

**RECEIVED**

**APR 15 2019**

**CLERK OF SUPREME COURT  
OF WISCONSIN**

STATE OF WISCONSIN  
SUPREME COURT  
Case No. 2019AP559

---

THE LEAGUE OF WOMEN VOTERS  
OF WISCONSIN, DISABILITY RIGHTS  
OF WISCONSIN, INC. BLACK LEADERS  
ORGANIZING FOR COMMUNITIES,  
GUILLERMO ACEVES, MICHAEL J. CAIN,  
JOHN S. GREENE, AND MICHAEL DOYLE,

Plaintiffs-Respondents,

v.

TONY EVERS,

Defendant-Respondent,

and

THE WISCONSIN LEGISLATURE,

Intervening Defendant-Appellant.

---

**GOVERNOR EVERS' BRIEF IN OPPOSITION TO  
THE WISCONSIN LEGISLATURE'S MOTION FOR EMERGENCY  
TEMPORARY RELIEF**

---

Defendant-Respondent Governor Tony Evers, by his undersigned  
counsel, hereby submits this brief in opposition to the Wisconsin  
Legislature's emergency motion for temporary relief, which was presented  
to this Court as part of an April 10, 2019 filing entitled "Emergency  
Petition for Original Action, Supervisory Writ, Writ of Mandamus, and/or

Immediate Temporary Relief of Intervening Defendant-Appellant-Petitioner Wisconsin Legislature and Memorandum in Support” (hereinafter “Emergency Petition”). Per the Court’s April 11, 2019 Order, this brief responds only to the portion of that filing that seeks emergency temporary relief.

## INTRODUCTION

Through its Emergency Petition, the Legislature seeks an order from the Supreme Court reinstating certain individuals to positions on various state boards, councils, commissions and authorities, claiming that without such an order, the public will be harmed and public servants will be treated unfairly. *Emergency Petition*, pp. 3-4. Concern over these appointments is the sole motivation for the Legislature’s Emergency Petition to the Supreme Court. It blames this “emergency” on the Court of Appeals, which denied the Legislature’s Motion to Enforce the Stay on April 9, 2019. The Legislature argues that unless the individuals in question are immediately returned to their prior appointments, those individuals and the work of critical governmental bodies will suffer. *Emergency Petition*, pp. 3-5. As shown below, there is no emergency, the Supreme Court is not the right court to entertain this interim concern, and

the Court of Appeals decided the Legislature's Motion to Enforce the Stay correctly.

## PROCEDURAL HISTORY

This action began with a Complaint filed by the League of Women Voters of Wisconsin and others, claiming that the December 2018 Extraordinary Session meeting of both houses of the Legislature was held without Constitutional authority, and therefore all actions taken during that meeting were *ultra vires*.<sup>1</sup> On March 21, 2019, the Dane County Circuit Court, the Honorable Richard G. Niess, presiding, issued a Decision and Order denying the Legislature's motion to dismiss, granting a temporary injunction, and denying a stay of the temporary injunction. *App. 1-16*. That temporary injunction restored the status quo as it existed before the December 2018 Extraordinary Session. *App. 12-13*. The specific language of the injunction is as follows:

The Court orders a temporary injunction forthwith prohibiting Defendants from enforcing any provision of 2017 Wisconsin Act 368, 2017 Wisconsin Act 369, and 2017 Wisconsin Act 370. **Defendants are further enjoined from enforcing the confirmation of the 82 nominees/appointees to the various State authorities, boards, councils and commissions that occurred during the December 2018 "Extraordinary Session".** The appointments are ordered

---

<sup>1</sup> It is inappropriate here to delve into arguments on the merits of the underlying Constitutional challenge. While the Legislature does so in its "Statement of the Case," the Governor refrains, noting, however, his disagreement with the Legislature's characterization of the dispute and legal arguments.

temporarily vacated as a necessary consequence of this temporary injunction.

