

STATE OF WISCONSIN CIRCUIT COURT DUNN COUNTY
BRANCH 2

FARMVIEW EVENT BARN,
LLC, GOVIN'S, LLC, and
GOVIN'S MEATS AND
BERRIES, LLC d/b/a THE
WEDDIN' BARN,

Plaintiffs,

v.

Case No. 19-CV-9

TONY EVERS, in his official
capacity as Governor of
Wisconsin, PETER BARCA,
in his official capacity as
Secretary of Wisconsin
Department of Revenue, and
JOSHUA KAUL, in his
official capacity as Attorney
General of Wisconsin,

Defendants.

DEFENDANTS' ANSWER TO COMPLAINT

Defendants Governor of Wisconsin Tony Evers, Secretary of Wisconsin
Department of Revenue Peter Barca, and Attorney General of Wisconsin
Joshua Kaul, answer the Complaint filed by Plaintiffs, and hereby ADMIT,
DENY, and ALLEGE as follows:

INTRODUCTION

1. Wisconsin law requires a liquor license for the consumption of alcohol in a “public place.” For years, wedding barns, banquet halls, and other private event venues (“Private Event Venues”) have allowed people renting them to bring and consume their own alcohol. Because the events themselves are private and not open to the public, no liquor license is necessary to consume alcohol. This business model has had the blessing of the Wisconsin Department of Revenue, because a private party at a Private Event Venue is not a “public place.”

ADMIT that the Department of Revenue (DOR) is aware of facilities that rent space to private parties for private events at which alcohol is consumed. The balance of the paragraph contains no factual allegations to which a responsive pleading is required. To the extent a response is required, DENY these allegations.

2. That business model is at risk now, because state officials have offered an illogical interpretation of state law that relabels Private Event Venues as “public places” and requires them to obtain a liquor license if their renters want to consume alcohol with their guests. Plaintiffs bring this lawsuit seeking a declaratory judgment to resolve this dispute.

ADMIT that plaintiffs seek declaratory relief. Otherwise, DENY.

PARTIES, JURISDICTION, AND VENUE

3. Plaintiff Farmview Event Barn, LLC (“Farmview”) is a domestic limited liability company incorporated under the laws of the State of Wisconsin with a principal place of business located at N7702 County Road F, in the Town of Berlin, County of Green Lake, State of Wisconsin.

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

4. Plaintiffs Govin's, LLC and Govin's Meats and Berries, LLC (collectively, "Govin"), are domestic limited liability companies incorporated under the laws of the State of Wisconsin with a principal place of business located at N6134 670th Street, in the Town of Red Cedar, County of Dunn, State of Wisconsin, doing business as "The Weddin' Barn."

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

5. Defendant Tony Evers is sued in his official capacity as Governor of the State of Wisconsin. Governor Evers' official address is 115 East, State Capitol, in the City of Madison, County of Dane, State of Wisconsin. Virtually all state agencies, including the Department of Revenue, report to Governor Evers and as the chief executive of the State, he is the appointing authority and supervisor of the leadership at those agencies.

ADMIT the factual allegations in this paragraph. DENY that Governor Evers is a proper defendant in this lawsuit.

6. Defendant Peter Barca is sued in his official capacity as Secretary of the Wisconsin Department of Revenue. The Department of Revenue ("DOR") is an administrative agency of the State of Wisconsin. Defendant Peter Barca's official address is 2135 Rimrock Road, City of Madison, County of Dane, State of Wisconsin. DOR is the state agency jointly responsible with the municipalities of this State for administration of Chapter 125, which regulates the sale and consumption of alcohol in Wisconsin. DOR has, for years, interpreted "public place" under Wis. Stat. § 125.09(1) to exclude purely private events where alcohol is consumed, such as the events hosted at the Private Event Venues owned and operated by the Plaintiffs.

The last sentence of this paragraph consists only of legal conclusions to which no responsive pleading is required. Otherwise, ADMIT.

