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## WISCONSIN'S TOP RATED LAWYERS

Wisconsin's Top Rated Lawyers helps take the mystery out of locating a high-quality advocate to protect you, your family, your business and all other assets. Legal Leaders™ are considered first-rate in their field. Keep this comprehensive list for those times when you need assistance from one of our Legal Leaders™. The lawyers listed here are always happy to help at any time.

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Barnabas Business Center • 4650 N. Port Washington Road • Milwaukee, WI 53212-1059  
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# LEGAL LEADERS™

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The attorneys featured in this publication and our companion online edition have all achieved the peer reviewed rating of AV Preeminent® by LexisNexis® Martindale-Hubbell®, the company that has long set the standard for lawyer ratings. The AV Preeminent® rating is a significant accomplishment and a testament to the fact that a lawyer's peers rank him or her at the highest level of professional excellence.

In addition to presenting profiles of many of these Top Rated attorneys, this publication features articles on current trends in the law as well as helpful tips on finding and working successfully with lawyers and law firms. We hope you will keep it handy as a valuable resource in finding top legal talent and to assist you in making more informed legal decisions.

Also, please be sure to visit our online edition of Wisconsin's Legal Leaders at [www.law.com/WisconsinTopRated](http://www.law.com/WisconsinTopRated) to find a directory of all of Wisconsin's AV Preeminent® rated attorneys listed by their practice areas.

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Vice President, Inside Sales  
[LegalLeaders@alm.com](mailto:LegalLeaders@alm.com) | 855.808.4520

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JULIUS KIM  
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From Left: Julius Kim, Jonathan LaVoy

## FOR US, IT'S PERSONAL.

There are few things scarier than being charged with a crime. The prospect of going to jail, losing your job, or having a criminal record for the rest of your life can be paralyzing. With so much at stake, it's crucial to choose a law firm that has the experience, skill and knowledge to help you make the right decisions. That law firm is Kim & LaVoy.

Attorneys Julius Kim and Jonathan LaVoy have spent their entire careers working to ensure that people are treated fairly in the criminal justice system. They've helped thousands of people who have found themselves in trouble, but wanted to preserve their future. Whether someone is guilty or innocent, Kim and LaVoy believe that every person deserves the best defense possible, and they have worked tirelessly to achieve that goal. "When someone comes to you with fear in their eyes knowing that their future is on the line and entrusts you to help them, it's hard not to take that personally," Kim says.

### FULL-SERVICE DEFENSE PRACTICE

Kim & LaVoy is a full-service defense firm providing legal representation for all criminal matters. The firm also handles traffic violations, municipal ordinance violations and restrain-

ing order hearings. No case is too big or too small for consideration, and every case is given the firm's full attention.

"All of our attorneys work as a team, and whether people come to us for a drunk driving case or a homicide, our goal is to provide the highest quality legal representation possible," Kim says.

Kim & LaVoy has a statewide practice, and has offices in Brookfield and West Bend.

### CREDIBILITY AND COMMON SENSE

The attorneys at Kim & LaVoy believe that a straightforward, honest approach is the best approach and achieves the best results. Having attorneys with the experience and skill to litigate cases, yet the common sense to know when to do so is what has given the firm its solid reputation. "Clients need to hear the truth. That's the only way they can make good decisions for themselves and the only way we practice law," Kim says. "I think prosecutors and judges know that we're straight shooters, but they also know that we're going to do everything we can to zealously represent our clients."



# WISCONSIN LAW 2013

This summer, legal news in Wisconsin heated up with disagreements over how to curb drunk driving and debates over Governor Scott Walker's restrictive abortion law and a contentious new educational voucher system. Here's a review of the latest legal trends and battles across the Badger State.

## LAWMAKERS DISAGREE ABOUT HOW TO REDUCE DRUNK DRIVING

In August, lawmakers agreed that Wisconsin needed to take measures to curb drunk driving, but they couldn't agree on the best way to do it.

Six different drunk driving bills currently sit in their initial states in the Wisconsin State Legislature. Three Republican bills put before the Assembly Judiciary Committee in August require first offenders to appear in court. The bills also propose that a very drunk person could receive a criminal penalty on a first Operating While Intoxicated offense and that judges could confiscate the vehicles of serial offenders.

