



# Supreme Court of Wisconsin

OFFICE OF LAWYER REGULATION  
110 EAST MAIN STREET, SUITE 315  
MADISON, WI 53703-3383  
[www.wicourts.gov/olr](http://www.wicourts.gov/olr)

DIRECTOR  
KEITH L. SELLEN

Telephone: (608) 267-8921  
Toll Free: (877) 315-6941 – Ext. 3  
Fax: (608) 267-1959

April 24, 2019

Clerk of Supreme Court  
ATTN: Deputy Clerk – Rules  
P.O. Box 1688  
Madison, WI 53701-1688

Re: OLR Comments on Petition 19-05

Dear Deputy Clerk:

I write on behalf of the Office of Lawyer Regulation (OLR) regarding Rule Petition 19-05, Petition of the OLR Procedure Review Committee for an order repealing and recreating SCR 22.12 and SCR 22.17, amending SCR 21.09(1), SCR 21.16(2)(c), SCR 22.21(4), SCR 22.22(2)(b), (3)(intro) and (b), and (6), SCR 22.24(1), (1m)(intro), (2), and (3), creating SCR 21.08(1)(b), 21.09(1m), 22.16(6)(b) and (7)(b), 22.22(2m) and (4m), and 22.23(1m), renumbering and amending SCR 21.08(1), and 22.16(6) and (7). (Referee Authority). OLR respects the subcommittee's thoughtful consideration and recommendations, and appreciates the opportunity to provide information during the study.

OLR has reviewed Petition 19-05 and offers the following information. Enclosed are pages covering cases decided by the Court from 2017 to date, in a format similar to the Director's Report I provide to the Board of Administrative Oversight, that may be relevant to the Court's consideration of the proposal to delegate to referees the authority to impose discipline in certain cases. The historical data in these pages shows the correlation over the past two years between referee recommendations and Supreme Court determinations on findings and sanctions in disciplinary cases.

In the event the Court decides to create SCR 21.09(1m) as proposed in section 4 of the petition, OLR recommends the Court include the Court's determination whether to suspend summarily an attorney's license to practice law pursuant to SCR 22.20.

Very truly yours,

A handwritten signature in black ink, appearing to read "Keith L. Sellen", written over a horizontal line.

Keith L. Sellen  
Director

Enclosure

**DISPOSITION OF CHARGED ALLEGATIONS**  
**Discipline Cases decided between January 2017 through April 18, 2019**

RESPONDENT	SUPREME COURT DECISION DATE	NO. OF COUNTS CHARGED	NO. OF COUNTS FOUND BY REFEREE	NO. OF COUNTS FOUND BY SUPREME COURT
Rice, Shawn (2014AP2307-D)	1/6/17	1	1	1
Willihnganz, Ty (2015AP2676-D)	1/31/17	4	3	3
Lemanski, David (2016AP684-D)	2/1/17	3	3	3
Alfredson, Melinda (2018AP520-D)	2/1/17	16	N/A – 22.12 Stip.	16
Muwonge, Godfrey (2007AP776-D)	2/17/17	43	43	43
Gegner, Thad (2015AP1971-D)	2/14/17	47	47 + 17 (22.19 Petit. incl. uncharged counts under investigation)	47 + 17
Silberman, David (2016AP2014-D)	2/17/17	2	N/A – 22.12 Stip.	2
Walsh, Adam (2017AP243-D)	3/23/17	No complaint filed. (Petit. for Revocation incl. 10 counts)	No Referee	10
Stewart, Alan R. (2016AP380-D)	4/26/17	11	11	11
Meisel, Christopher E. (2015AP463-D)	4/26/17	15	15	15
Gillette, Adam (2016AP2267-D)	5/11/17	1	N/A - 22.12 Stip.	1
Peiss, John H. (2016AP663-D)	5/11/17	2	2	2
Dade, John R. (2016AP2452-D)	5/23/17	2	2	2
Schwedler, Carl J. (2016AP1770-D)	6/1/17	2	Reciprocal No Referee	2
Schwitzer, Matthew R. (2015AP675-D)	6/1/17	5	5	5

