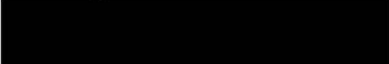


HON. JEAN A. DiMOTTO
jeandimotto@gmail.com
414-559-7660**RECEIVED**

SEP 25 2025

CLERK OF SUPREME COURT
OF WISCONSIN

September 23, 2025

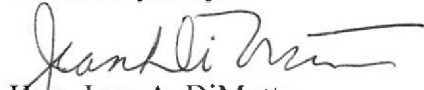
Mr. Samuel Christensen
Wisconsin Supreme Court Clerk's Office
110 E. Main St. - Suite 215
P.O. Box 1688
Madison WI 53701-1688

RE: OLR v. Ryan V. Doherty
Case No.: 2025-AP-50-D

Dear Mr. Samuelson:

Enclosed please find the original Decision Denying Summary Judgment Motion in the above-referenced attorney disciplinary case. By copy of this letter, the attorneys of record are receiving a copy of Decision.

Yours very truly,



Hon. Jean A. DiMotto
Referee

Encl.

cc Atty. Kim Kluck (w/ encl.)
Atty. Stacie Rosenzweig (w/ encl.)

FILED

SEP 25 2025

STATE OF WISCONSIN

IN SUPREME COURT

CLERK OF SUPREME COURT
OF WISCONSININ THE MATTER OF DISCIPLINARY PROCEEDINGS
AGAINST RYAN V. DOHERTY, ATTORNEY AT LAW.

CASE CODE: 30912

OFFICE OF LAWYER REGULATION,

Complainant,

CASE NO.: 2025AP50-D

RYAN V. DOHERTY,

Respondent.

DECISION DENYING MOTION FOR SUMMARY JUDGMENT

On August 12, 2025, Complainant, the Office of Lawyer Regulation (OLR), by Atty. Kim M. Kluck, moved for Summary Judgment on Counts 1 and 2 of the Complaint. The Respondent, Ryan V. Doherty, by Atty. Stacie H. Rosenzweig of Halling & Cayo, timely opposed the motion with a brief filed on September 5, 2025. The OLR then timely replied to the Respondent's opposition on September 19, 2025.

The three submitted briefs were of a particularly high quality.

Initially I was persuaded by the OLR's position, and advised counsel of the same by email, pending a written decision. However, as I further immersed myself in the matter while crafting a Decision and Order, I became persuaded by the Respondent's argument that summary judgment is not the preferred manner of deciding whether the Respondent violated the SCR rules alleged by the Complainant.

The Complaint alleges the Respondent was charged with strangulation and suffocation, battery and disorderly conduct, all of which were domestic violence related. Count 1 alleges that the Respondent being charged with these offenses violated SCR 20:8.4(b), which provides that it

is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects.

Count 2 alleges that the Respondent being charged with these offenses violated SCR 20:8.4(g) which provides that it is professional misconduct for a lawyer to violate the attorney's oath, and SCR 40:15, which articulates the Attorney's Oath, and provides in the second line that a lawyer will maintain the respect due to courts of justice and judicial officers.

While it is at first tempting to conclude these charges violated these three SCRs, the situation is more factually nuanced than that. The charges were amended pursuant to a deferred prosecution agreement such that while the Respondent pleaded guilty to the strangulation and suffocation charge, he was not convicted of it. The battery charge was amended to a disorderly conduct charge and he then pleaded guilty to what was now two disorderly conduct charges with the domestic violence modifier. There are additional facts pertaining to how he performed under the deferred prosecution agreement.

So the question becomes whether merely being charged with these criminal acts is sufficient to find under Wis. Stat. sec. 802.08(2) "that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." I cannot say so. These matters need to be subjected to a fact-finding hearing.

Accordingly, the Motion for Summary Judgment is DENIED.

Dated this 23rd of day of September 2025.

SUPREME COURT OF WISCONSIN



HON. JEAN A. DiMOTTO
REFEREE