"Wisconsin has a major drunk-driving problem," Senator Alberta Darling (R-River Hills) told the *Journal Sentinel*. The state often ranks at or near the top of national rankings on binge drinking and drunk driving. In 2012, drunk driving-related crashes killed 223 people and injured nearly 3,000 more in Wisconsin. Of the state's 601 total crash fatalities, alcohol was involved in more than a third.

Since August, several drunk driving incidents have made headlines. The most notable was an incident in which a dean at the Milwaukee School of Engineering with a blood alcohol level twice the legal limit drove the wrong way down I-43 in Racine. He crashed into a median while being pursued by a sheriff's deputy before backing up and attempting to drive around the police squad.

Democratic lawmakers on the committee agreed that something must be done about drunk driving, but many argued that no empirical evidence could prove that imposing harsher penalties on first offenders would deter drunk driving. Furthermore, they said the costs associated with the legislation would be significant.

Another proposal sponsored by Representative Jim Ott (R-Mequon) suggested making a third drunk driving offense a felony, a common law in many other states. Current state law makes the fourth offense

a felony. But others argue that such a plan could add between \$150 million and \$220 million to the Department of Corrections' annual budget, according to department estimates. Critics of the plan said Wisconsin would need an additional \$230 million to build new prisons.

"When you have unproven get-tougher-on-drunk-drivers legislation that costs a lot of money, it may not be the best way to reduce drunk driving," Attorney General J.B. Van Hollen said at a Treatment Alternatives and Diversion symposium in late August. "The reality is a lot of those dollars can be better spent on programs such as [OWI courts]."

OWI courts offer alternative treatment programs that have seen positive results in some counties. Repeat offenders still face jail time, but they undergo treatment such as cognitive behavioral therapy. And they are regularly tested for alcohol consumption.

Gov. Walker, whose own aide resigned last May to serve a 20-day jail sentence for a second OWI offense, has said that he would support tougher OWI legislation. But he hasn't offered specific opinions on the issue or the legislation now under review.

## WORKERS' COMPENSATION LAWS IN FLUX

Wisconsin's workers' compensation laws are often upheld as models for the nation. But businesses are pushing to change them, advocating a reduction in the time frame for receiving medical care after an injury.

"Twelve years after they're injured they can still make claims for continued medical coverage," Jeffrey Beiriger, a business representative on the advisory counsel, said at a recent legislative committee hearing. "We're an outlier there. Most states are at three [years]."

Business owners are also concerned about the high cost of treating injured workers. State law now caps excessive health provider fees while other states use a strict fee structure. But imposing fee structures can result in health care professionals refusing to treat

workers' compensation patients.

According to a recent survey by *TIME* magazine, Wisconsin ranked 4th in the nation as one of the most dangerous states in which to work, a distinction earned primarily because of the state's large manufacturing industries.

### EDUCATIONAL VOUCHER PROGRAM EXPANDED UNDER NEW BUDGET PACKAGE

At the end of July, Gov. Walker signed into law a \$68 billion budget plan for the state. The plan calls for a \$651 million income tax decrease and rejects federal aid to expand the state's BadgerCare Plus health plan to more people. It also includes an expansion of the educational voucher program.

Gov. Walker has been a longtime proponent of the taxpayer-financed voucher schools. Current voucher programs like those in Milwaukee and Racine County allow children in certain income brackets to attend publicly financed private schools. Under the new budget, the program will expand to 500 more students outside Milwaukee and Racine in 2013-2014, and to 1,000 more students each year thereafter.

The budget also provides up to \$10,000 in annual tax deductions to families who send their children to private schools.

Supporters say the voucher program intends to improve student achievement, But the Wisconsin School Administrative Alliance disagrees: Its leaders cite studies that show that vouchers do not improve student test scores. Moreover, approximately 75% of the students who enrolled in the program had withdrawn before their senior year. The alliance also argues that the program redirects significant resources from Wisconsin's public schools.

### FEDERAL JUDGE BLOCKS WISCONSIN ABORTION LAW

In early August, a federal judge issued a temporary restraining order blocking a Wisconsin law that would require women to receive mandatory ultrasounds before their abortions. The law would also require abortion doctors to hold admitting privileges at hospitals within 30 miles of their clinics, a stipulation that could result in the closure of half of the state's clinics.

