

STATE OF WISCONSIN

**CIRCUIT COURT
BRANCH 2**

COUNTY OF DANE

CITY OF WEST BEND,

Plaintiff,

Vs.

Case No. 06CV2834

EMPLOYEE TRUST FUNDS BOARD,

Defendant.

DECISION AND ORDER

This case concerns the eligibility for Wisconsin Retirement System (WRS) participation of fourteen City of West Bend employees who served as part-time police officers between 1968 and 1984. Plaintiff City of West Bend seeks certiorari review pursuant to Wis. Stats. § 40.08(12) of the June 24, 2005 and June 23, 2006 decisions of the Wisconsin Employee Trust Funds Board (ETF or Board). The Board's June 24, 2005 decision determined that the employees' appeals were timely filed. The Board's June 23, 2006 Final Decision ordered the City to report the fourteen employees as Wisconsin Retirement System participants for the relevant time periods (R. B14).

FACTS

For purposes of the administrative hearing the parties reached a stipulation of facts, which states:

Each appellant, at various points of time, worked for the Respondent City of West Bend's police department in a capacity