7. Defendant Josh Kaul is sued in his official capacity as Attorney General of the State of Wisconsin. Under Wis. Stat.

§ 125.145 upon request of the DOR Secretary, he may represent the State or assist a district attorney in prosecuting any case arising under Chapter 125. As explained further below, the previous attorney general issued an informal letter to a lawmaker that disagreed with the longstanding DOR interpretation of the meaning of “public place,” which created significant confusion leading to this suit.

ADMIT factual allegations in first two sentences. DENY that Attorney General Kaul is a proper defendant in this lawsuit. ADMIT that the former attorney general sent an informal letter to a lawmaker. ALLEGE that the letter referred to speaks for itself. LACK knowledge or information sufficient to form a belief as to the truth of the allegations about “significant confusion” and thus DENY.

8. This is an action for a declaratory judgment under Wis. Stat. § 806.04. This Court has jurisdiction to hear this case pursuant to Wis. Stat. § 806.04(1), which states that “[c]ourts of record within their respective jurisdictions shall have power to declare rights, status, and other legal relations whether or not further relief is or could be claimed.”

ADMIT that this is an action for declaratory relief. Otherwise, the paragraph consists of only legal conclusions to which no responsive pleading is required.

9. Section 806.04(2) further states that any person “whose rights, status or other legal relations are affected by a statute ... may have determined any question of construction or validity arising under the ... statute ... and obtain a declaration of rights, status or other legal relations thereunder.”

ALLEGE that the statute quoted in this paragraph speaks for itself.

10. Venue is appropriate in this County under Wis. Stat. § 801.50(3) as the sole defendants are the state officers in their official capacity and the Plaintiffs designate this County as the venue.

ADMIT.

FACTS

11. Farmview is a Private Event Venue that rents itself out primarily for weddings. Farmview is only open to specifically invited guests for specific private events. Farmview does not have a liquor license and does not sell alcohol, but does allow its renters and their private guests to consume alcohol at private events that are not open to the public.

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

12. Farmview has weddings booked out into 2020, with many customers intending to bring and consume alcohol with their personally invited guests. Farmview intends to allow the consumption of alcohol on its premises at such events without Farmview holding a liquor license or requiring its customers to do so. Farmview reasonably fears its business will be significantly and negatively impacted by the continued uncertainty in the law.

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

13. The Weddin' Barn is a Private Event Venue that rents itself out primarily for weddings. The Weddin' Barn is only open to specifically invited guests for specific private events. The Weddin' Barn does not have a liquor license and does not sell alcohol, but does allow its renters and their private guests to consume alcohol at private events that are not open to the public.

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

14. The Weddin' Barn has events booked out into 2020, with many customers intending to bring and consume alcohol with their personally invited guests. The Weddin' Barn intends to allow the consumption of alcohol on its premises at such events without holding a liquor license or requiring its customers to do so. The Weddin' Barn reasonably fears its business will be significantly and negatively impacted by the continued uncertainty in the law.

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

15. The Defendants are in charge of administering and enforcing the provisions of Chapter 125 of the Wisconsin Statutes.

ADMIT that DOR has statutory authority to administer and enforce certain provisions of Chapter 125; DENY that DOR has any Chapter 125 administrative and enforcement authority not provided by the statute. DENY that Governor Evers or Attorney General have any administrative or enforcement authority under Chapter 125.

16. Wis. Stat. § 125.09(1) requires that the owner, lessee, or person in charge of a "public place" must obtain an appropriate retail license or permit before allowing the consumption of alcohol beverages on the premises.

This paragraph consists of only legal conclusions to which no responsive pleading is required. ALLEGE that the statute referred to in this paragraph speaks for itself, and DENY any characterization of the statute contrary to its express terms.

17. Chapter 125 does not define "public place."

ADMIT.

18. For years, DOR has interpreted “public place” to exclude events where attendees consist only of personally invited guests known to the host, which are not open to the general public.

DENY that this summary accurately or completely states DOR’s interpretation of “public place.”

19. In a January 23, 2018 e-mail exchange, Tyler Quam, Special Agent in Charge of the Alcohol & Tobacco Enforcement Unit at DOR, made clear the DOR’s position that:

Events such as wedding receptions, birthday parties, employee appreciation events, family reunions, etc., where attendees consist only of personally invited guests known to the host and are not open to the general public, do not qualify as public places. As long as alcohol beverages are not sold, either directly or indirectly, at these types of gatherings, an alcohol beverage license is not required.