The injunction delays the law through a trial that will weigh the law's constitutionality; that trial is slated to begin on November 25.

When Gov. Walker first signed Wisconsin's new abortion restrictions into law in early July, Tom Evenson, a spokesman for the governor said, "This bill improves a woman's ability to make an informed choice that will protect her physical and mental health now and in the future." The signing followed on the heels of similar abortion restrictions approved in Texas and North Carolina.

Planned Parenthood of Wisconsin and Affiliated Medical Services filed a lawsuit shortly thereafter, arguing that the state law fails to protect the rights that women who seek an abortion have under the U.S. Constitution.

After news of the injunction, Gov. Walker downplayed the importance of the law in the greater context of his work, telling *The Washington Post* that about 96% of the "hundreds and hundreds" of bills he had signed had been bi-partisan and there are only "four or five that have to do in any way with abortion."

Alexa Kolbi-Molinas, an attorney with the ACLU's Reproductive Freedom Project, considered the law part of a larger attack on women's rights. "This law is just one in an already too-long list of legislation passed this year and designed solely to interfere with a woman's private medical decisions," she said.

## MURPHY & PRACHTHAUSER, SC

### AUTOMOBILE, TRUCK AND MOTORCYCLE INJURIES

Judges, doctors, lawyers and community leaders refer their wrongfully injured family members and friends to Murphy & Prachthausen – because they know they will be well represented by a highly regarded team of lawyers and support staff devoted to solving their complex problems.

Murphy & Prachthausen has represented people injured by the negligence of others for more than 30 years. The firm's attorneys have won multimillion-dollar verdicts and settlements in Wisconsin and throughout the country. They have achieved local and nationwide recognition.

For example, Murphy & Prachthausen has been ranked first-tier in Milwaukee for plaintiff's personal injury litigation by U.S. News-Best Lawyers "Best Law Firms." Senior partner Don Prachthausen was also named as the *Best Lawyers' 2013 Lawyer of the Year* in Milwaukee for plaintiff's personal injury litigation. Don has been included in the *Best Lawyers in America* since 1995.

The lawyers in the firm have been honored repeatedly, including election to the American College of Trial Lawyers, the International Society of Barristers, the American Board of Trial Advocates, International Academy of Trial Lawyers, Million Dollar Advocates, and Super Lawyers. When asked to comment, Don Prachthausen stated: "The respect of one's peers is heart-warming and certainly not to be taken for granted, but I have long since realized that when I have been fortunate enough to have had success in the courtroom, it is because of the team of lawyers I have been associated with."

Don Prachthausen is joined by attorneys Kevin Kukor, Thadd Llauro, Keith Stachowiak, Mark Baus and Joe Zimmermann. They have all worked closely together for nearly three decades, and are proud to be "Good Lawyers Who Help People."



From Left: Keith R. Stachowiak, Mark D. Baus, Don C. Prachthausen, Thadd J. Llauro, Kevin J. Kukor, Joe Zimmermann

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THADD J. LLAURO  
KEITH R. STACHOWIAK  
MARK D. BAUS

# DUI DWI TRIAL PROCESS

Most people never intend to drive drunk. Some have a few drinks, not realizing their driving will be impaired. Their mistake in judgement leads to a drunk driving arrest - leaving them shocked and scared.

A drunk driving charge is very serious. You'll definitely need a lawyer if you were arrested for driving under the influence (DUI) or driving while intoxicated (DWI).

An attorney familiar with defending drunk driving cases in your area can guide you through the trial process. It will help to know what's going to happen in court before talking to your lawyer.

## ARRAIGNMENT

The first court hearing in your DWI case is likely to be an arraignment. The judge will read the charges against you and ask for your plea. Unless you carefully discuss the entry of a different plea with your attorney, you'll want to plead "not guilty."

The judge will decide whether to reduce your bail amount. The judge may agree to release you on your own recognizance without requiring additional bail.

The prosecutor gives your lawyer - a court-appointed lawyer or a private defense lawyer - copies of evidence about your case. This could include police reports and blood alcohol test results. This is called discovery.

Dates for pretrial motions and your trial will be set by the judge.

