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August 12, 2025

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

No. 2024AP2110-D

Office of Lawyer Regulation v. Michael B. Padden

In this reciprocal discipline matter, we are called upon to review whether to revoke the Wisconsin law license of Attorney Michael B. Padden as discipline reciprocal to that imposed by the State of Minnesota in In re Disciplinary Action Against Padden, 10 N.W.3d 291 (Minn. 2024) (disbarring Attorney Padden).

The Office of Lawyer Regulation (OLR) filed a complaint against Attorney Padden and an order to answer on October 17, 2024. The OLR complaint alleged that by virtue of the Minnesota disbarment, Attorney Padden is subject to reciprocal discipline in Wisconsin pursuant to SCR 22.22. Attorney Padden accepted service of the complaint and order to answer on November 12, 2024. As best as we can discern from the record, Attorney Padden served the OLR with a timely answer to the complaint, but did not file the answer with the clerk of this court. We later directed Attorney Padden to place this answer on file, which he did on June 16, 2025.

Separately, by order of January 21, 2025, this court directed Attorney Padden to inform the court in writing within 20 days of any claim by him, predicated upon the grounds set forth in

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SCR 22.22(3), that the imposition of discipline reciprocal to that imposed in Minnesota would be unwarranted, and of the factual basis for any such claim.

On February 10, 2025, Attorney Padden filed a document titled “Amended Answer,” which he states he filed “[a]t the direction of this Court.” We assume, therefore, that Attorney Padden intended this document to serve as his response to this court’s January 21, 2025 order. In this document, Attorney Padden claimed that two of the exceptions to reciprocal discipline under SCR 22.22(3) apply here; namely, 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.” We assume that by this request, Attorney Padden seeks the appointment of a referee pursuant to SCR 22.22(5) for a hearing and a report and recommendation pursuant to SCR 22.16.

We decline Attorney Padden’s request to appoint a referee in this matter. Our review of the parties’ filings in this matter reveals no genuine disputes of material facts that would preclude us from deciding, on briefs only, whether reciprocal discipline is appropriate.

Accordingly,

IT IS ORDERED that, within 14 days of the date of this order, the parties shall file simultaneous briefs regarding whether the exceptions to reciprocal discipline under SCR 22.22(3)(a) and (c) apply here, as alleged by Attorney Padden in his “Amended Answer.”

IT IS FURTHER ORDERED that the parties shall file simultaneous response briefs by no more than 10 days from the date their initial briefs are filed.

IT IS FURTHER ORDERED that the court does not anticipate extending these deadlines.

IT IS FURTHER ORDERED that the court will not hold oral argument and will decide this matter based on the provided briefing and other papers of record.

Samuel A. Christensen
Clerk of Supreme Court