

# MICHAEL D. DEAN

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## EDUCATION:

UNIVERSITY OF CHICAGO. Chicago, IL. Graduate Work, Social Sciences, 1996 - 97.

MARQUETTE UNIVERSITY LAW SCHOOL. Milwaukee, WI. J.D., 1987. Marquette Law Review.  
Joseph Zilber Scholar. Thomas H. White Fellow.

BOB JONES UNIVERSITY, Greenville, S.C. M.S., Educational Administration, 1979.

MARANATHA BAPTIST BIBLE COLLEGE, Watertown, WI. B.S., History, Speech, 1977, Cum  
Laude.

## EXPERIENCE:

U.S. SURGEON GENERAL. Washington, D.C. 1986. Intern, Dr. C. Everett Koop.

U.S. SEVENTH CIRCUIT COURT OF APPEALS. Milwaukee, WI. 1986 - 1987. Intern, Hon. John  
L. Coffey.

## EMPLOYMENT:

FIRST FREEDOMS FOUNDATION, Waukesha, WI. 1999-2008. General counsel. Public  
interest litigation, free speech, educational liberty, free exercise, economic liberty.

MICHAEL D. DEAN, LLC , DEAN & MCKOY, S.C. Waukesha, WI. 1993 - 2008. Sole  
practitioner, partner. Commercial, real estate and appellate litigation. Business and real  
estate transactions. Private and alternative education.

AUL, MCKOY, ASCHENBRENER & DEAN, LTD. Milwaukee, WI. 1991 - 1993. Partner. Civil,  
criminal and appellate litigation. Business and real estate transactions.

MICHAEL D. DEAN, ATTORNEY AT LAW. Elm Grove, Waukesha, WI. 1988 - 1991. Sole  
practitioner. Civil, criminal and appellate litigation.

CHURCHILL, DUBACK & SMITH. Milwaukee, WI. 1986 - 1987. Law clerk, associate. General  
business practice, business litigation.

CATHOLIC LEAGUE FOR RELIGIOUS AND CIVIL RIGHTS. Milwaukee, WI. 1985 - 1986. Law  
clerk. Civil rights litigation.

## PROFESSIONAL ACTIVITIES AND MEMBERSHIP:

Federalist Society, Wisconsin Bar Association, National Association of College and  
University Attorneys, Christian Legal Society, Alliance Defense Fund.



**FIRST FREEDOMS FOUNDATION**

## **FIRST FREEDOMS FOUNDATION, INC.**

20975 SWENSON DRIVE  
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MICHAEL D. DEAN, GENERAL COUNSEL

### **MICHAEL D. DEAN, GENERAL COUNSEL ISSUES AND LITIGATION SUMMARY**

Following are descriptions of representative issues and cases Mr. Dean has worked on and litigated. First Freedoms Foundation frequently collaborates with other public policy and public interest law organizations.

#### **EDUCATION**

Private / home school legislation (1983-84). Worked for passage of Wisconsin's private school and home-based education statute.

Milwaukee Parental Choice Plan expansion (1993-98). Executive director, Parents Acquiring Choice in Education. Worked for passage of the 1994 MPCP amendment including faith-based schools in Milwaukee Parental Choice Plan.

Milwaukee Parental Choice Plan litigation (1995-98). Local counsel for Institute for Justice representing intervenors-defendants Parents for School Choice. *Jackson et al. v. Benson et al.*, 578 N.W.2d 602 (1997), *cert. denied* 525 U.S. 997 (1998). Counsel for *amici* Focus on the Family, Family Research Council, Toward Tradition, Family Research Institute, Liberty Counsel, Christian Defense Fund, Center for Public Justice.

Ohio Pilot Scholarship Program litigation (2001-03). Counsel for *amicus* Vermonters for Better Education. *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002).

Tax exempt bond financing, religious and private schools (2003-08). Counsel for various private school borrowers in first tax exempt bond transactions for "pervasively sectarian" schools under 2003 legislation expanding issuing authority of Wisconsin Health & Education Facilities Authority.