## PRELIMINARY HEARING

At a preliminary hearing, the judge decides whether the prosecutor has enough evidence to possibly convince a jury that you were driving while intoxicated. While the procedures differ greatly from state to state, this is your attorney's opportunity to size up the prosecution's case and give you more information about your options.

## PLEA BARGAINING

Plea bargaining involves negotiating a deal with the prosecutor. It's discouraged in DWI cases and is even outlawed in some states. Many legislators feel DWI is such a serious crime that plea bargaining is inappropriate.

There may be cases, however, when an



attorney can reach a deal with the prosecutor to have a DWI charge reduced to a less serious charge, such as reckless driving. It may also be possible to reach a compromise by agreeing to plead guilty to the DWI charge in exchange for the prosecutor recommending a less severe sentence than if the case went to trial.

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# MELOWSKI & ASSOCIATES, LLC

## DUI DEFENSE

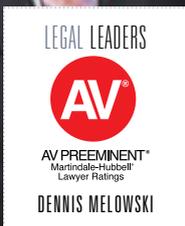
The ability to win difficult cases consistently is the single greatest weapon in a trial lawyer's arsenal. A reputation for winning will generate results that other lawyers are simply incapable of obtaining. In the field of drunk driving defense, no other attorney proves this to be true more than Dennis Melowski.

With an unmatched record of success in drunk driving jury trials, Melowski sits squarely at the top of his field in DUI defense. And his clients continually reap substantial benefits because of it. "Most clients are referred to me," says Melowski, "but I occasionally get cold calls from people who tell me they have already spoken to several other lawyers, all of whom claimed that DUI defense is their specialty, and they want to know why I'm any different. Before we go any further, I tell these people the same thing every time. Call back the other lawyers you spoke to and ask them these two questions: In the last 5 years, how many drunk driving cases have you tried and how many have you won? If the lawyer dances around the questions, or gives you an answer that doesn't impress you, call me back."

The tactic rarely fails.

After all, with nearly 90 jury trial acquittals, the firm's track record in DUI cases is second to none.

524 SOUTH PIER DRIVE, SHEBOYGAN, WI 53081  
PH: 920.208.3800 | DENNIS@MELOWSKILAW.COM | WWW.MELOWSKILAW.COM



From left: Matthew Murray, Sarvan Singh, Jr., Dennis Melowski

# HIPPENMEYER, REILLY, MOODIE & BLUM, S.C.

## GENERAL PRACTICE

Hippenmeyer, Reilly, Moodie & Blum, S.C. is located in downtown Waukesha. The firm is the oldest firm in Waukesha County, with a history dating back over 100 years. The firm offers a full service practice.

**Robert B. Moodie** is the Senior Partner, having joined the firm upon graduating from Marquette University Law School. Attorney Moodie was a member of the Marquette University Law Review. His practice concentrates in transactional work, representing small business clients, banks, as well as estate planning and real estate. Robb was a member of the Board of Directors of Badger Boys State for almost 25 years.

**Mark G. Blum** is a 1985 graduate of Marquette University Law School and is a senior partner in the firm. Attorney Blum concentrates his practice in local government law, representing the City of New Berlin and the Village of Pewaukee. He also practices land use, zoning law, corporate law, probate and estate planning. Mark has been a judge and coach in the State Bar Mock trial program.

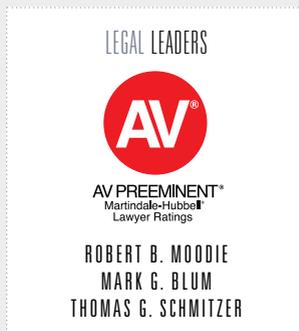
**Thomas G. Schmitzer** joined the firm in 1997 following his graduation from Hamline University School of Law and is a Partner in the firm. His practice is concentrated in civil litigation, business and trust disputes. He also represents real estate developers before governmental agencies. Tom currently serves as Board President for the Friends of the Caring Place, Inc.