*App. 14 (emphasis added).*

The following day, the Legislature filed with the Court of Appeals a motion to stay the temporary injunction and for leave to appeal that injunction,<sup>2</sup> and brief in support of the motion to stay. *Docs. 159, 160.* Later in the day, the Legislature also filed its formal appeal paperwork, including a Docketing Statement and Notice of Appeal. *Docs. 157, 158, 162, 163.*

Also on March 22, 2019, the Governor removed from consideration for Senate confirmation 82 appointments that, at that time, were unconfirmed by operation of the Circuit Court's temporary injunction returning the state of the law to the status quo as it existed before the December 2018 Extraordinary Session. *Fenili Aff. Ex. A; App. 12-14.* Later that day, the Legislature sent a letter to the Clerk for the Court of Appeals advising that the Governor had "rescinded" the 82 appointments, acknowledging that the Governor had "leeway" to act in the absence of a

---

<sup>2</sup> On April 3, 2019, the Court of Appeals dismissed the petition for leave to appeal as unnecessary.

stay, and asking the Court to “clarify” that the Governor’s “rescission” of the appointments was “legally ineffective.”<sup>3</sup>

On March 27, 2019, the Court of Appeals issued a stay of the Circuit Court’s temporary injunction. It did not, however, provide the “clarification” that the Legislature sought. It said nothing about the Governor’s decision to remove from consideration the appointments that were, while the pre-Extraordinary Session status quo was in place by operation of the injunction, unconfirmed and therefore subject to removal from consideration. *App.* 17-25.

On April 1, 2019, after former PSC Commissioner Ellen Nowak was not allowed to return to her former position in light of the Governor’s removal of her appointment from Senate consideration, the Legislature filed with the Court of Appeals a motion to “enforce the stay.” *App.* 32-40. In that motion, it claimed that “the stay order clearly reinstates the appointees,” and by not allowing Ms. Nowak to return to her previous position at the PSC, the Governor was in violation of that order. *App.* 37. The Court of Appeals denied that motion on April 9, 2019, explicitly

---

<sup>3</sup> The Legislature’s characterization of the Governor’s withdrawal of unconfirmed nominees from consideration for confirmation by the Senate as “rescinding” those appointments is legally inaccurate.

rejecting the Legislature's contention that the stay order reinstated the appointees to their positions. Specifically, it said:

our March 27 order is silent as to the status of the appointees, and it does not explicitly direct the governor to allow them to continue in their positions....Therefore, if our order were to be construed to reinstate the appointees into their positions, it could only do so by operation of law, as an automatic effect of the stay.

*App. 29.* The court found that the stay had no such automatic effect and declined the Legislature's request to order the Governor to reinstate the appointees pending appeal of the temporary injunction. *App. 26-31.*

On April 10, 2019, the Legislature filed its Emergency Petition with the Supreme Court. On April 11, 2019, the Court construed that filing as two separate things: a motion for emergency temporary relief, and a petition for leave to file an original action or supervisory writ. It ordered that responses to the former be filed by 3:00 p.m. on Monday, April 15, 2019, and responses to the latter be filed by 4:00 p.m. on Tuesday, April 16, 2019.

## ARGUMENT

### I. There is no emergency, crisis, chaos, or ongoing harm.

The Legislature is apoplectic over its claims that the operations of state government have been thrown into "chaos," first by the Circuit Court and next by the Court of Appeals. *Emergency Petition, pp. 2, 3.* It claims that

these rulings have left governmental bodies unable to operate in the public interest, that the Governor's actions relating to the appointments are "undermining critical bodies such as the PSC," and that the "uncertain status of the appointees creates an ongoing, intolerable public interest harm." *Id.*, pp. 2, 15. An examination of the facts demonstrates that there is no emergency or ongoing harm of any kind. The government is, and is fully capable of, operating with these rulings in place while the judicial process follows its course.<sup>4</sup>

**A. Many of the appointees have been re-nominated and government is operating without problems or confusion.**

The Legislature's presentation of the status and effect of the 82 appointments purportedly confirmed during the December 2018 Extraordinary Session, and then removed from consideration for confirmation while the Circuit Court's injunction was in place, is overblown. It speculates, without any effort to present supporting evidence, that "problems, disruptions and uncertainty may well occur at the Labor and Industry Review Commission [LIRC] and the University of

---

<sup>4</sup> It bears mentioning that the Legislature's multiple, repetitive, and confusing filings, typified by a lack of compliance with the rules of civil and appellate procedure, distract and delay the parties from actually reaching the merits.

Wisconsin Board of Regents” in connection with the appointment vacancies. *Emergency Petition*, p. 17.

