

# Judge issues temporary injunction blocking Evers administration limits on indoor gatherings

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A Sawyer County judge has issued a temporary restraining order blocking the Evers administration's order limiting public indoor gatherings to 25 percent of a room's capacity.

Along with issuing the temporary injunction, Judge John Yackel scheduled a hearing Monday for further arguments in the case.

The order comes after the Tavern League filed suit yesterday. The group argued DHS Secretary Andrea Palm in issuing the order "flatly ignored" the state Supreme Court's previous ruling on another COVID-19 emergency directive. The league argued she didn't follow proper rulemaking procedure.

The ruling comes after the Republican-led Joint Committee for the Review of Administrative Rules called for the Evers administration to draft emergency rules for the new order, kicking off a process where lawmakers could reject it without reconvening the Legislature.

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But Gov. Tony Evers has said there is no reason to have a rule prepared, and has yet to withdraw the emergency order.

Evers spokeswoman Britt Cudaback in response to the suit pointed out the state had "another record-breaking day for COVID-19 deaths, hospitalizations, and new cases" as organizations fight to have the restrictions overturned in the middle of a pandemic.

“Our order is consistent with the Wisconsin Supreme Court’s ruling earlier this year, and we continue to ask everyone to do their part to prevent the spread of this virus by staying home, limiting travel and gatherings, and wearing face coverings whenever in public,” she said in a statement.

Read the order:

<https://www.wispolitics.com/wp-content/uploads/2020/10/201014TRO.pdf>

See the court filing:

<https://www.wispolitics.com/wp-content/uploads/2020/10/201013court.pdf>

See the Tavern League’s letter:

[https://www.wispolitics.com/wp-content/uploads/2020/10/201013tavern\\_letter.pdf](https://www.wispolitics.com/wp-content/uploads/2020/10/201013tavern_letter.pdf)