Robert B. Moodie  
rmoodie@hrmblawfirm.com



Mark G. Blum  
mgblum@hrmblawfirm.com



Thomas G. Schmitzer  
tschmitzer@hrmblawfirm.com

720 CLINTON ST., P.O. BOX 766 | WAUKESHA, WI 53187-0766  
PH: 262.549.8181 | FAX: 262.549.8191 | WWW.HRMBLAWFIRM.COM

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## RONALD G. BENAVIDES

CRIMINAL DEFENSE

Ronald Gabriel Benavides has concentrated on criminal defense for 20 years. He has represented defendants in 75 criminal jury trials in state and federal courts. He has defended clients whose

charges ranged from homicide to assault to drug distribution to fraud. He has had recent acquittals following a jury trial in a fraud case in Rock County (2012), and in a sexual assault case in Jefferson County, Wisconsin. (2013). His defense in another recent case alleging 1st degree reckless endangerment resulted in a complete dismissal just a few days before the trial was to begin.

Attorney Benavides was awarded the David Niblack Award for outstanding defense in an indigent homicide case by the Wisconsin Association of Criminal Defense Lawyers in 2011. He is the co-author of "Critical Terms in Criminal Proceedings in Spanish and English," a publication of the State Bar of Wisconsin (2004; 2006)

Ronald has a B.A. in English from the University of Dallas; an M.A. in English from the University of Chicago, a Ph.D. in Medieval English Language and Literature from the University of Wisconsin-Madison, and his law degree from the University of Wisconsin Law School (1993). Ronald practices law with his partner, Lyn Fulwider Benavides.

BENAVIDES LAW OFFICE, LLC  
PO Box 1683  
Madison, WI 53701-1683  
ph: 608.284.1500 • fax: 608.284.0590  
rgb@benavidesslaw.com • benavidesslaw.com



## JEFFREY S. HYNES

LABOR AND EMPLOYMENT,  
DISCRIMINATION, SEVERANCE AGREEMENTS

Jeff Hynes has 24-plus years of experience advising employees, managers, and executives in all areas of labor and employment law, in the private and

public sectors. His services include: review and interpretation of severance/separation agreements and non-competes; responses to workplace disciplinary warnings, demotions and/or job transitions; filing and responding to EEOC, ERD and Department of Labor charges and complaints; pursuing discrimination cases based on age, disability/medical leave, gender, sexual harassment, sexual orientation, pregnancy, and race; and pursuing claims for unemployment benefits, unpaid bonuses, wages, and commissions. Jeff has been recognized in *Wisconsin Super Lawyers*—Labor and Employment Law (2005-2013), and in *Milwaukee Magazine's* "Best Lawyers" Edition (1999). He is also Co-Chair of the Wisconsin Employment Lawyer's Association and serves on the Board of Directors for the Wisconsin State Bar – Labor and Employment Section. His firm prides itself on providing prompt, practical, and cost effective advice with a strong emphasis on resolving workplace disputes through vigorous negotiations, resulting in out-of-court settlements. However, the firm will not hesitate to aggressively pursue litigation, where settlement is not feasible and such approach is in the client's best interest.

JEFFREY S. HYNES & ASSOCIATES, S.C.  
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Wauwatosa, WI 53226  
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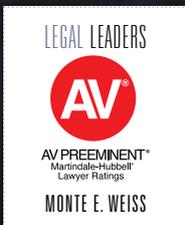
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For over two decades, Monte Weiss has focused almost exclusively on defending insurance companies and self-insured companies in personal injury, property damage, products liability, professional liability, and insurance coverage issues.

"I figured out that I wanted to represent insurance companies during my second year of law school," he says. "At that point, I restructured everything I did to focus on insurance issues, the insurance industry, and trial work."

In 1998, Weiss decided to form his own practice. "I felt the time was right and it allowed me to establish more responsive relationships with my clients. As their immediate source of contact, they're able to reach me at any time about any issue. Having my own firm also gives me the flexibility to offer alternative representation arrangements."

Weiss' focus on achieving results for insurance companies has allowed him to take a full-service approach in his representation of the industry. Indeed, he represents clients from the very inception of the insurance relationship—having written insurance policies—to the final appeal. "Right now we represent more than 40 insurance and self-insured companies and I think they appreciate being able to go to someone who knows their business."

Weiss continues to develop his expertise in the areas of insurance coverage, defense, and subrogation. He's known as an expert in his field, and regularly writes and lectures on insurance issues. He has also been AV Preeminent® rated by Martindale-Hubbell®, the organization's highest rating for legal ability and professional ethics.