The Legislature even goes so far as to imply that the PSC, LIRC, the Board of Regents, and other governmental bodies are left “in limbo,” without the ability to “make important decisions,” and claims, without offering any evidence, that they are suffering “needless harm” due to being “short-staffed” while this appointments issue is in dispute. *Id.*, pp. 17-18, 27.<sup>5</sup> In reality, of all of these 82 appointments, only two are full-time jobs: the PSC Commissioner post and the LIRC Commissioner post. *Fenili Aff.* ¶ 8. The balance are to bodies that meet occasionally. Most examining boards are required to meet only once per year, although they may meet more often. For example, in 2018, the Pharmacy Examining Board met a total of 8 times. *Fenili Aff.* ¶ 10.

---

<sup>5</sup> In its effort to advance its position, the Legislature also devolves into what might be charitably described as violating “a cardinal rule of effective appellate legal writing. The rule is: ‘*Avoid disparaging lower courts or opposing parties.*’” *State v. Rossmannith*, 146 Wis. 2d 89, 430 N.W.2d 93 (1988) (emphasis in original). It accuses the Governor of engaging in “shocking tactics” and attacks the Governor’s character. *Emergency Petition*, pp. 3-5. The personal attacks on the Governor are unseemly and inappropriate, particularly from a co-equal branch of the government, and serve only to underscore the weakness of the Legislature’s legal arguments. Among the *ad hominum* attacks is an allegation that the Governor’s office “fired” 82 nominees “minutes after” receiving a deadline by which to file a response to the Legislature’s motion for stay. *Id.* p. 3. As a matter of fact, at the time the letter removing the appointees from consideration for Senate confirmation was delivered, the Governor’s office was unaware of any such order from the Court of Appeals. *Affidavit of Cassi Fenili (“Fenili Aff.”)* ¶ 3.



Moreover, most of these 82 posts are now filled with the individuals chosen by Governor Walker to serve in them. On March 28, 2019, Governor Evers re-nominated 67 people to the positions they had previously held. *Fenili Aff.* ¶ 4. He re-nominated three more on April 5, 2019. *Id.* ¶ 5. With respect to those 70 individuals, 49 have returned their oaths of office and are now serving in their appointed roles, awaiting confirmation by the Senate. *Id.* ¶ 6. Three have resigned from the appointed roles. *Id.* ¶ 4. Pursuant to statute, the remaining 18 appointees are free to return to their previous roles as soon as they sign and return their oaths of office. *See Wis. Stat.* §§ 15.06(8), 15.07(7), 15.08(8), 15.085(8).

In sum, out of the 82 withdrawn appointments, there are only 11 people who have not removed themselves from consideration or been re-appointed. *Fenili Aff.* ¶7.

The Legislature is primarily concerned about the operation of the Public Service Commission (“PSC”), which it contends is on the verge of “significant problems and needless confusion” due to the disputed status of the removal of Ellen Nowak’s appointment to the PSC. *Emergency Petition*, p. 16. The only evidence it offers to support any of its contentions of chaos, confusion, crisis, ongoing harm, and the like; including this one; is from former PSC Commissioner Ellen Nowak. *See id.*, citing *Nowak Supp.*

*Aff., App. 47.* That evidence is disputed. As PSC Chairperson Rebecca Cameron Valcq puts it, “Any allegations that this litigation has hindered the PSC’s ability to work are patently false.” *Affidavit of Rebecca Cameron Valcq (“Valcq Aff.”)* ¶11. Also citing Ms. Nowak’s affidavit, the Legislature expresses concern about possible problems with such things as the PSC holding “a vote on whether...to approve a new electric generation resource, or to consider an economic development tariff for utilities and customers.” *Emergency Petition, p. 16.* That is simply not the case. Chairperson Valcq confirms that on April 11, 2019, the PSC met in open meeting and decided 31 agenda items. Among those items were approvals of the two largest utility scale solar projects in Wisconsin’s history, as well as many other matters of importance. There were “no ‘significant problems’ nor ‘needless confusion’” in deciding those agenda items. *Valcq Aff.* ¶¶12-13.

