

## **PRESS RELEASE – CARNE V. DALEY**

Danielle Carne accepted judgment today against Wisconsin Employment Relations Commission Chairperson James Daley. By accepting judgment, the federal court in Madison will enter judgment against Daley in the amount of approximately \$100,000, after the judge determines how much Daley owes Carne in attorney fees. The judgment came as a result of a lawsuit filed in 2018 by Danielle Carne, a licensed Wisconsin attorney and a former Mediator / Arbitrator / Administrative Law Judge employed by the Commission, asserting First Amendment retaliation. Carne, who at one time also held the position of Chief Legal Counsel for the Wisconsin Office of State Employment Relations, alleged in her lawsuit that Daley, a Governor Scott Walker appointee, had eliminated her Staff Attorney position at the WERC as an act of retaliation against her because of her political affiliation. She claimed that Daley often referred to her as a “lefty” or “dangerous liberal.” At the same time that Daley was providing sworn testimony to the Wisconsin Senate indicating that the Commission had the right staffing level for its workload, Daley also began to plan Carne’s layoff. Carne further alleges that Daley knew Carne had been the author of a memo Carne had drafted in her former Chief Legal Counsel position, criticizing 2015 legislation championed by Governor Walker that significantly curtailed civil service protections for State of Wisconsin employees.

Carne has gone on to develop Carne Dispute Resolution, a national private practice as a Mediator / Arbitrator.

As part of the acceptance of the Offer of Judgment, Carne should receive about \$100,000, part of which will be paid directly to her attorney for fees in the case. Although the Judgment will be entered against Daley personally, the state will pay the judgment on his behalf, according to statute.

Carne stated, “I am in the business of resolving disputes, not creating them; but the conduct on James Daley’s part was too egregious to overlook, particularly considering that he is at the helm of the agency that administers Wisconsin’s state civil service law and its public and private sector labor relations laws. These laws are designed to be sheltered from politics.”

Carne’s attorney, Paul Kinne of Gingras, Thomsen & Wachs, was pleased with the result. “We live an era where the powerful feel entitled to retaliate against others who do not share their political beliefs. This judgment against Daley will send a message to those willing to abuse their power: in this country, First Amendment freedoms still live. The resolution will also help Danielle and her family recover from the damage caused to her by Daley’s conduct.”