

Voters With Facts Press Release

COURT OF APPEALS RULES IN VOTERS WITH FACTS' FAVOR ON TIF SUIT

The Wisconsin Court of Appeals issued its opinion today on the appeal of the lawsuit that the Wisconsin Institute for Law and Liberty (WILL) brought in March 2015 on behalf of Voters with Facts. That lawsuit sought to invalidate the City's actions in creating and amending two tax incremental financing ("TIF") districts to fund certain aspects of the Confluence Project and, in particular to pay fees and expenses to the real estate developers involved in the construction of the student residence hall/mixed use facility. The suit was dismissed by the lower court and Voters with Facts appealed. In its decision today, the Wisconsin Court of Appeals sent the case back to the lower court with directions that it proceed with judicial review of the legality of the City's actions and the validity of the Tax Incremental Districts in light of the challenges raised by Voters With Facts.

When asked about the decision, Mike Fischer, attorney from WILL stated, "We are reviewing the opinion. Although we may have more to say, we are pleased that the circuit court's decision dismissing the case has been reversed in important respects. The Court of Appeals has returned the case to that court with directions that it review the legality of the City's actions in light of the challenges raised by our client."

A spokesperson for Voters with Facts added, "We are happy to see the Court of Appeals allow us a day in court on our claim that the districts are illegal. The remaining claims raise important constitutional and procedural questions that we believe merit review by the Supreme Court."

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