As for any claim that the PSC is suffering “needless harm” due to being “short-staffed,” *Emergency Petition, p. 27,* that is also contradicted by the evidence. PSC Chairperson Valcq confirms that PSC Division Administrators “render hundreds of final decisions and orders in dockets annually” utilizing existing delegated authority. Indeed, during the period that the third Commissioner post has been vacant, the PSC has issued

nineteen Final Decisions. *Valcq Aff.* ¶ 14. Even combined with a rare need for Chairperson Valcq to recuse, any allegation that the vacancy “will interfere, even slightly, with the operation of the PSC...is also patently false.” *Id.*

Finally, the Legislature’s concern that due to Chairperson Valcq’s recusal obligations the PSC will be unable to act on some matters without Ms. Nowak serving in her previous role is also unfounded. While the recusal policy put in place upon Chair Valcq’s appointment lists numerous dockets, only two are scheduled to come before the Commission in the next twelve months. Those matters are routine required annual fuel cost filings. *Valcq Aff.* ¶ 14. Likewise, allegations that major projects could be stalled without a third Commissioner in place are simply untrue. The PSC can function with one and even two vacancies and has done so in the past. *Valcq Aff.* ¶¶ 7-10. Major projects, if not acted on within statutory time periods, are deemed approved by function of law. *Id.* ¶ 15.

In sum, the Legislature has offered little in the way of evidence to support its contention of chaos arising from the Governor’s removal of the 82 appointments from Senate consideration. The affidavit testimony of Governor’s Appointments Director, Cassi Fanili, provides an accurate picture of the status of the various appointments and bodies at issue, and

demonstrates that there is no emergency either as to the operation of the government or to the interests of the citizens of the state. What little evidence the Legislature has offered of disruption at the PSC, through two affidavits from former PSC Commissioner Ellen Nowak, is speculative and contradicted by PSC Chairperson Valcq's affidavit as well as the actual actions of the PSC taken since Ms. Nowak's departure.

The Supreme Court is not a factfinding body, and it would be inappropriate for any court to resolve material disputes of fact presented through affidavit. To the extent the Court has concerns about the operation of state government or the public's interests in relation to the appointments issue, it would be appropriate for the issue to be referred to the Circuit Court for a factfinding hearing and determination as to whether a temporary injunction is appropriate.

**B. The Governor's appointments decisions have not resulted in a crisis of unemployment for the 82 appointees, and any individual appointee's claims of wrongful termination may be pursued by the appointee, not the Legislature.**

The Legislature asks that the Supreme Court consider "the personal toll of the Governor's actions on appointees" like Ms. Nowak. It claims that she and her executive assistant have been wrongfully terminated from employment. *Emergency Petition*, pp. 20, 28. It accuses the Governor of firing 82 people from jobs that they "are unquestionably statutorily

entitled to.” *Id.*, pp. 2-3. While the Governor is sympathetic to the effects that his appointments decisions may have on specific people, there is sharp dispute as to whether the nominees were “entitled to” remain in their appointments after March 22 when their nominations were withdrawn from Senate consideration for confirmation. As discussed further in Section II below, at the time they were withdrawn, they had not been confirmed and could be released from appointment without cause.

Moreover, the Legislature’s implication on pages 26 through 28 of its Emergency Petition that 82 Wisconsinites are suddenly unemployed and facing uncertainty about their income and insurance coverage due to the withdrawal of their nominations is misleading. Eighty of the 82 appointments at issue are to bodies that meet occasionally and for which the appointees are only paid a nominal per diem to attend the meeting. *Fenili Aff.* ¶¶ 9, 10. For instance, appointees to the various examining boards (medical, dentistry, hearing and speech, nursing home administrator and pharmacy) and credentialing boards (e.g. podiatrists, occupational therapists, athletic trainers) receive \$25 per day on which the members actually and necessarily engage in the performance of the examining board duties. *Fenili Aff.* ¶ 9. People who accept these roles do so to serve the public, not to pay the rent or obtain health insurance. Indeed,

the cost of child care for the time spent to attend an examining board meeting would typically exceed the per diem paid for such attendance. That is why it is called public service, and why the Governor and the citizens of this state are grateful for those who serve in these positions.

The Legislature does not have standing to assert the employment or other interests of those individuals, and this is not the forum for those interests to be asserted. Rather, if Ellen Nowak or other withdrawn appointees believe they have a right to return to the roles they held before the Governor withdrew their appointments, they should pursue their individual claims according to the legal processes available to them.

**II. The Court of Appeals correctly found that the Governor had not violated the stay and denied the relief requested by the Legislature.**

To the extent that the Legislature's motion for emergency temporary relief is construed as a motion for relief from the Court of Appeals' April 9, 2019 order denying the Legislature's motion to enforce the March 27, 2019 stay, *App. 26-31*, the motion should be denied.

