



## OFFICE OF THE CLERK

**Supreme Court of Wisconsin**

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August 12, 2022

**To:**

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Robert E. Kinney  
Referee

You are hereby notified that the Court has entered the following order:

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No. 2020AP1616-D

Office of Lawyer Regulation v. Nathan DeLadurantey

In this disciplinary proceeding, the referee initially accepted a no-contest plea from the respondent, Attorney Nathan DeLadurantey, to the portion of Count 1 that charged a violation of Supreme Court Rule (SCR) 40.15, which is enforced via 20:8.4(g). The referee, however, subsequently filed a report which, although no evidentiary hearing had occurred after the entry of the plea, concluded that the record as a whole, which contained a number of conflicting items of evidence and testimony, did not support Attorney DeLadurantey's no-contest plea to a violation of SCR 40.15 and 20:8.4(g). On July 8, 2022, this court issued a per curiam opinion in this matter, but the court withdrew that opinion by an order dated July 12, 2022. Upon further consideration, including of the transcript of the May 17, 2021 plea hearing and the statements of facts in the parties' appellate briefs, it appears that the record in this matter is not clear as to what the parties and the referee on May 17, 2021, agreed would be the factual basis for Attorney DeLadurantey's no-contest plea and, accordingly, whether there must be a new plea hearing with an agreed-upon factual basis or an evidentiary hearing and factual findings by a referee regarding disputed facts in order for this court to render a final decision. Accordingly,

IT IS ORDERED that on or before August 26, 2022, the parties shall submit written responses stating whether the parties agreed at the May 17, 2021 plea hearing as to which specific

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facts could serve as the factual basis for Attorney DeLadurantey's no-contest plea. If there was such an agreement, the response shall describe with specificity which facts were agreed upon to serve as the factual basis for the plea. For example, the parties should indicate whether the agreement was that the factual allegations contained in the entire complaint could be used as the factual basis for the plea, or that the allegations in only some of the paragraphs of the complaint could be used as the factual basis, or that the entire record in the case could be used as the factual basis, or that some other stipulated set of facts could be used as the factual basis; and

IT IS FURTHER ORDERED that each party's response shall also state whether that party believes, in light of the response to the preceding paragraph, that this court may now issue a final decision in this case based upon the facts that the parties already agreed could be used as the factual basis for Attorney DeLadurantey's plea or whether this matter should be remanded to a referee for either a new plea hearing or an evidentiary hearing, to be followed by a new report that contains comprehensive findings of fact, conclusions of law, and, if necessary, a recommendation as to discipline.

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Sheila T. Reiff  
Clerk of Supreme Court