

STATE OF WISCONSIN
IN SUPREME COURT**FILED****AUG 12 2019**

In the Matter of Disciplinary Proceedings against
Michael M. Krill, Attorney at Law.

CLERK OF SUPREME COURT
OF WISCONSIN

Office of Lawyer Regulation,

Case Number: 2017AP002435-D

Complainant;

Michael M. Krill,

Respondent.

ORDER FOLLOWING SCHEDULING CONFERENCE

This matter came on before the Referee on the Motion of the Office of Lawyer Regulation (“OLR”) to compel response to certain discovery, and to order that certain requests for admissions submitted to the Respondent be deemed admitted, the hearing having occurred on August 7, 2019. At the same time, the Respondent communicated with the Referee requesting an adjournment of the hearing date, which is now scheduled to commence on September 4, 2019.

Counsel for the OLR indicated that the OLR had spent a great deal of time and effort to attempt to obtain the testimony of a number of witnesses who are out-of-town, and adjourning the case any further could have a chilling effect on the OLR presenting its case. The OLR also stated that Requests for Admissions had been served on the Respondent in 2018 and had never been responded to. The OLR further stated that Requests for Production of Documents was served on the Respondent in June of 2019 and had not been responded to.

The Respondent indicated that he did not have the funds to retain an attorney, but was expecting funds shortly, and he would then be able to hire an attorney, but that the attorney would not have time to prepare for the September 4th hearing.

The Referee, found that the balance of hardship weighed in favor of the OLR considering the length of time this case has been pending, and the need of the OLR to present its witnesses at a time and date that had been established for some period of time.

THEREFORE, IT IS ORDERED AS FOLLOWS:

1. With respect to the Requests for Admissions by the OLR to the Respondent dated June 4, 2018, Requests 1-52 are deemed ADMITTED.

2. With respect to the OLR's first set of Requests for Production of Documents to Respondent, dated May 31, 2019, the Respondent is ordered to submit written responses to the sixteen (16) Requests contained therein and submit same in writing to the OLR no later than August 15, 2019. The OLR's counsel shall communicate by email to the Referee no later than August 16, 2019, as to whether the Respondent has complied with this Order.

3. That the request of the Respondent to adjourn the now scheduled hearing commencing on September 4, 2019, is DENIED, and that hearing shall proceed on schedule as previously ordered by the Referee in the Order Following Scheduling Conference dated March 8, 2019.

4. With respect to the Respondent naming witnesses and listing exhibits, the Respondent failed to exchange a list of witnesses and a list of exhibits as ordered in the Referee's Order of March 8, 2019, by August 5, 2019. Notwithstanding that deadline, the Respondent may serve OLR's counsel and the Referee with a list of witnesses with their names, their addresses, and a brief summary of their testimony, together with a list of

exhibits, commencing with "Exhibit 100" no later than August 15, 2019. If Respondent does not timely file the witness and/or exhibit list, in the case of the witness list, the Respondent shall not be entitled to offer into evidence any exhibits or proffer any witness testimony.

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Dated: August 8, 2019.



Jonathan V. Goodman
Supreme Court Referee