



July 1, 2020

The Honorable Tony Evers
Governor
Room 115 E
Wisconsin State Capitol
Madison, WI 53703

Dear Governor Evers:

It has come to my attention that the Wisconsin Department of Health Services (DHS) will publish information starting this Friday including the names of Wisconsin businesses and the number of COVID-19 cases allegedly contracted by employees at those businesses. If true, this action has the potential to spread *false information* that will damage the consumer brands of Wisconsin employers, causing them to incur a significant amount of financial losses and reputational damage. Spreading this highly-suspect information may also encourage local public health officials to take unnecessary and economically damaging actions by enacting regulations based on tenuous legal authority.

As you know, COVID-19 has a long incubation period, and many who contract it are asymptomatic or have very mild symptoms. As such, it is nearly impossible to know with certainty the exact location where individuals spread and contract the illness. However, I am told that DHS plans to publicly link private businesses and individual infections and thereby implicitly cast blame upon the businesses for those infections. By publishing highly speculative information to the general public that singles out individual businesses by name, your administration will likely be defaming large portions of the business community.

Your administration's rationale for making this information publicly available is unclear. While your administration may have to turn over limited information in response to a request for a specific record, you have no legal obligation to compile records that do not exist.

Spreading misleading or outright false information will not help local public health authorities control the spread of COVID-19, or provide the public with the tools necessary to make more informed decisions. Bad data will undoubtedly lead to bad decision-making, and will further damage Wisconsin's business community without protecting the public's health. In addition, doing so will likely lead to expensive lawsuits that do not promote the public good.

On behalf of the business community, I respectfully ask that you not release this inaccurate, speculative, and potentially defamatory information.

Sincerely,

A handwritten signature in black ink, appearing to be "Kurt R. Bauer", written over a horizontal line.

Kurt R. Bauer
President/CEO