

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ALINA BOYDEN and  
SHANNON ANDREWS,

Plaintiffs,

v.

Case No. 17-CV-0264

STATE OF WISCONSIN DEPARTMENT  
OF EMPLOYEE TRUST FUNDS, et al.,

Defendants.

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**STATE DEFENDANTS' ADDITIONAL  
PROPOSED FINDINGS OF FACT IN SUPPORT OF ITS  
SUPPLEMENTAL MOTION FOR SUMMARY JUDGMENT**

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Defendants State of Wisconsin Department of Employee Trust Funds (ETF), State of Wisconsin Group Insurance Board (GIB), Robert J. Conlin, Michael S. Farrell, Stacey Rolston, Charles Grapentine, Waylon Hurburt, Theodore Neitzke, J.P. Wieske, Bob Ziegelbauer, Jennifer Stegall, Francis Sullivan, Herschel Day, and Nancy Thompson (the "State Defendants") submit the following additional proposed findings of fact in support of their supplemental motion for summary judgment. These proposed findings begin at entry 176, so that they run consecutively with State Defendants' original proposed findings (Dkt. 88) and additional proposed finding of fact (Dkt. 121), which ended at entry 175.

176. Theodore Neitzke attended the GIB's December 30, 2016, meeting by telephone and participated in a closed session with legal counsel. (Dkt. 83-13:1-3.)

177. The closed session portion of the December 30, 2016, GIB meeting convened at 3:13 p.m. (Dkt. 83-13:3.)

178. Neitzke departed the December 30, 2016, GIB meeting at 5:00 p.m. (Dkt. 83-13:3.)

179. The closed session of the December 30, 2016, GIB meeting did not end until 6:24 p.m. (Dkt. 83-13:3.)

180. After the conclusion of the closed session of the December 30, 2016, GIB meeting, the meeting went back into an open session and there was a vote by GIB to reinstate the Exclusion. (Dkt. 83-13:3.)

181. Because he left the December 30, 2016, GIB meeting during the closed session, Neitzke was one of the two members who were absent and did not vote to reinstate the Exclusion in open session. (Dkt. 83-13:3.)

Dated this 1st day of August, 2018.

Respectfully submitted,

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