



## OFFICE OF THE CLERK

**Supreme Court of Wisconsin**

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April 26, 2021

**To:**

Hon. Michael H. Bloom  
Circuit Court Judge  
1 Courthouse Square  
Rhineland, WI 54501

Ryan X. Farrell  
Department of Workforce Development  
P.O. Box 8942  
Madison, WI 53708

Brenda Behrle  
Clerk of Circuit Court  
Oneida County Courthouse  
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Rhineland, WI 54501

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Kim T. Castelaz  
Labor and Industry Review Commission  
P.O. Box 8126  
Madison, WI 53708-8126

Rhineland Healthcare Operator 150, LLC  
Cogency Global Inc.  
901 S. Whitney Way  
Madison, WI 53711-2553

You are hereby notified that the Court has entered the following order:

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No. 2020AP520

Friendly Village Nursing and Rehab, LLC v. State of Wis. Dep't of  
Workforce Development L.C. #2019CV121

A petition for review pursuant to Wis. Stat. § 808.10 having been filed on behalf of plaintiffs-appellants-petitioners, Friendly Village Nursing and Rehab, LLC and Friendly Village Healthcare Center ("Friendly Village"), and considered by this court;

IT IS ORDERED that the petition for review is granted as to the following issues:

1. Whether the Labor and Industry Review Commission ("the Commission") reasonably concluded that Friendly Village's filing of an application for unemployment account successorship was both untimely and not permitted due to excusable neglect.

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2. Whether the Commission should have considered the interests of justice in determining whether Friendly Village's application was untimely as a result of excusable neglect.

IT IS FURTHER ORDERED that pursuant to Wis. Stat. §§ (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the plaintiffs-appellants-petitioners must file a brief in this court; and that within 20 days of filing the defendant-respondent, State of Wisconsin Department of Workforce Development, and defendant-respondent, State of Wisconsin Labor and Industry Review Commission, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the defendants-respondents, within 10 days of filing the plaintiffs-appellants-petitioners must file either a reply brief or a statement that no reply brief will be filed; and

IT IS FURTHER ORDERED that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and

IT IS FURTHER ORDERED that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and

IT IS FURTHER ORDERED that, if a party has not previously filed an electronic copy of the briefs filed on behalf of that party in the court of appeals, the party, within 30 days after the date of this order, must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; but if the party has already filed an electronic copy of such briefs, then there is no obligation to provide additional copies of those briefs to the clerk of this court; and

IT IS FURTHER ORDERED that the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.

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Sheila T. Reiff  
Clerk of Supreme Court