A copy of this email exchanged is attached hereto as Exhibit A.

ADMIT.

20. Private Event Venues have relied on DOR’s interpretation of “public place” in forming their business models. They allow individuals who rent their venues to bring alcohol and consume it with their private guests at their private events without needing to obtain a license or permit under Wis. Stat. § 125.09(1).

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

21. But recent actions at the state level have thrown a cloud of confusion over years of precedent, casting Plaintiffs’ business plans into uncertainty. In addition to the threat to their businesses, if “public place” under Wis. Stat. § 125.09(1) is determined to mean something different than it has meant for years, then Plaintiffs and all other owners of Private Event Venues

will be at risk of criminal prosecution if they continue to operate their businesses as they have for many years.

DENY.

22. Over the past biennial session of the Legislature, certain lobbying interests attempted to change the law to require that owners of Private Event Venues obtain liquor licenses if alcohol is consumed by private guests at private events hosted on their premises. The purpose of these lobbying attempts was to protect the holders of existing liquor licenses, such as taverns, from perceived competition. The lobbyists attempted to amend the law to expand the licensing and permitting requirements of Wis. Stat. 125.09(1) beyond “public place[s]” to specifically cover “property that is not a public place” – such as the Private Event Venues owned by the Plaintiffs. Those attempts to change the law through the traditional legislative process failed.

ADMIT that the Legislature considered amendments to Wis. Stat. § 125.09(1) in the 2017–2018 biennium, and ADMIT that the Legislature declined to amend the statute. Otherwise, LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

23. On November 16, 2018, at the request of a legislator who is also the past president of the Wisconsin Tavern League (one of the special interests attempting to persuade the Legislature to expand the licensing and permitting requirements in law), then Attorney General Brad Schimel issued an informal letter that disagreed with DOR’s historic interpretation of the meaning of “public place” under Wis. Stat. § 125.09(1). Under the Attorney General’s informal letter, a “public place” includes Private Event Venues because they are available for rent by the public even when the renter or lessee does not make his or her event open to the public. A copy of this informal letter is attached as Exhibit B.

ADMIT that former Attorney General Brad D. Schimel sent a letter dated November 16, 2018 to State Representative Rob Swearingen, which is attached as Exhibit B to the Complaint. ALLEGE that the letter speaks for itself, and DENY any characterization of the letter contrary to its express terms.

24. The Attorney General's informal letter is not binding under Wisconsin law.

ADMIT.

25. The Attorney General's informal letter's conclusions are illogical. Private property does not become a "public place" when it is rented out to members of the public. If that were the case then hotel rooms, apartments, and vacation cottages would be public places – because they are all available for rent by the public – and the owners and tenants/lessees of such places could consume alcohol on the premises – or serve it to their private guests – only if they held a retail liquor license or permit under Wis. Stat. Ch. 125.

This paragraph contains no factual allegations to which a responsive pleading is required, but consists of only legal conclusions to which no responsive pleading is required. To the extent a response is required, DENY these allegations.

26. The legislator who initially requested the Attorney General's informal letter continues to pressure DOR into taking enforcement action against Private Event Venues like those owned by the Plaintiffs. That legislator sent a follow up letter to DOR on December 11, 2018, asking for "an update regarding how the Department of Revenue intends to respond and implement" the Attorney General's informal letter. A copy of this December 11, 2018 letter is attached as Exhibit C.

DENY except ADMIT that Representative Swearingen sent a letter dated December 11, 2018 to former DOR Secretary Richard Chandler, which is attached as Exhibit C to the Complaint. ALLEGE that the letter speaks for itself, and DENY any characterization of the letter contrary to its express terms.

27. In response to this letter, then DOR Secretary Richard Chandler responded on December 28, 2018, noting that the Attorney General's informal letter is "different from the longstanding application of the statutes by the Department of Revenue," and then re-iterated DOR's position which was substantially the same as that taken by Tyler Quam nearly a year prior (see ¶ 19, *supra*). A copy of this letter is attached hereto as Exhibit D.

