compromise agreement prior to litigation and seek judicial approval of the agreement through entry of a stipulated judgment.

This letter does not require action by this Court, but it serves as notice to interested parties who may seek to intervene under Wis. Stat. § 165.08. Some cases in litigation are subject to approval by the Wisconsin Legislature's Joint Committee on Finance ("JCF") under Wis. Stat. § 165.08(1).¹ The State believes this pre-litigation agreement does not fall under that statute, which applies only to settlements of "civil action[s] prosecuted by" the Department of Justice. Here, this matter was compromised before any civil action was brought. We seek only judicial approval of that agreement through the filing of a stipulated judgment.

¹ Wis. Stat. § 165.08(1) provides, in pertinent part: "[a]ny *civil action prosecuted* by the (Wisconsin Department of Justice) may be compromised or discontinued with the approval of an intervenor under s. 803.09(2m) or, if there is no intervenor, by submission of a proposed plan to the joint committee on finance for the approval of the committee. The compromise or discontinuance may occur only if the joint committee on finance approves the proposed plan."

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Wisconsin Stat. § 165.08 does not apply to pre-suit resolutions such as this one, even if the Court enters the stipulated judgment requested by the parties. By copy of this letter, however, we have provided JCF with notice of these filings should it wish to intervene.

Thank you for your consideration. If you have any questions or if anything further is required, please contact me.

Sincerely,

Electronically signed by Sarah C. Geers

Sarah C. Geers
Assistant Attorney General

SCG:cjh

cc: Attorney Anne Sappenfield