Still, Weiss notes: "The most satisfying aspect of my job remains helping my clients through matters and knowing that I have helped them to secure results that they're happy with."

Weiss Law Office, S.C.

1017 W. Glen Oaks Lane, Suite 207, Mequon, WI 53092  
ph: 262.240.9663 | fax: 262.240.9664 | [www.mweisslaw.net](http://www.mweisslaw.net)



Seated, from left: Linda Roberson, Linda S. Balisle, Amber L. Otis  
Standing, from left: Christopher S. Krimmer, David E. Joanis, Katherine C. Young, Holly J. Slota

131 W. WILSON STREET, SUITE 802  
MADISON, WI 53703  
PH: 608.259.8702 | [WWW.B-RLAW.COM](http://WWW.B-RLAW.COM)

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At Balisle & Roberson, S.C. we are dedicated to providing the highest quality assistance to individuals and families struggling with family law issues. As the largest firm in the State of Wisconsin dedicated exclusively to family matters, we are uniquely positioned to assist clients with issues that range from the simple to the complex. Combined, our attorneys have well over 100 years of experience in family law, representing clients from all walks of life. Our attorneys draw upon their years of experience to protect you and your family's interest while finding the best possible solutions in a caring, efficient and comprehensive manner. Because of our size, we can provide a more individualized experience by matching a client's needs to an attorney best suited to address them.

We address all issues related to divorce, such as pension division and valuation, bankruptcy, tax and life insurance considerations, health insurance coverage and continuation, and planning for a child's post-high school expenses. Our attorneys are also particularly skilled in valuation and division of family-held businesses. Our experience and long-standing relationships with accountants and other business professionals makes us uniquely positioned to properly and fairly address these often complex issues.

## ALEX FLYNN



PERSONAL INJURY  
PLAINTIFF

ALEX FLYNN &  
ASSOCIATES, INC.  
1223 North  
Prospect Avenue  
Milwaukee, WI  
53202

ph: 414.276.7400  
fax: 414.276.5525  
alex@alexflynn.com  
www.alexflynn.com

ALEX FLYNN practices both criminal defense and personal injury litigation. Since 1984 he has obtained numerous state and federal jury acquittals. He has an AV® rating with Martindale-Hubbell and received the Martin Hanson Advocate Prize from WACDL for excellence demonstrated in obtaining a first-degree homicide acquittal verdict. He frequently lectures on trial practice and ethics for the National Business Institute, the West Group, and the Milwaukee Bar Association. In addition to Wisconsin Super Lawyers recognition, Mr. Flynn is certified as one of the Top 100 Trial Lawyers by the National Trial Lawyers. As a member of the Center for International Studies, he is a visiting lecturer of law at various European universities.

## MARTIN P. GAGNE



DIVORCE, FAMILY,  
CHILD CUSTODY

GAGNE &  
O'HALLORAN, LLC  
735 North Water  
Street Suite 731  
Milwaukee, WI  
53202

ph: 414.273.5551  
fax: 414.273.5554  
www.mgjo-law.com  
mgagne@mgjo-law.com

Martin P. Gagne has been designated a Wisconsin Super Lawyer in the area of Family Law every year since 2005, has been awarded Martindale-Hubbell's AV Preeminent® rating and has been listed in that publication's Bar Register of Preeminent Lawyers since 2005. He has also been selected to membership in the Best Lawyers in America since 2009. Attorney Gagne is a 1981 cum laude graduate of Boston University Law School.

His practice is limited to Family Law issues, including complex financial and custody cases. He has extensive experience in cases dealing with the valuation of closely-held businesses, stock options, executive compensation, employee benefits, trusts and gifted and inherited property. He practices collaborative divorce and cooperative divorce as well as traditional divorce law.

## MICHAEL GRATZ



INTELLECTUAL  
PROPERTY, BUSINESS  
& COMMERCIAL,  
TRADEMARK  
AND COPYRIGHT

BOYLE  
FREDRICKSON, SC  
840 North Plankinton Ave.  
Milwaukee, WI  
53203

ph: 414.225.1666  
mjg@boylefred.com  
www.boylefred.com

One of the co-founders of Boyle Fredrickson, S.C., Michael Gratz is experienced in all areas of intellectual property law, including licensing, patent, trademark, copyright, and trade secret law.