ADMIT that former DOR Secretary Richard Chandler sent a letter dated December 28, 2018 to Representative Swearingen, which is attached as Exhibit D to the Complaint. ALLEGE that the letter speaks for itself, and DENY any characterization of the letter contrary to its express terms.

28. Even though then Secretary Chandler purported to maintain DOR's original position regarding licensing and permitting, as he acknowledges in his letter, there is still significant uncertainty surrounding this issue. In his December 28, 2018 response, then Secretary Chandler noted this future uncertainty, stating "I recognize that the next Secretary of Revenue will be able to review Attorney General Schimel's informal analysis and consult with the next Attorney General and with DOR staff, and then decide whether to continue or change DOR's position in this area."

DENY. ALLEGE that the letter referred to in this paragraph speaks for itself, and DENY any characterization of the letter contrary to its express terms.

29. Private Event Venue owners, such as Plaintiffs, face continued uncertainty as to the legality of their business operations. This litigation seeks to bring certainty to the *existing* statute and to bring an end to the back-and-forth that has cast a dark shadow over the future of Plaintiff's businesses.

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

30. Not only do Plaintiffs and other Private Event Venues face loss or destruction of their businesses if Wis. Stat. § 125.09(1) is applied to them, they face potential criminal penalties for operating without a license. Wis. Stat. § 125.11(1) provides for significant criminal penalties for violations of Chapter 125: a fine of not more than \$1,000, imprisonment for not more than 90 days, or both.

With respect to whether Plaintiff and other Private Event Venues face loss or destruction of their businesses, LACK knowledge or information sufficient to form a belief as to the truth of the allegations and thus DENY. With respect to the provisions of Wis. Stat. § 125.11(1), ALLEGE that the statute speaks for itself, and DENY any characterization of the statute contrary to its express terms.

31. Moreover, even if state officials take no action to enforce against Private Event Venues, the lack of certainty may result in local officials arresting Venue owners and operators or bringing other enforcement actions. Wis. Stat. § 125.14(1) provides, in relevant part, that "any peace officer may arrest without warrant

any person committing in his or her presence a violation of this chapter ... and may, without a search warrant, seize any personal property used in connection with the violation.” The definition of “peace officer” under Wis. Stat. § 125.02(12) is expansive and includes “a sheriff, undersheriff, deputy sheriff, police officer, constable, marshal, deputy marshal, or any employee of [DOR] or of the department of justice authorized to act under this chapter.”

With respect to hypothetical future actions that might be taken by local officials over whom Defendants have no control, LACK knowledge or information sufficient to form a belief as to the truth of the allegations and thus DENY. With respect to the provisions of Wis. Stat. §§ 125.14(1) and 125.02(12), ALLEGE that the statutes speak for themselves, and DENY any characterization of the statutes contrary to their express terms.

32. The business models of the Plaintiffs were built on and have grown around DOR’s interpretation of “public place” – allowing their customers/renters to consume legally procured alcohol with their private guests at their private events. They are now subject to business losses and the possibility of criminal penalties due to the significant uncertainty regarding the interpretation of “public place” under Wis. Stat. § 125.09(1).

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

33. As a result of this confusion, Plaintiff Farmview has even been targeted in a public forum by someone who has left a negative review for the business claiming that Farmview “[s]kirts WI liquor law.” A copy of this review is attached as Exhibit E. Plaintiff Farmview fears the uncertainty created by the Defendants’ conduct will have further negative impact on its business operations moving forward.

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

34. Plaintiff Farmview has no desire to own or operate a tavern. If required to obtain a liquor license, due to limits on available licenses under state law, Plaintiff would need to pay \$10,000 for a reserve license and incur additional expenses to modify its facilities. These expenses would force Farmview to significantly alter its business. Farmview is fearful that, based upon Defendants' conduct, if it does not obtain a liquor license and continues to operate its business and honor its already executed contracts, Farmview and its operators could be subject to criminal penalties.