**A. The Court of Appeals properly exercised its discretion when it denied the Legislature's motion to enforce the stay.**

Although the Legislature's April 1, 2019 motion to the Court of Appeals was framed as a "motion to enforce the stay," it sought an

injunction directing the Governor to allow the appointees to return to work. The Court of Appeals' April 9, 2019 order denying injunctive relief to the Legislature was on an issue soundly within the discretion of that court. See *Hoffmann v. Wisconsin Elec. Power Co.*, 2003 WI 64, ¶10, 262 Wis. 2d 264, 277. An "appellate court will sustain a discretionary act if it finds that the trial court (1) examined the relevant facts, (2) applied a proper standard of law, and (3) using a demonstrated rational process, reached a conclusion that a reasonable judge could reach." *Loy v. Bunderson*, 107 Wis. 2d 400, 414-115, 320 N.W. 2d 175 (1982). The Court of Appeals appropriately exercised its discretion and correctly ruled on the Legislature's motion. This Court should not disturb the Court of Appeals' discretionary ruling.

As the Court of Appeals recognized, the Legislature's motion was "premised on the proposition that our March 27 order 'reinstates the appointees' to the positions to which they were confirmed." *App.* 28. The Court of Appeals carefully considered the parties' arguments, legal authorities, and evidence, and, using a rational process, demonstrated in its written order, reached a reasonable conclusion. It rejected the Legislature's premise and instead agreed that the Governor's characterization of the legal effect of the March 27 order: that order did not

require the Governor to reinstate the appointees who were withdrawn prior to the issuance of the stay. *App.* 28-29. It therefore properly denied the Legislature's motion. *App.* 31.

**B. The Governor acted pursuant to his authority to withdraw unconfirmed nominees from consideration for confirmation.**

Should this Court decide to examine the Legislature's request anew, it should reach the same conclusion as the Court of Appeals. The process for appointment of an individual to the relevant boards, commissions, councils and authorities at issue begins with a nomination by the Governor. To formalize the appointment, the Senate must confirm the nominee. While unconfirmed, however, the Governor has the legal ability to withdraw the appointment from consideration by the Senate. *See Wis. Stat.* §§ 15.06, 15.07, 15.08, 15.085, 17.20, 17.28 (providing that the members of the various commissions, boards, and councils at issue are nominated by the governor, may serve pending confirmation after signing an oath of office, and are formally appointed to the position only upon confirmation by the Senate).

Once confirmed, an appointee can only be removed for cause. But while unconfirmed, the Governor can withdraw the appointment from consideration for no cause, thereby withdrawing the individual's ability to



serve in the position pending confirmation. That is precisely what occurred here. *See id.*; Wis. Stat. § 17.07(3).

Prior to leaving office, Governor Walker made the 82 nominations at issue, which, as the Legislature acknowledges, members of the Senate purported to confirm during the December 2018 Extraordinary Session. *Emergency Petition*, p. 11. On March 21, 2019, the Circuit Court found that the meeting of Senators during the December 2018 Extraordinary Session was not a legal meeting, and therefore actions taken during that meeting, including the confirmations, had no legal effect. It therefore issued a temporary injunction restoring the “status quo,” i.e., “the state of the law before the Legislature unconstitutionally acted in December 2018.” *App.* 13.

Although the Legislature appealed that temporary injunction the next day, Wis. Stat. § (Rule) 808.07 makes it clear that the filing of an appeal “does not stay the execution or enforcement of the judgment or order appealed from” except in circumstances not applicable here. Nor is there any law that provides that the filing of a motion for a stay pending appeal stays the effectiveness of the order appealed from. Thus, the Legislature’s March 22 motion to stay the injunction had no effect on the validity of the injunction.

While the Circuit Court's injunction was in effect, from March 21, 2019 until the issuance of the Court of Appeals' Order on March 27, 2019, the legal landscape reverted to as it existed before the Extraordinary Session. That reversion is clear from the language of the Order itself. Of importance here, the Order returned the "state of the law" to as it was before the December 2018 Extraordinary Session, i.e., before the 82 nominations were confirmed. *App. 13.* The Circuit Court put an even finer point on the injunction, particularly enjoining the enforcement of the confirmations of the 82 nominees: "Defendants are further enjoined from enforcing the confirmation of the 82 nominees/appointees to the various State authorities, boards, councils and commissions that occurred during the December 2018 'Extraordinary Session'." *App. 14.*

Thus, between March 21 and March 27, 2019, the 82 nominees did not hold confirmed appointments, and consequently did not have any statutory right to continue in those roles, contrary to the Legislature's contentions. Consistent with this state of the law, on March 22, the Governor withdrew from Senate consideration the unconfirmed nominees.