Virtual/charter school litigation (2005-08). Counsel for intervenor parents in *Johnson et al. v. Burmaster et al.*, Wis. Dist. II Court of Appeals Case No. 2006AP1380. (Opposing Wisconsin

Education Association Council and Superintendent of Public Instruction Elizabeth Burmaster who seek to shut down Wisconsin Virtual Academy.)

## FAMILY RIGHTS / TRADITIONAL VALUES

Social services investigations (1998-2003). Counsel for Greendale Baptist Academy, *Doe et al. v. Bureau of Milwaukee Child Welfare, et al.*, 327 F.3d 492 (7th Cir. 2003). Established national precedent applying 4th and 14th Amendments restraints against police and social workers on private property other than the home.

Social services investigations (2002-04). Counsel for family whose son was arrested and children removed for refusing warrantless entry of house. *O'Donnell et al v. Brown et. al*, 335 F.Supp.2d 787 (W.D. Mich., 2004).

Social services investigations (2002-04). Counsel for family whose son and daughter were seized by social workers at private school. *Michael C. v. Gresbach*, Case. No. 07-1756 (7th Cir.).

Family integrity (2007). Counsel for Amicus National Committee for Defense National Committee for Amish Religious Freedom supporting Amish mother's right to direct education and religious training of daughter. 2007 WL 1120558 (Wis.App.).

Same-sex domestic partner benefits (2005-08). Counsel for eight Wisconsin municipalities and school boards seeking intervention in *Helgeland, et al., v. Dept. of Employee Trust Funds, et al*, Case No. 05-CV-1265 (2005). Opposing national and state ACLU seeking to declare same-sex unions "equally situated" with spouses under the state constitution equal protection clause.

## FREE EXERCISE / FREE SPEECH

Public employee speech (1997-2002). Counsel for Ron Greer, firefighter terminated for criticism of chief's discrimination favoring women and lesbians. *Greer v. Amesqua*, 212 F.3d 358 (7th Cir. 2000).

Campus free speech (2000). Counsel for *amicus* First Freedoms Foundation opposing use of mandatory student fees to fund private speech. *Board of Regents et al, v, Southworth*, 529 U.S. 217 (2000).

Public religious expression (2001). Counsel for Sgt. Wayne Bird opposing exclusion of religious ornaments from display on the state holiday tree along with secular ornaments submitted by the public. *Bird et al. v. Lightbourn et al.*, 01 C 0627 S (W.D.Wis., 2001).

Public religious expression (2003). Counsel for Sen. Dave Zien and National Day of Prayer Task Force seeking injunction permitting oral prayer in state capitol rotunda. *National Day of Prayer, Zien v. Marotta*, Case No.03-C-0223-C (W.D.Wis., 2003).

Student speech and religious expression (2006). Counsel for UW Eau Claire resident assistant ordered not to conduct private, voluntary Bible studies in his own dorm room. *Steiger v. Lord-Larson*, W.D. Wis., Case Number: 05-C-0700-S.

Free exercise, equal protection, association (2006-07). Counsel for non-profit organizations excluded from state employees charitable combined campaign for requiring directors and

officers to subscribe to religious tenets of organizations. *AFBO v. Bablitch*, W.D. Wis., Case Number: 06-C-0175-S.

Campaign finance law, free exercise (2006-07). Counsel for church responding to complaint that it violated campaign finance law by distributing leaflets supporting Wisconsin Defense of Marriage Amendment without registering with Elections Board. *Complaint of Daniel Guilfoil et al v. Pastor William Bartz*, El.Bd.Cplt. 06-23.

Judicial speech (2006-07). Counsel for judges and citizens seeking to speak and hear judges' substantive views on campaign issues. *Duwe v. Alexander*, W.D. Wis., Case Number: 06-C-0766-S.

## ECONOMIC LIBERTY

Wisconsin Minimum Mark Up Law (2007-08). Counsel for business owner challenging constitutionality of Wisconsin. *Bhandari V. Nilsestuen*, Dane County Case No. 2007 CV 2226.