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

35. Plaintiff Govin, the owners and operators of The Weddin' Barn, have no desire to own or operate a tavern. When The Weddin' Barn began operations their municipality had not issued any liquor licenses, and The Weddin' Barn's owners were warned by a town official not to even try and apply for a liquor license. Even if The Weddin' Barn could obtain a liquor license, it would need to incur additional expenses to modify its facilities. These expenses would force The Weddin' Barn to significantly alter its business. The Weddin' Barn is fearful that, based upon the uncertainty of the law, if it does not obtain a liquor license, and continues to operate its business and honor its already executed contracts, The Weddin' Barn and its operators could be subject to criminal penalties.

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

CLAIM ONE – FOR DECLARATORY RELIEF

36. Plaintiffs reallege and incorporate by reference each of the allegations set forth above.

REALLEGE and incorporate by reference answers to paragraphs 1–35.

37. The confusion and doubt regarding the interpretation of “public place,” as that term is used in Wis. Stat. § 125.09(1) by various state officials charged with enforcing that statute, is creating harm to the Plaintiffs.

LACK knowledge or information sufficient to form a belief as to whether Plaintiffs are being harmed and thus DENY. Otherwise, this paragraph consists of only legal conclusions to which no responsive pleading is required.

38. Plaintiffs may bring pre-enforcement challenges to the statutes. “The whole philosophy underlying the Uniform Declaratory Judgments Act is that it enables controversies of a justiciable nature to be brought before the courts for settlement and determination prior to the time that a wrong has been committed or threatened.” Borden Co. v. McDowell, 8 Wis. 2d 246, 256, 99 N.W.2d 146 (1959).

This paragraph consists of only legal conclusions to which no responsive pleading is required. ALLEGE that the judicial decision quoted speaks for itself.

39. Plaintiffs “do not need to await actual legal action or even a clearly expressed threat of legal action against them in order to have standing for a declaratory judgment.” Planned Parenthood of Wisconsin, Inc. v. Schimel, 2016 WI App 19, ¶18, 367 Wis. 2d 712 N.W.2d 604. *See also* Wagner v. Milwaukee Cty. Election Comm’n, 2003 WI 103, ¶14, 263 Wis. 2d 709, 666 N.W.2d 816 (“Once the gun has been cocked and aimed and the finger is on the trigger, it is not necessary to wait until the bullet strikes to invoke the Declaratory Judgment Act.”).

This paragraph consists of only legal conclusions to which no responsive pleading is required. ALLEGE that the judicial decisions quoted speak for themselves.

40. Pursuant to Wis. Stat. § 806.04, Plaintiffs seek and are entitled to a declaratory judgment clarifying their rights and determining that private events where attendees consist only of the private guests of the renter of the space which are not open to the general public are not “public places” subject to license or permit requirements under Wis. Stat. § 125.09.

ADMIT that Plaintiffs seek the relief described.

41. There exists a substantial, present, and justiciable controversy between Plaintiffs and the Defendants with respect to the meaning of “public place” as that term is used in Wis. Stat. § 125.09(1).

DENY.

42. If this Court does not act, Private Event Venues, including those owned by Plaintiffs herein, will continue to see their businesses harmed by the uncertainty of this situation and could be exposed to criminal sanctions if they operate their businesses as they always have.

LACK knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and thus DENY.

CLAIM TWO – ALTERNATIVE DELARATORY RELIEF

43. Plaintiffs reallege and incorporate by reference each of the allegations set forth above.

REALLEGE and incorporate by reference answers to paragraphs 1–42.

44. The due process rights guaranteed by the Wisconsin Constitution and the Fourteenth Amendment to the United States Constitution are substantially equivalent. See In re Commitment of Hager, 2018 WI 40, ¶17 n. 21, 381 Wis. 2d 74, 911 N.W.2d 17.

This paragraph consists of only legal conclusions to which no responsive pleading is required. ALLEGE that the judicial decision quoted speaks for itself.

45. Article I, Section 1 of the Wisconsin Constitution provides in part: “All people are born equally free and independent, and have certain inherent rights; among these are life, liberty and the pursuit of happiness...”

ALLEGE that the constitutional provision quoted speaks for itself.

