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Revenue Statement Regarding Court's Decision in Roll Your Own (RYO) Case

The Wisconsin Department of Revenue issued the following statement regarding the Dane County Circuit Court decision to grant the temporary injunction requested by RW Petersen, LLC, et al (RW Petersen) against the Department:

"Today, the court granted RW Petersen's request for a temporary injunction against the Department of Revenue for RYO enforcement actions. While we are disappointed with the court's decision, we remain committed to enforcing our tobacco laws and regulations fairly and equitably. The department is currently reviewing the court's decision and has not yet decided what future steps to take."

*Stephanie Marquis, Spokesperson
Wisconsin Department of Revenue*

In October 2011, the Dane County Circuit Court granted RW Petersen's request for a temporary restraining order against the Department of Revenue which asked that RYO retailers:

- Not be required to obtain tobacco manufacturing and distributor permits
- Avoid paying an excise tax applicable to cigarette manufacturers
- Not be required to obtain certification from the Wisconsin Department of Justice to be placed on its approved directory of cigarettes for sale in Wisconsin in order to comply with state law and regulations
- Not be required to obtain certification from the Wisconsin Department of Safety and Professional Services that these cigarettes meet the fire safety performance standards
- Not be required to establish and fund an escrow account to pay for required excise taxes

On November 16, 2011, the Honorable Juan B. Colás presided over arguments for the RYO temporary injunction requested by RW Petersen to continue the court order issued in October 2011. The court's decision today grants that temporary injunction request.

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