Shepherd, Philip A. (2016AP737-D)	6/23/17	10	10	10
Ruppelt, Mark A. (2015AP89-D)	7/7/17	16 (OLR's amended complaint charged 18 counts, but OLR later voluntarily dismissed two counts)	16	16
Rajek, Michael M. (2014AP754-D)	9/15/17	0 (The parties stipulated to dismissal of OLR's four count complaint)	0	0
Sarbacker, Steven (2016AP2486-D)	9/15/17	6	6	6
Baratki, Robert (2016AP1877-D)	10/3/17	9	9	9
Heins, Janet L. (2016AP2454-D)	10/19/17	6	6	6
Cohen, Steven (2015AP1350-D)	11/17/17	4	4	4
Magana, Sergio (2016AP1385-D)	11/28/17	74	74	74
Luther, Tiffany (2015AP1285-D)	11/28/17	10 (Charged in OLR's amended complaint)	10	10
Brandt, Ronald (2017AP539-D)	12/15/17	2	Reciprocal No Referee	2
Petersen, Michael (2016AP563-D)	12/15/17	9	9	9
Stewart, Alan R. (2017AP1168-D)	12/21/17	3	3	3
Horsch, Robert W. (2015AP1928-D)	12/21/17	3	3	3
Blessinger, Jeffrey M. (2017AP2036-D)	12/21/17	25 No complaint filed. (Petit. for Revocation incl. 10 counts)	No Referee	25
Cummings, Michael (2017AP1255-D)	1/19/18	2	Reciprocal No Referee	2
Curtis, George (2015AP1567-D)	2/15/18	7	4	4
Nora, Wendy Alison (2013AP653-D)	3/30/18	4	4	4
Toran, James (2016AP112-D)	4/5/18	3	3	3

Marchan, Karene (2016AP2436-D)	4/10/18	8	8	8
Rostollan, Daniel (2016AP1890-D)	4/18/18	21	21	21
Gray, Linda (2017AP1273-D)	4/18/18	1	1	1
Buchanan, Brandon (2017AP1899-D)	4/19/18	5	5	5
Fulkerson, Holly Lynn, f/k/a, Strop, Holly Lynn (2017AP2529-D)	4/20/18	6	6	6
Trupke, Amie (2017AP1465-D)	4/24/18	2	N/A - 22.12 Stip.	2
Bauer, Michael (2016AP1259-D)	5/16/18	24 (OLR voluntarily dismissed four of its original 28 counts)	22	22
Kleinsmith, Philip (2017AP2540-D)	5/16/18	2	2	2
Kitto, Suzanne E. (2017AP1887-D)	6/19/18	5	5	5
Goldman, James (2018AP474-D)	7/13/18	38	N/A - 22.12 Stip.	38
Stoltman, Stephanie (2018AP810-D)	7/24/18	2	Reciprocal No referee	2
Erhard, Michael (2017AP1275-D)	9/12/18	11	11	10
Jelinske, Thad (2016AP1897-D)	9/12/18	15 (OLR withdrew eight counts of its original 23 counts)	15	15
Tjader, Michele A. (2017AP411-D)	10/16/18	6 (OLR withdrew three of its original nine counts)	6	6
Thompson, Ryan P. (2018AP2473-D)	10/16/18	16	16	16
Wiensch, Adam J. (2018AP1185-D)	10/16/18	13	N/A - 22.12 Stip.	13
Napierala, Thomas R. (2017AP1274-D)	10/25/18	3	3	3
Gonzalez, Jason (2016AP2148-D)	11/8/18	9	5	5