46. Article I, Section 8 of the Wisconsin Constitution provides in part: “No person may be held to answer for a criminal offense without due process of law.”

ALLEGE that the constitutional provision quoted speaks for itself.

47. The Wisconsin Supreme Court, analyzing criminal penalties, has held that the constitutional requirements of due process prohibit criminal statutes that are too vague, mandating “fair notice and proper standards for adjudication.” *State v. Courtney*, 74 Wis. 2d 705, 709, 247 N.W.2d 714 (1976).

This paragraph consists of only legal conclusions to which no responsive pleading is required. ALLEGE that the judicial decision quoted speaks for itself.

48. The Wisconsin Supreme Court has directed courts to consider two factors when determining whether a statute is void for vagueness:

First “[a] criminal statute must be sufficiently definite to give a person of ordinary intelligence who seeks to avoid its penalties fair notice of conduct required or prohibited.” *Popanz*, 112 Wis.2d at 173. Second the “statute must also provide standards for those who enforce the laws and those who adjudicate guilt.” *Id.*

State v. Cissell, 127 Wis. 2d 205, 224–25, 378 N.W.2d 691 (1985) (citing State v. Popanz, 112 Wis. 2d 166, 173, 332 N.W.2d 750 (1983)).

This paragraph consists of only legal conclusions to which no responsive pleading is required. ALLEGE that the judicial decision quoted speaks for itself.

49. Wis. Stat. § 125.09(1) is void for vagueness because the vague and undefined term “public place” does not give a person of ordinary intelligence fair notice of conduct required or prohibited and does not provide standards for those who enforce the laws and adjudicate guilt.

This paragraph consists of only legal conclusions to which no responsive pleading is required.

50. For years, DOR has interpreted Wis. Stat. § 125.09(1) as excluding private events at Private Event Venues from the licensing and permitting requirements. If the Attorney General can come to an opposite conclusion without any change being made to the law itself, then ordinary persons, law enforcers, and law adjudicators cannot possibly be expected to understand what conduct the statute is prohibiting.

This paragraph contains no factual allegations to which a responsive pleading is required, but consists of only legal conclusions to which no responsive pleading is required. To the extent a response is required, DENY any allegations of fact.

51. If this Court does not determine that “public place” excludes private events at Private Event Venues, it should, in the alternative, declare that Wis. Stat. § 125.09(1) violates the due process requirements of the Wisconsin Constitution and is void for vagueness.

This paragraph consists of only legal conclusions to which no responsive pleading is required.

AFFIRMATIVE DEFENSES

A. Attorney General Kaul must be dismissed from this action because he is not a proper defendant. Attorney General Kaul has no independent authority to administer or enforce Chapter 125. Section 125.145 authorizes the Attorney General, only if requested by the Secretary of the Department of Revenue, to act as the State's attorney in a prosecution of a case under the chapter. That is not an enforcement authority and does not constitute or create a sufficient interest in the Attorney General to allow Plaintiffs to seek a judgment against him.

B. Governor Evers must be dismissed from this action because he is not a proper defendant. He does not enforce or oversee the enforcement of Chapter 125. There is no basis for allowing Plaintiffs to seek a judgment against him.

C. This action must be dismissed because there is no case or controversy between the parties.

D. This action must be dismissed because it is not ripe.

WHEREFORE, Defendants demand dismissal of this action, an order awarding costs to Defendants, and any other relief the Court deems appropriate.

Dated this 7th day of March, 2019.

Respectfully submitted,

JOSHUA L. KAUL
Attorney General of Wisconsin

Electronically signed by:

s/ Maura FJ Whelan
MAURA FJ WHELAN
Assistant Attorney General
State Bar #1027974

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CERTIFICATE OF SERVICE

I certify that in compliance with Wis. Stat. § 801.18(6), I electronically filed the documents foregoing Defendants' Answer to Complaint with the clerk of court using the Wisconsin Circuit Court Electronic Filing System, which will accomplish electronic notice and service for all participants who are registered users.

Dated this 7th day of March, 2019.

Electronically signed by:

s/ Maura FJ Whelan
MAURA FJ WHELAN
Assistant Attorney General