

June 19, 2013

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John Wirth, a Milwaukee attorney and the court-appointed Receiver of the Wisconsin Funeral Trust, today issued the following statement regarding a new filing in the Dane County Circuit Court:

“Earlier today, I filed with the Dane County Circuit Court a motion to approve a settlement agreement that I negotiated on behalf of the Wisconsin Funeral Trust with representatives of the hundreds of funeral homes throughout Wisconsin involved with the Trust. This settlement protects consumers and ensures funeral homes are fairly compensated for their services.

“The settlement ensures that all consumers whose funds were deposited in the Trust will receive the funeral, burial merchandise and services called for in their burial agreement. A funeral home that signs the settlement will completely fulfill the contract first, and seek payment from the Trust in stages as I continue my efforts to recover Trust losses from responsible parties.

“This settlement also allows for some special situations – where a funeral is moved to another home; where a consumer decides to purchase a less expensive funeral; or where a consumer wants a refund. In all of those special situations, the consumer will get the services as modified, or if the contract is canceled, all of the money he or she initially invested returned.

“Funeral homes are not obligated to enter into this settlement; however, until now, they have been safeguarded from litigation. If this settlement is approved by the Court, funeral homes that choose to opt out of the settlement will no longer have that safeguard. Meetings are already underway with funeral home owners to explain the settlement.

“This settlement with the funeral homes is a positive move toward resolving a very complicated matter and helps both consumers and the funeral homes receive fair and legal compensation.

“While this settlement is a significant step forward and a big win for the consumers with active burial agreements, the sad fact is that all of the funds from the Trust will likely never be recovered due to the poor decisions that the people handling the Trust made over the years. It remains my goal, however, to pursue those who are responsible, and either through settlements or litigation, recoup as much of the missing funds as possible.”

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