Boyle, Gerald (2017AP512-D)	11/30/18	6 (But the parties agreed the disciplinary case should be abated and the respondent suspended under SCR 22.16(4))	Suspended under SCR 22.16(4)	Disciplinary proceeding abated; medical suspension imposed
Parks, Daniel (2016AP85-D)	12/13/18	14	8	8
Schiltz, David (2018AP497-D)	12/28/18	25	25	25
Huesmann, Davig Sonja (2016AP1603-D)	12/28/18	8	8	8
Christopher Hartley (2017AP1256-D)	1/15/19	1	1	1
Joseph R. Laumann (2018AP1478-D)	1/18/19	2	N/A - 22.12 Stip.	2
Perry P. Lieuallen (2017AP1248-D)	2/12/19	1	0	0
Patrick Sweeney (2015AP1370-D)	2/19/19	5	5	5
Melinda Alfredson (2018AP520-D)	2/26/19	6	6	6
Templeton, David P.F. (2018AP2457-D)	3/21/19	3	N/A – 22.12 Stip.	3
Burton, Diann P. (2018AP1397-D)	3/22/19	4	4	4
Edward J. Purcell, IV (2018AP102-D)	4/10/19	2	2	2
Gary E. Grass (2018AP2460-D)	4/16/19	14	N/A – 22.12 Stip.	14
B.C. Fisher (2019AP118-D)	4/16/19	2	N/A – 22.12 Stip.	2
Patrick Hudec (2017AP523-D)	4/18/19	6	6	6

Rice, Shawn	6/6/2014	60 day suspension	60 day suspension	60 day suspension	1/06/2017
Willihnganz, Ty	12/11/2015	60 day suspension	Public reprimand	Public reprimand	1/31/2017
Alfredson, Melinda	6/10/2016	60 day suspension	No referee – 22.12 stipulation	60 day suspension	2/01/2017
Lemanski, David	3/4/2016	Public reprimand	Public reprimand	Public reprimand	2/01/2017
Gegner, Thad	9/11/15 & 12/11/15	2 year suspension	Revocation	Revocation	2/17/2017
Muwonge, Godfrey	12/1/2006, 3/9/2007 & 6/5/2007	Revocation → conditions and restitution	Conditions and restitution	Conditions and restitution	2/17/2017 & 6/29/2017
Silberman, David	No PRC – reciprocal	Revocation	No referee – 22.12 stipulation	Revocation	2/17/2017
Walsh, Adam	No PRC	Revocation	No referee – 22.19 Petition	Revocation	3/23/2017
Meisel, Christopher	12/12/14	3 year suspension	2 year suspension	18 month suspension	4/26/2017
Stewart, Alan	12/11/15	1 year suspension	9 month suspension	9 month suspension	4/26/2017
Gillette, Adam	No PRC - reciprocal	60 day suspension	No referee – reciprocal/stip	60 day suspension	5/11/2017
Peiss, John	No PRC – reciprocal	Revocation	Revocation	Revocation	5/11/2017
Dade, John	12/9/16	Public reprimand	No referee – 22.12 stipulation	Public reprimand	5/23/2017
Schwedler, Carl	No PRC – Reciprocal	6 month suspension – reciprocal to USPTO	No referee – reciprocal	6 month suspension	6/01/2017
Schwitzer, Matthew	12/12/14	6 month suspension	6 month suspension	6 month suspension	6/01/2017
Shepherd, Philip	3/04/16	Public reprimand	Public reprimand	Public reprimand	6/23/2017
Ruppelt, Mark	12/12/14	15 month suspension	15 month suspension	15 month suspension	7/07/2017
Sarbacker, Steven	12/9/16	60 day suspension	60 day suspension	60 day suspension	9/15/2017
Baratki, Robert	9/16/16	60 day suspension	60 day suspension	6 month suspension	10/03/2017
Heins, Janet	12/9/16	60 day suspension	Public reprimand	Public reprimand	10/19/2017
Cohen, Steven	6/12/15	60 day suspension	120 day suspension	4 month suspension	11/17/2017
Magana, Sergio	6/10/16; 9/16/16; 12/9/16	Revocation	Revocation	Revocation	11/28/2017
Luther, Tiffany	6/12/15	18 month suspension	Public reprimand	Public reprimand	11/28/2017
Petersen, Michael	3/4/16	1 year suspension	1 year suspension	1 year suspension	12/15/2017
Brandt, Ronald	No PRC – reciprocal	Revocation	No referee	Revocation	12/15/2017
Blessinger, Jeffrey	No PRC	Revocation	No referee 22.19 Petition	Revocation	12/21/2017
Horsch, Robert	9/11/15	Public reprimand	90 day suspension	60 day suspension	12/21/2017
Stewart, Alan	6/9/17	60 day suspension	60 day suspension	60 day suspension	12/21/2017
Cummings, Michael	No PRC – reciprocal	6 month suspension	No referee - reciprocal	6 month suspension	01/09/2018
Curtis, George W., Jr.	8/03/15	Revocation	120 day suspension	4 month suspension	02/15/2018