The Legislature would prefer this Court ignore the Circuit Court's restoration of the status quo, generally, and the sentence of the injunction enjoining enforcement of the confirmations, specifically, and instead focus

on the last sentence of the injunction: “The appointments are ordered temporarily vacated as a necessary consequence of this temporary injunction.” *App. 14*. However, that language is **additive** to the sentence preceding it and upon which the Governor relies; it is not a restatement. And like the sentence preceding it, it merely articulates one aspect of what returning “the state of the law” to what it was before the Extraordinary Session involved. Through the last sentence, the Circuit Court ordered that the appointments, not the nominations, be temporarily vacated. In the absence of withdrawal of the nominations, the appointees would have had the ability to return to acting in their previous roles upon stay of the injunction. However, because the Governor withdrew those nominations during the period in which the appointments were unconfirmed, and thus at a time when the occupants had no statutory right to the appointments, the individual nominees had no right to “return” to those roles once the Court of Appeals stayed the injunction.

The Legislature cited no authority to the Court of Appeals to support its claim that “an action taken while an injunction is in effect is invalidated by an appellate court’s subsequent stay of that injunction.” *App. 30*. There is no such authority. Yet that is the position it continues to argue to this Court, still without citing to any authority, binding or

persuasive. See, e.g. *Emergency Petition* p. 21 (arguing once the circuit court's injunction was stayed, the appointees were "once again" statutorily entitled to the appointed positions; those rights "reattached"). As the Court of Appeals observed, a duly issued injunction is binding on all parties and "must be obeyed by them" until and unless it is subsequently determined to have been issued erroneously. *App. 29, citing Howard v. Kansas*, 258 U.S. 181, 189-90 (1922). The Governor and the Legislature were bound by the injunction between March 21 and 27, including the return of the appointees to the legal status they held before the December 2018 Extraordinary Session occurred.

The Legislature's logic, that the nominees regained their confirmed status once the stay was imposed, only works by ignoring the intervening action of the Governor on March 22, removing the appointees from Senate confirmation consideration when by virtue of the injunction they were by law unconfirmed. This error in logic represents a fundamental misunderstanding of what a stay is: it is not an interim reversal of a previous order. Instead, it is a mechanism that "operates upon the judicial proceeding itself...by halting or postponing some portion of the proceeding, or by temporarily divesting an order of enforceability." *Nken*

*v. Holder*, 556 U.S. 418, 428 (2009) (citations omitted). The Court of Appeals recognized this to be the nature of a stay. *App.* 29.

The action the Legislature objects to occurred prior to the stay and during the period in which the state of the law was returned to what it was prior to the December 2018 Extraordinary Session, pursuant to the Circuit Court's temporary injunction. To the extent the Legislature contends that the Governor violated the Circuit Court's temporary injunction by withdrawing the unconfirmed appointments before the injunction was stayed, this is an issue that can and should be addressed by the Circuit Court. The Supreme Court should not involve itself unnecessarily in this issue.

### CONCLUSION

The Legislature's motion for emergency temporary relief should be denied.

Respectfully submitted this 15<sup>th</sup> day of April, 2019.

PINES BACH LLP



---

Tamara B. Packard, SBN 1023111

Lester A. Pines, SBN 1016543

Aaron G. Dumas, SBN 1087951

Beauregard W. Patterson, SBN 1102842

*Attorneys for Defendant Tony Evers*

Mailing Address:

122 West Washington Ave.

Suite 900

Madison, WI 53703

(608) 251-0101 (telephone)

(608) 251-2883 (facsimile)

[tpackard@pinesbach.com](mailto:tpackard@pinesbach.com)

[lpines@pinesbach.com](mailto:lpines@pinesbach.com)

[adumas@pinesbach.com](mailto:adumas@pinesbach.com)

[bpatterson@pinesbach.com](mailto:bpatterson@pinesbach.com)