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Supreme Court of Wisconsin

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June 2, 2025

To:

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Michael B. Padden
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You are hereby notified that the Court, by its Clerk and Commissioners, has entered the following order:

No. 2024AP2110-D

Office of Lawyer Regulation v. Michael B. Padden

On October 17, 2024, the Office of Lawyer Regulation (OLR) filed a complaint and order to answer directed to Attorney Michael B. Padden. The complaint included a motion for an order to show cause under Supreme Court Rule (SCR) 22.22(2)(b) directing Attorney Padden to inform the court in writing of any claim, predicated upon the grounds set forth in SCR 22.22(3), that the imposition of discipline reciprocal to that imposed on him in Minnesota for professional misconduct would be unwarranted, and of the factual basis for any such claim. On November 12, 2024, the OLR filed an admission of service of the complaint and order to answer, signed by Attorney Padden on that same date. Although by rule an answer to the complaint was due for filing 20 days thereafter, see SCR 22.14(1), no such answer appears in the record.

On January 21, 2025, this court issued an order granting the OLR's motion for an order to show cause under SCR 22.22(2)(b) and giving Attorney Padden until February 10, 2025, to file a response. We note that the clerk of this court sent this order to Attorney Padden by regular and certified mail to the address listed in the OLR's complaint: 8673 Eagle Point Blvd., Lake Elmo, MN 55042. The copy of the order sent by certified mail was returned to the clerk of court's

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office marked “return to sender—unclaimed—unable to forward.” The copy of the order sent by regular mail was not returned.

On February 10, 2025, Attorney Padden filed a document titled “Amended Answer,” which he states he filed “[a]t the direction of this Court.” Although this document references an “original Answer with attachments,” no such document appears in the record, as noted above. Attorney Padden’s Amended Answer does not follow the format of specifically responding to each paragraph of the OLR’s complaint by admitting, denying, or explaining why he does not admit or deny the allegations contained therein. See generally SCR 22.16(1); Wis. Stat. § 802.02. It instead is in the nature of a brief arguing that the procedure in Minnesota was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process, and that the misconduct justifies substantially different discipline in this state than that imposed in Minnesota. See SCR 22.22(3)(a), (c). At the conclusion of the Amended Answer, Attorney Padden “respectfully requests that this matter proceed forward with the appointment of an individual to address these matters in Wisconsin with an adjudication on the merits.”

This case needs to move forward to a resolution. Accordingly,

IT IS ORDERED that, within 14 calendar days of the date of this order, Attorney Padden shall supplement the record with the “original Answer with attachments” referenced in his February 10, 2025 Amended Answer. The court does not anticipate extending this deadline.

IT IS FURTHER ORDERED that, within 14 calendar days of the date of this order, the OLR shall file a response to Attorney Padden’s February 10, 2025 Amended Answer, and shall specifically comment on the propriety of a referral of this case to a referee for a hearing and a report and recommendation pursuant to SCR 22.16, as Attorney Padden appears to request in his Amended Answer. See SCR 22.22(5). The court does not anticipate extending this deadline.

IT IS FURTHER ORDERED that Attorney Padden shall confirm his mailing address, e-mail address, and telephone number by filing a Notice of Contact Information within 14 calendar days of the date of this order, with service on the OLR and the State Bar of Wisconsin.

Samuel A. Christensen
Clerk of Supreme Court