
MEGHAN E. BUCKLEY

10338 Grand Oaks Trail
Woodbury, MN 55129,

Plaintiff,

v.

**BOARD OF REGENTS OF THE
UNIVERSITY OF WISCONSIN SYSTEM**

1860 Van Hise Hall
1220 Linden Drive
Madison, WI 53706

and

KATHERINE P. JORE

University of Wisconsin-Stevens Point
Office of Provost and Vice Chancellor/
Records Custodian
Rm 202 – Old Main Bldg
2100 Main Street
Stevens Point, WI 54481

Defendants.

COMPLAINT

Case No: *11CV542*

Case Code: 30704

Circuit Court Portage County, Wis

FILED

DEC 14 2011

CLERK OF COURTS

COMPLAINT

The plaintiff, Meghan E. Buckley, by her attorney, Thomas P. Raisbeck of Eckberg, Lammers, Briggs, Wolff & Vierling, PLLP, 430 Second Street, Hudson, Wisconsin 54016, complain of the defendants, Board of Regents of University of Wisconsin System and Katherine P. Jore as follows:

PARTIES

1. Plaintiff, Meghan E. Buckley ("Buckley"), is an adult resident of the state of Minnesota with an address of 10338 Grand Oaks Trail, Woodbury, Minnesota 55129. Buckley is an employee of the University of Wisconsin – Stevens Point (the "University") and is a

“Record Subject” as that term is defined in Wis. Stat. § 19.32 and used in Wis. Stats. §§19.31 – 19.39 (the “Open Records Law”), of records held by the University.

2. Defendant, Board of Regents of the University of Wisconsin System (the “Board of Regents”), is established pursuant to Chapter 36 of the Wisconsin Statutes with its principle address of 1860 Van Hise Hall, 1220 Linden Drive, Madison, Wisconsin 53706. The Board of Regents is an “authority” as that term is defined in the Open Records Law.
3. Defendant, Katherine P. Jore (“Jore”), is an adult resident of the state of Wisconsin with an address of University of Wisconsin – Stevens Point, Office of Provost and Vice Chancellor/Records Custodian, Room 202 – Old Main Building, 2100 Main Street, Stevens Point, Wisconsin 54481. Katherine P. Jore is the “Legal Custodian” as that term is used in the Open Records Law, of University records pertaining to Buckley (“Records”).

VENUE

4. Venue is proper under Wis. Stat. § 801.50(2)

FACTUAL ALLEGATIONS

5. On December 5, 2011, Jore informed Buckley that she is the subject of University records held by Jore in relation to a University investigation and that pursuant to Open Records Law those Records were going to be released.
6. On December 5, 2011, Buckley received documents from Jore, that are believed to be the Records sought to be released or partial examples of the Records.
7. Buckley on December 7, 2011 pursuant to Wis. Stat. §19.356(3) by her attorney Thomas Raisbeck, informed the University in writing that she intended to seek a court order restraining the University from releasing the Records.

8. Pursuant to Wis. Stat. § 19.356(4), Buckley is commencing this action to seek a court order to restrain Jore and the Board of Regents from releasing the Records.
9. Buckley after reviewing the documents provided by Jore has concluded the Records appear to be part of an internal investigation conducted by the University that is incomplete as it has not reached its final disposition.
10. The Records are portions of Buckley's employee personal records containing information relating to a current investigation that are prohibited from being disclosed pursuant to Wis. Stat. § 19.36(10)(b).
11. The Records contain personal information about students and faculty, identifying a student teacher by name and stating information about other students that will make them easily identifiable to their peers. The release of the Records violates the privacy of the students and will discourage these students and other students from being forthcoming about the subject of these Records and in future matters with the University.
12. The Records contain information about Buckley that is incomplete and factually inaccurate that may cause unfair damage to her reputation.
13. It is believed the information is sought for the sole purpose to disparage Buckley's reputation serving no interest to the public. Further, the public does not benefit from receiving incomplete and inaccurate records.
14. The public's interest in disclosure of the Records sought to be released is outweighed by the overriding public interest in keeping the records confidential for the following reasons:
 - a. University employees may experience a loss of morale if records such as those sought to be disclosed are made readily available.

- b. The University may have difficulty attracting quality candidates for public employment if there is a perception records contained in personnel files are regularly open for review.
15. Buckley has received personal threats from whom she believes is one of the individuals seeking the Records. It is believed the person requesting the records will use the information in the records to harass and disparage Buckley. Moreover, the public's interests in keeping its employees safe and free from harassment outweigh the need for record access.

WHEREFORE, Plaintiff demands judgment against the defendants as follows:

1. A temporary injunction against the defendants restraining them from releasing any and all records the plaintiff is the subject of or referenced in.
2. A permanent injunction against the defendants restraining them from releasing any and all records the plaintiff is the subject of or referenced in.
3. Awarding the plaintiff reasonable attorney fees and actual costs incurred in prosecuting this action.
4. Such other relief as granted by the Court.

**ECKBERG, LAMMERS, BRIGGS,
WOLFF & VIERLING, P.L.L.P.**

Dated: December 13, 2011

By: 

Thomas P. Raisbeck, Esq.
Attorney for *Plaintiff*
State Bar I.D. No.: 1078774
430 Second Street
Hudson, Wisconsin 54016
(715) 386-3733

STATE OF WISCONSIN

CIRCUIT COURT

PORTAGE COUNTY

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PLAINTIFF'S REQUEST FOR TEMPORARY RESTRAINING ORDER

Plaintiff, by counsel, Thomas P. Raisbeck, ECKBERG, LAMMERS, BRIGGS, WOLFF & VIERLING, P.L.L.P., 430 Second Street, Hudson, Wisconsin 54016, request the court enter a temporary restraining order in the captioned matter pursuant to Wis. Stats. §813.02 (2007-08) upon the following grounds:

1. The court has subject matter jurisdiction over the action.
2. Plaintiff is entitled to judgment pursuant to the pleadings in the accompanying action which seeks to enjoin defendants from releasing records the plaintiff is the subject of.
3. If the records held by the defendants are released during the pendency of this action, it will injure the plaintiff.

4. Release of records regarding the plaintiff held by the defendants during the pendency of the litigation in this action would make judgment ineffectual.

5. Pursuant to Wis. Stat. §19.356(5) the defendants are not permitted to provide access to the records in dispute during the pendency of the action.

6. The records that are the subject of this action are under the control of Katherine P. Jore of the University of Wisconsin – Stevens Point in Portage County, Wisconsin.

Therefore, Plaintiff requests that the Court:

7. Enter a temporary restraining order requiring the defendants to hold and not disclose any and all records regarding the Plaintiff and throughout the term of this action keep said records sealed unless further ordered by the Court.

8. Set a time for a hearing on a permanent injunction as demanded in the complaint.

**ECKBERG, LAMMERS, BRIGGS,
WOLFF & VIERLING, P.L.L.P.**

Dated: December 13, 2011

By: 

Thomas P. Raisbeck, Esq.
Attorney for Plaintiff
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