An honest, straight-forward thinker, Michael is a strong client advocate who is active in the professional community and frequently lectures on various IP topics. He is currently co-chair of the Milwaukee Bar Association's Intellectual Property Section and a past president of the board of directors for the State Bar of Wisconsin's Intellectual Property Section and St. Thomas More Lawyers Society.

Michael is a published author, most recently co-authoring the chapters on patents and trade secrets for the State Bar's *Business Advisory Series*.

## STEVEN H. JESSER



HEALTH CARE,  
BUSINESS  
& COMMERCIAL,  
LITIGATION

STEVEN H. JESSER,  
ATTORNEY  
AT LAW, P.C.  
PH: 800.424.0060  
WI PH: 414.223.0300  
FAX: 800.330.9710  
shj@sjesser.com  
www.sjesser.com

Steven H. Jesser served 14 years as the first Associate General Counsel of Northwestern Memorial Hospital/Northwestern Memorial HealthCare, renowned Midwest tertiary care medical center. He was a commercial litigation-commercial real estate development attorney of an international law firm, and a felony trial prosecutor.

In private practice since 1995, he has represented many U.S./international physicians, dentists, other healthcare providers, individuals/corporations, in contract transactional, regulatory, licensing-disciplinary, intellectual property, state/federal health care fraud regulatory, trial, appellate matters; state/federal commercial/criminal litigation/trials, and state/federal commercial/criminal appellate matters.

Admitted to practice in Wisconsin, as well as IL, AZ, DC, GA, MN, NE, NY, TX, MA and 60 federal courts, he has been a frequent author-lecturer on health, corporate, and criminal law.

## JULIE A. O'HALLORAN



DIVORCE, FAMILY,  
ALTERNATIVE DISPUTE  
RESOLUTION

GAGNE &  
O'HALLORAN, LLC  
735 North Water  
Street Suite 731  
Milwaukee, WI  
53202

ph: 414.273.5551  
fax: 414.273.5554  
www.mgjo-law.com  
jhalloran@mgjo-law.com

Julie A. O'Halloran has been designated a Wisconsin Super Lawyer, has been named to the Top 25 Wisconsin Women Super Lawyers, has been awarded Martindale-Hubbell's prestigious AV Preeminent® rating, and has been selected to membership in the Best Lawyers in America and Outstanding Lawyers of America.

Attorney O'Halloran graduated from the University of Wisconsin-Madison in 1986, and from Marquette University Law School in 1989, where she was an editor for the *Marquette Law Review*. She is pursuing her Master's Degree in Dispute Resolution from Marquette University. She serves on the Board of Directors of the State Bar of Wisconsin Dispute Resolution Section and is Chair of the District 2 Committee for the Office of Lawyer Regulation.

## RICHARD H. SCHULZ, ESQ.



CIVIL LITIGATION,  
APPELLATE LAW,  
LITIGATION

SCHULZ LEGAL  
SERVICES, LLC  
735 North Water  
Street, Suite 735  
Milwaukee, WI  
53202

ph: 414.272.3700  
fax: 414.271.3679  
Schulzlegal@gmail.com

Richard Schulz has been practicing law for over 45 years following graduation from the University of Wisconsin Law School. He has tried over 100 cases to verdict and has 12 reported appellate cases.

Over the past 45 years, he has devoted his practice almost exclusively to general civil litigation in matters involving arson, automobile, building construction, business, discrimination, divorce, fire, subrogation, first-party bad faith, legal malpractice, lender liability, medical malpractice, products liability, real estate, slip and fall, toxic mold and workers' compensation.

Richard takes pride in the high degree of personal attention he provides to all of his clients and his ability to counsel them on all aspects of their cases at every stage of litigation.

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HEINS & MINKO LLC attorneys advocate for employee rights exclusively. We represent clients throughout Wisconsin in a unique, client-centered team approach during a very difficult time in their lives, facing employment discrimination on the basis of disability, sex, pregnancy, age, race, national origin, religion and related claims, denial of medical leave, harassment, retaliation, termination, and other violations of their rights. Heins & Minko LLC also assists clients with forming employment contracts, reviewing severance packages, obtaining employee benefits, resolving business disputes, job coaching, and conflict resolution.