Nora, Wendy A.	12/14/12; 12/13/13	1 year suspension	1 year suspension	1 year suspension	03/30/2018
Toran, James	12/11/15	60 day suspension	1 year suspension	60 day suspension	04/05/2018
Marchan, Karene	12/9/16	9 month suspension	6 month suspension	6 month suspension	04/10/2018
Steffes, Richard	9/15/17	3 year suspension	No referee 22.19 Petition	Revocation	04/10/2018
Wagner, Barry	No PRC – Reciprocal	Public reprimand	No referee 22.12 stip	Public reprimand	04/17/2018
Rostollan, Daniel	9/16/16	2 year suspension	“no less than” 2 year suspension	2 year suspension	04/18/2018
Gray, Linda	6/9/17	60 day suspension	60 day suspension	60 day suspension	04/18/2018
Buchanan, Brandon	9/15/17	60 day suspension	60 day suspension	60 day suspension	04/19/2018
Strop/Fulkerson, Holly	12/8/17	Public reprimand	No referee 22.12 stip	Public reprimand	04/20/2018
Bauer, Michael	6/10/16	2 year suspension	1 year suspension	1 year suspension	05/16/2018
Kleinsmith, Philip	No PRC – Reciprocal	Revocation	No referee 22.12 stip	Revocation	05/16/2018
Clemment, Sarah	9/15/17	Public reprimand	Public reprimand	Public reprimand	06/15/2018
Kitto, Suzanne	9/15/17	60 day suspension	60 day suspension	60 day suspension	06/19/2018
Goldmann, James	3/02/18	Revocation	No referee 22.12 stip	Revocation	07/13/2018
Stoltman, Stephanie	No PRC – Reciprocal	Public reprimand	No referee 22.12 stip	Public reprimand	07/24/2018
Jelinske, Thad	6/10/16	18 month suspension	18 month suspension	18 month suspension	09/12/2018
Erhard, Michael	6/09/17	9 month suspension	6 month suspension	3 month suspension	09/12/2018
Tjader, Michele	3/03/17	Public reprimand	Public reprimand	Public reprimand	10/16/2018
Thompson, Ryan	12/8/17	1 year suspension	15 month suspension	15 month suspension	10/16/2018
Wiensch, Adam	3/02/18	2 year suspension	No referee 22.12 stip	2 year suspension	10/16/2018
Napierala, Thomas	6/09/17	Public reprimand	Public reprimand	Public reprimand	10/25/2018
Gonzalez, Jason	9/16/16	Public reprimand	Public reprimand	Public reprimand	11/08/2018
Parks, Daniel	12/11/15	2 year suspension	14 month suspension	14 month suspension	12/13/2018
Davig Huesmann, Sonja	6/10/16	1 year suspension	Public reprimand	60 day suspension	12/28/2018
Schiltz, David	3/2/18 ; 6/8/18	6 month suspension	1 ½ year suspension	9 month suspension	12/28/2018
Laumann, Joseph	No PRC – Reciprocal	6 month suspension	No referee 22.12 stip	6 month suspension	1/18/2019
Sweeney, Patrick	6/12/15	Revocation	Revocation	Revocation	2/19/2019
Alfredson, Melinda	3/2/18	3 month suspension	90 day suspension	90 day suspension	2/26/2019
Templeton, David	12/14/18	6 month suspension	No referee 22.12 stip	6 month suspension	3/21/2019
Burton, Diann	6/8/18	Public reprimand	Public reprimand	Public reprimand	3/22/2019
Hudec, Patrick	3/3/17	60 day suspension	60 day suspension	60 day suspension	4/18/2019