Our attorneys—Janet Heins, David Minko, Erica Reib, and Michael Gentry—advocate before state and federal agencies and courts in Wisconsin every day, fighting for employee rights in the public sector and in private companies.



1001 WEST GLEN OAKS LANE  
MEQUON WI 53092  
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Larry W. Barton Attorney at Law  
LARRY W. BARTON  
Law Office of Sharon A. Drew  
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Aplin & Ringsmuth, LLC  
RONALD S. APLIN

**Balisle & Roberson, S.C.**  
**LINDA S. BALISLE**  
**LINDA ROBERSON**  
**608.259.8702 | Page 11**

Bell, Moore & Richter, S.C.  
SHEILA M. SULLIVAN  
Charles D. Schmidt Attorney at Law  
CHARLES D. SCHMIDT  
Charles G. Curtis Attorney at Law  
CHARLES G. CURTIS  
Christopher G. Wren Attorney at Law  
CHRISTOPHER G. WREN  
Colleen D. Ball Attorney at Law  
COLLEEN D. BALL  
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Hurley, Burish & Stanton, S.C.  
ERIK R. GUENTHER  
Janet A. Jenkins Attorney at Law  
JANET A. JENKINS  
Jeffrey J. Kassel Attorney at Law  
JEFFREY J. KASSEL  
Jordan B. Reich Attorney at Law  
JORDAN B. REICH  
Kenneth P. Casey Attorney at Law  
KENNETH P. CASEY  
Kohner, Mann & Kailas, S.C.  
SAMUEL C. WISOTZKEY  
Law Office of William Roush  
WILLIAM S. ROUSH  
Lee, Kilkelly, Paulson & Younger, S.C.  
PAUL W. SCHWARZENBART  
Linda M. Clifford Law Office, LLC  
LINDA M. CLIFFORD  
Luck & Rosenthal, S.C.  
GARY M. LUCK  
Mallery & Zimmerman, S.C.  
SEAN LANPHIER  
Marquette University Law School  
JOSEPH KEARNEY  
McNally Peterson, S.C.  
MARY A. MOORE  
Menn Law Firm, Ltd.  
JOSEPH J. BEISENSTEIN, MARK R. FELDMANN  
Michael S. Heffernan  
MICHAEL S. HEFFERNAN  
O'Neil, Cannon, Hollman, DeJong & Laing S.C.  
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Rose & Rose  
TERRY W. ROSE  
Schellinger & Associates  
NEAL C. SCHELLINGER

**Schulz Legal Services LLC**  
**RICHARD H. SCHULZ**  
**414.272.3700 | Page 12**

Scopelitis, Garvin, Light, Hanson & Feary, P.C.  
PAMELA M. SCHMIDT  
Stafford Rosenbaum LLP  
PAUL G. KENT  
Timothy M. O'Shea Attorney at Law  
TIMOTHY M. O'SHEA  
Von Briesen & Roper, S.C.  
THOMAS ARMSTRONG, RANDALL D. CROCKER, MARK F. FOLEY, BETH KUSHNER, SUSAN E. LOVERN, PETER F. MULLANEY, PHILIP C. REID, JOHN P. ROCCO, HEIDI L. VOGT, PATRICK L. WELLS, DAVID A. WESTRUP  
William L. Gansner Attorney at Law  
WILLIAM L. GANSNER  
Zetley Law Offices, S.C.  
JAMES A. WALRATH

**Schulz Legal Services LLC**  
**RICHARD H. SCHULZ**  
**414.272.3700 | Page 12**

Scopelitis, Garvin, Light, Hanson & Feary, P.C.  
PAMELA M. SCHMIDT  
Stafford Rosenbaum LLP  
PAUL G. KENT

Timothy M. O'Shea Attorney at Law  
TIMOTHY M. O'SHEA  
Von Briesen & Roper, S.C.  
THOMAS ARMSTRONG, RANDALL D. CROCKER, MARK F. FOLEY, BETH KUSHNER, SUSAN E. LOVERN, PETER F. MULLANEY, PHILIP C. REID, JOHN P. ROCCO, HEIDI L. VOGT, PATRICK L. WELLS, DAVID A. WESTRUP  
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